



VOLUME 1

**REPORT OF THE
TRUTH AND JUSTICE COMMISSION**

Truth and Justice Commission - November 2011

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EXECUTIVE SUMMARY OF OBSERVATIONS, FINDINGS AND RECOMMENDATIONS

The Truth and Justice Commission Act was constituted in March 2009, as a result of the enactment of the Truth and Justice Act, No. 28. of 2008.

The Commission had, as its mandate in terms of Section 3(2) and Section 4 to:

- (a) make an assessment of the consequences of slavery and indentured labour during the colonial period up to the present;
- (b) conduct inquiries into slavery and indentured labour in Mauritius during the colonial period and, for that purpose, gather information and receive evidence from any person;
- (c) determine appropriate reparative measures to be extended to descendants of slaves and indentured labourers;
- (d) enquire into complaints, other than a frivolous and vexatious complaints, made by any person aggrieved by a dispossession or prescription of any land in which he/she claimed to have an interest; and
- (e) prepare a comprehensive report of its activities, research and findings, based on factual and objective information and evidence received by it and submit the report to the President.

The Mandate of the Commission was tenable for a period of 24 months with a three-month period for preparatory work. In view of the delay experienced by the Commission to finalise its works, a further period of five months was given.

As soon as the designated Chairman and the Commissioners appointed were sworn in before the President of the Republic, the Commission started its activities.

In accordance with Section 3(2) of the Act, the Commission hereto submits its observations, findings and recommendations.

The Commission has, therefore, focused, in the first instance, on the continuities in history up to the present, especially, from an economic and social perspective, and then, on specific themes relating to colonialism, slave trade, slavery and indenture. We shall, therefore, elaborate on the resulting observations and findings before elaborating on the recommendations.

We shall elaborate on our observations on slavery and indentured labour first and then comment on the work undertaken to elucidate all cases of dispossession of land.

SLAVERY

As regards slavery, it may be pointed out that there had never been any real inquiry instituted during the whole British occupation on the fate of ex-slaves and their descendants, in spite of the precarious situation in which they live up to this day.

For long, there has been a dearth of literature on the real history of slavery in Mauritius. The history of the colony of Mauritius was first viewed as the history of the ruling class consisting of French *colons* and their descendants. Most of the descendants of ex-slaves live in such total ignorance of the history of their ancestors, that an attempt to unveil their history is very recent. Further, it is not easy to assess the exact number of citizens who claim ancestry of slaves of African

and Malagasy origins, as these are lumped in the group of 'General Population'. The Housing and Population Census of 2000, however, indicates that this group of citizens should number well above 250,000. Our historical research has demonstrated convincingly that the process of exclusion of descendants of slaves, prevailing today, originated at the time of abolition of slavery. The cheap labour policy adopted then by the plantocracy and the Colonial State, contributed into their leaving the plantations. Further development in the 19th and 20th centuries would confirm this trend. Following applied research, in depth inquiries and oral testimonies, it is evident that people of slave descent are among, as a consequence, the less envious citizens of the Republic on the threshold of the 21st century Mauritius in that:

- (i) they are poorly housed, in that a majority of them live in housing estates, devoid of bare amenities and in over crowdedness;
- (ii) literacy is rampant in their milieu, schooling of children needs re-thinking to be effective; due to their low level of education and poor performance at school, few can get employed in Government services and parastatals;
- (iii) marked absence in agricultural occupation, as a result of circumstances arising from the aftermath of slavery;
- (iv) marked absence in the fields of trade and commerce, and especially in the small and medium enterprises sector;
- (v) over-concentration of employment in hard manual work;
- (vi) contrary to the other communities, they have no real effective pressure groups to make their voices heard in higher and political quarters, most of their grievances remained unheard;
- (vii) for these and other reasons, they are poorly represented in all spheres of public life and in Government institutions; and
- (viii) the Commission has also undertaken for the first time, a psycho-sociological analysis to better understand the various factors which impede progress, and the following relevant reports and recommendations highlight new strategies to be adopted in the future.

Few places bear the name of people of African and Malagasy descent, although slaves outnumbered their masters in the proportion of 10 to 1.

Even today, no monument has been erected to remind us of their contribution to history and to the development of the country.

INDENTURED LABOUR

There is the perception that Indo Mauritian Hindus and Indo Mauritian Muslims who hailed from India after the abolition of slavery under the indentured trade have had a better life as compared to their slave counterparts during the whole British occupation.

The reality is that the treatment meted out to the flow of Indian workers who came to Mauritius between 1834 and 1842 was very harsh. Their recruitment, transportation, housing and conditions of work left much to be desired. The condition of work was so appalling that the authorities decided to suspend further recruitment.

Although a lot of shortcomings were attended to, when the authorities decided to allow the resumption of immigration of Indian labour, there was still much room for abuse: wages were on the low side, housing conditions were poor and hours of work unregulated. Indian immigrants who refused to renew their employment contract with the same employers were arrested under Vagrancy Laws, imprisoned and inflicted corporal punishment.

Frustration continued to gather momentum until 1871 when a mass petition was sent to Queen Victoria praying for redress. The petition resulted in the setting up of the Royal Commission of

1872. The recommendations of the Commission formed the basis of new legislations which were enacted to improve much of their conditions of work, wages, allocation of food and housing.

Land acquisition by Indian immigrants was greatly facilitated by sugar estates owners in order to put to use much of the marginal lands held to maximize sugar production. The massive purchase of uneconomic plots of land through *morcellement* was another way to plough back whatever savings had been made by immigrant workers thanks to great personal sacrifice and hard work. It is true that by the year 1900 around 40% of the land surface under cane cultivation were held by Indian immigrants and their descendants; production was however on the low side less than 20 % of national output in sugar. But much of the land acquired were uneconomic in spite of invisible labour provided by the small planters themselves. This emerging class of small planters represented hardly a third of the bulk of Indian- Mauritians, the rest until the second half of the last century continued to lead a precarious life as labourers on sugar estates or as unemployed.

With the drop in prices of sugar on the world market and in absence of support prices from the European Union, the future of cane cultivation by descendants Indian planters holding small plantation look very bleak indeed. Already many are selling off their much cherished plot of lands or leaving them idle in anticipation of better days. The need for group action to prevent further contraction from this agricultural activity appears evident.

The sugar unrest in 1937 and the labour unrest of 1943 mostly by Indian labour workers and small sugar planters are here to attest of the struggle to change their precarious living and working conditions.

The centralization of sugar estates and sugar mills throughout the 20th century has brought in its wake much loss of employment whose conditions of work and wages left much to be desired. Many have been laid off without any form of compensation.

To the credit of the Indian immigrants and later on of their descendants is the faith which they had in the promotion of their children through education. Education was and continues to be the priority. The privileged position held by people of Indian origin in government institutions is due to investment made in higher education for their children.

The inside story of Indian immigrants and of their descendants continued to be marred by caste prejudice. Class demarcation was even encouraged on sugar estates when it came to appoint labour supervisors (*sirdars*). On sugar estates until recently the *sirdars* emerged as a class of employees who wielded considerable power and received higher wages and could thus acquire the best plots of land from estate managers. In spite of the fact that connection with India has been severed more than a century, caste prejudice continues to dominate much of the religious, social and political life among people of Indian origin while such prejudices become exacerbated at election time.

ECONOMY

The slave trade allowed many in Mauritius and France, to accumulate wealth. This paved the way for investment in estates, land and business. The fortunes of many today were built on the prosperity of those who traded and used slave labour in the 18th and 19th centuries; cheap, indentured labour in the 19th century and continued cheap labour in the 20th century. The contribution of slaves, indentured labourers and their descendants towards wealth creation has been amply demonstrated in chapter one. Yet, in the 21st century, social and economic progress though impressive in many respects is still lacking in certain aspects: land ownership is still skewed in favour of the economic elite while certain groups, particularly of Afro-Malagasy origin, are landless. Recommendations towards a more equal redistribution of land for a more sustainable future Mauritius constitute a form of reparations for loss of land.

But the landless today were not always so. The pioneering work of Dr. Richard Allen, in highlighting the landownership of ex-slaves has shown how after abolition many ex-slave families purchased land during what he terms the 'early morcellement' period. Their subsequent dispossession of land manifested by the hundreds of land claims received at the Commission as well as visits and meetings with dozens of families is testimony to the fact that people of Afro-Malagasy origin were

not always landless. Many families of Indian indentured origin also obtained lands in the 19th century subsequently lost them in the 20th century. Those of mixed European and Asian and African descent termed 'Gens de Couleur' and many poorer whites also lost most of their land by the end of the 20th century.

It is not clear either why the Maurice Ile Durable project omitted the critical issue of land ownership or preservation of peoples' cultures as part of its agenda despite this being on UNESCO's list for culture as one of the pillars of sustainable development. How this was not raised and discussed in its public consultations is beyond the understanding of the Commission who has witnessed the flow of hundreds of families at the Commission, searching for long lost land.

Labour, which has constituted the bulk of population since the early days of Mauritius, must be given due consideration that it deserves in a democratic society. There is a need to define a new social contract whereby the labouring classes are not considered as mere factors of production, but as human beings with fundamental rights and participating fully in wealth creation of the country. The State should do the needful, in terms both of introducing new legislation, and of contributing in the development of a new mindset both in the public and private sectors.

There is a need to adopt a new approach to co-operative development. The influence of the State since the inception of the co-operative movement of the new elite espousing values and practice contrary to co-operative principles and values have had a negative effect on the co-operative movement. Co-operative development, which respects the co-operative values and principles, provides for a genuine empowerment of everyone, and certainly, the poor and needy ones. The Co-operative Sector should be able to coexist effectively together with the Public and Private Sectors. For this to be possible there is a need for a new leadership and professional management which adheres to co-operative values and principles.

Land speculation, poverty, greed of some family members, the corruption of officials and professionals, an ever encroaching sugar industry and laws that protect the traditional economic structure have ensured that landownership remains in the hands of the same traditional economic elite who have today been joined by members of the state bureaucracy, politicians and the new business community. There is no justice in Mauritius for those who cannot afford lawyers, notaries, land surveyors and attorneys. The Commission's request for funds already earmarked since 2009 to help a few deponents survey their land was turned down by the authorities. Our Recommendations for Reparations for Mauritians who have been victims of land dispossession requires no less than a profound rethinking by this elite of its role in Mauritius and whether it wants to continue defending the morally corrupt system that exists. The writing is on the wall.

INTRODUCTION

PROFESSOR ALEXANDER BORAINÉ, CHAIRMAN OF THE COMMISSION

THE MANDATE OF THE TRUTH AND JUSTICE COMMISSION

The Mandate of the Truth and Justice Commission was defined in the Truth and Justice Commission Act of 2008. The first four sections of the Act which define the mandate of the Act are hereto reproduced.

An Act

To enable His Excellency the President of the Republic of Mauritius to establish a Commission to promote social justice and national unity

ENACTED by the Parliament of Mauritius, as follows -

1. Short title

This Act may be cited as the **Truth and Justice Commission Act 2008**.

2. Interpretation

In this Act - "Commission" means the Truth and Justice Commission established by the President under section 3;

"member" -

- (a) means a member of the Commission; and
- (b) includes the Chairperson and Vice-Chairperson.

3. Truth and Justice Commission

The President shall establish a Truth and Justice Commission whose objects shall be to make an assessment of the consequences of slavery and indentured labour during the colonial period up to the present.

The Commission shall make recommendations to the President on measures to be taken following its assessment and its findings with a view to achieving social justice and national unity,

The Commission shall consist of a Chairperson, a Vice-Chairperson and 3 other members who shall be appointed by the President on such terms and conditions as the President may determine.

The members shall be persons having wide experience in the field of history, anthropology, culture, economics or law and shall perform their functions independently of the control or authority of any person or body and in an impartial manner.

Every member shall, prior to assuming office, take and subscribe before the President, the oath set out in the Schedule.

4. The Commission shall perform such functions as are necessary to enable it to achieve its objects and, in particular, shall -

conduct inquiries into slavery and indentured labour in Mauritius during the colonial period and, may, for that purpose, gather information and receive evidence from any person;

determine appropriate measures to be extended to descendants of slaves and indentured labourers;

enquire into a complaint other than a frivolous and vexatious complaint, made by any person aggrieved by a dispossession or prescription of any land in which he claims he had an interest; and

prepare a comprehensive report of its activities and findings, based on factual and objective information and evidence received by it and submit the report to the President.

In the Second Reading of the Truth and Justice Commission Bill, the Prime Minister, Dr the Hon. Navinchandra Ramgoolam stated “The Commission shall make recommendations to the President on measures to be taken following its assessments and its findings with a view to achieving social justice and national unity.”

In urging support for the Bill, the Prime Minister added:

“The history of our country is based on a continuous quest for freedom and social justice. Our past has been marked by the forcible removal of thousands of people from the mainland of Africa, Madagascar and Asia. These are the darkest and most shameful pages of our history. The introduction of indentured labour under slavish conditions was no less shameful and evil.”

Finally, the Prime Minister stated his hope that:

“This Commission will pave the way to reconciliation, social justice and national unity through the process of re-establishing the historical truth. It is the legitimate expectation of everyone to know our true history. It is only after we have been faced with this reality that we can consolidate unity in our country. It is important therefore that we recognise our past history and lay that past to rest so that we can move on to reconciliation, justice and national unity.”

In passing the Truth and Justice Commission into law, the Assembly has followed in the footsteps of a number of diverse countries around the world which have conducted Truth Commissions over the past 25 years. In total, there have been 40 such Commissions, with several more in the offing. Without fail, all stressed the importance of dealing with the past and the moral duty to assist those who had suffered through policies and actions in the past. There is no one size that fits all. Each country is unique in its history, its political systems and its culture. Nevertheless, there are striking similarities in each country’s search for Truth and Justice. There is always violence present in the histories of all of these countries, and there are always victims who have suffered from this violence. There is also always denial. There are many in each of these countries who have sought to deal with the past, as well as people who opposed it and who favoured amnesia rather than remembering. They argued that it was better to turn the page, not to disturb the past, but to move forward. Fortunately, there have also always been those who believe that it is impossible to build a democracy and a human rights culture in any country without taking seriously the past of that country. As George Santana put it, “Those who forget the past are condemned to repeat it”. Thus, it is possible to learn from the experiences of widely differing Commissions without duplicating their journey.

The Mauritian Commission is unique in its focus. Mauritius is the only country in the world to have succeeded in establishing a Truth Commission relating to Slavery and Indenture. It is the only Commission which has investigated the history and consequences of Slavery and Indenture. There are many countries in Africa, such as Liberia, Senegal, the Democratic Republic of Congo, Sierra Leone, who have never addressed the grotesque acts of forcing people into slavery. Certainly, those Arab countries which, hundreds of years ago, traded in slavery have never come to terms with that evil either. It is well known that the United States of America has never ever attempted to deal concretely with the consequences of slavery in that country. This is true also of the Caribbean. Hopefully, these countries, and many others, more especially Madagascar and Mozambique, will learn from the Mauritian experience. Mauritius has indeed set an example to the world.

Despite good intentions, the road to the setting up of the Truth and Justice Commission was a long and difficult one. Tribute should be paid to the Michel brothers of the *Verts Fraternels* Party who have urged and pleaded for such a commission over many years. In early 1999, the Government’s attempt to establish a “committee on reparations for slavery” failed as days after this committee was established, bloody riots broke out in Mauritius and the Chairman of the committee was appointed to head an investigation into the riots. As a consequence, this early attempt never got off the ground. The aim of this committee was “to consider compensation for slaves, its appellation and terms of reference”.

Specific areas of study were outlined by this committee, much more specific than the present Commission. These were the capture and procurement of slaves, the transport of slaves to Mauritius, the sale and acquisition of slaves as chattel, the treatment of slaves and a demographic, historical and sociological study of slaves and their descendants. It was also meant to examine the extent to which private and public bodies and Colonial Authorities supported slavery and its continuation, and how far the same restricted efforts of freed slaves went to rediscover their roots. It was also asked to consider whether any form of compensation should be granted, and who should be the beneficiaries.

In 2002, another attempt was made by the party of Mr Sylvio Michel, who was then in Government in coalition. R. J.C Armance, Third Member for Grand River North West and Port Louis West, One laid a private motion asking for a Commission to look into the 'all aspects of damages sustained by slaves and by indentured labourers and their descendants and to make such recommendations as it thinks appropriate on the mode of obtaining financial compensation from parties concerned for the prejudice suffered (Private Member's Motion Debate No 26 of 26.07.2002). However no Commission was ever set up. By this time, claims for reparation were being made also by States, particularly in the 2001 Durban World Conference on racism. In Resolution 56/266, acknowledging slavery as a crime against Humanity, indentured labourers were also included as people who had suffered. Mr. Michel stated in Parliament that Mauritius was far ahead, as it was the first African country to discuss such a motion.

In August 2007, a task force was set up to work out the terms of reference of a Truth and Justice Commission. The members were: Professor Robert Shell, the Most Rev. Ian Ernest, Dr. Vijaya Teelock, Associate Professor Reddi, Mr. Benjamin Moutou and Mr. Lindsay Morvan. Its terms of reference were not vastly different from the first committee, except that the committee did not retain the objective of "identification of institutions and individuals responsible". At this stage, there was no mention of inquiries to be conducted on land issues. The scope of the measures for reparations was to be for structural reforms, more particularly to "set up institutions that would redress the injustice caused to the descendants of slaves and indentured labourers".

When the Bill was finally presented in 2008, the Government had added a new objective concerning the land. This intensified the enormous challenge facing the Commission, bearing in mind that the subject of land is always contentious, and that unless there is the relevant documentation, it is extremely difficult to determine the true owner of the land in question. Nevertheless, the Commission accepted the added objective concerning land dispossession very seriously and has included a full report in a separate volume.

As soon as the Truth and Justice Commission Act was promulgated, Professor Robert Shell was appointed as Chairman of the Commission and four additional Commissioners were appointed: Dr. Vijayalakshmi Teelock (Vice-Chairperson), Mr. Benjamin Moutou, Dr. Paramaseeven Veerapen, Mr. Lindsay Morvan. On 8th April 2010, Mr. Morvan resigned from the Commission and the President of the Republic appointed Mr. Jacques David on 1st July 2010 to fill the vacancy. Premises were obtained in the capital, Port Louis, and a plan of action was drawn up. This included a communications policy, a website, and a brochure in four languages, English, French, Creole and Bhojpuri (the text was drafted by Mr. Morvan and translated by Mr. Robert Furlong, Dr. Police-Michel and Ms. Suchita Ramdin). There was also a logo competition and a workshop which focused on major themes such as Gaps and Silences in the History of Slavery and Indentured Labour, Methodology and Approaches, Achieving Justice and Equality. A notice was published, inviting the public to participate in the work of the Commission and to send in documents. Contact was made with the media, which resulted in extensive coverage on television, radio and in the print media.

In order to fulfil its mandate and to offer as many opportunities as possible to Mauritians from all walks of life, a series of public hearings was organised, and these were open to the public as well as to the media. Most of the hearings were held in the headquarters of the Commission, but a few were held on site.

The Mauritian Commission suffered the same problems as many other commissions in the appointment of appropriate staff, identifying accommodation, developing of a relationship between the Prime Minister's Office and the Commission, the drawing up of budgets, meant that progress, initially, was very slow. This was not helped by the fact that the Commissioners were part-time

which, with hindsight, was a mistake, but was later corrected when the three Commissioners were appointed full-time. Another factor which caused some delay was the fact that unfortunately, Professor Shell, the Chairman, was not able to continue in this capacity and the Commission was without a Chairman for many months. Professor Alex Boraine was appointed Chairman only in January 2010. During the period of establishing the Commission and the months without a Chairman, Dr. Teelock was Acting Chairperson and performed excellently, with the assistance of her fellow Commissioners and a growing number of consultants and staff.

It was further decided that there would be three broad areas of research; firstly, the revision of History from 1723 to 2009 (slavery, indentured labourers and identification of elements of History which have not been studied yet or hidden or not known, i.e., the caste system, post-1835 situation of ex-slaves, etc); secondly, the consequences of slavery and indentured labour on society. Thirdly, measures to achieve Social Justice. In addition, a number of critical specialist studies were undertaken on land, reparations, the role of religion and the collecting of views of people who are not so visible or vocal through Oral History.

There were a number of project teams established. These included Slave Trade and Slavery; the Indentured Experience; Mauritian Economic History; Culture, Ethnicity, Memory and Identity; Health; Education; Towards a Just Society; Rodrigues, Agalega, Chagos and St. Brandon Islands; Recommendations.

Several workshops were conducted which brought together experts from different fields, including Slavery, Education, Economics, Law and Indentured Labour.

From the outset, a very specific focus was on Recommendations in each of the above areas, and a broad set of recommendations was drawn up, in order to try and respond to the suffering, the degradation and exclusion of people of slave and indentured labour descent.

The challenge facing the Commission was formidable. Slavery was abolished 176 years ago and the vast gap between then and now presented almost overwhelming challenges to the Commission and its staff. This was further exacerbated by the fact that many of those who deponed before us often lacked even the most basic documentation needed to prove their ownership of land. Many, many hours and days were spent in the archives attempting to trace the missing documents, often without success because the state of the archives left much to be desired.

By far the overwhelming number of those who appeared before us claimed that they had been dispossessed of their land. The Commission scrupulously investigated each claim presented to us, but there is no doubt that this will be an ongoing task well beyond the life of the Commission, and we have included recommendations to Government concerning future ongoing attempts to be of assistance to those who still feel strongly that land is owing to them.

The Commission considered very carefully, and debated at length, what its Reparations Policy should be in light of its findings. We listened with sympathy and appreciation to a wide cross-section of community and religious organisations, as well as many individuals and families who deponed before the Commission. In addition, we studied a large number of written manuscripts which were handed in to the Commission. Further, we considered policies adopted by the many countries who have instituted Truth Commissions. The Commission has received several memoranda highlighting the need for compensation to slave descendants, in view of the damaging after-effects of slavery during the past 176 years. Many such requests refer to cash compensation. In the past, payment of cash compensation to people banished from the Diego Archipelagos has proved damaging. Given the difficulty to identify broadly people of slave descent from among the general population, this exercise can end up in frustration. Reparation by way of positive discrimination and an integrated rehabilitation plan concerning schooling of children, better housing conditions, elimination of discrimination on the employment market, whether in the public and private sector, review of the electoral system in order to pave the way for better representation in electoral constituencies of Creoles was considered the better and more enduring option. In other words, the Commission has resolved that the focus should be on the median long-term, rather than short-term, solutions. Our recommendations therefore are directed towards Social Justice for all.

The Commission is aware that however substantial our Recommendations are, they cannot adequately respond to the hurt, the suffering and loss of dignity which many Mauritians have experienced in the past. We cannot bring back the dead, but if the measures we propose are implemented, it will markedly improve the quality of life for descendants of both slaves and indentured labourers who have suffered during the colonial period.

I now submit our recommendations which are the result of in-depth studies carried out between 2009 and 2011 for which we have secured the collaboration of a number of experts in several fields. These recommendations, if applied, would, we are sure, bring about fundamental changes in the life of Mauritians in the Republic of Mauritius, whose ancestors have suffered from the consequences of slavery and indenture and whose descendants bear the scourge of a most inhuman treatment. In spite of the hardships endured by them, they have been the pillars of the development of modern Mauritius and contributed largely to the economic prosperity of the islands and its social institutions.

The aim of the Truth and Justice Commission is to find the path to social justice and national unity, and hence to national reconciliation. We have demonstrated how economic and social justice can be brought about through the reform of economic, social and ideological structures and creation of new institutions.

Mauritians have come from different corners of the world to settle, many forcibly. Each wave of migration has been characterised by specific linguistic cultural and religious traditions. All these groups, in one way or another, have serviced the colonial economy and continue to do so in modern Mauritius. The outstanding question to be dealt with is how to best address the fundamental class, ethnic and gender divisions that still exist in Mauritian society today. The question remains: what are the forces that benefit from divisions? Who works against national unity? In this, the Mauritian economic elite is joined by the intellectual community and the established political class.

The Commission has found that dividing the working classes has always been the strategy of the elite. The general tendency since the 19th century was to portray those of African origin as lazy and anti-agricultural labour while those of Indian origin were portrayed as frugal minded and hard working. The religious factor also can be added as one group became heavily Christianised while the other retained their Hindu and Muslim faith. The Creole working class, is today made up of people of mainly of mixed African and Indian origin, and are mostly Christians. In the wake of independence being conferred, there were two opposing forces. The Creoles happened to align themselves in the anti-independence faction, while the Indo-Mauritians were in favour of independence. This episode has embittered relations between the two groups since.

The strategy of 'divide and rule' has not, however, been always been successful. The period leading to independence provides a good example of this situation. Before the 1960s, there is no evidence that there were 'divisions' between the working classes. The decades of the 1930s, 1940s and 1950s were years of intense class battles between the British colonial authorities, the local economic elite and the working classes.

With moves being made for independence -government, the traditional fear of the economic elite of the working classes uniting against it, was shared by the British colonial government. The fear was now that Mauritian working classes would unite and fight for independence and introduce a more democratic society and economy. The work of division takes on a new turn.

Not all Whites and not all members of the *Gens de Couleur* were against Independence. Many were led to believe that Independence would bring about economic chaos and Hindu domination. However, many joined hands with leaders of the working classes to fight for better conditions for Mauritians. Part of the *Gens de Couleur* recognized that the move towards Independence was a positive development. In this context, they created the *Sentinelle* group and launched the *L'Express* newspaper, inspired from Rémy Ollier's newspaper of the 1840s. The oligarchy and part of the elite of the *Gens de Couleur* for their part identified with the Parti Mauricien Social Démocrate (PMSD) who campaigned against independence.

The British, in their wish to have control over governments, continued to practise divide and rule tactics and encouraged the creation of religious and communal parties. The Trustam Eve

Commission of 1958 was an example of this. Division on religious grounds between Hindu and Muslims now entered the scene and religiously-inspired parties emerged.

Communal hatred was thus accelerated from the early 1960s and has lasted, to some extent, to this day. This feeling that there was 'domination by the majority community' was now fully embedded in the minds of part of the working classes. Part of the PMSD electorate were dissatisfied when the latter joined the Labour Party in a Coalition Government with the Labour Party, integrated the newly formed 'Marxist' party, the Mouvement Militant Mauricien. The MMM was also joined part of the electorate of the Labour Party.

The apprehension still exists among the ruling class that the working classes of all communities will one day get together and deprive them of their position and power. The Creole and Indian working classes appear divided along ethnic lines but are little aware of their common origins. Many Creoles are of Indian origin and many Indians are mixed linguistically, regionally, and caste-wise. *Métissage* is a fact of life, but little recognized or accepted by the many Mauritians.

Mauritians have much more in common than they think they have and are much more united than they think they are. They accept and respect the cultural traditions of others in their daily life.

The Independent State has never had a road map towards nation-building and reconciliation and has therefore been weak in efforts to encourage a national identity and culture and in securing more economic democracy.

Not enough has been done to encourage a national spirit in the minds of the people. The media have failed lamentably in infusing a sense of national unity and practising an inclusive policy.

1. Apology

The Commission recommends:

- (i) that in the light of injustices suffered by descendants of slaves and indentured labourers, the Republic of Mauritius and other institutions make an official apology through the President of the Republic, the Prime Minister and private institutions connected with slavery and indenture, such as the Catholic Church, the Chamber of Commerce and the Mauritius Sugar Producers' Association.
- (ii) That a resolution to this effect be made and passed at a Special Session of the National Assembly.

2. Memorials

The slaves who were brought to Mauritius were brought against their will. The inhuman treatment they endured was a crime against Humanity; they received no payment for their arduous hard work. Indentured labourers were also treated very badly, but at least, they came of their own free will and were paid, albeit a very low wage. We recommend that a Slave Museum be built, honouring the memory of all slaves who underwent horrific treatment under their masters and in recognition of the contribution which they made to the development of Mauritius.

The Commission further recommends that consideration be given to commemorating 23rd August (UNESCO Day of Remembrance of Abolition of Slave Trade) as a Day of Remembrance and Reconciliation which will more fittingly honour both slaves and their descendants, as well as the descendants of indentured labourers. The Commission also recommends that a monument be erected on the Caudan Waterfront as a reminder of the arrival of slaves.

3. The Commission recommends the immediate Proclamation and Implementation of the Equal Opportunities Act. This will go a long way towards creating a more just society for all citizens, irrespective of race, ethnic religion, caste, religion, culture and social background.
4. The Commission recommends the establishment of an audit of public and private employment. Our findings show that Creoles are the last to be employed and the first to be retrenched. There ought to be penalties for unfair discrimination in all employment opportunities.

5. The Commission is aware that part of the reason for the non-employment of Creoles is that many lack the necessary qualifications. Therefore, the Commission urges Government to embark on establishing enhanced Technical Colleges which will enable those who do not complete High School to be trained as artisans in different fields.
6. Working-class families are at a distinct disadvantage in terms of the language medium of instruction presently practised in schools. It is strongly recommended that Creole be introduced as a medium of instruction at all levels as a matter of urgency (see Further Recommendations under Education Project).

It further recommends that all National Examinations before Form V be abolished. This causes undue stress on children, parents and teachers and has no pedagogical value whatsoever.

7. Race Discrimination

However, the Commission has no doubt that race discrimination against Creoles, in particular, is a further reason for Creole people to feel “left behind”. Therefore, the Commission recommends that discrimination, at any level, on the basis of race, colour, gender, caste and religion should be outlawed. Anti-Discrimination legislation should be introduced to give teeth to the rooting out of discrimination which exists in Mauritius.

8. Land

One of the most vexing and complex challenges faced by the Commission was to try and be of material assistance to deponents who believe they have been unjustly dispossessed of their land. Many of those who have come before us have inadequate documentation and, in most cases, our search of the archives has not produced the missing documentation. In some instances, we have discovered that the land has been sold or prescribed. The Commission has also noted, with alarm and dismay, that some land consultants, some Notaries, some Lawyers and some Land Surveyors have misled, or have made promises on payment of money to, some of those who appeared before the Commission, and have never delivered.

The Commission is strongly of the opinion that a Land Monitoring and Research Unit be established as a matter of urgency. This Unit should be a permanent body whose main task will be to assist citizens to establish the facts concerning their search for land which they believe is rightly theirs. Unnecessary bureaucracy should be avoided at all costs.

The Commission recommends that the State considers granting small parcels of land to deserving cases. It further recommends that legislation be introduced which will give greater protection against those Land Consultants, Notaries and Lawyers who are a disgrace to their profession and unscrupulous in their dealings with those who seek their assistance.

9. Housing

The Commission recognises that successive administrations have provided low-cost housing to those who need it most. However, it is clear that many of the citizens of Mauritius are living in degrading circumstances. Some well-intentioned schemes have failed and some families are living in overcrowded, unkempt housing, and many in absolute squalor.

The Commission recommends that immediate plans be introduced to audit existing housing estates with a view to upgrading and, where necessary, to embarking on new decent (not low-cost) housing projects.

Many housing estates have buildings constructed with asbestos, a toxic substance which is damaging to health. These houses should be pulled down on a phase to phase basis and other units constructed with proper material. Many housing estates, now known as residences, are devoid of kindergarten, playgrounds and some are without community centres. These shortcomings should be addressed.

10. Senior Citizens

With improved health care and better quality of life, life expectancy is bound to give rise to a generation of senior citizens. These elders are often left out in the process of modern life. In the poor man's milieu, elderly citizens are the most to be pitied. The Old Age Pension for those who are over 70 should be increased substantially as many are left stranded by their sons and daughters who have migrated and who cannot themselves cater for their own needs. People of 70 and above should benefit from home medical care on a regular basis.

11. Responsibility of Colonial Powers

Lord Gifford, on that 14th March 1996, rose to ask Her Majesty's Government in the United Kingdom:

"whether they will make appropriate reparation to African nations and to the descendants of Africans for the damage caused by the slave trade and the practice of slavery".

The Lord Gifford argued:

"My Lords, the Question raises an issue which is being debated with increasing vigour and intensity by African people around the world; and by African people, I mean people of African descent, wherever they live, whether in Africa itself, in the United States, in Great Britain or in former British Colonies".

"The issue is this. The under-development and poverty which affect the majority of countries in Africa and in the Caribbean, as well as the ghetto conditions in which many black people live in the United States and elsewhere, are not, speaking in general terms, the result of laziness, incompetence or corruption of African people or their governments. They are in a very large measure the consequences the legacy - of one of the most massive and terrible criminal enterprises - in recorded human history; that is, the transatlantic slave trade and the institution of slavery".

"The thesis that I advance tonight is that in accordance with international law and with basic human morality, measures of atonement and reparation are due from the successors of those who instigated and carried out the trade and who profited massively from it to the descendants of the victims of the criminal enterprise who still suffer in many different ways from the effects of the crime".

"The horrendous nature of the enterprise of African slavery is well-known and documented. Around 20 million young people were kidnapped, taken in chains across the Atlantic and sold into slavery in the plantations of the New World. Millions more died in transit in the dungeons of the castles such as Gorée, Elmina and Cape Coast, or in the hell holes under the decks of the slave ships. It was without doubt, in the fullest sense of the term, a crime against humanity. A vast proportion of sub-Saharan Africa from Senegal right around to Angola and on the other side from Mozambique into Malawi and Tanzania was depopulated. Its young men and women were taken away".

"African governments today, who have tried to rectify the under-development which they have inherited from history, have borrowed from the financial institutions of the West and are now in a virtually uncontrollable spiral of debt. In reality - and in morality - I suggest that it is the West which is in debt to Africa, not Africa which is debt to the West".

"On the other side of the Atlantic, the African captives were cut off from their families, their land and their language. They were forced to be owned as chattels and to work as beasts of burden. When finally, emancipation day came - in the British colonies, in 1838 - the ex-slaves received nothing. It was the ex-slave owners who were compensated for the loss of their property".

"The slavery experience has left a bitter legacy which endures to this day in terms of family breakdown, landlessness, under-development".

“As well as the consequences in Africa and the Caribbean, there is a further element in the legacy of the slave trade which is the damage done within Britain, within the United States and other Western societies. The inhuman philosophy of white supremacy and black inferiority was inculcated into European peoples to justify the atrocities which were being committed by a Christian people upon fellow human beings. That philosophy continues to poison our society today”.

“African people, too, have a massive and long-standing grievance. It is no use saying that it all happened a long time ago, and we should just forget about it. “But the wrongs have not been forgotten. The peoples of Africa live with their consequences still”.

(As quoted by Jacques David in *MAURITIUS-THE SLAVE LEGACY*, 2010)

The Commission strongly supports the undisputable truths, as stated so powerfully by Lord Gifford. In particular, the Commission underlines the need for former Colonial Powers to accept responsibility for the wretched system of slave trade in Mauritius. Further, the Commission endorses Lord Gifford’s statement that “the inhuman philosophy of white supremacy and black inferiority was inculcated into European peoples to justify the atrocities which were being committed by a Christian people upon fellow human beings. That philosophy continues to poison our society today.”

We therefore recommend, in this spirit, that the Government of Mauritius approaches the former Colonial Powers, Holland, France and the United Kingdom, to accept their several responsibilities for the slave trade, slavery and its consequences still experienced today in Mauritius.

Although the conditions were not the same, the Commission further recommends that the Mauritius Government approach the former Colonial Power, the United Kingdom, to accept its responsibility for indentured immigration after the abolition of slavery.

The recommendations made by the Truth and Justice Commission, if implemented, will be costly, and it is the view of the Commission that a substantial part of these costs should be borne by Holland, France and the United Kingdom.

Because of the intensity of our experience and the never-ending calls on our time and energy, closure was always going to be difficult. Closure in respect of the TJC brought with it particular and peculiar problems. How does one stop seeking the truth? Yet, we had to draw the line and accept that truth-telling and truth-seeking cannot be confined to a particular Commission. The search for Truth and a commitment to Truth must be undertaken by the entire nation made up of ordinary people, politicians, government agencies, poets, film-makers, writers, academics and whoever cares about the future of Mauritius. The Commission has given a focus to what must now become a common endeavour. Transparency, accountability and Truth are essential ingredients in any nation which seeks integrity, the consolidation of democracy and a culture of human rights. So the search cannot end; it must be deepened and broadened to include all concerned Mauritian citizens.

How do we bring to an end to the search for a just society? Justice has to be sought for, fought for and won. Justice is never a once-off; it must be as fresh as every new day. In our Recommendations, we have pointed the way to help achieve Social Justice, but unless these recommendations are implemented by the Public and the Private Sectors alike, they will signify nothing. Justice must permeate every part of society, in Government, in the Public Service, in the job market, in education and training, in living conditions. It is never nebulous; it must impact on the daily lives of all citizens, irrespective of race, ethnicity, colour or gender. Justice means equal opportunity for all.

How do we bring an end to the elusive search for reconciliation and unity? Of course, it must not stop, but a single Commission made up of a handful of Commissioners and a dedicated staff, working for a limited amount of time, with limited resources, cannot on its own find the reconciliation which is so desperately needed in Mauritius’s deeply-divided society. Perhaps the TJC’s greatest contribution in this regard has been its strong emphasis on the notion that reconciliation is never easy, is never cheap and remains a constant challenge. In our work, we have discovered a few building blocks on which many other institutions, structures and individuals will be

able to build. Reconciliation is a process which engaged the energy of the Commission but will always remain the responsibility of the entire nation.

In considering the life and work of many Commissions around the world, we are impressed with the contribution which these Commissions have made in the search for Truth and Justice. However, all too often, many of their recommendations were either delayed or simply ignored. Our appeal to the President and to the Prime Minister is that they take our recommendations seriously and act upon them expeditiously. One way forward would be the appointment of a representative task force to examine every recommendation and to formulate a specific plan of action linked with a concrete timeline.

I would like to express my personal thanks to my fellow Commissioners and to all staff members and consultants. In particular, I would like to commend the rich contribution made by Vice Chairperson Dr. Vijaya Teelock.

The Commission would like to place on record its warm thanks to the President for appointing us to this daunting task and to the Prime Minister for his unfailing encouragement and support. We would also place on record our thanks to the Prime Minister's Office, and in particular to Mrs. Fong Weng-Poorun.

Very especially, we wish to thank all those who appeared before the Commission. Without their depositions, this report could not have been written.

Professor Alexander Boraine,
Chairperson

MAIN RECOMMENDATIONS

MAIN RECOMMENDATIONS

Most of the recommendations contained in the introduction are not reproduced in this section; those included are presented in a more elaborate manner.

1. MEMORIALISING SLAVERY

1. Works started by the Truth and Justice Commission to be continued by competent authorities and empowering young Mauritians through foreign scholarships and training programmes where expertise is lacking: The **Slave Trade Voyages database**, ethnographic studies of descendants of slaves.
2. Better memorialisation of the economic contribution of slaves to Mauritius.
3. To assess the quantitative value of the labour by future researchers trained in Economic History and historical statistics.
4. A review of case of Ratsitanina by the State Law Office.
5. A 'Museum of Slavery' to be created in the capital city of Port Louis for greater visibility along the lines outlined in following Museum proposal. Although one 'Interpretation Centre' is projected at Le Morne, this should reflect the Maroonage aspect rather slavery which was a national phenomenon.
6. Recognition of the following sites and histories as National heritage:

2. FOR A BETTER UNDERSTANDING OF, AND A MORE INCLUSIVE, MAURITIAN HISTORY AND CULTURE

7. INTRODUCTION OF MAURITIAN HISTORY AT ALL LEVELS in the School Curriculum and for all categories of Mauritians.
8. A PROGRAMME OF EDUCATION IN CIVIC, HUMANISTIC AND MORAL VALUES:
aimed at strengthening bonds between communities, should be introduced at all levels, Primary, Secondary and Tertiary. A series of manuals, with gradual and varying contents, should be prepared to this end by teams of educators.
9. CREATION OF A CONSERVATION INSTITUTE
to train Mauritians in preservation of paper and digital documents to avoid further deterioration and loss of these crucial Civil Status information.
10. REVIEW OF POLICY, STAFFING AND FUNCTIONING OF ALL CULTURAL INSTITUTIONS
 - i. Staffing screening: the appointment of political nominees, persons with known racist and communal views or with ethnic, religious biases to cease with immediate effect.
 - ii. Management structure to be reviewed and revised to reflect international professional norms and standards.
 - iii. Management Vision and policy to be in-line with national priorities and with other institutions.
11. THE PRESIDENT, PRIME MINISTER AND THE LEADER OF OPPOSITION TO SET THE EXAMPLE TO OTHER POLITICIANS AND PLEDGE TO STOP USING CULTURE AND RELIGION AS TOOLS FOR

GAINING POPULARITY AND VOTES

3 A BETTER AND INCREASED PROTECTION OF MAURITIAN HERITAGE

12. THERE IS A NEED FOR NATIONAL POLICIES to be formulated that are based on full public and professional consultations and to cover cultural and natural - tangible and intangible. This would set the base for the development of an integrated management of heritage in Mauritius.
13. THE POPULATION SHOULD BE CONSULTED to consider their vision of heritage considering Mauritian diversity.
14. THE CREATION OF A GREEN PAPER fostering consultations with all segments of the population
 - i. would be an initiative enabling to gather views on values invested in heritage by all Mauritians;
 - ii. The policy for heritage would support the reinforcement of the legislation for the protection and promotion of museum collections and heritage;
 - iii. this to allow for an optimal management and also the integration of existing policies for Tourism, environmental and cultural.
15. NO PROJECTS TO BE UNDERTAKEN WITHOUT A PROPER CULTURAL HERITAGE IMPACT ASSESSMENT AND A SCIENTIFIC EVALUATION.

MUSEUMS

THE CREATION OF A NATIONAL INVENTORY OF ALL HERITAGE COLLECTIONS and sites that would be accessible to all, by using latest software technologies adapted to the heritage and museum environment.

NEW EXHIBITION SPACES TO BE CREATED to support the restitution of the national past to the population after conclusions of this reflection. This might be for example a Museum focusing on Anthropology, including intangible heritage; the creation of a National Museum of Immigration to provide a nationwide sense of belonging, among others.

Specific Recommendations for the Improvement of the Management of the Mauritius Museums Council

16. The elaboration of a collections policy;
17. The elaboration of a conservation policy including restoration policy;
18. The setting up a professional collections management system;
19. Computerization of catalogues and use of a museum collection management software;
20. The training of staff in collection management must be a priority;
21. The organisation of workshops and training courses in Mauritius with other professionals to foster capacity building;
22. The establishment of a national professional network helping the development of capacity building;

23. The establishment of a detailed documentation on collections including detailed documentation of their acquisition, descriptions and photographs;
24. That research be conducted on collections to expand existing documentation;
25. The publication of a catalogue of collections also available on website.

4 A LESS RACIST AND ELITIST SOCIETY

26. FUNDING FOR REPARATIONS BE SOUGHT BY THE MAURITIAN GOVERNMENT from the historical slave trading nations, namely, the United Kingdom and France, for the rehabilitation and reconstruction of communities and settlements where slave descendants are in the majority.
27. REPARATIONS BE PROVIDED TO POOR INDIVIDUAL FAMILIES in terms of social reparations such as housing and education so that this community and its descendants are better able to create a more stable social and economic existence going into the future.
28. THAT A SYSTEM AND POLICY OF AFFIRMATIVE ACTION be implemented in Mauritius to address the social and economic imbalances created and fostered under Slavery, Indenture and Colonialism.
29. DISCRIMINATION AT ANY LEVEL IN OUR SOCIETY MUST BE MADE ILLEGAL. This includes any real or perceived discrimination in treatment at hospitals (crucial, especially at general hospitals), government offices, education facilities, workplace interviews, shops, marketplace or place of worship etc.
30. CREATION OF AN ANTI-DISCRIMINATION UNIT to ensure:
 - i. Hate speech is not tolerated. No one should have the right to publicly offend the other by using racial epithets
 - ii. The exact process of reporting and recording of these offences needs to be established. The commission recommends three levels of reporting (local community representative, ADU, then Ombudsman). The exact operational characteristics of this unit can be thought through by a selected group of stakeholders.
 - iii. To follow up on complaints from the public and from Government regarding such infringements. The ADU will also be tasked with maintaining a deeper respect for diversity as well as democracy.
 - iv. Positive discussion on the contribution of Creoles to the making of Mauritian society to be initiated verbally and financially by Government *via* the proposed Anti-discrimination Unit.
 - v. Together with the relevant Ministries dealing with youth, gender issues and leisure (Tourism), the ADU will offer advice, implement workshops and discussion forums to effect dialogue on parenting, gender relations and equality, the image of Mauritius to the tourist world and issues of discrimination in the leisure space.
 - vi. To work closely with social work organisations and entities, Corporate Social Responsibility programmes and units, teachers, recently-qualified therapists, counsellors, community representatives and other individuals working with the broader public, to inform and discuss matters relating to discrimination and marginalisation in our society. The objective of this is to ensure that there is ongoing public dialogue on these matters and that people feel free to express their opinions and to talk about their experiences in our society.
 - vii. To also scrutinise social and economic policies emerging from government, advising the latter on sections or parts of policies which may, in fact, promote discriminatory practices.

- viii. To make recommendations to the Government regarding such policies and how to make these more socially inclusive.

5. A MORE DEMOCRATIC PUBLIC LIFE

31. THE 'PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUALS', EMBODIED IN SECTION 2 OF THE CONSTITUTION, SHOULD BE AMENDED TO INCLUDE ECONOMIC, SOCIAL AND CULTURAL RIGHTS.
32. PROMOTION OF MULTICULTURAL COMPOSITION OF ALL BOARDS AND INSTITUTIONS.

Reconciliation to be promoted and all boards, and trusts, parastatal to be multicultural: any board composed of 65 % or more of one ethnic and/or religious groups to be reviewed and revised.

6. TO EMPOWER MAURITIANS OF AFRICAN AND MALAGASY ORIGIN

33. OFFICIAL RECOGNITION OF DISTINCTIVE AFRICAN AND MALAGASY REFERENCES IN ALL STATE INSTITUTIONS AND THAT CONSIDERATION IS GIVEN:

- i. To mass popular culture rather than elite culture in the population of African and Malagasy descent and to use global culture that is inspired by African culture, if necessary to construct a more positive self-image and identity.
- ii. To open up to larger interpretations and opinions in intellectual, political, economic and social space.
- iii. To introduce "socio-biography" of groups and life histories of individuals, with particular emphasis on History and the forging of patterns in values, attitudes and behaviours. This is also a form of narrative therapy.
- iv. To change the feelings of shame and hurt which have been brought about as a result of inherited or internalized negative associations with slavery and other forms of exploitation.

34. SETTING UP OF A TRUST FOR EDUCATION AND TRAINING TO SEARCH FOR 'BLACK DIAMONDS'

- i. To operate cognitive recomposition regarding education and training, changing negative perceptions among children and parents and self-defeating behaviors;
- ii. To work at village and town level for a "designation" process by all parties, including families, re-affirming the importance of formal education and lending meaning to school institutions;
- iii. In order to foster positive role models, not only "funny and entertaining" models and raise aspirations, particular attention should be given to the search for "Black Diamonds" and education. Gifted children could be encouraged within a stable, studious environment to concentrate on their studies and serve as role models for others;
- iv. Grants, sponsorships, scholarships to alleviate extra financial burdens on the family or even temporary shelters when house conditions are not favorable could be set up;
- v. Mentors on a volunteer basis could monitor progress on a regular basis;
- vi. Teachers could be offered incentives to work with young children of deprived areas on non-traditional ways of learning;
- vii. Kindergartens, as well as specialized schools for the handicapped children, with participation of families, could respond to real needs.

35. TO UNDERTAKE A DETAILED DISAGGREGATION OF DATA FOR A MORE OBJECTIVE ANALYSIS OF

SOCIAL JUSTICE AND FORMULATION OF NEW SOCIAL POLICIES BY:

1. Gathering and analyzing statistical data over a long period of time, taking into account criteria of gender and ethnic communities in their disaggregation with detailed historical analysis of social, political and administrative structures;
2. Paying particular attention to the field of Psychiatry, delinquency and crime;
3. Assessing (over time) with more precision, ways of living and equal access of Creoles to
 - i. land and housing;
 - ii. labour;
 - iii. social and economic networks (from day-to-day survival to powerful lobbies);
 - iv. education from pre-school to tertiary education, rates of failure / success and drop-outs;
 - v. savings and earnings (from traditional to new);
 - vi. family structures, dynamics and evolutions (evolutions of roles, expectations, frustrations, gratifications, inter-generational relationships).

7 FOR INCREASED ECONOMIC AND SOCIAL EQUALITY

36. THE CREATION OF A LAND BANK with plots of land for farming and other entrepreneurial activities so that anyone who is a **descendant of slave and indentured who has never owned land before** and who wishes to engage in an activity that promotes autonomy be allocated a plot.

37. A JUNIOR SAVINGS ACCOUNT TO BE OPENED BY EVERY PARENT FOR ALL CHILDREN UNDER 18 IN EVERY CITE OR HOUSING ESTATE OR POVERTY POCKETS TO GIVE THEM A HEAD START IN LIFE WHEN THEY GRADUATE FROM COLLEGE OR UNIVERSITY.

1. The starting sum to be decided by the Implementation Arm of the Commission and funded by all business enterprises, sugar estate owners, all IRS and ERS owners and from EU money given to Sugar Industry and for gender-related activities.
2. Parents should contribute, and accounts should be frozen until the young person has graduated or until the age of 18.
3. Parents must not be allowed to take money from their children's accounts.

8 LAND ISSUES

38. SETTING UP OF A LAND MONITORING AND RESEARCH UNIT

A land monitoring and research unit should be set up to conduct enquiries, settle disputes or refer matters to Court. This important Authority will be called upon to monitor all land transactions, to receive complaints from genuine persons who have lost, or have been dispossessed of their property, and to assist the applicant to retrieve all necessary documents, including title deeds, plans and civil status, as well as investigate all Notarial deeds.

39. FOR A NOTARIAL ACTS DATABASE PROJECT

The Commission has already started the Notarial Acts Database Project, a guideline to decipher and interpret the language in old French, which will help and better serve researchers, Notaries and Attorneys.

THE COMMISSION RECOMMENDS:

- i. That the work initiated by the Notarial Acts Database (outline of which follows) be continued by the proposed Land Research and Monitoring Unit as a matter of urgency.
- ii. That the server to host the database be the Linux Operating system (Open source) which is reliable, highly performing and resilient. The server has been configured to allow only authenticated users to connect to and use the system.
- iii. Training: Users (research assistants) to be trained at each stage of prototype deployment. However those having been trained by the Commission can be used to train others and to continue this database.

40. A LAND DIVISION OF THE SUPREME COURT

Land Division of the Supreme Court should be set up in order to expedite matters.

Moreover, as regards the surveying issues, no amendment boundaries are to be accepted unless they are based on a proper survey supported by plans of acceptable standards and the satisfaction to the Land Monitoring and Research Unit.

9. FOR INCREASED ECONOMIC AND SOCIAL JUSTICE

EMPLOYMENT

41. THE EQUAL OPPORTUNITY ACT SHOULD COME INTO FORCE.

Its implementation will go a long way towards guaranteeing equal rights for citizens, irrespective of ethnic, political, sex and religious appartenances.

42. POSTS TO BE ADVERTISED AND SELECTION AND RECRUITMENT IN A MORE TRANSPARENT MANNER AND BY COMPETENT STAFF

For example, when selecting technical and research staff, a senior technical person or researcher in the relevant discipline must be part of selection Team.

43. CREATION OF PARASTATAL APPOINTMENTS AND APPEALS TRIBUNAL

in line with the Civil Service Appeal Tribunal for public officers to review appointments, promotions and improper appointments and ensure that such exercises are solely based on merit and qualifications.

44. A THOROUGH REVISION OF MINIMUM AND MAXIMUM WORK HOURS

must also be implemented so as to curtail exploitative work conditions, especially for those who are poor in our society.

45. INTRODUCTION OF A COMPREHENSIVE UNEMPLOYMENT BENEFIT SCHEME

after a thorough study has been undertaken of all sectors of employment, schemes already in place and existing legislation.

46. THE PRESENT RATE OF OLD AGE PENSION SHOULD BE REVISED

especially for those reaching the age of 70 or more. The present rate of Rs. 3,200, allocated to people without resources, is a cause of extreme poverty, especially for those who do not enjoy any retirement benefits. This rate should be upgraded to Rs. 4,000.

SELF-EMPLOYED WORKERS

47. A SPECIAL SCHEME TO BE DEvised TO MAKE THEM CONTRIBUTE TO THEIR PENSION SCHEME.

Certain categories of workers who are self-employed do not always contribute to the National Pension Scheme, and may in their old age find themselves in a difficult situation.

48. TO SET UP CO-OPERATIVE ORGANIZATIONS

- i. which have proved to be essential tools in spite of their defects, to extirpate small producers, whether in the field of agriculture and livestock.
- ii. Fishermen, pig-breeders cannot be left to fend for themselves. Many of them fall into the grip of unscrupulous middle men and usurers.
- iii. Throughout the world, Credit Unions, whether community-based or industry-based, have proved that they can inculcate the habit of saving and provide short-term credit at concessionary rates to their members in times of dire need.
- iv. Management assistance and recruitment of dedicated social workers, co-operative development officers are essential to see to it that the affairs of such co-operatives are run on a sound basis.

49. TO PROVIDE ASSISTANCE TO RESIDENTS OF HOUSING ESTATES BY THE RECRUITMENT OF A NEW CLASS OF PSYCHO-SOCIOLOGISTS AND SOCIAL WORKERS

- i. and in such other areas where poverty is rampant.
- ii. A special class of trainers in small business enterprises should be appointed to support an emerging class of small entrepreneurs in the management of their ventures.

50. MORE EFFORTS SHOULD BE MADE TO GIVE SOCIAL WORK ITS PROPER STANDING, INCLUDING ADEQUATE REMUNERATION, AND TO RECOGNIZE VOLUNTARY WORK AS WORTHWHILE.

Often linked with charity work, social work and psychological and sociological support are essential elements to bring about a new mind-set in people living in housing estates and in similar milieux. Voluntary work should be encouraged among Mauritian citizens, and especially among young people.

51. ESTABLISHMENT OF PROGRAMMES AIMED AT ADDING VALUE TO MANUAL AND TECHNICAL JOBS.

Too much emphasis is laid on white-collar jobs. In addition, entrepreneurship and subsistence farming should be further encouraged.

52. LAND SETTLEMENT SCHEMES FOR FARMING, LIVESTOCK-KEEPING, INCLUDING PIG-BREEDING, TO BE MADE AVAILABLE.

53. PROVISION OF AN 'ETHNIC SENSITIVE SERVICE' IN ALL GOVERNMENT SERVICES,

be it in the hospitals, the Police Department and in Government offices. Officers should be trained in better public relations to this effect.

10. CO-OPERATIVE SOCIETIES

54. Unless there is strong reinforcement of the protection service, the situation will deteriorate from bad to worse.

55. Unless strict measures are taken to stop further degradation of the marine substrate, the very existence of fishermen will be threatened.

56. The Fisheries Protection Service needs to be reorganized and rendered more efficient and better-equipped to chase off defrauders.
57. Allowances in times of unfavorable fishing days need to be increased and should be extended to all categories of fishermen.
- i. The need to ensure a regular supply of fresh fish to the population and to the Tourism Industry can only be realized, if the sector can attract the young generation of fishers to it.
 - ii. There should be better control of activities of unregistered fishermen and amateurs should not remain unchecked.
58. Already such people, who have other sources of income, contribute to strip whatever meagre resources are left in the lagoon and offshore. Proper legislation should regulate their activities, as is the case in many countries.
59. **SMALL PLANTERS IN THE SUGAR SECTOR**
60. Small planters should adopt new visions in order to adapt to the new trends in business activity, for example, the setting up of cane distilleries to maximise revenue;

PIG BREEDERS

61. A separate organization must be set up to regulate pig production.
- This to avoid a glut and the imports of pork products.
62. Government must strongly consider the request of breeders for a processing plant, with an *atelier de découpe*, to service chain stores and the hotel and catering industry.
63. Such an organization, if set up, must, however, not be left in the hands of amateurs but supervised by professionals with the necessary expertise to exercise sound management.

11. RECONSTITUTING THE MAURITIAN FAMILY

64. CREATION OF A NATIONAL GENEALOGY CENTRE
- i. To assist Mauritian families, many of whom are descendants of slaves and indentured labourers, in their quest for identity, to reconstruct their family tree.
 - ii. Provide Mauritians with all the data required, free of charge, to reconstruct this family tree in recognition of the numerous difficulties faced by ordinary Mauritians to collect relevant and accurate data concerning their family history.

12. FOR A MORE JUST EDUCATIONAL SYSTEM

65. EDUCATION SYSTEM BE INSTITUTED THAT CATERS FOR PEOPLE INTEREST AND WISHES rather than wishes of employers as there is a clear mis-match between people expectations of work and life and what employers have to offer.
66. CREATION OF TECHNICAL SCHOOLS FOR ARTISANS as well as other specialized occupations which are currently neglected.
67. The model of *Certificat d'Aptitude Professionnelle* (CAP) delivered by Technical Schools in countries like France, Australia, etc. should be adopted, thereby ensuring quality work by artisans and other private skilled workers.
68. AVOIDANCE OF LARGE ANONYMOUS CENTRALIZED EDUCATIONAL INSTITUTIONS and

overbearing authorities which do not take into account specificities of localities and to promote more flexible curriculum

69. SPECIFIC SCHOOLS IN EACH ZONE CATERING FOR SPECIALIZATIONS: Art, music, cultural, professional, technical subjects THAT ARE RECOGNIZED OVERSEAS,

rather than all subjects being Cambridge Examinations Syndicate oriented

70. MILK, BREAD AND FRUIT TO BE PROVIDED TO ALL CHILDREN OF LOW INCOME PARENTS at school or nearby facility as part of positive discrimination for 10 years.

71. BETTER SELECTION OF TEACHERS

- i. and accompanied by a policy of creating incentives for better-qualified teachers to enrol at the schools in the South so that a better level of education can be obtained.
- ii. A system of teacher re-deployment may be created to partly achieve this goal, as might an additional stipend for teachers in these areas.

13 FOR OUR CITÉS

72. A THOROUGH STUDY OF THE CITÉS BASED ON THE TJC STUDY OF MIVOIE.

73. SOCIAL ORGANISATION

The State should ensure that every child in the housing estate enjoys the right to a standard of living adequate for his/her physical, mental, spiritual, moral and social development.

74. HOUSING CONDITIONS

- i. The Commission recommends a full environmental and medical survey in Cité La Mivoie and other housing estates to ensure that incidences of ill-health and mortality in the *Cités* are not asbestos-related.

75. CHILD PROTECTION

- i. When the case is reported at the Police Station, especially at night, Officers of the Child Development Unit might take approximately 1½ hours to be at the Police Station.
- ii. Some Police Officers already start questioning the victim without prior psychological assessment and support.
- iii. Children, victims of abuse (sexual/physical/gross neglect/ill-treatment) and who are placed at shelters (NGOs) are at times placed at the RYC at a very young age, given their behavioural problems - there is a need for proper assessment and psychological intervention and close follow-up at such cases so that they get the necessary caring and supportive environment to help them grow and deal with their past history.
- iv. At times, assistance is given after many hours and, in cases where sexual abuse took place much earlier, the victim unnecessarily waits at the Police Station. The P.C.P treatment which should be carried out within 72 hours may get delayed.
- v. Children-abused-parents/other family members who ask for these children - need for more guidance with parenting and coping skills.
- vi. Posting of A TRAINED OFFICER at the Ministry's Shelter DEALING WITH THE PROBLEM OF overcrowded shelter.

14. CONCERNING THE CASTE SYSTEM

76. MONITORING OF ACTIVITIES OF SOCIO-RELIGIOUS ORGANISATIONS:

That the existence, activity and financing (through subsidies) of so-called “socio-religious associations” needs to be more strictly controlled.

77. PENALIZING CASTE DISCRIMINATION

That discrimination based on caste should be penalized. The nation should have the legal means to sue any individual or organization promoting casteism in the official sphere, whether it is in official political discourses, or in the media, or in professional contexts. The use of pejorative, and insulting, caste terminologies should be equally penalized.

- i. That the role of political and religious leaders and their potential for reinforcing casteism, should be carefully monitored.
- ii. That canvassing on the basis of caste appartenance for vote-catching purposes must be closely monitored and sanctioned.
- iii. That caste discrimination in the selection and promotion of employees be penalised and meritocracy should be promoted in the professional sphere.

78. BREAKING THE TABOO OF CASTE IN THE PRIVATE SPHERE

- iv. That Government should allow and encourage scientific research on caste system to be pursued and publicized.
- v. That a better knowledge of the role of caste in India and its differences with the Mauritian situation is required, and this understanding may lead to better mutual understanding between different castes.
- vi. A truer and more scientific ‘tracing of roots’ to show the authentic heterogenous roots of the popular culture of most indentured ancestors, far from any Sanskritic or Brahmanic pretentions.
- vii. Promotion of the Indentured heritage as a reason for pride: that ancestors and descendants of migrant populations did succeed, despite all the difficulties and contribute to the nation.
- viii. Castes to be presented as a secondary, residual system that needs to be fought against in modern Mauritius.
- ix. The promotion of free marriages through a global awareness campaign

15. FOR LE MORNE VILLAGE HISTORY AND HERITAGE

As a form of *restorative justice*, reparations to be given in the form of:

- 79. A formal and written apology from the Government for the prejudice the former inhabitants of former Le Morne village have suffered.
- 80. The **inhabitants** of Le Morne and neighbouring areas are given agricultural land jointly held by them to engage in agricultural practices to enable them to increase their daily revenue and be autonomous as they used to be.
- 81. That the area known as **Trou Chenille** be officially recognised as a site of former settlement by inhabitants, many of whom are descendants of slaves having lived there for generations (and not as squatters) and that their removal be recognised as ‘forced removal’.
- 82. The links between the Le Morne Brabant, the forests of the Black River Gorges and Baie du Cap, be fully studied and the maroon trails and sites fully protected from developers, coming up with commercial projects

16. ARCHIVES

83. **A NATIONAL EFFORT IS REQUIRED.** Nothing short of a national effort is required to find global and conclusive solutions to the preservation of the original documents found in the National Archives. Training of staff and funding for the Archives are absolutely essential components.

84. The Commission also feels that the proposal of a Culture House incorporating the National Library and National Archives should be implemented urgently. However, security concerns lead us to question the appropriateness of locating both institutions in one building.

85. **THE CREATION OF A NATIONAL INVENTORY**

This must be also an intrinsic part of the process,

86. **TRAINING IN CONSERVATION OF DOCUMENTS**

87. The creation of a Cultural Heritage Institute or a Conservation Institute

17. FOR A MORE SUSTAINABLE, EQUITABLE AND JUDICIOUS USE OF ENVIRONMENT

88. **COMPLETE INDEPENDENT AND TRANSPARENT REVIEW OF ALL SALES, LEASES AND PROJECTS** and their modes of assessment approved by Ministries of Housing, Environment and Agro-Industry and whether they are really sustainable or not.

89. **TO ESTABLISH VEGETABLE GARDENS AND SMALL FARMS ATTACHED TO SCHOOLS TO PROMOTE RESPECT FOR MANUAL LABOUR AND/OR PRODUCERS OF HAND MADE PRODUCTS.**

Visits by schools to be reintroduced to farms, factories, nature reserves in smaller groups than at present to enhance enjoyment of the site.

90. **THE CURRENT APPROACH OF PROVISION OF LOW-COST SOCIAL HOUSING SHOULD BE REVIEWED.**

91. **A CULTURAL HERITAGE IMPACT ASSESSMENT** be undertaken at the cost of promoter for any commercial project in Mauritius that involves change in green spaces or structures over 50 years old.

18. TJC AND SUSTAINABLE DEVELOPMENT (MAURICE ILE DURABLE)

92. **FULL CONSULTATIONS DOWN TO COMMUNITY LEVEL.**

Ground-level input, meaning society at its broadest, provides the groundswell support and the credibility that will be necessary, when it comes to the implementation of a MID Policy, soon and in the years to come.

93. Culture must occupy an essential place in the MID Policy and Action Plan.

19. LAND ISSUES

94. It is in the light of these findings that the creation of a Land Bank be envisaged as a panacea to land management.

95.

FOR A BETTER METHOD OF REGISTRATION OF TITLE OF LAND

96. Grouping together of all activities now concerned with land title matters into one Central Authority.
97. The introduction of the principles of title to land and the creation and maintenance of a Cadastral Map.
98. To avoid duplication of staff and work, the Central Authority should be housed in one building.
99. The Cadastral Map will be a map compiled at a sufficient large scale to show clearly each parcel in the territory. This also applies for Rodrigues Island.
100. Surveyors' field-notes will be retained. All plans, field-notes and computations should be properly filed and numbered.
101. The use of microfiches and microfilms should be introduced to archival existing land registration volumes and other archival documents such as concession plans.
102. It is high time that the Authorities find ways and means of keeping a record of all Wills and Testaments. One such way could be to make an entry in the "*Répertoire*" kept by the Conservator of Mortgages of the existence of a Will and Testament. This is possible for the authentic Wills and Testaments which are drawn up by two Notaries in the presence of the two witnesses or by one Notary in the presence of four witnesses.
103. The registration concerning "*Testament olographe*" and '*Testament mystique*', as provided for in Articles 969 and following of the *Code Civil*, cannot be done and this will give rise to problems in future, unless an amendment is made to the existing laws.
104. The Notaries should ensure that the conditions laid down in Articles 913 and following of the *Code Civil* are observed fully.
105. The Commission hopes that new laws should be implemented in order to protect, the spouses, the children, the family, the society and the country.

PRESCRIPTION IN MAURITIUS

106. To do away with the whole procedure of affidavit and to provide for an alternative way to effect the transcription of prescribed plots of land.
107. It is the opinion of the Commission that the appropriate Protocol would be to exercise more control upon the averments of a person alleging to have prescribed a plot of land. There should be an institution which will ensure the truth of the said averments and which shall have the powers to investigate upon the veracity of these averments. Further, before the same institution, an appropriate memorandum of survey would be required with the possibility of putting questions to the Surveyor.

Although this system would not be foolproof, it will minimize the risks of frauds.

Also, it must be borne in mind that the creation of a single institution may result in it being overburdened, which might hamper a quick and efficient process. This is the reason why it has been deemed appropriate to share this role amongst our Local Authorities, although the possibility of one central institution remains.

Below is a proposal for a new system where the affidavit of prescription has been replaced by a prescription permit. To cater for these, the Affidavit of Prescription Act can be amended or simply repealed and the following added to the Local Government Act.

To conclude, the legislator needs add the appropriate penalties for non compliance or frauds.

The creation of a **Land Research and Monitoring Unit** which shall cater for the technical side of the search and an appropriate Tribunal to give legal sanction to a valid claim.

The functions, powers and of this Unit are outlined below:

FUNCTIONS AND POWERS OF THE LAND RESEARCH AND MONITORING UNIT

The functions of the Land Research and Monitoring Unit would be:

108. To receive legitimate complaints from persons who allege that they, or their family, have lost or have been dispossessed of their property;
109. To carry out an in-depth investigation concerning an alleged complaint or hold an enquiry into land issues, out of its own initiative or at the instance of interested parties;
110. To advise the applicant, after thorough investigation and enquiry, on his claim and any other relevant issues;
111. To assist the applicant to retrieve all necessary documents, including title deeds, plans and Civil Status documents and in collaboration with other appropriate institutions, to draw up genealogical trees;
112. To study plans of *grants*, relevant Notarial Deeds and any other relevant documents related to land movement;
113. To provide, within statutory limits, assistance, financial or otherwise, to claimants as regards land surveys or other necessary actions;
114. To submit or refer the matter to Mediation and to promote amicable settlements which shall be binding upon all the parties; and
115. Where appropriate, to refer the case to a specialized Tribunal.

The Commission wishes to stress that, in its considered opinion, a two-fold approach is recommended, since neither the proposed Unit nor the suggested Tribunal would be effective on its own.

The Commission has purposely refrained from making specific suggestions as to where the Unit should be set up, or its composition, or as to whether the Tribunal should, for example, be a Division of the Supreme Court or an *ad hoc* Tribunal. That is because, on the one hand, the Government may wish to consider including the Unit in an existing framework such as those catered for in the LAVIMS (Project Implementation) Act or the Cadastral Survey Act 2011 and, on the other hand, the Government may prefer to consult the Chief Justice as to how he feels that the Judiciary could best lend its support to the scheme.

FOR A NOTARIAL ACTS DATABASE

1. That the work initiated by the Notarial Acts Database (outline of which follows) be continued by the proposed Land Research and Monitoring Unit **as a matter of urgency**.
2. That the server to host the database be the Linux Operating system (Open source) which is reliable, highly performing and resilient. The server has been configured to allow only authenticated users to connect to and use the system.
3. Training: Users (research assistants) to be trained at each stage of prototype deployment. However those having been trained by the Commission can be used to train others and to continue this database.

20. RODRIGUES

It is thus suggested that the Second Schedule of the Affidavit of Prescription Act should be amended to include information on the searches, made by the Surveyor, relating to the last known owner of the land being prescribed.

The legal status of land either in Mauritius or Rodrigues falls under three categories:

116. State Land;
117. *Domaine Public* inclusive of *Pas Géométriques*; and
118. Private Land

All State Land is imprescriptible under the Law as per Section 35 of the State Land Act.

The *Domaine Public* is a category of land which belongs to the public at large by nature of its use: roads, beaches, sea, rivers and which are imprescriptible and inalienable.

The Private land is lands under private ownership which at a certain point in time either during the French occupation or the British occupation has been conceded/ granted to someone.

There is thus no such thing as ownerless land.

Any professional being a Land Surveyor, Attorney or Notary should be able to trace back the owner of any land in Mauritius or Rodrigues.

It must be made mandatory for any Notice of Affidavit of Prescription to be transcribed to contain the name of the last known owner.

At the same time, any Notice under the Affidavit of Prescription Act should be published with its appropriate location plan that will help in the identification of the land by the former owner.

No Notice of Affidavit of Prescription should be transcribed, if one of the adjoining owners is unknown. Thus, no prejudice could be caused if every endeavour is made to find its owner, or at least, its occupier.

Furthermore, any potential applicant for any prescription should make a formal declaration to the nearest police station to this effect and submit all particulars of his two witnesses, including names, residential addresses and identity card numbers. And an investigation should be made as to establish the credibility of any witness.

OTHER LAND AND SOCIAL ISSUES IN RODRIGUES

THE COMMISSION RECOMMENDS

119. Adoption of a Physical Development Plan and of a Land use Plan.
120. Finalise the Land Information System
121. Ensure that projects are in line with defined strategies for land use development.
122. Provide accurate information on state land ownership status and development at any point in time.
123. Align and revise rental of land in accordance with market rates.
124. Improve legal framework for town & country planning and land use.
125. Regularise all eligible occupiers of State lands.
126. Respond to the land requirements of all Commissions for timely implementation of public projects.
127. Planning clearances for residential and commercial/industrial projects on state land prior and after lease of land.
128. A digitalised Cadastre of all State lands in the island of Rodrigues effectively established and updated.
129. Review of State land leases effectively for optimising Government revenue.
130. Grant of lease to applicants occupying state land.
131. Effective vesting of State lands and acquisition of private land for public projects.
132. Land Use Planning and management processes in place and promoting improved and sustainable land use
133. Effective land administration services in place, accessible to all and protecting the land rights of all citizens.
134. Lack of an endorsed framework for land planning and land use, thus encouraging a scattered pattern of settlements.
135. An efficient management of land resources with a view to achieving economic prosperity, social equity and preserving the natural beauty of the island.

OBSERVATIONS AND RECOMMENDATIONS

There is an urgent need to revisit the whole social and economic development for Rodrigues from the point of view of future developmental needs. A National Physical, Social and Economic Development Plan should take the following into consideration:

TOURISM

136. Increase accessibility, visibility and attractiveness of Rodrigues as a tourist destination and improve visitor authentic experience through sustainable destination management;
137. Strategic alignment of tourism policy, investment, and sustainable development through the implementation of a Tourism Strategic Plan (to increase tourism yield, export revenue, and livelihoods from the industry in a sustainable manner);
138. Regulate tourism activities in Rodrigues and market/promote Rodrigues worldwide using a powerful brand;
139. Develop capacity, capability, and professionalism of the sector;
140. Develop and maintain competitive partnerships between stakeholders, both in Rodrigues and Mauritius.

21. AGALEGA

- 140 Human promotion and community development rehabilitate the individual and his family in his dignity and upgrade the status of the population. To reach this goal, Integral Education, training, communication, information and participation in the development are the Key Concepts.

The Ministry of Local Government and Outer Islands, OI DC, Island Council, ‘Les Amis d’Agalega’ and ‘Mouvement Diocésain, 1^{er} février’ and/or other interested parties/stakeholders (Civil Aviation, Education, Health, Meteorological Officers, the Police, Telecom Officers and others) should coordinate their efforts for an integrated development in Agalega.

The Resident Manager has a prominent role to play and should be referred to as the Representative of the Government on the Islands. His participation and that of the representative of the inhabitants are important to motivate action. A workshop or a round table thereon, with all stakeholders *in situ*, would help.

- 141 **Incentive for a comeback**

Agaleans have never possessed any land or houses on Agalega, so dispossession does not apply. In his statement in front of the TJC, on 18 August 2010, Mr. Soopramanien said that the Agaleans are not in search of money as compensation but of social services as Mauritians (TJC Hearing N0.381 - 396). However, Agalean descendants, who have been deported, and want to come back to be reinstated and recover their rights of earning their living on what they consider their *mother land*, or the land of their ancestors, should be given priority in contractual work according to their competence especially in the field of fishing, construction, agriculture, cultural and social activities etc. (Ref statement of Gino Alfred & Co. on 18/08/10. No.126, 155, 166, 252, 353, 391). An addendum can be made to the note on Article 3.10, p. 8 of Collective Agreement (Document II) as follow: *This is not an agreement to exclude employees residing in the islands of Mauritius and Rodrigues. It should be applied on the basis of priority of consideration to interested and eventually qualified Agaleans and/ or Agalean descent residing outside Agalega.*

4.3.2 of C.A (Doc. II) will automatically apply:

As there is no *Home* for elders in Agalega, housing should be made available, on a humanitarian basis, to old and faithful retired workers of the Corporation, who are not entitled to a lease, to have a residence in Agalega close to their children. One or two are, indeed, in a destitute condition in Mauritius. The Ministry of Social Security, through their representative in the Legislative Assembly, could attend to this issue.

- 142 **Education and Training**

- i. The basis of all development is Education. Pre-Primary, Primary and Secondary Schools exist on the Islands (Ref.8.2.9). A proper screening should be made before sending teachers to Agalega. Even if they receive re-location allowance, as do other Government officers, they should be properly briefed before assuming their duties, equipped and sustained by the Ministry of Education. On the islands, they should meet on a regular basis to support each other in their duties and socially. They are the *artisans* of the progress of Agalega. Much could be done through them. Some are doing very well. Frequent visits of Officials of Parent Ministry would be appreciated. A special case should be made to recruit Teaching Assistants among Agaleans (Doc. II 3.9), with special training in Mauritius, as it was the case in the past for Rodrigues.
- ii. A common Parent Teachers Association of the three institutions combined would be beneficial. As it is actually the case, motivation must come from the schools' administration.
- iii. Scholarships for students in further studies in Mauritius and for upgrading the capacities of the employees in Agalega, should be envisaged. Beneficiaries should be strictly Agaleans or of Agalean descent. A proviso to serve Agalega for a given period should be inserted in an agreement between the provider and the beneficiaries.
- iv. The Ministry of Education, the Ministry of Local Government and Outer Islands, OI DC should look into it for the provision of an annual budget.
- v. Training in related fields should be given to interested candidates to implement recommendations of the C.A. Award 2009 (Art. 3.9, Doc. II):
- vii. Furthermore, training in handicraft (coconut shells, fibre...), Home Economics, Leadership (formation of formators) and in all other fields aimed at boosting up the progress of the persons and the community, would be of the utmost importance and restore the dignity and confidence of the Agaleans.
- vi. To facilitate visits to both Islands, training in basic Hospitality Management would be an important contribution to the host families and to the island. This will facilitate local visits from one island to another for those who have no family or relatives on the visited island and will provide great support to visitors and officers on official visits to Agalega. At present, the Resident Manager caters for all visiting officials during the hectic time when the ship is in Port. In March /April 2011, the Resident Manager had to cater for some 40 visitors, and provide board and lodging for them, as there is no hotel or hostel on both Islands.
- vii. Training in Hospitality Management is a prelude to *Table d'hôte, Bed and Breakfast Hostels, Restaurants on a small scale basis*. (Ref.10.9.3)
- viii. An in-depth study must be carried out before introducing Tourism on a large scale, because of the sensitive ecosystem of the islands. A fishing stopover station is preferable. Consultation with the inhabitants, prior to any project, is fundamental.
- ix. In relation to 10.3.4, Organisations such as EWF, NEF, CSR, Women Entrepreneurs, etc. should be tapped. OI DC should be fully involved. The OI DB, the Island Council, 'Les Amis d'Agaléga' and the 'Comité Diocésain, 1er février' and all stakeholders, should work together for its implementation and monitoring, pending a Master Plan.
- x. History of Agalega should be taught from Primary level onwards. The book of Father Dussercle *Agaléga Petite Île* is an excellent manual for secondary students.
- xi. A museum, with what is left of the ancient establishment and families, will be a living memory of traditions and culture, and an open book of history.
- xii. (Ex. 'marmite quinze', measures and scales for weekly food ration, 'la cloche l'appel', Radio "Sailor", anchors of ancient ships wrecked on the coast of Agalega, Blacksmith tools etc.).

- xiii. Ancient buildings should also be repaired and furniture refurbished.
- xiv. In the near future, Education and Training should introduce a Village Council in each village, elected by the residents for the residents.

143 Health

- i. Modernity is not exempt from difficulties. Not long ago, daily work performed in the coconut fields, as at home, was enough to replace physical exercise. The population was kept healthy. Today, with modern trends, physical exercises is necessary in all lifestyles.
- ii. The sophisticated apparatus for physical exercise, in the Tsunami Centre ('Arche de Noé'. Ref picture 8.2.6) is under-utilised. No qualified physical instructor is available on both Islands. An Officer of the Police/ SMF/Coast Guard and or any outstanding staff with a good knowledge in the concerned fields, can certainly help, pending the arrival of an official instructor. It is important to train two Agaleans in this field and later, they can become Physical Instructors at schools during school hours and attend to others in the afternoon, on a roster basis.
- iii. Medical care is an important issue in Agalega and much has been said thereon. It is true that the population on the islands amount to some 300 persons only. Investment in human resources should not be exaggerated. However, where life is concerned, in order to preserve it, all facilities should available, regardless of money. The question of maternity is a complex one (Ref statement of Mr. Gino Alfred & Co. on 18/08/10. NO.189) An in-depth study is imperative to see to it. An incentive to increase the birth-rate in Agalega is recommended in the Collective Agreement of November 2009 (Doc. II 4.7.4/5) (Ref. 8.3.9).
- iv. Support from the 'Society for Aid to Children Inoperable in Mauritius' (SACIM) could be sought for the three handicapped children (Ref. 8.3.9).
- v. Water tanks, to collect rainwater, have been installed, especially for kitchen purposes. Pigeons soil the roofs of the houses and are sources of streptococci. They should be eradicated, especially where they flocked in the South. In case of drought, water pumped from wells is utilised. Poultry-keeping on large scale should be kept away from this source of water.
- vi. Both islands are infested with mosquitoes and rats (Appendix V 8.4.3). With the help of the Medical Staff, a proper sustainable campaign to keep the environment clean is urgently required. There is a close interaction between Health and the environment.

144 Agriculture

- i. Vegetables must be selected very carefully in Agalega, because of the poor sandy soil and climatic conditions prevailing. Actually, pests have spread all over the islands, and chemicals should not be used because of the fragility of the eco-system.
- ii. However, pumpkin, greens, lettuces, creepers etc. can be grown in particular conditions. An Agricultural Officer of AREU is setting up a Food Program in Agalega
- iii. An intensive training program, adapted to the island conditions, and starting at school level, could be launched. Very often, experts learn through the experience of local people. The contribution and advice of elders, with their experience of Agalega, should thus be sought, and plots of land, on a symbolic rental basis, could be allocated to interested families, for gardening and/or farming.
- iv. *Bassin Capucin*, the only pool in the North, can be exploited for farming, especially the breeding of ducks. A place in the South called *tranche*, can also be exploited. Training in this connection is needed.
- v. Seychelles expertise could be sought in farming. Sharing between Agaleans and Seychellois in different fields would be beneficial.

145 Environment

- i. People are usually moody, living with a dull environment, whereas a good environment makes the inhabitants cheerful and enthusiastic. With intense cleaning and planning, Agalega could become a natural garden.
- ii. Empty bottles, plastic, rusting iron sheets, old vehicles and thick bushes where mosquitoes and rodents nest can be seen here and there, on both islands, in spite of the goodwill of the administration (Appendix XII A).
- iii. A proper campaign to preserve the environment is imperative.
- iv. A cleaning campaign for a better Agalega may bring the inhabitants together and arouse their sense of civics duty and patriotism.
- v. An '**Agalega Day/Week**' involving all Departments on the islands, can be organised to clean up Agalega, as a form of social activity. It can culminate with Independence Day and end with a Sports day and a Public performance by local artists.
- vi. There are different coconut fields with different names. Their delimitation, with their proper names, will be a practical exercise in pedagogy to teach the History of Agalega to all the population, particularly young students. Names of streets and avenues should also be marked. This measure will reinstate the dignity of the people: from Camp Noir to Avenue, from hut to bungalow.
- vii. Motor cycles, vehicles and the supply of power on the islands are sources of pollution. To reduce the high consumption of FUEL and thus emission of CO₂, wind-powered energy and photovoltaic would help. Coconut oil, as FUEL, helps to reduce the importation of petrol in Agalega, but further studies should be done on how to control pollution.
- viii. Relatively speaking, Agalega should have the same privileges, in relevant fields, as Mauritius and Rodrigues (Ref. Gino Alfred Statement on 18/08/2010 N0.108 to 115; and Soopramanien No.310 - 313). This is why Gino Alfred in his hearing of 18/08/2011, claimed to name Mauritius as an Archipelago (Ref. Gino Statement on 18/08/2010 N0.697 to 703).

146 Security

- i. A Refugee Centre has been constructed in the North. Another in South island will be constructed soon. The population should be briefed from time to time, on how Management will proceed and what is expected from them, in the event of a tsunami, a cyclone or other calamities. The contribution of the Police and Coast Guard should be guaranteed well in advance.
- ii. Jetty at Port St. James is important. A study should be undertaken to devise safety measures for disembarking and embarking passengers. It is a blood-curdling manoeuvre for new visitors, especially when sea is rough. There must be an alternative disembarking point somewhere in the South, in case of an emergency. Consultation with the locals is essential.
- iii. As there are no traffic signs on the island, all drivers, including motorcyclists, should follow a Code of Conduct. Police should take its role seriously to prevent accidents. With the increasing number of motorcycles, the establishment of this Code of Conduct in the absence of road signs, is very important. All owners of motorcycles should be obliged to follow these instructions.

147 **Sport and Culture**

- i. (Ref. 10.3.1-2) Sport is one of the best means to fight anti-social habits. Drinking is on the rise. Boys and girls are prone to early sexuality. Idleness and lack of education are the main causes of this.
- ii. All facilities should be given to outdoor and indoor activities. The Ministry of Sport and Culture should extend its activities on Agalega, a territory of Mauritius. Agaleans could represent Mauritius in some athletic fields and in swimming, if given proper training.
- iii. With the help of the Coast Guard and the elders, regatta should be introduced. This will allow youngsters to develop their skills in canoeing, sailing, rowing, as their elders did. This practice will also help to develop skill in case of shortage of fuel or any breakdown or shortages on the island.
- iv. There are many talented artists in Agalega. Like diamond, they need polishing. Training in all fields is needed.
- v. Musical and sound system instruments are available in the Refugee Centre. Training to operate and maintain these instruments is needed.
- vi. Singing, Slam, sketches, Drama, Theatre are new avenues to exploit. This will contribute to fight against social ills and boost up the personalities and discipline of many young people.
- vii. Police Officers could provide important help in the field of indoor and outdoor games. The fitness apparatus in the Tsunami Centre could be then best utilised under their guidance.

148. **Services**

- i. With the increased storage of gas and fuel on the islands for different services, especially Jet Fuel for Civil Aviation and petrol and gas for Meteorological Station, and the local Management, security measures should be reinforced.
- ii. It is highly recommended that qualified Fire Officers from Mauritius should train young volunteers on Agalega. Discipline, drill and maintenance of equipment, sanctioned by a test, should be included. Successful candidates could wear uniforms. This would not give them the right to neglect or abandon their employment with the OI DC. A roster system and a work arrangement should be established between the OI DC and those concerned (Doc. II 3.9).
- iii. At present, in Agalega, there is only one qualified skipper, trained in Mauritius. With the development of the Islands and the promotion of the self-esteem of the workers, more skilled boatmen/skippers are needed, especially to work on the embarkation and disembarkation exercises. Training is given at Naval School of Mauritius. Interested candidates could be sent there for training. Working arrangements, as indicated above, could be negotiated with Management.
- iv. Facilities should be available, in Polytechnic School, *Ecole hôtelière* etc., to follow courses in fields likely to help Agalega.
- v. More and more visitors from Mauritius are keen to visit this remote Mauritian territory. No hotel, restaurant or *Table d'Hôte* exist because this was thought to be of no avail. With modern communication and access facilities, a system of restaurants or Bed and Breakfast will soon become necessary. This will also be useful for residents on visits to another island or to Officers on duty. Training courses should be made available to interested parties (Ref.10.3.4).

149 **Religion and social**

- i. Religion is not only a question of spirituality, but it also helps in the promotion of Integral Human Development.
- ii. Since the very beginning of the development of Agalega, the Catholic Church was present, and it has helped to introduce religious and moral values to the people (Soopramanien statement of 18/08/2010 N0,579 to 603). The remoteness of the island did not allow the Diocese to send a permanent priest, but Missionaries were sent, as and when possible.
- iii. In 1972, the two schools on Agalega were set upon a permanent basis by the Roman Catholic Education Authority, with the help of the Mauritian Government. The couple of teachers, who were sent, and their successors also catered for upgrading the social life, sporting and cultural activities. Today, the presence of two nuns is vital to family counseling and house-keeping.
- iv. As 100% of the Agaleans are Christians the presence of the Church should play an important roll in the development of the population. As it has a long experience in the field of training and in Human Development, facilities should be given to the Church to assist in the development of the islanders and their islands. On application, the Bishop of Port-Louis can send couples or qualified trainers for a certain period, in agreement with the OI DC to conduct training courses on Leadership and Community Development. All projects should be done in consultation with the residents. The PRO of the OI DC has a prominent role to play in the field of diffusing information about, and in the monitoring of projects.

150 **Discipline**

- i. The implementation of a good Code of Conduct is a sign of good Management. A whole detailed chapter (Doc II; N0.5 P. 20-24), referring to Disciplinary Procedures, is inserted in the Collective Agreement signed on 24 November 2009 between the OI DC and the Employees of the OI DC residing at Agalega. But still, the inhabitants would like to have a visiting Magistrate occasionally on Agalega to hear Police Cases, instead of transferring the presumed accused to Mauritius for trial (TJC hearing; Soopramanien No. 354 - 376).

151 **Economy**

- i. With the sudden and unexpected rise in salaries, due to a long struggle since February 1981 (Ref. *Pétition des habitants d'Agaléga*, Appendix XV), some families have entered into a spiral of uncontrolled consumption. As employees of the Corporation, they are now entitled to obtain loans from the Mutual Aid. Motorcycles, TV and Video sets, Refrigerators, Washing Machines and other domestic appliances, are bought on hire purchase at any cost. Some families have even their own generators, in case of power cuts. A Counselor in Consumer's Protection is needed, to advise the population properly.
- ii. In the event of producing handicrafts with local materials, and other by-products derived from coconut trees, and/or sea shells, a Cooperative Craft Industry could be opened and articles sent to Mauritius for sale. The OI DC can open a shop for Agalega craft products. SMIDO can sustain such projects. A OI DC Public Relations Officer, together with the Purchasing and Marketing Officer, should be put to work.
- iii. Selling cakes, sandwiches and drinks are sold here and there on both islands. The setting up of small businesses is of interest to some families. The shops, run by the OI DC, can later become a cooperative shop run by Agaleans. Training of the whole population in a Credit Union Society is very important.
- iv. Now that currency is present on the island and that modern trends are not a secret through TV, hairdressing, dressmaking, shoemaking courses could be run by resource persons found on the islands. Those interested can also follow courses in Mauritius (Doc. II 3.9; 4.4.7). These issues are important for the construction of a stable society.

- v. Those coming events will certainly bring more students to Mauritius. The OI DC should continue to make provision for them and for those who come on medical grounds. The PRO will have much to do.
- vi. The term ‘any resident’ should be extended to ‘any Agaleans or Agalean descendants’.

22. FOR BETTER REPRESENTATION OF MINORITIES AND UNDER-REPRESENTED GROUPS

- 141. That a review of the present electoral boundaries must be undertaken in order to ensure the better representation of ethnic minorities.
- 142. Under-representation of ethnic minorities at the level of Parliament and Cabinet is a cause of frustration and may lead to political instability.
- 143. Some functions of the Public Service Commission, the Local Government Service Commission and the Discipline Forces Commission, should be revisited. The practice of delegation of powers through the appointment of minor grade officers to different Ministries continues to give rise to frustration and has resulted in the exclusion of minorities, more particularly for creoles.
- 144. The abolition of the Best Loser System should only be envisaged in the context of an overall review of the Constitution which would ensure a fair and equal representation of ethnic minorities.
- 145. Consideration be given to all Mauritians living abroad, in other countries, who emigrated, either at the time of Independence or more recently, be encouraged to return to the motherland to help in the development process.
- 146. To perpetuate the memory of the first Indo-Christians who came under the Indentured immigration, that the Parish Hall constructed in 1872, and located within the precinct of the St. Anne Catholic Church in Stanley Rose Hill, be proclaimed as a site of memory and be scheduled as a National Heritage Site.

23. INDIAN IMMIGRATION ARCHIVES

THE COMMISSION RECOMMENDS:

- 147. That the political decision to block access be reversed as it is now antiquated and has no place in 21st century Mauritius.
- 148. That a full inventory is carried out and compared to original lists of documents and artifacts compiled during the transfer. The missing registers and artifacts to be officially reported.
- 149. That the Archives be returned to the National Archives as soon as National Archives are located in an appropriate building.
- 150. That the computerised data be fully verified and be made accessible online to the public
- 151. That the management rethinks its access policy and increase space available to researchers pending relocation as this is likely to take time.
- 152. The genealogical service provided by the Institute be separated from the Archive and be conducted elsewhere as the Archive is a ‘historical’ archive not a ‘civil status’ office
- 153. Urgent measures to conserve the most fragile documents are taken especially the photos which have become unglued from their pages. Here too the technical assistance of the Government of India and China can be sought given the close ties between these countries

and Mauritius

23. RECONCILIATION

154. That the Education System, which has promoted division rather than unity, review its agenda and rethink its role in Mauritius;
155. An Institute for Intercultural Affairs be created by the Government;
156. With regard to the relationship between politics and religion, Government and political parties should not associate with religious bodies;
157. In this way, the Government will be protected against undue interference from religious organizations;
158. Freedom of expression should continue to be encouraged and liberalisation of television channels should be considered.

The Commission wishes to express its gratitude to His Excellency, Sir Anerood Jugnauth, President of the Republic, for appointing us as Commissioners and to the Hon. Dr. Navinchandra Ramgoolam, Prime Minister for his unfailing support throughout the work of the Commission.

Our thanks also goes to Mrs K. O Fong Weng Poorun, Permanent Secretary and her staff for facilitating our laborious work.

We cannot conclude this report without placing on record the excellent work performed by the Secretary Mrs. Reshma Damoree and the administrative staff, Mrs Colette Lechartier, the Research Coordinator, as well as all the consultants, research staff, volunteers and technical persons who have facilitated our task in spite of the numerous constraints along the way.

We now have the privilege and pleasure to submit this our report as provided under section 13 (1) of the Act to the consideration of your Excellency.

Alexander Boraime Chairperson
Vijayalakshmi Teelock Vice-Chairperson
Parmaseeven Veerapen, Member
Raphael Benjamin Moutou, Member
Jacques David, Member

Reshma Damoree
Secretary to the Commission
20 November 2011

METHODOLOGY

INTRODUCTION

Part of the Mandate of the Truth and Justice Commission requires the assessment of the consequences of slavery and indenture. The task of assessing these consequences entails, *inter alia*, a review of 350 years of Mauritian History. As pointed out by the Chairman in his introduction, the Commission has, therefore, focussed on three aspects: History; consequences, and how to achieve a more just society.

1. METHODOLOGICAL AND CONCEPTUAL ISSUES FACING THE COMMISSION

1. Establishing the 'Truth' about History is not an easy task. Firstly, there is the professional historians' point of view that there is no such thing as 'permanent truth', since new research will change what has been accepted. There is also 'public history' which often contains 'perceptions of truth'. This is the truth that the TJC has attempted to deal with. In addition to this mandate, the TJC also had an underlying mandate which was to promote reconciliation. In Mauritius, reconciliation was seen by many as being possible, only if one did not talk about one's history. This was no longer possible in contemporary Mauritius. Although some institutions and individual Mauritians have understood this, the TJC did clash with several institutions that possessed important repositories of documents but did not wish to open them to the TJC or to the public. Summons were issued and, in some cases, the access issues were resolved. Whether the access to the public will continue, is a matter which the TJC has, no control over. The TJC is, at least, sure that the public is fully aware that these archives exist, the Mauritian public has every right to access them, and that the State has the responsibility of preserving these documents and not allowing private appropriation of these documents. Opening access and a more forceful policy of encouraging historical research and an open debate, rather than engaging in parallel debates, will lead further to national reconciliation in the future.
2. The TJC has held 212 hearings at its offices and outside Port Louis. These also constitute the TJC archives as they show clearly public perceptions about Mauritian History and lives of Mauritians. They are, however, representative of the most vocal sections of Mauritians, rather than the voiceless. The TJC endeavoured to collect the views of Mauritians whose voices had no chance of being heard in Port Louis, and it embarked on a massive oral history collection exercise. The TJC feels that we have reached a wide cross-section of the Mauritian community and covered a variety of historical experiences of Mauritians living in the 20th century. These are personal experiences of contemporary Mauritians and reveal their personal interpretations of their history. The statements, when taken together, are amazingly similar, and a full study was undertaken by a multidisciplinary team of Historians, Anthropologists, Sociologists and Ethnographers. The results are presented in the technical papers in Volumes 3 and 4 of the Report. The evidence shows even more clearly how many Mauritians know so little about Mauritian history and their family history. What Mauritians have preserved about their own history is limited, although this is to some extent understandable, because most Mauritians have led difficult lives. However, it is clear that their approach to life differs considerably, depending on their culture, religion (or absence of it), class and economic status in life.

The TJC cannot claim to have rewritten the whole history of slavery and indenture, but it has, at least, given a conceptual and structural version of Mauritian history free from political and racial agendas. It is now incumbent on future scholars and community groups to reflect and build on this and continue the work accomplished. The TJC has provided the tools and the sources where the historical material may be found, and civil society must now take this further. TJC's version of history cannot be considered as the 'official' history, but the beginning of a new 'national' history, in the sense that TJC recognises the fact that there are different perspectives and approaches.

What is the truth? Does factual evidence alone provide an indication of the truth? It is clear that the methodology of professional historians differs from other approaches to finding the truth. Critical evaluation of all available sources and their interpretation, as well as constructing a coherent narrative, are the classic processes of professional historians. However, there are other ways to arrive at 'truths' since a degree of subjectivity is inherent in the process of interpretation, and, hence, other interpretations are possible. There is, thus, not one objective Truth that the TJC has proposed. Truth is not necessarily the outcome of this Commission as not all facts are available, but rather part of the Truth. Much more needs to be done to uncover the whole Truth. Seeking the Truth is an ever-ending task.

3. A third issue that the TJC has dealt with, has been the suspicion and concern expressed in many quarters about academic history not reaching the local population. The TJC attempted, therefore, to bring together, through its historical projects, scholars, community groups and the local population. There was, we believe, frank discussions where community views were able to feed on the work of scholars, (local and foreign) who were able to voice their views, share their knowledge and arrive at a consensus. The TJC feels it was the start of a new historical 'adventure' and hopes that this approach will be continued in the future. It is hoped that the historians involved, have recognized the value of this work. TJC thus avoided what has become common elsewhere, where Western academic scholarship has clashed with community-based' histories. TJC has also ensured that other forms of historical research have been used, in particular oral history and that archaeological and ethnographic research has been used and promoted in the various studies. Such studies finally aroused a great deal of public attention, and this is indeed very encouraging for the future. It is clear, however, that the gap between academic history and communities being researched needs to be narrowed even further. TJC has devised a policy that will guarantee access to most of the data collected (archival, oral, ethnographic, and archaeological) to the public as well as the academic community.

Knowledge production is still an issue as people from particular ethnic groups tend to read what historians from their own ethnic groups write, even though it may not be completely objective and scientific in its approach. The class, caste and gender approaches need also to be incorporated into Mauritian History. These historians and communities would benefit from sharing their perspectives, and this would go a long way towards a shared history and a shared heritage in the future. Academic historians need, therefore, to popularize their writings. They also need to relate their findings to the contemporary situation.

4. How one faces the past was another area of concern. Will apologies and forgiveness heal the wounds of the past? Some believe so. TJC believes it is not enough and that public institutions must ensure that the debate about our history never ends, because history is always being written and rewritten. Although many wish to close the book, this will not be possible. Rather, TJC invites Mauritians to continue uncovering the Truth, and not to forget that Injustice can always recur and that Mauritians must be vigilant.
5. A fifth issue that TJC has grappled with has been that the Commission was mandated to enquire into analyzing the consequences of slavery and indenture, both of which occurred centuries ago. What followed in the period from the abolition of slavery to today was not considered. As TJC has stated many times, the period in between cannot be ignored as this period too impacts on contemporary Mauritius. A conceptual analytical gap exists in the minds of people who believe that there is a direct link between slavery and indenture on the one hand, and the situation of descendants today. TJC finds that the link is not direct; although there are structural continuities in the system of slavery, indenture and the modern Capitalist System, in which Mauritius finds itself. In the light of extensive *métissage* in Mauritius which has occurred in this period, the TJC has undertaken a number of genealogical and anthropological studies, and is recommending a National Genealogy Centre to further assist with the process of reconstruction of slave and indentured families. It is clear that the perception of having been a slave or indentured is stronger than the biological realities and that this is as potent a logic in Mauritius today for the construction of identity and has an impact on self-esteem and self-identity.
6. The truth about one's real origins is difficult to accept for many Mauritians who, up to now, have lived with many myths and stereotypes of their real ancestry. Mauritians need to face their

history and their past but to do this, they need not to be harassed by religious, political, social and cultural ‘leaders’ giving instructions on how they should behave, talk, dress because this is how certain communities are ‘supposed to behave’. In other words, identities should not be imposed upon them. The variety of our origins is omnipresent in our identity, and there is not one, two or three groups (as defined by the existing Constitution), but many more.

7. Expectations

The TJC was not mandated to judge, but to state the facts as they are, according to the evidence available and make recommendations. The Commission could not, in any way, substitute itself for the politician or the priest who feel they have the ability and mandate to judge and express opinions, even if not all facts are at hand.

In dealing with land issues, for example, public perceptions of dispossession have been investigated with the same guidelines, and this was the role of the Commission. It had no mandate to declare ownership but rather to reveal the strategies and mechanisms by which land had been lost or stolen, if at all, and suggest remedies. But it must be remembered that these structures and institutions have been in existence for centuries, and TJC alone will not budge established institutions that have benefitted materially, either directly or indirectly, from the enslaving and indenturing hundreds of thousands of people. This was achieved, let us remind ourselves, not only through theft, kidnapping, deception and fraud, but also by very legal means.

2. OPERATIONAL ASPECTS

The Commission met once a week at the Prime Minister’s Office and at Belmont House, in the absence of the Chairman, Professor Shell, who was still in South Africa. Regular communication with him was maintained through email correspondence, until his departure from the Commission.

During the first few Commission meetings, a number of actions were planned and policies discussed. The initial plan, proposed by Professor Shell, was implemented as far as it was possible depending on local resources available. In some critical areas, some foreign expertise was sought. These are as follows:

2.1 Communications Policy

- 1.1. Members agreed that they should be on the same wavelength, while making any statement, especially to the press.
- 1.2. A website to be designed to include the following: -the Act, Members of the Commission with their CVs, a bibliography of slavery and indentured labourers, a chronology of Mauritian History and links to other institutions.
- 1.3. A brochure on TJC in the 4 languages in use in Mauritius, English French Creole and Bhojpuri. The text was drafted by Mr. Morvan and translated by Mr. Robert Furlong, Dr. Police-Michel, and Ms. Suchita Ramdin.
- 1.4. A logo Competition.
- 1.5. First Workshop of which the main themes would be:
 - 1.5.1. Gaps and Silences in the History of Slavery and Indentured Labour;
 - 1.5.2. Methodology and Approaches;
 - 1.5.3. Achieving Social Justice and Equality.
- 1.6 A notice to be published informing the public of the coming into operation of the Commission and inviting depositions;
 - 1.6.1 Broadcasting of a monthly programme on the TV;

Having one producer to look after matters relating to the Commission.

2.2 Enquiries

As the Act mandates the Commission to enquire into the History of slavery and indenture and study its consequences, a number of enquiries were proposed:

2.1 There would be three broad areas of research:

1. Revision of History from 1723 to 2009 (slavery, indentured labourers, and identification of elements of History which have not yet been studied, is hidden or not known, i.e. the caste system, post-1835 situation of ex-slaves, etc.);
2. Consequences of slavery and indentured labourer for Society;
3. Measures to achieve Social Justice.

2.2 In addition, a number of critical specialist studies to be undertaken on:

1. Land;
2. Reparations;
3. Church;
4. Collecting views of people who are not so visible or vocal through collection of Oral History.

2.3 Sub-Committees were created to manage these projects:

1. Landownership and dispossession;
2. Educational system;
3. Measures to further Social Justice and National unity;
4. Housing Policy;
5. Historical issues relating to slavery and indentured labour;
6. The particular situation of ex-slaves after 1835;
7. Culture and Identity.

To empower Mauritians to research their own History, the Commission has focussed on:

1. The collection of data with the aim of dissemination for future scholars and the public at large;
2. Pointing to new and innovative ways of looking at Mauritian History by some selective and in-depth studies which will also guide future policies in History Education and Teaching;
3. Encouraging institutions to open up their collections rather than preserve it for the select few.

For the data-collection phase, the TJC relied heavily on young graduates who spent much time collecting historical and other data from various sources in Mauritius and overseas. These documents constitute the TJC's digital archives and copies will be given to libraries for public consultation. The TJC did not wish to repeat the mistake of Truth Commissions where the documents, all donated to the Archives, were not accessible to the public.

2.3 Public consultation

The TJC started its public consultations in July 2009. These consultations proved to be invaluable and informed very considerably the Methodology adopted by the Commission (appendix 3).

Further, by empowering representatives in this way, allowed them to express their concerns and fear that the Commission would be yet another academic exercise which would not impact on serious social issues which still exist in Mauritius. The Commission took to heart the many valuable points which were raised as can be seen by the methodology we adopted.

2.4 Hearings

It was decided to start hearings in August 2009, and the Chairman, Professor Shell, was requested to come to Mauritius for this. Unfortunately, he was not able to do so.

A Screening committee was set up to organize hearings. The members decided that a guide should be prepared for the screening committee which should be able to offer advice and guidance on how to initiate individual research, when and where necessary, for example, on the collection of birth and death certificates and other relevant information from the Civil Status Office. The Commission noted that the procedure to collect information from the Civil Status Office takes about 10 days. Members agreed that the Civil Status Office should be contacted with regard to providing the necessary assistance. They also suggested that it was desirable that the Civil Status Office assigned an Officer to do same.

The members stated that there should be some psychological support in respect of persons who would be heard before the Commission.

There was a need to have the services of a Legal Adviser.

A hearing room should be set up. The Solicitor General's Office was asked to offer advice.

2.5 Research Management and Data Access Policy

Due to the volume of research being commissioned, it was necessary for the TJC to devise a policy, guidelines and framework for research projects. These were amended from time to time, as a result of various consultations with researchers, public and private institutions about confidential/personal/oral data. Two workshops were successfully held: one on Oral History and another on Data Protection. The Commission also decided to create Digital Archives, given the number of audio, film and other iconographic data collected. Conditions of access also needed to be specified for this for the future. This policy is to be found in Appendices One and Two.

2.6 Appointment of Staff

Since all projects in hand could not be undertaken without appropriate staff, a request was made for appointments of staff. Basic and essential staff required were: Administrative Secretary, Research Coordinator, Consultants and Research Assistants. However, this process proved to be an extremely lengthy and cumbersome one. Despite a number of letters being exchanged between the PMO and the TJC, a team was not operational until 2010.

Recruitment of suitable personnel was made, and work got under way with many amendments to the original plans.

2.7 Description of Projects

All projects were placed under specific Commissioners to monitor progress and ensure that the aims and objectives of the TJC were being met. However, due to various factors, in all projects, Commissioners were forced to step in and take part in the research themselves so as to ensure continuity and provide team leadership. The workload on Commissioners has been very heavy, to put it mildly.

a. Summary of projects initiated in 2009 with aims and objectives:

Project No. 1 Slave Trade and Indentured Immigration:

- a. To compile a slave trade and an indentured Immigration database and make it publicly accessible;
- b. To hold an International Slave trade Workshop to discuss findings and make recommendations;
- c. To research and input data into a database from the Mauritius Archives and French archives;
- d. Analysis of data to uncover unresolved questions about the slave trade and indentured immigration.

Project No. 2 Economics of Slavery and Indenture:

- a. Historical/statistical study of compensation money given to slave owners;
- b. Study of local and British insurers, merchants, shipping corporations, banks etc. involved in the slave trade, slavery and indentured immigration;
- c. Study of economics of slavery and indenture;
- d. Analysis of data to uncover unresolved questions about the slave trade and indentured immigration;
- e. Reparations in USA and applicability to Mauritius.

Project No. 3 Land issues:

- a. To analyse the problems of landownership and dispossession among slaves, indentured and descendants;
- b. Creation of land transactions database;
- c. To enquire into cases of dispossession of land.

Project No. 4 Culture, Ethnicity and Identity:

- a. Sub project 1 Race Discourse;
- b. Sub project 2 Caste system among the indentured descendants;
- c. Sub project 3 Coloured population;
- d. Sub project 4 Cité Mivoie;
- e. Sub project 5 Port workers;
- f. Sub project 6 Church History;
- g. Sub-project 7 Memory and Representation;

Project No. 5 Study of Health of Slaves and Indentured:

- a. Health of slaves and indentured up to the 1920s;
- b. Conceptualisation of health and illness;
- c. Diet patterns and diseases (includes excavations in Morne);
- d. Contributions to traditional medicine and healing;
- e. Effects on the health of descendants today;
- f. Assessment of current health care institutions;
- g. Psychological impact of slavery and indenture;
- h. Rodrigues - gender and health;

Project No. 6 Education:

- a. Study of education of slaves and indentured;
- b. Education as Reparation;
- c. Effect of Illiteracy on Landownership.

Project No. 7 Demographic History and Spatial Distribution

- a. Demographic database of slave and indentured population;
- b. Demographic study of slave and indentured population;
- c. Family reconstruction;
- d. Web-based Mauritian Family Database as part of a Reconciliation project.

Project No. 8 Monitoring TJC , Communications and Archiving:

- a. Better presentation of TJC to public;
- b. Assessment of impact of implementation of projects on TJC objectives;
- c. TJC Archives, including transcription and translation of hearings, Oral History interviews.

Project No. 9 Social Justice:

- a. Studies on Historical evolution of social justice.

Project No. 10 Oral History of Descendants of Slaves and Indentured Labourers:

- a. Collection and analysis of Oral History of descendants of slaves by the University of Mauritius;
- b. Analysis of Interviews of descendants of indentured labourers collected by the AGTF.

Project No. 11 Rodrigues, Chagos, Agalega and St Brandon Islands.

3. PROGRESS OF WORK

In January 2010, a new Chairman, Professor Alex Boraine, was appointed by the President of the Republic. By this time, some staff had begun to be appointed and some projects had started.

As expected, modifications to projects were required in the course of research, and to deal with exigencies and multiple problems cropping up along the way. However, there were also unexpected opportunities that presented themselves. The TJC seized on them to further its enquiries on slavery and indenture. A particularly successful campaign of archaeological excavations was held, leading to widespread public interest in an abandoned cemetery at Le Morne.

Less successful and less popular were the treatment of cases dealing with land issues, and these proved the most intractable of issues and met with mixed success.

Management of controversies were also part of the TJC's work, particularly over Archives access. Here, too, widespread public interest was aroused in Mauritius and among Mauritians overseas, following heated debates on various online discussion fora over access to caste-related data.

The focus of public interest had been over slavery and indenture and what had been hidden. However, the expected resistance to the opening up of archives did not occur, and full access was given to the TJC by, for example, the Catholic Church. Unexpected resistance came from public institutions that appeared to have become private domains, such as the Immigration Archives.

It was not understood by these institutions that the aim of collecting these documents was two-fold: (a) to enable an objective and comprehensive study to be made, and (b) to make these documents available to the Mauritian public so they may study their own history and, in so doing, dispel the many myths and misconceptions that abound in Mauritian History. As stated above, it is a fact and this was confirmed during hearings held at the TJC, that most Mauritians are not familiar with basic facts about their own history. They must, in future, be given the tools with which to be able to judge the veracity and objectivity of what they hear and read which unfortunately, more often than not, is only partial information, often not objective and also ethnically-inspired.

ORGANISATION OF REPORT

The Report consists of 6 volumes to be made public and a 7th volume containing Administration and Finance which will be submitted to the PMO as the TJC Administrative Archive. Four volumes are produced in paper format and three in digital format as they contain audio and film material.

Volume I contains the Commission's report and covers all topics falling under the mandate of the Commission, namely the history of the slave trade, slavery and indenture; the economics of slavery and indenture; legacies, consequences and continuities; racism and casteism; education and health, land reform, social justice, ending with main findings and recommendations. The last part of the recommendations is a consolidated version with those considered high priority on top of the list. A time-frame for implementation is also included.

Volume Two consists of papers prepared by the Land Team on Land issues in Mauritius, as well as the results of the analysis by the same Team on the 340 claims concerning land dispossession. It is divided into a History of Land Tenure section, detailed studies on selected topics such as Lack of capital, prescription and a summary of each case and the main findings of the Land Team. As Commissioners were not Land experts, the Commission has borrowed heavily (but not exclusively) from the Report of the Land Team to make its general findings on cases being heard before the Commission.

Volumes Three and Four consist of technical papers, research reports and surveys conducted by a team of consultants, researchers and research assistants. It is divided thematically. Volume Three consists mainly of studies of contemporary Mauritius and surveys which Mauritians had expressed themselves or participated in. Volume Four consists mainly of studies by specialists in the field of History, Economics, Anthropology, Psychology, using an immense amount of archival material. Both volumes also contain the recommendations of the persons or teams undertaking the study and a substantial set of references.

Volume Five in digital format, is the collection of all audio and film material collected by the Commission and is divided into: a Hearings Section, where the audio and the transcriptions are included; the oral history interviews that were not confidential and their transcripts; a press cuttings database and photos and film strips covering the work of the Commission during field-trips, surveys and site visits.

Volume Six consists of the databases created by the Commission for use by the institutions that the Commission has recommended be created, such as the Genealogy Centre; the Land Research Unit; the Conservation Institute; the Slave Trade and Indentured Immigration Database. It also contains the numerous data collected by the Commission, in the form of digital photos of documents and reports.

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INSTITUTIONS

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CHAPTER ONE

**THE ECONOMICS OF COLONIALISM,
SLAVERY AND INDENTURE**

1. COLONIALISM AND MAURITIUS

The emergence of Capitalism as an economic system in Britain and in other European countries created the conditions for the development of Colonialism. Colonial expansion and colonial wars were essentially economic in character: the spice trade with Asia, the quest for markets for the industrial produce of the Colonial Powers, the development of plantation economies and societies in the colonies to produce cheap goods for European countries, the resulting demand for unwaged labour of enslaved people and, later, for cheap labour of indentured labourers, and finally the demand for raw materials. Underlying these historical processes was the insatiable pursuit of profits and capital accumulation by the Colonial Powers, in particular the traders, the emerging mercantile and industrial bourgeoisie and later by the financial bourgeoisie, of the European Colonial Powers.

Under these circumstances, Colonial Powers developed labour systems in the colonies most appropriate for their interests: the enslavement of peoples across the world, especially of the African peoples and, thereafter, indentured labour. But slavery was more than a labour system: it was the most exploitative and socially and culturally oppressive of all economic and social systems. Indentured labour imported from British India and elsewhere was part and parcel of the transformation of the slave system into the new emerging capitalist system: still exploitative and oppressive, though to a lesser extent than slavery, and with wages, albeit very minimal.

Dutch Period (1598-1710)

In the 16th and 17th centuries, Holland was the first European power to colonise Mauritius. During these centuries, overseas trade was one of the successes of Holland in its intense rivalry with Spain and Portugal. In particular, it competed with Portugal for the trade with the East Indies. At that time the Dutch East India Company (VOC) was considered as the greatest trading organization. Moreover, given the distances involved and the time taken for voyages between Holland and the East Indies, there was a need to supply fresh food and water to the ships of the VOC along the way. As a result, the Dutch, in a rather erratic manner, used Mauritius as a base. On 18th September 1598, Vice-Admiral Wybrant Warwijck and his men landed in Mauritius, but did not settle. They regularly used Mauritius as a port of call; they also cut ebony trees which were taken either to the East Indies or Europe and on the shores of Mauritius, they collected ambergris which was used in Europe for making perfumes. It was only in 1638 that the VOC decided to colonise Mauritius owing to the decision to exploit the ebony forests for export and to the threat of British occupation.¹

Both the British and the French were interested in ebony cargo. Woodcutters, convicts from Batavia (in the East Indies) and slaves were the main forms of labour used by the Dutch. However, in 1658 the VOC decided to leave Mauritius because they found that, overall, the settlement was not profitable and that the Cape of Good Hope was becoming their strategic refreshment station. Shipwrecks brought the Dutch to Mauritius during the period 1658 to 1664. In 1664, the uncertainties associated with the threats of the French and British and the demand for ebony trees prompted the Dutch East India Company to settle in Mauritius for a second time. This second period of colonisation lasted until 1710. Initially, there was an attempt to develop the potentially profitable trade in slaves, ambergris and ivory on the East coast of Africa and in the neighbouring islands. But the Third Anglo-Dutch War of 1672-1674, the war with France of 1672-78 and the presence of European pirates were unfavourable to the development of such commercial endeavours, although the trade in ebony with Holland and Batavia was evolving successfully. Given the constraints and the fact that the Cape of Good Hope was an efficient establishment and a good stopover for the ships, in 1706 the Dutch East India Company decided to end its establishment in Mauritius; by 1710, that decision was implemented and the Dutch left Mauritius for good.

The Dutch had, in effect, started a set of historical processes which would dominate the history of Mauritius: the introduction of sugarcane (though to produce arrack and rum only), using enslaved people from Madagascar, India and South-East Asia as labour, developing slave trade in the region, developing trade between Madagascar and Mauritius, using Mauritius as a strategic position in the

Indian Ocean, in Holland's rivalry with Portugal, for trade with Asia and later with Britain and France, using Mauritius as a port of call for its ships, and finally using Mauritius as an export base for ebony, while causing severe environmental damage in the process. Simultaneously, the enslaved people developed resistance to exploitation and oppression, and they marooned and moved into the forests, ready to attack the Dutch settlements, whenever necessary.

French Colonial Period (1715-1810)

In 1715, the French took possession of Mauritius and renamed it Isle de France, thus following in the footsteps of Dutch Colonialism. There was no settlement until 1721, and up to 1735, Isle de France was administered from Réunion Island, then known as Bourbon.¹ The island was also ceded to the French East India Company.² By 1726, land grants were made to the colonists; the upper classes (i.e., *l'état major de l'île*) obtained 126 hectares (i.e., 312 *arpents* or multiples of it) known as "grande concession", whilst soldiers and workers obtained 63 hectares (156 *arpents*) known as "petite concession."³ Any attempt to develop agriculture created an increasing demand for labour. There was a third category of land grants: smaller areas of land within conglomerations.

Regulations governing the grants included asking colonists to cultivate their land within a period of 3 years, failing which, they would lose it. Each colonist was also given 20 slaves. In return, the colonists had to pay yearly one tenth of their produce to the French East India Company. Any attempt to develop agriculture created an increasing demand for labour. According to Loughon, 156 ships called at Mauritius between 1721 and 1735, prior to the arrival of Labourdonnais, most of them being Company ships.⁴ A total of 650 slaves, according to Filliot, were brought to Mauritius from Madagascar, Mozambique, India and West Africa.

International trade and, in particular, long-distance trade, developed to a great extent in the 18th-century; by the 1780s, France was the largest trading maritime power in Europe.⁵ The total value of French long-distance trade with Africa, Asia, America and re-exports to the rest of Europe was equal to £25 million, whilst that of Britain was only £20 million. This state of affairs explained the growing importance of Port Louis as a centre of *entrepôt* trade. Among the French colonists, the lure of easy money and the importance of commercial activities contributed to their lack of interest in agriculture. Slave trade, both legal and illegal, was an important aspect of the French international trade in the Indian Ocean. According to J.F. Dupon, the growth of speculative transactions thwarted the establishment of relatively permanent estates and plantations.⁶ A class of traders and merchants (or *négociants*) developed and thrived.

The period between 1735 and 1746 was characterised by the administration of Mahé de Labourdonnais who, because of a secure harbour, chose Isle de France, rather than Bourbon, as his base of operations to expand French influence in the Indian Ocean. On the one hand, slave trade was significantly enhanced and, on the other hand, vast infrastructural works were undertaken to transform Port Louis into a capital, port, warehousing and commercial centre. The labour of the enslaved peoples was the dominant form of labour but additionally, French contractual workers (*engagés*) and artisans from Madagascar and India were brought in. When Labourdonnais arrived in Mauritius in 1735, there were 638 slaves in a population of 838. According to Filliot, 1,200 to 1,300 slaves were brought annually so that, within five years, the number of slaves had quadrupled to 2,612, while the number of French had barely doubled.

Port Louis harbour became the centre of intense maritime activity during the second half of the 18th century, after the island was reclaimed by the French Crown in 1767. The French Crown took control of Isle de France and Bourbon, after having bought the two islands from a bankrupt French East India Company in 1764 for the sum of 1.6 million *livres*.⁷ Pierre Poivre, as the first *Intendant*, encouraged large-scale production of cash crops like cotton, indigo and spices, but his attempt to transform Mauritius into a plantation economy failed. Even in the days of Labourdonnais, agriculture was developed only to a certain extent, especially sugar cane plantations and indigo factories. However, there was no major development in the years following the end of Labourdonnais' administration.

Under the Royal administration, major changes were introduced which created the right conditions for the development of international trade. By 1769, the French East India Company had lost the monopoly of Asian trade and by 1787, Port Louis was designated as a free port open to ships and traders of all nationalities. An economic boom ensued. According to Toussaint, visitors in those

days described the harbour as being crowded with ships of every nation lined, with holds filled with provisions and merchandise from various countries, and with colonial produce, with a general appearance of abundance and prosperity.⁸

This state of affairs also stimulated agricultural development. The merchant class became the dominant force in Mauritius, and commerce partially financed agricultural production.

In 1769, 785 ships berthed at Port Louis; there came 176 in 1783, 203 in 1789, 266 in 1791 and 347 in 1803. The number of arrivals declined sharply during the Napoleonic Wars: 177 ships arrived in 1806, 76 in 1809 and 25 only in 1810.⁹ Many merchants in Mauritius became *armateurs* and invested large amounts of money in equipping vessels and crews for privateering expeditions and generally acquired substantial wealth from these activities, in spite of the high risks. According to Allen, the French privateers preyed on British and allied shipping during the War of American Independence, of the French Revolutionary period and of Napoleonic era. The total value of the prizes is difficult to ascertain but large sums were involved. Toussaint has estimated the value of prizes taken between 1803 and 1810 at almost 50,000,000 francs.¹⁰

Due to the British blockade in early 19th century, some of the money was directed to agriculture, especially to the production of foodstuffs. Following the Revolution in St Domingue, the demand for sugar in France and Europe increased significantly, prompting some investment in the emerging sugar industry by the end of the 18th century, until around 1806. Sixty sugar mills were in operation at that time and sugar production by 1806 was around 4,000 metric tons.¹¹ M. Vaughan expressed a similar view, when she wrote:

“Furthermore, increased French commercial interest in the island combined with the profits of privateering and the collapse of sugar production in St Domingue, were helping to finance the island’s nascent sugar industry. Finally, the island seemed to have arrived at a situation in which commerce was financing agricultural production.”¹²

As far as the slave population was concerned, the slaves were defined as chattel labour (*‘biens-meuble’*) according to the 1723 *Code Noir*, and they were considered as the private property of their owners. They had no right to property of their own. The *Code Noir* effectively ensured that the enslaved peoples remained as coerced, unwaged labour and their labour power was reproduced to sustain the slave system. The *Code Noir* had included the definition of slaves as *‘biens-meuble’* so slaves could be insured and inherited as fixed assets. In case of loss of slaves during a revolt, bad weather or disease, compensation could be claimed.

The slave population grew steadily in size during the 18th century, from 2,533 in 1746 to 15,027 in 1767, to 33,832 in 1787, to 60,646 in 1806, to reach 63,821 by 1810, prior to the British conquest. Their occupations consisted mainly of agricultural labourers, household servants, fishermen, artisans, port workers and sailors. The enslaved people faced a harsh regime. Charpentier-Cossigny, an Engineer, in 1753, noted that “the company was hiring slaves, then starving them to death”.¹³ According to him, “for every skilled slave in an ‘atelier’, there were another ten or so manual labourers performing the essential back-breaking tasks of breaking and carrying stones, digging trenches, loading and unloading ships, building roads.” This ‘vast army’ of Government slaves included many women.¹⁴

There was much resistance by the enslaved peoples through maroonage; at times, very violent campaigns were led to defeat the maroon community, for example by Mahé de Labourdonnais who used ‘maroon detachments’.

During a brief spell of the French Revolution in Isle de France, the merchant class, the *‘négociants’*, took the leadership and vehemently opposed the abolition of slavery. The post-revolutionary period, known as the Napoleonic years, brought a regression of conditions for enslaved peoples and the *Gens de couleur*.

Colonial rivalries between the two dominant Colonial Powers, Britain and France, was particularly intense in the latter part of the 18th century and culminated in the defeat of France in 1810, when Britain took possession of Isle de France. France lost territories in India but was allowed to keep its outposts like Pondicherry, following the Treaty of Paris of 1814.

British Colonial Period (1810-1968)

British Colonialism was the most powerful economic, military and naval force in the 19th century. It pursued the same path of economic exploitation undertaken by both Dutch and French Colonial Powers. As the most advanced capitalist society, it decided to bring about certain changes to the prevailing colonial system during the 19th century. For a better understanding of the role of British Colonialism in Mauritius and in the Indian Ocean, it is necessary to have a brief overview of the different phases of British Colonialism worldwide.

The first wave of British Colonialism took place when Britain undertook the colonization of North America and the Caribbean Islands in the 16th century. But labour supply was a major issue. For various reasons, native Americans could never be incorporated in the colonists' plan. European indentured labour and convict labour from England were brought to work on the plantations and to provide for badly-needed specialized craftsmanship, such as those of the carpenter, tinsmith, etc.

In the Caribbean, the British business community found that indentured British labourers were not capable of satisfying the demand for sugarcane cultivation in the Tropics. Furthermore, British planters wanted to maximize their investment in labour and recoup the costs of the transport of labour as quickly as possible by working the indentured very hard. This policy acted as a deterrent to prospective workers back in Britain, so much so that labour shortage became somewhat permanent by mid 17th century. Convict labour from Britain provided short-term relief, but this measure was not sustainable.

The solution to what appeared as the intractable problem of labour shortage was found: coerced African unpaid slave labour. Gradually, Africans were enslaved and replaced European indentured labour on plantations, producing sugar, cotton, tobacco, coffee, amongst other crops. It was the triumph of the 'most powerful driving force' of Colonization, that of the pursuit of profit. This driving force underpinned the intense intercolonial rivalry and colonial wars in the Americas and the outrageous economic and social exploitation of the enslaved African peoples. In Mauritius, this motive is hardly mentioned and the major contribution of the enslaved African peoples to the creation of wealth has been conveniently ignored, both during the French and British periods of Colonisation.

But British Colonialism, having triumphed over its various rival Colonial Powers, was defeated by its own colonists in the American War of Independence. This defeat created the conditions necessary for a second wave of British Colonialism: Asia (especially India and China), Australia and hence, the Indian Ocean and the Cape of Good Hope became the new targets of expansionism, trade and investments. The sea routes to Asia acquired major significance and Mauritius turned out to be of major strategic importance to Britain. Anglo-French rivalry dominated the struggle for the control of sea routes to India, Asia and Australia, and thus for the control of the Indian Ocean. This culminated in the British conquest of Mauritius in 1810 and also of Cape of Good Hope.

For the sake of completeness, it is worth noting that the third wave of British Colonialism reflected the changes happening in the industrial and financial developments of the European Colonial Powers. The demand for raw materials, labour and land became more and more important, leading to a scramble for Africa.

In the 19th century, Britain brought changes to the colonial system, made possible by various factors, the main one being the consolidation of Britain as an advanced economic, industrial and financial power in the world. Slavery was abolished in most possessions of the British Empire in the 1830s. But the plantocracy needed labour and, where necessary, it looked elsewhere for cheap labour. Thus, cheap indentured labour on a massive scale progressively replaced the labour of the enslaved peoples so that the maximization of profits and capital accumulation might be perpetuated. The solution, then, was to turn to those vast reservoirs of cheap labour, India and China, respectively a colony and semi-colony of Britain.

Slavery and indentured labour were, amongst other things, labour systems created and nurtured by French and British Colonialisms in Mauritius to serve their economic interests. For an understanding

of these two systems and their consequences on contemporary Mauritius, it is necessary to investigate how they developed and evolved under colonialism.

The economic system developed by the Colonial Powers necessitated, for its sustainability, an oppressive social and political system, a biased institutional and legal system, and an ideology with racism as one of its pillars. Whilst the Colonial State succeeded in preserving the status *quo* for most of the 18th and 19th centuries, resistance to the system prevailed and cracks in the system occurred. A rigid class and racial hierarchy was sustained rather successfully during French Colonialism. During British Colonialism, major changes like the abolition of slavery were initiated but resistance and the internal dynamics of the system, together with an imperial strategy of the British State and of the industrial/commercial bourgeoisie, and the fast-developing financial bourgeoisie, caused the system to evolve differently.

Conclusion

Colonialism, whether Dutch, French and British, was never interested in the development of the enslaved peoples, the indentured labourers and other forms of labour. The quest for profit and capital accumulation brought them to Mauritius and led them to wage colonial wars among themselves and against indigenous peoples across the world for centuries until the 20th century. This quest has been systematically and conveniently underplayed. The Colonial Powers developed societies which were characterized by extreme economic exploitation and by unparalleled social and cultural oppression. Economic and social structures and corresponding policies were developed to ensure that their objectives were met. There has been a striking continuity underlying these historical processes: development for the Colonial Powers and the colonists but underdevelopment for the colonized peoples and, in particular, for labour. Inclusion and material wealth for them, as opposed to exclusion and minimal welfare to ensure the reproduction of labour, if not outright poverty, for others.

In fact, the economy grew, from the very beginning, as part of the overall Colonial Empire, the centre of which was Europe. An extreme international specialization within the Colonial Empire had produced a vulnerable, fragile export-oriented economy. The consequences are still felt more than forty years after Independence in Mauritius.

2. THE SLAVE SYSTEM AND THE SUGAR INDUSTRY

1.2.1 The Slave System under French Colonialism

French Colonialism in Isle de France was characterized by major fluctuations in the economic 'development' of the island. International trade, with the slave trade (both legal and illegal) as one of its main aspects, was the driving force of the economy. Agriculture was developed to some extent, together with an emerging Sugar Industry. A merchant class and a planter class dominated the economic, social and political life of Isle de France.

The labour system that prevailed relied mainly on the slave system, with contractual workers from India and France.

The rigid class and racial hierarchy was further consolidated and worsened during the Napoleonic period under the governorship of Decaën (1803-1810). Landownership was concentrated in the hands of the French colonists. Environmental damage was done as a result of the use of fire to clear land for the export of wood.

The Colonial State in Isle de France used the *Code Noir* and other legislative measures to exclude the non-Whites from mainstream economic, social and political life, with a particularly oppressive system for the enslaved population.

1.2.2 Slavery and the Sugar Industry (1823-1835): Value of Slave Labour

Following the British conquest of Mauritius in 1810, Mauritius became a Crown colony in 1815 and had access to the British market for its sugar. However, the sugar planters in Mauritius had to pay an additional 10 shillings per cost duty for their sugar compared to the planters from the British Caribbeans. By 1825, there was the equalization of tariffs which gave a major boost to the sugar production. The land under sugarcane cultivation more than doubled for the period 1821 to 1830, from 10,504 hectares (26,000 *arpents*) to 24,038 hectares (59,500 *arpents*) between 1844 to 1850. Sugar production doubled from 10.9 metric tons in 1825 to 21.2 metric tons in 1826 and reached 41 metric tons in 1840. It was the beginning of the monocrop economy which was to prevail unchallenged in Mauritius in the 19th century and for more than half of the 20th century.

The sugar planters developed into an active force in local politics, in high finance and the Judiciary. The political influence lay in the hands of the social and economic elite and contributed to the emergence of the Sugar Industry oligarchy which consolidated its hold over Mauritian society. British Governors were reluctant to challenge this new oligarchy and its entrenched, local economic interests. On the contrary, the Colonial State turned a blind eye to the illegal slave trade, with the Government officials sometimes involved in that trade. The sugar oligarchy felt strong enough to challenge the amelioration measures in favour of the enslaved population.

By 1832, they confronted British rule head on, with the use of physical force. It was estimated that some 1,000 men formed part of the 'armed resistance'. Peter Burroughs wrote:

"Equipped with muskets and swords, accoutred in the uniform of the French National Guard, and led by their elected colonel, Henri Adam, a former Bonapartist Officer, the volunteers began policing the streets of the capital."¹⁵

The social and economic forces in Mauritius, at that time, wielded much political influence. The planter community were predominantly of French origin, with some British planters. There was, moreover, an important presence of British traders and financiers, either through a company, representing their interests, or through an office set up in Mauritius. They provided credit to the planters to such an extent that around three-quarters of the sugar estates were owned by them in the early 1830s.¹⁶

A strategic alliance was formed between the planters of French origin and British origin and the British financiers. Both opposed the introduction of slave amelioration laws. The British Governor did little to oppose this alliance. The enslaved population continued to provide the badly-needed

labour to contribute to wealth creation. The Free Coloured People was very much present, with one or two being prominent planters and slave owners; similarly, there were one or two such planters/slave-owners of Indian origin.

The economy was thriving and the enslaved population were forced to work harder than ever before to ensure the expansion of the Sugar Industry. Their contribution to the creation of wealth in the period 1823 to 1835 was very significant. The value of slave labour for that period was assessed by the Commission, using a micro economic model of slave prices, developed with age, sex, ethnicity occupation of the slaves and sugar output and time (quarter) as explanatory variables. Once an estimate of slave prices was obtained, a political-economic model of asset-pricing was used to assess the value of slave labour. Assuming a working life of 10 years for the slaves and a discount rate of 7%, the aggregate value of slave labour per year obtained for the corresponding period:

(i)	1823-1825	-	£1.0 million
(ii)	1826-1830	-	£3.0 million
(iii)	1831-1835	-	£2.0 million

The standard approach to econometric modeling is to develop an appropriate model, then collect a relevant sample of data/information to produce appropriate estimates for the variables of interest. Moreover, the estimates obtained are valid for the population under consideration, as a whole, which is the slave population of Mauritius in this case.

The main source of information/data was the Notarial Acts in the General Inventory of Notaries which are located at the Mauritius Archives in Coromandel, Mauritius. Data and information were collected for the period 1823 to 1835 from all Notaries. However, data on all variables of interest used in our analysis were available only for 8 Notaries, as well as for a few others not specified in the Notarial Acts. The Acts document the sale of 5,580 slaves during auctions over the period under examination.

To assess the representativeness of the sample, it was compared to the slave population, as given in the 1826 census, which can be considered as one of the most reliable among registration returns compiled on the slave population in Mauritius. The sample has the same age and ethnic characterization as those of the slave population. However, the sample differs somewhat from the 1826 Census, since the male-female ratio 62.2% of the slaves are males in the census, while this percentage is 77.6 in the sample.

The results give the aggregate value of slave labour for the slave population as a whole. Moreover, the modeling exercise took into consideration the fact that certain key events had an impact on slave prices and on the value of slave labour. When tariffs were equalised in 1825, this provided a major boost to the expansion of the Sugar Industry and, hence, on slave prices and the value of slave labour. In the early 1830s, there was much public debate on the forthcoming abolition of slavery, which, in turn, had an impact on slave prices and on the value of slave labour. Hence, the value of slave labour is estimated for three different periods as given above. For the period 1823 to 1825, the value of slave labour, as a whole for each year, is estimated at £1.0 million; similarly for periods 1826 to 1830 and 1831 to 1835, that value is respectively £3.0 million and £2.0 million. (See Volume 4 Part VIII of TJC Report: The Economics of Colonialism, Slavery and Indenture for more details).

1.2.3 The Economics and Politics of Abolition of Slavery

On 28th August 1833, the House of Commons passed ‘An Act for the Abolition of slavery throughout the British colonies; for promoting the industry of the manumitted slaves, and for compensating the persons hitherto entitled to the services of such slaves.’ Nevertheless, the title of this Act is very misleading in one respect in particular; this twenty-three pages Act states on the last page, as per Clause LXIV, the following:

“And be it further enacted, that nothing in this Act contained doth or shall extend to any of the Territories in the possession of the East India Company, or to the island of Ceylon, or to the island of St Helena.”

This Clause clearly contradicts the title which refers to abolition “throughout the British colonies”. British companies had major economic interests both in India and Ceylon, India being one territory in the possession of the East India Company. Slavery was only abolished in India, 10 years later in 1843. This matter reflects clearly the duplicity of the British Imperial Government in its policy on the abolition of slavery; the non-abolition of slavery in India may have had a bearing on the development of the situation in Mauritius.

From the mid-1830s onwards, Indian indentured labourers were imported into Mauritius from a reservoir of very cheap labour in British India. British policies in India on land had already caused an increase in landless peasants and internal migration. With the maintenance of slavery in India, there is no doubt that, to some extent at least, this had contributed to the depression of wages of the Indian labour force; in turn, the prospective indentured labourers would be in a position to accept very low wages.

Thus, the following question arises: By not abolishing slavery in India, did the British Imperial Government, possibly indirectly, contribute to the refusal of planters in Mauritius to pay decent wages to the emancipated enslaved people and, hence, contribute to the latter having to leave the plantations “en masse?”

Moreover, in the end, the British Imperial Government decided to provide £20 million as compensation to the slave owners together with a so-called apprenticeship of six years for praedial slaves. That apprenticeship turned out to be very similar to slavery with the emancipated enslaved labourers working for no wages during their normal working hours. They were subject to very harsh conditions and heavy penalties for non-performance or ill-performance of their duties.¹⁷ The slave owners, and in particular the plantocracy in Mauritius, both British and French, together with the British credit houses, obtained £ 2.1 million.

There is no doubt that the Mauritius Bank, with A d’Epinay as Director, and the British credit houses received an important share of the compensation money that was paid during the years 1836 and 1837. A new bank, the Mauritius Commercial Bank, opened its doors on the 1st September 1838. Just as Mauritius Bank founded in 1832, the driving force behind the creation of the Mauritius Commercial Bank was the British business community, in particular the traders based in Port Louis or the London trading houses, with offices in Mauritius. The main company was Blyth Brothers which played an important role in the payment of the compensation money. Equally, planters and planters/traders contributed to the initial share capital of the Bank. For example, the planter/slave owner, Paul Froberville received financial compensation of £9,020 in 1837 for 282 slaves. There were other planters and slave masters, such as Hunter, Chapman, Arbuthnot, who contributed to the initial share capital. A letter addressed to the editor of *Le Mauricien* of 28 February 1838, further provides evidence of the use of compensation money in the launching of the Bank. It stated the following:

“Quant à la Banque actuelle, créée pour des opérations de finance sur note indemnité, et pour liquider les propriétaires obérés, elle a atteint également son but, avec l’applaudissements de tout le monde [.....].”

(Eng : trans : As for the present Bank, created for financial transactions, with regard to compensation, and to put an end to the activities of insolvent owners, it has also achieved its objective, with the approval of all and sundry [...])

1.2.4 The Aftermath of Emancipation and the Arrival of Indentured Labour

For quite some time, it has been claimed that, both in Mauritius and the Caribbean Islands, the emancipated enslaved people chose to leave the plantations as a consequence of the inhumane treatment and of the economic exploitation which they suffered during the days of slavery. Whilst this was an issue influencing the movement of some of the ex-enslaved people away from the plantations, the situation appears to have been somewhat different for the ex-enslaved people in general. This is an important and ongoing debate.

Research on the Caribbean Islands revealed that firstly, the prevailing rates of wages and local market prices played an important role in influencing the withdrawal of the emancipated enslaved people from the plantations. There are different lines of thought, different variants of post-

emancipation outcome and much debate on the issues; moreover, the paper of Douglas Hall (1978) takes into consideration the conditions prevailing on the plantations at the time of emancipation and, in particular, the case of British Guiana which is rather similar to the case of Mauritius. According to Douglas Hall in his paper “The flight from the estates reconsidered: The British West Indies” (1978),

*“By 1842, the immediate reactions of both planters and ex-slaves to the emancipation had occurred, and although some measure of stability had been achieved in labour relations, there was general complaint on the part of employers of the scarcity, the unreliability and the high price of estate labour”.*¹⁸

Thus, in British Guiana, the withdrawal of the emancipated enslaved peoples reflected for more positive reactions to prevailing rates of wages and local market prices and their desire to preserve their freedom. In fact, almost all the ex-slaves remained on the estates of the planter Henry Barkly.

Secondly, the emancipated enslaved people perceived their freedom in terms of retaining their rights to free housing and to cultivating plots of land allocated to them during the days of slavery for years. The abolition of slavery could only mean a betterment of their living conditions, together with reasonable wages. Instead, they were asked to surrender these rights in the name of freedom. In his paper, Douglas Hall reproduced the following statement by H. Barkly, in response to a question from Mr. G. Berkeley, a member of the Select Committee of the House of Commons, on the West India Colonies in 1842:

“I was told by the negroes on Highbury estate, when I went there, that it was all nonsense that the Queen made them free without giving them a free house and land, and they called upon me to carry out that proposition, by giving up the houses and grounds.”

In Mauritius, attention has been given to the notion of freedom of slaves as defined by the owners and Imperial Britain; the notion of freedom by the ex-enslaved peoples has been given very little attention. It is appropriate that the notion of freedom of the enslaved peoples by those very peoples be given due consideration in the light of the views and feelings of the enslaved peoples themselves. Is it not legitimate and logical that the emancipated enslaved peoples wanted not only freedom, but the minimum conditions necessary to make that freedom effective? They made it clear that shelter in the form of a house and food in the form of a piece of land, which they could cultivate, were those minimum conditions. Yet, they contributed significantly to wealth creation for the slave-owners and for the British Empire. Indeed, they were ahead of their time in terms of economic and social rights of peoples across the world and across time, duly recognised today.

In Mauritius, the planters paid the apprentice labourers less than one-quarter of the wages paid in Jamaica. On the 14th May 1837, Lord Glenelg wrote:

“The employers generally declared themselves satisfied with the Indian’s work and conduct as well as they might be, the Indians by the employers’ own admission, doing the work equally well with the apprentices and receiving only 2 dollars fifty cents and rations while the apprentices would not work for less than eight or ten dollars and rations so that the employers had good reasons for saying that they would not if they could help it keep a single apprentice on the establishment.”

Even the British Imperial Government found the wages for extra-service as “mesquin”, i.e., as petty. The following article from *Le Mauricien* of 12 February 1838 gives the details:

“[...] Chez nous on a mieux procédé. Il est vrai que nous avons un terme de comparaison: les gages des laboureurs indiens. C’est sur ces gages que l’on a basé le prix de l’extra-service actuel et la transition s’opérera naturellement sur la plupart des propriétés...”

(Eng. Trans «Here, it was better handled. It is true that there was a point of comparison: the pay of indentured labourers. It is on this pay that has been calculated the remuneration for ‘extra service’, and the transition will be a natural one on most estates.»)

But the British Imperial Government, having itself allowed the continuation of slavery in India, did not take any measures to remedy the situation. Thus, the British Imperial Government, the Colonial

Government of Mauritius, the French plantocracy and the British traders/financiers converged consciously in implementing a cheap labour policy which knowingly would do much harm to the emancipated enslaved peoples. The latter were excluded from the mainstream economy, deprived of any wages and of any land and housing in an increasingly monetised capitalist economy. The subsistence economy, to which the apprentices were used, was threatened by the capitalist economy and by increasing pressure on land by the expanding Sugar Industry. Their marginalisation and exclusion would be accelerated with the massive importation of indentured labour. It is important to note that the importation of indentured labour started in the late 1820s somewhat scantily. Moreover, in 1834, before the abolition of slavery and the end of the apprenticeship period, indentured labourers from India were imported on a rather large scale and worked side by side with the slaves and later with emancipated slaves: the low wages of the latter depressed those of the apprentices for their extra-service. By 1839, by the end of the period of apprenticeship, about 25,000 indentured labourers had been brought in.

The emancipated slaves were logically bargaining for reasonable wages for extra service during the apprenticeship period. But the planters, who were always aiming at maximising their profits, developed strategies to counter that bargaining of the emancipated slaves. In 1834, one plan submitted to the Mauritian Chamber of Commerce demonstrated the cheapness of Indian labour over local labour.¹⁹ In 1993, the historian, Marina Carter, expressed the opinion that the planters' decision and both the Imperial and Colonial governments' approval to import several thousand of Indian indentured labourers as from 1834, prior to the abolition of slavery, effectively drove the emancipated slaves away from the plantations. She wrote

“Whilst the continuous labour which the migrant under contract was obliged to undertake, the cheapness of importation and the dependency of the new arrivals provided the preconditions for the adoption of the immigration strategy, it was the arrival of several thousand Indians during the 1830s which sealed the fate of the local workforce.”²⁰

It is of importance to take note of the following two self-explanatory quotes.

Remy Ollier, in ‘*La Sentinelle de Maurice*’, 4th June 1844, wrote on the day the apprenticeship came to an end:

“Ce jour là, il furent inhumainement chassés de presque toutes les propriétés qu’ils avaient fécondés de leur sueur. Ce jour même, bons et mauvais sujets, on les vit descendre vers la ville, leur ménage sur la tête - les femmes trainant les enfants par la main, ne sachant où aller et demandant une hospitalité que l’on ne se montrait pas disposer à leur accorder.”

There is evidence that the elderly slaves, women and children, considered to be unproductive, were indeed expelled from the plantations.

From Marina Carter’s paper, the following quote from Nicholas Pike, an American resident in Mauritius confirms the disarray in which the apprentices found themselves:

“When the ex-apprentices were freed in 1839, scenes of riot and disturbance took place all over the island. The ex-slaves refused to work, alleging, for one reason, that they had been ill-treated by the former masters having sent to India for labourers.”²¹

Moreover, opposite views were expressed in the written press and by other authors. But, the article of *Le Mauricien* of 12th February 1838 referred to above, revealed an optimistic view of the future with regards to the transition from slavery to indentured labour and some self-satisfaction in the policies adopted in spite of criticisms from the Imperial Government:

“Nous pouvons donc en conclure que la position du maître vis-à-vis ses apprentis n’éprovera pas un changement assez notable pour détruire l’équilibre actuel; reste à savoir si le travail obtenu sera le même, et il n’est guère possible d’en douter.

[...] Ceci nous explique une demande qui a été faite dernièrement par le Gouverneur aux Juges spéciaux de la colonie, au sujet du prix de l’extra service. La métropole trouvait le salaire de l’extra service un peu mesquin: nous comprenons son scrupule si elle avait les états de la Jamaïque sous les yeux.”

However, the planters and other European observers at that time were projecting a negative image, if not a racist image, of the apprentices, alleging that they refused to work and were lazy. This representation of the apprentices' reaction to the planters' cheap labour strategy serves to cover up the true motives of the planters as well as of the Colonial government. Further, from the Colonial office, the reactions were not better, except from James Stephen who

“warned in vain that the introduction of a large migrant work force would be likely to ‘throw a great mass of people out of profitable employment’, arguing that Indians had been brought for the express purpose of rendering the proprietors independent of the existing supply of labour.”²²

This cheap labour strategy would later on be used to depress wages of the Indian labourers and would render unemployment and poverty endemic in the 19th and 20th centuries.

1.2.5 Labour Systems

In both French and British periods of colonization, colonies could not survive without labour and, in particular, without a continuous supply of plentiful unpaid labour.

Several types of labour co-existed. Slave labour was the dominant form but some non slave labour, convict labour and indentured labour, mainly from British India were also used. Additionally, there was the indentured labour of Liberated Africans who were captured from slave ships on the high seas by British ships, in the context of fighting illegal slave trade.

Skilled labour was needed to cater for certain occupations such as those of masons, carpenters, tinsmiths etc; this was provided by *engagés*. They were most important, especially at the beginning of colonization under French rule, since the enslaved peoples were required to work on the plantations and as domestic servants, and there was a lack of specialized skills required for factories, workshops and public infrastructures.

Moreover, with the expanding Sugar Industry, with the abolition of slavery and the seasonal character of sugar production, the demand for labour was very pronounced. The British Empire provided the different forms of labour to satisfy this varying seasonal demand. Convict labour was cheap, controllable and easily replaced.²³ The labour of convicts played a most important role “in building the communications necessary for the development of the sugar industry which was to place Mauritius at the centre of global trading networks”.²⁴ From 1815 to 1837, there was a regular supply of mainly Indian convicts from Bombay and Bengal; from Ceylon, there were about 1,500 in all.

Indentured labour, especially during the British period, would become the dominant form of labour by the mid 19th century.

Finally, there was the labour of the ‘recaptives’ or the ‘liberated slaves’. Following the abolition of the slave trade in the British Empire in 1807, the British Government sent its Navy to seize enslaved peoples on board French and other ships. Those slaves were referred to as ‘liberated Africans’, a misnomer as they were far from free. In effect, they were given to private employers or a Government Officer as apprentices or indentured labour for a period of up to fourteen years.

During the period 1811 to the early 1840s, given the rapid expansion of the Sugar Industry and given the abolition of slavery and the uncertainties associated with the importation of indentured labour, these liberated slaves or ‘recaptive’ Africans played a most important part in helping to mitigate the unavailability of a sufficient labour force, somewhat like the Indian convicts. Moreover, the employment of ‘recaptive’ Africans kept going until the late 1860s; by then, the Sugar Industry started facing a severe crisis due to international competition and local factors, such as epidemics and cyclones, and the need for the ‘recaptive’ Africans was no longer felt. It must be noted, too, that they were not freed at the time of abolition of slavery but continued to work until the full term of their apprenticeship.

Moreover, the ‘recaptive’ Africans had a very mixed experience although, according to the laws and regulations, they were supposed to have better working conditions than the previous enslaved population; there was a high death rate on the one hand; on the other hand a high percentage of them marooned. This may explain why certain observers at the time described the so-called

‘benevolent’ attitudes/policies of British Colonial Authorities towards the ‘recaptive’ Africans as a disguised slave trade and as a pool of cheap labour readily available, as and when required.

The different forms of labour used by the Colonial powers and the corresponding legislations developed to control the different forms of labour were essential ingredients for the success of colonisation. The consequences for the labouring classes were not given due consideration.

1.2.6 Other aspects of the period 1810-1839

The period 1810-1839 in the history of Mauritius saw the creation of a mono crop economy, with the destruction of the cultivation of other crops. The economy became equally resolutely export-oriented, with little consideration being given to the development of productive forces for a balanced perspective.

Moreover, the Capitulation Treaty underlying the British conquest of Mauritius in 1810, created the conditions, not only for the continuation of slavery until 1835, but also for extensive corruption of the State apparatus. With an illegal slave trade, the British Colonial State was in connivance with the planters and merchants of both French and British origin. The civil servants, whether of British or of French origin, were generally biased in favour of the planters/slave-owners. The Judiciary was not spared. The various institutions served the interests of the planters and merchants class.

There prevailed an ideology to justify this state of affairs, and racism constituted a pillar of that ideology. Those who resisted, in some way or other, were considered as lazy or indolent, or even vagrants. Labour was expected to be tied to the plantations in the economic interest of the plantocracy; any deviation from this policy was perceived and presented as linked to some form of innate insufficiency.

The foundations of a resulting fragile economy and racist ideology were set up during the period of slavery and the early years of British Colonialism.

3. INDENTURED LABOUR AND BRITISH COLONIALISM

1.3.1 The International Context

Post-slavery Mauritius witnessed the development of the capitalist economy based on cheap indentured labour from British India on the one hand, and on the free trade policy of the British Imperial State on the other hand. During the 19th century, with the defeats of the French in the Anglo-French colonial wars, Britain emerged as the most powerful economic, industrial, financial and military power in the world.

The internal economic and political development of Britain interacted intimately with the international interests of the British Empire, in such a manner that the interests of the British Imperial State and of its varied economic and financial forces were safeguarded. The British colonies were marginalized as and when those interests needed them to be safeguarded; the British Caribbean Islands and Mauritius would be among such marginalized colonies. The British Colonial Business Community adapted and moved around within the British Empire: some British sugar companies left the Caribbean region to invest in the fast-developing Sugar Industry in British India during the latter half of the 19th century. Structurally, the economic system in these colonies would be geared towards British interests, with a dominant export orientation, and the labouring classes would face unemployment and increasing poverty. The Colonial State in these colonies developed strategies to control the population at large and the labouring classes in particular: a mix of political institutions, social and economic measures/policies, repressive policies and educational policies. Thomas B. Macaulay's 'Minute on Indian Education of 1835, is very revealing indeed, as it applies to the British Empire as a whole:

"We must do our best to form a class who may be interpreters between us and the millions we govern, a class of persons Indian in blood and colour, but English in taste, in opinions, words and intellect."

The consequences of such a policy would be felt in the 20th century.

During the 19th century, there were intense debates in Britain between those defending free trade and the supporters of protective tariffs. As the first Industrial Power in the world and as the most advanced economic country, free trade would benefit Britain in its broad interests in trade and finance. In particular, by 1846, the Anti-Corn Law League brought the Government of the day to repeal the Corn Laws, that is trade in barley, wheat, oats etc. were open to foreign competition. Later in the same year, the Sugar Duties Act of 1846 was passed, thereby doing away with preferential tariffs for colonial sugar and 'non-slave' sugar. The free traders, in alliance with the Agro-Industry (involved in the production of jam, marmalade, confectionery), defended "a cheap breakfast table" for the British population and cheap raw material for the Agro-Industry.

However, following the economic crisis of 1847, there was a brief revival of an imperial preference for colonial sugar, but by 1874, all sugar tariffs were dismantled. Mauritius then went through some very tough times from the 1880s till the 1940s. On top of low sugar prices, stiff international competition demanded that costs of production should be reduced. German subsidies depressed world prices which applied to transactions in all markets. Competition from Java, and even Germany and Austria, in the main markets of Mauritius required a significant lowering of costs of production. This meant capital investment in the modernisation of factories and an improvement in terms of sugar-cane cultivation. In the latter case, very cheap labour was of great help to the plantocracy. In the former case, there was the 'grand morcellement', whereby the plantocracy mobilised funds by selling land to traders, middlemen, *sirdars* and ex-indentured labourers. Further, there was the merger of factories which had already started since the 1860s; this process is typical of the Capitalist System, as highlighted at the Mauritius Sugar Industry Conference of 1927 by the following statement:

"In relation to the reduction in the number and the increase in the size of factories, it is to be remarked that this tendency is a manifestation of the natural law of development whereby smaller and less efficient units tend to become absorbed by the larger and more powerful units."

In fact, the family-owned sugar estates and factories of the 19th century would progressively merge to form ever bigger sugar companies.

Moreover, in the 1870s, Europe was in the grip of a depression in Europe, with prices of commodities in general going down. But the main threat to sugar came from the producers of beet sugar in Europe. Wheat from the USA and Russia was invading Europe as a result of free trade, and European farmers found in beet root production a convenient way to face this threat. Germany emerged with a very 'low cost of production', thanks to various types of subsidies, in spite of free trade. In fact, British free trade accommodated slave-produced sugar as well as sugar subsidised by other exchequers. The cost of delivery of beet sugar from Germany to Britain was somewhat less than that of cane sugar from the British colonies. Further, the factory performance of Germany was much better than that of Mauritius for both output and sugar recovery.

Britain, the great Colonial Power, gave first consideration to its own economic interests, rather than to those of its colonies; free trade meant cheap essential commodities for her, and she did not apply countervailing duties against beet sugar bounties from Germany. The Caribbean Islands, particularly, found themselves in a very difficult situation; Mauritius managed to adapt to the situation thanks to new destinations, such as British India, Australia and South Africa, which provided markets for Mauritian sugar. Mauritian sugar exports to Britain decreased from 70,000 tons in 1870-74 to 14,000 tons in 1895-1899, and to 17,000 tons in 1900-1904. On the other hand, Germany and Austria-Hungary supplied Britain with 4 % of its sugar in 1870-74, and then 58 % in the early years of 1900 and 70 % just before World War I.

Moreover, Mauritian exports to British India were made sustainable, when the Government of British India imposed countervailing duties on beet sugar to protect its traditional suppliers, including Mauritius, which the Imperial Government had previously chosen not to do. The pattern of sugar exports from Mauritius at the end of the nineteenth century, showed clearly the decrease of exports to Britain and the considerable increase to India. But the Caribbean Islands did not enjoy the relationship/proximity which Mauritius had with British India, and a Royal Commission of Enquiry was appointed in 1896 in the Caribbean Islands.

1.3.2 Indentured Labour

Sustained importation of indentured labourers from India started in 1834, prior to the abolition of slavery on 1st February 1835 although Indian labourers were introduced privately as early as 1826. Whilst the indentured system provided for wages to be paid to the labourers and did not deny them the right to own land as opposed to the slave system, the living and working conditions of the indentured labourers were very harsh.

Following the suspension of the importation of indentured labourers in 1839 until 1842 and the related uncertainties with respect to the supply of labour, planters did their best to ensure that labourers were bound to the sugar estates by controlling them in various ways. Legislation, accordingly, was passed, from 1844 until 1867, some of which was very repressive indeed.

Thus, Ordinance 40 of 1844, approved by Governor Gomm, made provision for powers to be given to planters to imprison labourers, without going through magistrates. This piece of legislation was disallowed by the British Imperial Government. However, in June 1844, Ordinance 42 of 1844, a new Vagrancy Law, was enacted whereby indolence by itself was made a criminal offence. It meant that a man who had no permanent home or visible means of support, and who could not explain how he lived, was liable to be apprehended as a vagabond and sentenced to hard labour for twenty-eight days. Further legislation, like extending one-year contract to three years and finally to five years, meant that the indentured labourer could not sell his labour to the highest bidder. The planters, on the other hand, wanted to keep their right to sell their sugar on the London market to the highest bidder.

The overall consequence of the legislation was to depress wages of indentured labourers. This process culminated in the 1867 Labour Law, whereby all Indian immigrants had to carry a pass, thus extending the coercive laws of the "Old Immigrants". The overall objective was to keep old immigrants tied to sugar estates and hence to depress further the wages of the labourers.

British Imperial Government policy of free trade meant that sugar producers had to reduce their costs of production and, in particular, their labour costs, while optimizing their respective benefits. Hence, the labourers were paid the price financially and lost their various 'freedoms', whilst both the British State and the planters respectively enjoyed free trade and the freedom to maximize their profits by selling their sugar to the highest bidder.

This policy of double standards would characterize the British Imperial Government, the Colonial State in Mauritius and the plantocracy.

1.3.3 Transformation of the Sugar Industry

The impact of international competition, especially with the development of European beet sugar and Britain's policy of free trade was such that the Sugar Industry had to innovate, to bring in new machinery, to improve upon the manufacture of sugar, to develop new cane varieties and to improve field work. In particular, this process demanded a restructuring of the Industry; small family-owned sugar estates and factories merged to produce company owned sugar estates. A process of centralization of factories and concentration of capital began. This process demanded much capital and the parcellisation of land provided the means by which capital could be mobilized. The sales of plots of land to *Sirdars*, traders, middlemen, free Indian passengers and ex-indentured labourers occurred during the *grand morcellement* as from the 1870s; this process gained momentum in the 1880s and the 1890s.

The economic transformation of the Sugar Industry through land parcellisation brought about the creation of a class of Indian small planters. Whilst initially, about 1,500 such planters became landowners, thereafter in the 20th century, that number would increase dramatically to about 40,000, when more than 30% of sugar cane land was owned by this new class of planters.

Concurrently, the transport and presence of indentured labourers had a major impact on trade and shipping between Mauritius and British India. On the one hand, the demand for textile products and foodstuffs from India grew considerably as the number of indentured labourers from India increased substantially in the 1840s up to the 1860s. On the other hand, the uncertainty of the international sugar market and the British policy of free trade created conditions for the export of sugar to British India.

As business opportunities opened up, many Indian commercial houses established branches in Port Louis. Some of the traders went back to India after some time, whilst others settled in Mauritius.

However, labourers on the sugar estates faced harsh conditions, so much so that now and then, they reacted. In particular, in the 1870s, with the help of the planter A. de Plevitz, they sent a petition to the Governor, expressing their discontent. Thereafter, the British Colonial Government brought some improvements in their working conditions, following the recommendations of a Commission of Enquiry set up to look into their discontent. But, in practice, new legislations were not being implemented as expected. Moreover, wages of sugar estate labourers were generally low during the 1870s and well until the 1930s. In terms of paid wages, the *Sirdars* earned about three to four times the wages of labourers. (See Volume 4 Part VIII, p. 351.)

By the end of the 19th century, social stratification of the Indian immigrants was very prominent. A commercial bourgeoisie had already settled, together with a growing middle class of job contractors, *Sirdars*, traders, middlemen, moneylenders, intellectuals, free migrants and medium planters. However, the labourers and small planters/labourers constituted the vast majority.

4. BRITISH COLONIALISM IN THE 20TH CENTURY

1.4.1 Early 20th Century

The economic system prevailing in Mauritius by the turn of the 20th century was characterized by regular crises as a result of the uncertainties of the international sugar market, and internal factors such as natural calamities (e.g. cyclones), diseases (e.g. cholera) and strained relations between labour and capital. Crises were equally common in the economic system prevailing and fast developing in the world, culminating in the great depression of the 1930s.

Moreover, the sustained Free Trade Policy by the British Imperial Government and the cheap labour policy of the plantocracy contributed to depress the wages of the labourers of the Sugar Industry. In particular, the continuation of the importation of Indian labourers, though on a small scale, by the turn of the 20th century created unemployment and allowed the plantocracy to make profits and to sustain their way of life.

Yet, the Colonial State caused the further impoverishment of the labouring classes through a taxation system which made these same labouring classes contribute more than other social classes in terms of the proportion of their wages and salaries. Thus, for the period 1905-1908, out of an average total revenue of Rs. 9,780,055, the excise duty on rum for home consumption was Rs. 1.67 per litre, bringing the sum of Rs. 1,169,464 to Government revenue, the third biggest contribution after customs duties and the revenue from Government railways. Spirits carried the same level of import duty of Rs. 1.67 per litre. The labouring classes and the poor were the main consumers of rum, whilst the middle and upper classes were the main consumers of spirits. Similarly, the import duty on tea was 60 cents per kilo, whilst that on coffee was only 8 cents per kilo. Again, tea was consumed mainly by the labouring classes, whilst the other classes consumed coffee.

Both the Colonial State and the plantocracy converged in their policies of extracting as much as possible from the labouring classes, whether in the sugar cane fields or in the form of taxes. By the beginning of the 20th century, unemployment and poverty were on the increase and there were a large number of applicants for Poor Law relief. The estate owners wanted, at all costs, an abundant supply of cheap labour during harvest time so that the price of labour, that is, mainly wages, could be kept down. In turn, wages outside the plantation were equally depressed. Unemployment and poverty were engineered and sustained by the plantocracy and the Colonial State to ensure the availability of cheap labour.

This is well illustrated by the following exchange between sugar estate owners and the Commission. To the question from a Commissioner “Do you pay indentured coolie a much lower wage than the free coolie?”, Hon. P.E. de chazal answered ‘Yes, because they came under an agreement’.

Similarly, the following questions and answers between the Commissioners and Hon. E.C. Fraser are very revealing indeed.

“Question: If you have a surplus population unemployed, you would naturally have a large number of applicants for Poor Law relief, and if you import all you want at a time you are hard pressed for labour and keep them here, you are liable to that?”

Hon. Fraser: Yes, but I do not see that you can help it.

Question: You would prefer the expense of Poor Law to stopping immigration?

Hon. Fraser: I am afraid to say that there is a great deal of money spent on the relief of the poor, but I do not see that we can get over it; not at present at any rate.”

The Colonial State maintained this state of affairs, as this in turn contributed to keeping the price of sugar low on the international sugar market. In fact, the Royal Commission of 1909 provided support to the plantocracy by recommending that loans should be granted for the rehabilitation of Government railways and for the improvement of cultivation, factory machinery or mechanical tractions and for a remunerative irrigation scheme. There was no recommendation for labour per

se. The Royal Commission did not even try to mitigate the plentiful cheap labour policy. Nor did the Commissioners recommend any help for small planters who lost their limited capital (caught animals) as a consequence of the *surra* epidemic; yet, they referred to the issue in their report. The only recommendation in favour of small planters was the allocation of a sum of £15,000, that is, Rs. 225,000, to assist in the setting up of Cooperative Credit Societies. These were certainly useful to the small planter community but, a careful analysis of the implementation of the recommendation revealed that its impact was to ensure that as much sugar cane as possible was provided to the sugar factories for processing and for sugar manufacture. This was particularly important for the factory-owners as the centralization of factories needed sufficient cane to process to make it possible to recoup the investments made.

It is of interest to note that by the early 20th century, Britain was relying mainly on Germany and Austria for its supply of sugar. Its sugar colonies had their sugar exports to Britain drastically reduced. Moreover, during the First World War, the two abovementioned countries were its enemies. After the war, Britain had to review its policy, and she introduced a preferential system of tariffs for her colonies, a system linked to world sugar prices and its Free Trade Policy started collapsing. But still, Britain did not find it appropriate then to have a comprehensive policy on sugar prices and markets which would involve its colonies in some meaningful manner. Unemployment and poverty in her colonies did not mean much to her. The colonized peoples were under control; there was no need to bring changes. On the other hand, the new élite was accommodating and adapted to the colonial set-up.

The Royal Commission did not find it appropriate to mention the negative impact of the free trade policy of the British Empire and the cheap labour policy on the economy and the society of Mauritius. Instead, they found it proper to cover up this state of affairs by sowing the seeds of division, somewhat subtly, among the people of Mauritius by reproducing the stereotypes regarding the ex-apprentices which were used at the time of abolition of slavery and the importation of indentured labour; they referred to the “indolent character of the coloured creoles.”

1.4.2 The Sugar Industry and the Depression of the 1930s

With the First World War, there was a temporary shortage of sugar on the world market and prices shot up in 1921. The sugar estate factory-owners invested accordingly in sugar manufacture. The small planter community bought more land in the hope of increasing its revenue. But the boom was temporary; the finances of the Sugar Industry were strained and many small planters had to abandon their land by the end of the 1920s.

The British Imperial Government once more came to the rescue of the plantocracy. In 1926, they obtained a loan of Rs. 6 million from the Colonial Government; in 1927, they obtained a loan of £200,000 from the British Imperial Government and Rs. 3 million from the Colonial Government. Further, in 1930, the Colonial Government lent Rs. 3 million to the plantocracy; and finally, in 1931, following a severe cyclone, another loan of £500,000 was granted by the British Imperial Government to make good the loss of property and crop. Thus, by 1931, the plantocracy had accumulated loans amounting to Rs. 20 million. Moreover, there was no relief in sight to small planters or to the labouring classes.

In 1929, the British Government sent Sir Francis Watts to enquire into the conditions of the Sugar Industry; and two years later in 1931, two Financial Commissioners, I.D. Elliott and N.G. Loughnane, were dispatched to Mauritius. The former recommended assistance to the Sugar Industry; the latter found that some sugar estates were making profits over the years, whilst some were operating at losses, having been badly managed at the time of the boom year of 1921. They wrote in their report that:

“A considerable part of the profits is said to have disappeared in purely private expenditure and some of it to have found investment outside the colony”²⁵.

Concurrently, the wages of the labourer were reduced, allegedly to face the depression. Between 1927 and 1931, the overall reduction for Mauritius was 17.6 per cent, whilst for some key districts like Pamplemousses, Flacq and Savanne, the reduction was respectively 25.1 per cent, 27.5 per cent and 28.6 per cent.

The double standards within the Sugar Industry prevailed even in such severe crisis periods. There was overall progress for the estate owners; some could even afford capital exodus, let alone sustain their way of life. But poverty, unemployment and overall underdevelopment persisted for the labouring classes.

1.4.3 Labour, Poverty and Resistance

The reduced wages of Sugar Industry labourers, together with heavy taxation raised by the Colonial Government, made their lives very difficult indeed. The depression had a general effect of increasing unemployment and depressing wages, thus causing an increase in the level of poverty among the laboring classes and the poor. This resulted in the impoverishment of the labouring classes in the 1930s on the one hand, and in the emergence of the Labour Party, through its public meetings, on the other hand. All this created conditions for the development of resistance by these classes. In effect, the 15 per cent decrease in the prices of the Uba cane variety by some sugar estates in 1937 triggered off protests, processions, strikes, marches and generally demands for better wages and against unemployment. In the process, shots were fired by the management of the Union - Flacq Sugar Estate, owned by the Gujadhur family, new sugar magnates of Indian origin, killing four labourers/small planters.

Those events of 1937 are landmarks in the History of Mauritius. Further, in 1938, there were strikes in Port Louis by the dockers and in 1943, Sugar Industry labourers in the North, with three of them shot dead by the police. This unprecedented wave of protests and resistance by the laboring classes forced the Colonial Government to shake off its lethargy and indifference with regard to the laboring classes.

The Colonial State reacted by means of a mix of approaches. There was a policy of severe repression of workers and their leaders on the one hand and of control of the labouring classes through legislation and through the setting up of the Labour Department and other institutions, including some to address the problems of small planters. The founder and leader of the Labour Party, Dr M. Curé was placed under house arrest, whilst, the trade unionist E. Anquetil, a close collaborator of Dr M. Curé, was deported to Rodrigues. Some strikers were imprisoned. For the dockers' strikes of 1938 in Port Louis, the Colonial State used 'black legs' to break the strike in close collaboration with the Mauritius Sugar Syndicate. In fact, the Governor, Sir Bede Clifford asked Mr Jules Leclézio of the Mauritius Sugar Syndicate "to arrange for the sugar syndicate to get into immediate touch with a selected number of estates to collect all the suitable labour required for unloading the trains and loading the lighters....."²⁶

Two Commissions of Enquiry were instituted; they made recommendations which the Colonial Government implemented to a large extent. Moreover, in the "Report of the Commission of Enquiry on the disturbances which occurred in the North of Mauritius in 1943", criticisms of the estate owners and their quest for cheap labour were voiced. In particular, the Commissioners wrote:

*"Some employers failed to appreciate the labourers' claim to a higher standard of living, their new sense of non-economic values and their rising demand for leisure and better conditions of employment, but on the contrary, **still believed in cheap labour of low standard and forgot the human side of the problems of industry**".*

Nevertheless, there were some initiatives by the Colonial State to satisfy the demands of the small planters community; for example, the setting up of 'The Sugar Millers and Planters' Central Arbitration and Control Board', which dealt with the apportionment of sugar to the small planters when they sent their canes to the sugar millers. Furthermore, there was the Land Settlement Scheme in the 1940s; the cooperative movement was enhanced as from the late 1940s.

As far as the labourers were concerned, some improvements were made in their working conditions.

1.4.4 On the eve of Independence

On the eve of Independence, the monocrop economy still dominated the economic, social and political life of Mauritius. There was, however, the Commonwealth Sugar Agreement of 1952 which

provided for a guaranteed market for the sugar of Mauritius at reasonably negotiated prices. This agreement created conditions for the development of the Sugar Industry, especially for the sugar estate and factory-owners. Again, they reaped most of the benefits of the agreement and they accumulated sufficient capital to allow them to diversify their investments in the Tourist Industry and the export processing zone later in the 1970s.

Moreover, whilst there were some improvements in the conditions of the labouring classes, their fate was that of relative underdevelopment. The continual policy of cheap labour consolidated the exclusion of those found outside the Sugar Industry, given that this policy had an impact on the labour market. Unemployment and poverty still dominated the lives of the laboring classes in Mauritius. The cooperative movement represented an attempt which could have helped these classes, but, unfortunately, it did not rise to expectations. The value and belief system behind the new Capitalist System tended to predominate among the Indian elite and the middle class, killing the fundamental cooperative principles and values.

Overall, the economy grew from the very beginning of the colonial era as part of the Colonial Empire, whether French or British, the centre of which was Europe. An extreme international specialization within the British Empire had produced a vulnerable, fragile economy. The plantation economy gave rise to a very rigid hierarchical, racialised and class-ridden society, which would dominate the future of independent Mauritius.

CHAPTER TWO

SLAVE TRADE AND SLAVERY IN ISLE DE FRANCE

Introduction

The slave trade permitted many in Mauritius and France, to make small or big fortunes. That latter were invested in estates, land and businesses. The fortunes of many today were built on the prosperity of those who traded and used slave labour in the 18th and 19th centuries. To more fully document this trade for present and future generations, a Slave Trade database was started and is recommended to be an on-going project which TJC has requested the University of Mauritius and the Nelson Mandela Centre to continue jointly. It will hopefully continue to link up with existing scholars and institutions, such as Thomas Vernet, Benigan Zimba and Richard Allen, to name a few, to pursue the analysis of the slave trade. Younger scholars need to be trained to take up the task and scholarships provided to go overseas.

As far as slavery is concerned, as Hubert Gerbeau has said, the methodologies to be used in studying slavery have to be multidisciplinary, and this is precisely what the TJC has attempted to do. The traditions and culture of Mauritians of African and Malagasy origin are currently being erased from our physical and cultural landscapes through tourist, ecotourism and IRS projects. There are also many questions that Mauritians continue to ask themselves, and hold many perceptions that may not have conformed to the archival evidence. The TJC has addressed these issues.

Among these were:

Where do I come from?

It is generally felt that of all groups in Mauritian society, those descended from slavery are unable to trace their ancestry. The Origins Project based at the Nelson Mandela Centre has gone some way to answer this question in Mauritius but more needs to be done to attempt to identify more precisely the villages from where slaves came and their cultural origins. Academic historians have not yet been able to find such information in archival sources. The TJC has sought to resort to other techniques to do so, using the names given by slaves during registration and using DNA testing.

In addition we are accumulating as many Civil Status Records as possible on the slave population, with the help of Mr. Patrick Drack in France and recommend the establishment of a National Genealogy Centre in Mauritius. The TJC has laid the groundwork for this by bringing institutions together that may be able to set this up and host it, and copying some of the more fragile data from institutions.

Where did slaves disembark?

This has been a perennial question, and with good reason. Public perception goes thus: The French can claim to have first landed in Vieux Grand Port, the Indians at Port Louis at Aapravasi Ghat, but what of slaves? There is no memorial, except a memorial at Pointe Canon chosen for no obvious reason, it would seem, than availability of space. Research has been undertaken in the past in the Archives, and no specific point identified. The TJC has attempted basic research in other sources located outside Mauritius, such as the French National Archives which contain the most important collection on Mauritius outside Mauritius. It is important to memorialize, and the TJC has made a recommendation towards the creation of a Museum of slavery and a monument for the Unknown Slave in a central location.

How many slaves came to Mauritius?

This is a question that has never been answered and about which academic historians have stated that it was impossible to find specific slave ships that carried slaves to both Mauritius and Reunion. The attempt to disaggregate figures is being attempted by the TJC with the help of Thomas Vernet and compile at same time a slave trade database, so that Mauritians can access, at the click of a mouse on the internet, all ships arriving in Mauritius, as well as those undertaking coastal shipping i.e. from Souillac, Mahebourg and Port Louis.

There is a huge discrepancy between official figures and actual arrivals of slaves due to illegal practices since the beginning of colonization. Greed for easy profits, desire to bypass official duties and taxes or frustration with lengthy bureaucratic procedures have contributed to illegal practices. Thus for the period of Labourdonnais, although Company ships officially brought only 2,000 slaves, in reality, Filliot has estimated over that 10,000 slaves were brought in.

The need to know as accurately as possible is important, if one wants to study the demographics of the slave population. Thus these figures will be juxtaposed with Census records, Civil Status records and other records. This is important information also for those who wish to study the proportion of slaves arriving from different parts of the world and what happened to them.

What was the importance of the slave trade and slavery for, and in, Mauritius? What was the contribution of slaves to the economy and society of Mauritius? Slavery is often considered in Mauritius to be a separate institution from whatever else was going on in Mauritius; it is rarely seen as a product of colonial society and economy nor are slaves seen an intrinsic part of Mauritian society in the 18th and 19th centuries. How important was slavery to the economy of Mauritius and what was the value of slave labour? What was the extent of their participation in the economy? What ideology did slavery create in Mauritius? Why was there so much opposition to the abolition of the slave trade? Who benefited from the slave trade? What was the extent of Government participation in the slave trade? Why was there such a big increase in the slave trade in the 1770s?

What kind of society and economy did slavery and the slave trade create? What is left today? What was the impact of emerging sugar economy and indenture on ex-slaves?

This has been answered in Chapter Two, where the economic history of the island has been reviewed from the Dutch period to the present, and where the conclusions are manifest. Continuities in economic systems are clear, as are the economic legacies that slavery and indenture have left us. It is of much concern that an island which has known such repressive labour systems and exploited populations from Madagascar, Mozambique India and China should continue to import cheap labour from the very same countries, in conditions which, in many cases, are deplorable.

What impact did abolition have on Mauritian society? Did slaves desert the plantations? Why?

The TJC believes that it is important to answer this question, not because of any major breakthrough in archival research, but because it is continually being referred to and there is much misinformation and stereotyping. It is important not to treat slaves as one homogenous group, as has been stated several times, and it is important to understand that there were multiples experiences lived by slaves, not one uniform experiences. There is not one direct route taken by slaves from the plantation to the coast, where many can be found, and nor can we assume today that is where they all decided to settle there. The situation is far from being so simple.

What was the fate of ex-slaves after abolition?

This has been one of the most intractable questions, given the lack of information. Here too, one must refrain from treating all ex-slaves as one uniform mass of persons. However, it is not so much how they travelled but where they ended up at different times in history, up to today. What was their trajectory? The TJC used the migration pattern of inhabitants of one village to attempt to reconstruct this history. More family histories need to be undertaken nationwide to assess the full extent of the mobility of ex-slaves and their families across Mauritius from 1835 to the 1940s. One must not forget, however, those who were free before that date and their trajectories in life.

What is the proportion of Mauritians of slave origin left in Mauritius? Are all those with African phenotype of slave origin? Or are they descendants of Liberated Africans? How many?

Studies of immigration after abolition has revealed the presence of many Malagasies, Mozambicans, Comorians etc in Mauritius among passengers, and so what appears to be a person of African phenotype may not necessarily be of slave origin, but of indentured or free African immigrant. Further study is required. The search for authenticity of slave origins has been strated but is not

exhaustive. Whether one is of slave origin is immaterial as discrimination against persons of African origin does not distinguish between descendants of slaves and descendants of free Africans.

Did racism create slavery? Does racism exist today? Why? Who is racist? What is racism in Mauritius? What is the difference between racism and communalism?

Racism existed before colonial slavery, became amplified during colonial slavery and has continued after the abolition of slavery.

Organisation of Report

As stated, the aim is not to review the entire history of slavery, rather to look at lesser-known aspects which deserve to be better known.

The slavery report is, therefore, divided into two parts: the first part in Chapter Two covers the historical period of slavery, slave trade focussing particularly on aspects of the French period of slavery. The second part in Chapter Four examines briefly the transition that ex-slaves experienced. This topic has been the subject of study by many historians and much comparative work has been undertaken within the Caribbean, the USA and South Africa. Mapping the mobility must be strongly recommended as evidence points to land dispossession of large numbers over the years but defining moment for the ex-slaves which sealed their fate has not been done yet. Their mass conversion to Catholicism, particularly during the epidemics, and the continued hold of the Church on directing the actions of ex-slaves and their cultural orientation are briefly examined as one possible defining moment. The Church has played an important part in legitimizing the actions of plantation owners which resulted in curtailing the cultural freedom and physical mobility of descendants of slaves. The chapter also analyses how the population changed from being 'Afro-Malagasy' to becoming 'Creole'. Did they become citizens?

Recommendations relating to the history of slavery and slave trade are contained at the end of this volume in a consolidated chapter of recommendations.

1. THE SLAVE TRADE TO MAURITIUS FROM THE 1720S TO 1820S

1.1 The Indian Ocean is not the Atlantic

The study of slavery and the slave trade in the Indian Ocean has, more often than not, been based on previous studies of the Atlantic world. Yet these were, and are, two vastly different worlds.

As far as Mauritius is concerned, it is the specificity of the nature of European slave trading in the Indian Ocean that interests us as well as the differences with the Atlantic world. Given the short time span available to the Commission, searches have been concentrated on selected themes in relation to the slave trade. Recommendations for further studies are made. Because the focus of slave trade studies was on the Atlantic, the ports which traded in slaves, from among those heavily involved in this Atlantic trade, have been studied in far greater depth and publicised. The Indian Ocean trade, and in particular the Mascarenes trade, have been neglected even though Mauritius, with its excellent and safe harbour (compared to Réunion), became in the 18th century the headquarters for the European slave trade.

Some of the differences need to be highlighted before looking at Mauritius proper. In the Atlantic, Britain was the largest trading power, while in the Southwestern Indian Ocean, the French dominated the slave trade. The Mascarene Islands were used as a base to engage in the slave trade, with slaves being taken from Madagascar, India and Eastern Africa to the Mascarene Islands, but also to South Africa, South East Asia and the Caribbean.²⁷ France was without question the largest slave trading nation in the Indian Ocean at the end of the 1780s. According to Daudin, the total value of its long-distance trade – trade with Africa, Asia, America and re-exports to the rest of Europe – was equal to £25 million. The total value of British long-distance trade was only £20 million. The growth of French long-distance trade from the 1710s had been faster than the growth of English trade.²⁸ It is also contended by some historians that the main support to long-distance trade, the plantation system, was larger and more efficient in the French colonies than in the British ones.

In past research, the methodology traditionally employed in studying the French slave trade in the Indian Ocean was based on studies of the Atlantic trade. The structure of the slave trade, the itineraries, financing, arming, networking and type of trading were studied. However, this ignored the fact that while the slave trade was a specialist's activity for the British, French ships were, by contrast, used both for the slave trade and direct trade with the West Indies. In the Americas, the French needed slaves for their plantations and so, according to Daudin, "as buying slaves was the main reason why plantation owners in the West Indies had to go into debt, the slave trade was more prone than other trades to long repayment periods. As the financial position of plantation owners declined continuously during the eighteenth century, their debts were more and more difficult to recover for French traders.

The slave trade has often been described as a 'triangular trade' and this refers mainly to the Atlantic. This was not necessarily the case in the Indian Ocean or for Mauritius. Evidence of 'quadrangular trade' appears more and more in recent literature.²⁹

While we can find the list of ships arriving in Port Louis or departing from French ports, we do not know yet how many of these went to East Africa and Madagascar and procured slaves as most of the time, the cargo is not listed. The sources relating to these will have to be studied as well.

The Disaggregation of figures

Up to 2009, it was not possible to say exactly how many slaves came to Mauritius. Figures were always aggregated with Réunion Island. Disaggregation of figures for Mauritius and Réunion has been started under the TJC and must continue. It will only be possible to arrive at a disaggregated figure, once entries in the database are complete. Only then, when the total number of slaves

actually bought and sold in Mauritius is known, will we be better able to understand and assess the social, economic, demographic and cultural impact of slavery on the island.

To allow for a better assessment of the slave trade, the TJC has recommended **the creation of a slave trade database** to unite all disparate data. It is important to assess the slave trade and to do so, knowledge of French commerce and trade is also necessary. However, because sometimes the slave trade was activity carried out surreptitiously, it is not always known whether ships carried slaves or not, as they are not listed as ‘passengers’, but as cargo. We need to know and determine how many ships in general traded with, and arrived in Mauritius, and assess which may have brought slaves. The differences in figures between the various works of historians and others are largely due to different sources being tapped in different countries.

There exists no single study that has so far collected and put these various sources together and attempted a holistic analysis. At the Truth and Justice Commission, in Mauritius, we have initiated this work and we expect that this work will be continued by institutions and scholars in the future in Mauritius. Several scholars have aided in this process: Thomas Vernet from France and Benigna Zimba from Mozambique, and we expect these two persons to be closely connected to future projects on the slave trade. Thomas Vernet, Anwar Chuttoo and Sharonne Philips have designed, and contributed to the beginning of a database of all ships arriving in Mauritius since 1721, and in the search for additional information on potential ‘slave’ ships. Jean-Yves Le Lan has voluntarily contributed his database on Lorient.

The aim therefore is to collect, as far as possible, all potential slave voyages from the various repositories in France, Mauritius, Portugal, India and the UK. Currently, the TJC has focused its research on material available in Mauritius and France.

1.2. The place of the French in the Indian Ocean Slave Trade

Of the total estimated by Allen in 2010, the French slave trade is still by far the most substantial in the Indian Ocean:

Portuguese total	41,875 - 83,750
Dutch total	43,965 - 66,465 slaves
British total	10,525 - 12,539 slaves
French total	334,936 - 384,040 slaves

However, this figure **does not include**:

- those slaves who never made it on board the ships;
- those who were captured or traded but did not survive the march or the captivity in the slave depot.

These are not accounted for and cannot be accurately calculated as yet, given the lack of information, but their history deserves to be remembered.

The historical ties between Mozambique and Mauritius deserve to be better known and need to be studied further by Mauritians and Mozambicans, It is recommended that joint projects be initiated, funded by Mauritians, public and private, especially Mauritian companies currently operating in Mozambique and using Mozambican labour.

The cultural relationships including lineages, languages, and traditions, which, from the mid-eighteenth to the early twentieth centuries, emerged in the slave trade and slavery and after, in the region, need to be better known by Mauritians. The Commission has initiated this by undertaking a preliminary study of Mozambique-Mauritius slave trade to better understand the full extent of our cultural origins and our history. This must be continued.

The French ports need to be known too, in particular the port of Bordeaux. The largest number of ships left from Bordeaux, and not from Breton ports such as Lorient etc., for the Indian Ocean. In Toussaint's list, the numbers of ships leaving French ports were as follows:

Bordeaux	267
Lorient	166
Marseille	129
St. Malo	54
Nantes	40

Most studies have concentrated on the periods for which most data is available fairly easily, i.e. after 1767, when the Royal Government took over the island. We know very little on the pre-1767 slave trade and on the illegal trade after 1810.

Only Le Lan has focused on Company Trade and he has generously provided the Commission with a list of ships belonging to the FEIC which practised the slave trade between 1720 and 1756 and thus was the second, after Albert Lougnon, to attempt to examine the pre-1767 period. For departures from Lorient and from the Mascarenes up to 1760, he uses Filliot and Mettas: 46,000 slaves were traded in total, without counting those ships starting from the Mascarenes.

Finally, Mauritius played a central role in the expansion of the French slave trade in the Indian Ocean. Yet, the role of Mauritius in this is little known; it was much larger than previously believed.

Economic and accounting historians of the slave trade study slavery and the slave trade from an economist's or financial analyst's perspective. However, historians cannot focus only on what is quantifiable, but have to look at the unquantifiable: the 'intangible' issues of history, such as identity or culture loss, mental and physical stress, mobility, laws, consequences on family life or the sense of loss felt as a result of being removed from one's homeland.

1.3. The slave trade and the mercantile system of the 18th century

French Mercantilism in the Indian Ocean began in earnest after the establishment of the East India Company. Colbert was given the task of creating this Company and take over all 'affaires de la Marine'.³⁰ Out of the 15 million *livres* worth of shares, the King himself owned 3 million, with others going to the French Authorities and Officers of the Finance Ministry. The merchants were in a minority, with Nantes possessing some 200,000 *livres* worth of shares, Bordeaux 400,000 *livres*, and Lyons, 1,000,000 *livres*.³¹

In Jean Meyer's *La France et l'Asie: Essai de statistiques (1730-1785). Etat de la question*, it is estimated that over 1,000 trips were made from France to the Indian Ocean: at least 493 ships went to India and China, while about 397 ships were bound for the Mascarenes between 1730 and 1785.³² Meyer estimates that Weber and Dermigny have underestimated figures for India. Weber, for example, counted only 179 ships. China was not as much of a destination as the Mascarenes and India, since it was less profitable.

The French East India Company participated directly and indirectly in the slave trade. When it was not profitable for the Company to engage in it, they relinquished their rights to private traders from whom they also derived financial benefits in the form of a duty of 13 *livres* per slave introduced in the islands. Because they had a monopoly over trade in Asia, they were able to obtain goods used in the slave trade at very cheap prices and sell these to the slave traders who needed goods to exchange for slaves, as well as to clothe them.³³ Indian textiles were preferred by slave traders to French textiles.³⁴

There were three main destinations for the slaves: Louisiana, St. Domingue and the Mascarenes. The King instructed Captains to bring back certificates for each slave arriving and for each slave sale, to enable the Company to receive 13 or 15 *livres* raised by the King for every slave. In exchange, they benefited from exemptions for port duties and duties on goods used in the slave trade, as well as on sugar.³⁵

In addition, the Company also owned slaves who worked in various capacities. When the King took over the island in 1767, the slaves belonging to the Company were ceded to the King. There were in 1769: 162 Malagasies, 436 Guineans, 345 Creoles, 254 Mozambicans, 25 Indians, 2 Creoles from Bourbon, 1 from Pondicherry and 3 from Macao for a total of 1,228 slaves. They were divided into 662 men, 139 boys, 21 young male children, 271 women, 126 girls and 9 nine female infants.³⁶

French slave trading in the Southwest Indian Ocean was started in Madagascar to supply slaves to Bourbon Island, colonised earlier. The slaves engaged in agriculture and the women among them married, or cohabited with French men, due to the shortage of French women. Indian prisoners were also left there. Distinctions between French on the one hand, and Malagasy and Indian people on the other, appeared some years later in 1674, when an Ordinance of Jacob de la Haye (Article 20) ordered that there would be no marriages between French and *négresses* or between *noirs* and white women. The term 'slave' also appears for the first time in Bourbon.³⁷ It is there that slavery, as it is understood in Mauritius, became established with maroon hunts, separate Parish Registers and domestic servants being treated as property.³⁸

1.4. Chronology of the trade

1723 In Mauritius, the *Code Noir* is often quoted as a measure introduced to protect slaves and thereby, the humanity of this law is often applauded. This view is not justified, if one analyses the reasons why it was introduced. The logic was purely financial and responded to the need to declare slaves as a *good* which could be insured so that any loss of slaves could be compensated for.

McWatters has analysed the relationship of the slave trade with the Mercantile System that was emerging in 18th-century France; the '**Ordonnance de Commerce**' of 1673, according to her, brought together the private sector and the State to regulate trade and to protect legitimate businesses from bankruptcies or remove some of the obstacles in obtaining credit.³⁹ However, when it was found that the *Ordonnance* did not allow the insuring of human beings, the *Code Noir* was introduced to declare slaves as '*bien meuble*' (Article XLIV); in other words, possessions which could be insured and inherited as fixed assets. In case of loss of slaves during a revolt, bad weather or disease, compensation could be claimed.

1741 In 1741, the Company authorized the Governor General to permit all French citizens to purchase their own goods and to procure slaves from Mozambique, Madagascar and India. However, this permission according to Filliot, was 'illusory' as there was an insufficient number of boats on the island to engage in trade. The Company not only lent out its boats, but taxed all arrival of goods, causing French inhabitants to claim a return to the pre-existing situation.

Free trade was abolished in 1746.⁴⁰

From 1746 to 1767, there is less precise information available on the slave trade. There appears to be a decrease in the slave trade, probably due to the Wars of Succession in Europe. After 1750, the slave trade resumed, and some 1,300 to 1,400 slaves were brought every year to the Mascarenes. There also appears to be more slaves being brought from Mozambique than Madagascar. For the period 1762 to 1766, so far very little information has been obtained, as far as numbers of slaves arriving. Filliot feels that this is because illegal slave trading was going on.⁴¹

From 1767 to 1790, the Royal Government ruled the island directly. The Company's monopoly was abolished and an economic boom ensued for the islands. Thousands of slaves were needed to work in the ports and to supply passing ships. A Director for Slave Trading was appointed e.g. Maudave and Benyowski. There was subsequently a huge increase in the slave trade which has been studied and interpreted in various ways by historians.⁴² The effects on slave trade were felt soon after in Isle de France. The ratio of slaves to free in Mauritius jumped from 1:5 in 1767 to 1:9 in 1783.

Both the French East India Company and the French Government were very much involved, directly and indirectly, in the slave trade from the beginning. In the Indian Ocean, they turned a blind eye to the hostilities occurring between different European powers in Europe. Thus, despite official hostilities between France and Portugal, in the Indian Ocean, officials of both countries engaged in

an extremely lucrative trade which included slaves. This had been the case since the period of Labourdonnais. Frauds were also known, but not suppressed nor investigated fully. Thus, despite the official relations that may have existed between European countries and their desire to separate their trading spheres, ship Captains, slave traders, merchants did not care too much for these imperial ambitions and carried on contraband trade, whenever possible.

According to Roman, the system of *primes* was at the heart of the slave trading system. However, not all trading ventures were profitable and as elsewhere, profits were calculated as the difference between the cost of outfitting a ship and the amount collected during sales of slaves. Profits took a long time to accrue as planters never paid for their slaves on time.⁴³

The slave trade could never be profitable for the King, unless France had a monopoly over the slave trade with the Madagascar. There were too many people bringing in slaves illegally. If this had been stopped, profits would have been greater. A letter of 3 September 1771 outlines this problem clearly: Governor “Desroches n’a pas signé une instruction pour la flûte du Roy *La Normandie* que M. Poivre m’adressa pour le Capitaine de recevoir 8000 piastres à bord et d’en acheter des noirs pour le compte des particuliers nommément du Sr. Amat qui était dès lors parti pour Batavia [...] concurrence des particuliers qui font la fraude” [...] “qui ne paient ni frais d’armement, ni les autres charges des vaisseaux équipés aux frais et risques des particuliers” [...] “le commerce a procuré 7,000 noirs à la Colonie depuis mai 1770 jusqu’à mai 1771. En cette année si la fraude reprend, on n’en traitera peut-être pas 700.”⁴⁴

Apart from the fact that free trade was established, the boost to the slave trade came also in 1776 from the *prime* paid per slave traded beyond the Cape of Good Hope. In October 1784, an *Arrêté* of 26 October replaced the exemption of *demi-droit* by a ‘gratification’ of 40 *livres* per *tonne jauge*.⁴⁵ The aim was ‘to revitalize the trade’. It was essentially a ‘bounty’ system “consisting of State subsidies paid in function of ton burden and could amount to more than one-quarter of the initial investment.”⁴⁶ In his Memoirs, Angenard, Second Lieutenant on board a slaving ship, writes that he obtained a monthly salary of 25 *piastres*, 2 slaves for himself, a commission of one *franc* per every slave that he traded.⁴⁷ The *Arrêté du 5 juin 1785* further gave 4 *livres* per head of slave introduced into Mauritius.

According to Roman, the Government almost ‘invited’ fraud in slave trading, when it gave a 40-*livres prime* for every *tonne jauge* of a slave ship: ‘miraculously’ ships’ tonnage increased. The *Baron Binder* of 450 to 602 *tonnes*,⁴⁸ the *Saturne* initially listed as being 350-tonne, when built suddenly, reappeared as a 475-tonne ship at this time.⁴⁹ According to Roman, “à vrai dire les hésitations et les attermoiements du gouvernement s’apparentent à de la tolérance, voire de l’approbation tacite.”⁵⁰

From 1787, the inhabitants of Isle de France could trade anywhere in Madagascar. This must have further contributed to the numbers of slaves arriving.

From the 1790 to 1803, the Revolutionary Government took over. It is believed by historians that from 1790, sugar-cane cultivation expanded because of the revolt in Saint-Domingue. This, it is claimed, led to a rise in the slave trade. However, there are no corresponding figures to show a rise in sugar exports from Mauritius to France. The slave trade was also declared illegal. Despite the ban on the slave trade by the Revolutionary Government in France, slave trading continued fraudulently in the Indian Ocean. Corsairs were particularly active in continuing this illicit trade.

Corsairs *cum* traders

Another feature of the colonial slave trade in the Indian Ocean was that those practising it did not engage solely in it. They transported other goods as well and, according to Villiers, they very easily shifted from one kind of trade to another. Corsairs turned slave traders when the need arose, and then became planters and merchants, the most famous example being Robert Surcouf. The reconversion *course-traite-commerce* could be practised in the Indian Ocean. Corsair activity became prevalent when regular trading was no longer possible. That there was a human cargo was immaterial to the traders. The French Marine had given them its blessing to trade through the ‘*lettres de marque*’ and indirectly blessed also the slave trade. *Le Coureur*, recently written about, also participated in this type of trade.

Various tactics were employed to circumvent the ban on slave trade. For example, merchants falsified official destinations: the *Sans Culotte*, armed by Marouf and Le Môme, though officially going to Madagascar to purchase rice, went instead to Mozambique and took on 340 slaves bound for Réunion island.⁵¹

1803 - 1810 Under the Napoleonic regime, on 30 Floreal An X (20 Mai 1802), the slave trade was permitted again on the grounds that cultivation and prosperity were suffering.⁵² Napoleon had concluded a Peace Treaty with the British at Amiens on March 26 1802. During the month of April, he received in Paris a delegation of Deputies from Nantes, Bordeaux and Marseille, to whom he promised the re-authorization of slave trade.⁵³

On the 20th June 1802, the Colonial Assembly of Isle de France legalized the slave trade; the same decision was taken by the Colonial Assembly of Bourbon Island on September 28.⁵⁴ This period was marked by a fierce revival of the French slave trade activities in Mozambique. Eric Saugera⁵⁵ states that:

“La fièvre négrière échauffa les esprits: on arma partout en quelques mois des dizaines de navires pour la Côte d’Afrique. Ce retour à la légalisation du trafic négrier comble les vœux du négoce métropolitain qui souhaitait sa reprise officielle, pour l’humanité, même la morale, et pour nos colonies qui la réclament indispensablement.”

Saugera has outlined the slaving activities of *La Confiance*. The *Confiance* was armed in Bordeaux for Isle de France on 6th May 1802, with Captain Sr. Paul Castagnet and as *armateur*, Jacques Conte. On 10th August 1802, in Mozambique, the Captain declared that he was in possession of 15,000 ‘*patacas espanholas*’ for the slave trade and other goods that would be sold in Isle de France. 516 slaves were disembarked from the ship in Isle de France on 17th October 1802. On the 28th of the same month, the sale of the slaves from the *Confiance* was already advertised in a local newspaper, “*s’adresser à Icery, à l’établissement Monneron au bord de la mer, où est la traite’, tandis que les officiers vendent leurs noirs de port permis à bord du navire.*” During this period, at least twelve Portuguese ships arrivals in Port Louis, Isle de France have been recorded between 1802 and 1807.⁵⁶

1.5. Was the slave trade in the Indian Ocean a triangular trade?

It is clear that for the Indian Ocean, the classic picture presented of the slave trade and for the Atlantic, of a ‘triangular’ slave trade is not quite accurate. It was traditionally believed that ships left France laden with European goods, went to Africa to exchange them for slaves and then on to the Americas to sell the slaves for colonial goods which were then taken back to Europe. Even for the Atlantic Ocean, this classic picture has its flaws. The reality, as Pétré-Grenouilleau has shown, is that they did not simply import slaves; they also exported them. The same situation existed for the Indian Ocean, as Richard Allen has recently clearly demonstrated.

Historians have concluded that to understand better the slave trade and the issue of profitability beyond the figures, one must not rely on the official itinerary of a ship, but one must actually follow the real trajectory and pay close attention to the timing of the voyages, their tonnage and the goods that they contained and country for which they were *really* destined.

The practice of diverting ships bound for the Indies, or going back to Europe for short slave trading voyages to Madagascar and Eastern Africa, started as early as 1723, according to Filliot.⁵⁷

Thus, voyages, officially listed as going to China, meant also stops at Mauritius and Réunion and included trips to the Malagasy and East African coasts. The ships leaving France contained a cargo destined for the Mascarenes where they could be sold easily. Trips destined to India and China, which stopped at the Mascarenes. Those stopovers, should not therefore be viewed as simple transit stops, but rather as ones which could yield substantial profits as these goods did not necessarily sell well in India or China. Indians, according to a *mémoire*, ate little, dressed with cloth made locally. Thus, European goods were not purchased by Indians, but rather by Europeans and others who had settled in the Mascarenes. Thus, in the *mémoire*, it was seen as beneficial as the profits of sale of European goods were made in Mauritius.⁵⁸

High-tonnage ships bound for China also stopped at the Mascarenes and on the East African coast and Madagascar. It appears, therefore, that stopping at the Mascarenes was important for the longer voyages to China and India to be profitable. For the East India Company, an anonymous pamphlet written in 1785 states: “one can afford to lose in India because the benefits of the islands are between 100 and 200%”.

Meyer uses the example of two ships, *L’Auguste*, 990-tonne, and heavily armed with 22 canons, which departed on 18 November for China with 175 men. The cost was 776,252 *livres*. Of this amount, the cargo destined for Pondicherry was worth 511,229 *livres*, while the cargo for China was worth only 420 *livres*. By contrast, the *Puysieux* weighing 700 tonnes, with 20 canons and 144 men, with a cargo worth 601,090 *livres*, left Lorient on 21 October 1752. 66,437 *livres* worth of goods were bound for Bourbon, 108,377 *livres* for Isle de France and 188,402 *livres* for China.⁵⁹

An innovation brought by French East India Company ships coming into the Indian Ocean was that they did not use French textiles in the slave trade; Indian textiles were far cheaper and so, when they brought French textiles, they sold it off in the Mascarenes where they were bought at high prices by the French settler population. Indian textiles were also purchased in India and then exchanged for slaves destined for the Mascarenes and the Americas.

More evidence of the distinctiveness of the Mascarenes and Indian Ocean trade comes from the research of Max Guerout who has also been examining the history and shipwreck of the *Utile* which left Malagasy slaves stranded on Tromelin Island for several years. He describes the trade as a ‘*double traite*’ (double trade). He believes that historians have ignored the shorter trips made by the same ships that made long-distance voyages.⁶⁰ Both Toussaint and Mettas missed these short trips in their lists. Richard Allen has come to the same conclusion and is also substantially reviewing Toussaint’s and Filliot’s figures. Thus, during the Seven Years War (1756-1763), when the Governor based in Mauritius banned the slave trade, his orders were ignored by the Captain of the *Utile*, Jean de Lafarge, who embarked, not only cattle and rice from Madagascar, but slaves also. Many other such cases abound. East Indian Company ships also carried slaves during the ban, but this information never entered Company’s account books. One example is the *Jesus Maria Jose* which, in 1761, carried 210 slaves from Mozambique to Mauritius. When the ship reached Mauritius, the Company had to buy the slaves at 55 *piastres* each.

Double traite also occurred with ships going from France to Mozambique. The *Constance Pauline*, belonging to Frabaud & Co from Marseille, went from France to Mozambique but also made other trips: between August 1788 and July 1789, to Isle de France and back. The same occurred from Bordeaux: *La Victoire* left on 27th June 1783, reached Mauritius on 8 November, then to Kilwa, where it bought 200 slaves and then on to Bombetoc (Madagascar), when it bought 80 slaves. We do not know yet how many reached Mauritius. The same ship went back to Mozambique, bought 162 slaves and went on to the Cape and Haiti. Cochon Trop Long owned the *Oiseau* which left Bordeaux 2 March 1786, made 5 voyages, 4 of which were between Mauritius and East Africa. His last trip was to the USA. According to Guerout, there was perfect ‘synchronism’ in activities between Marseilles and Bordeaux between 1781 and 1792.

Outfitting the slave ship

The ‘success’ of a slaving voyage depended on the careful planning and the work of three individuals on board the ship: the barrel-maker (‘*tonnelier*’), the carpenter and the cook. The carpenter had to rebuild the interior of the hold to accommodate as many slaves as possible; the comfort of slaves not being a major consideration. But the ship also had to accommodate other items: provisions, water, cargo etc. The barrel-maker had to supply abundant fresh water, particularly for long distances or lengthy voyages.

The financing of slave voyages was a high-risk venture. French long-distance trade, including slave trade voyages, was an expensive high-risk venture. Either only the wealthy could engage in it, or those who had also invested in other ventures. Long-distance trade could generate very high profits because of *arbitrage* and because the costs of high investment declined as distances increased. The financing of the slave trade has, however, been little studied generally, even though evidence points to the fact that banks and international commerce did finance the Atlantic slave trade.⁶¹ Whether the same occurred in the Indian Ocean remains to be established.

Our findings indicate that for the Indian Ocean, much of the capital required was financed through the ‘sociétés’ (companies) created, and where various groups and individuals provided the funds with the main person retaining the majority of shares. Moreover, those who financed the slave voyages were, more often than not, from existing merchant families, i.e., in St. Malo. When they did not have sufficient funds, they associated with merchants from other ports or even with the nobility.⁶² In Mauritius (Isle de France), one of the early companies to be created and to engage in slave trading was no less than one created by Mahé de Labourdonnais himself, on the ships *Aigle* and *Parfaite* in 1742 and *Jupiter* and in 1744.

In Mauritius, the emergence of a trading bourgeoisie has been well-documented by Auguste Toussaint in his various works, but the links between the Atlantic and Indian Ocean worlds have yet to be studied. Some preliminary studies have been carried out, in comparing efficiencies of British versus French traders, with British traders being considered more efficient, because of the ‘personal nature’ of French business structure.⁶³

1.6. Profits, ports and prices

As far as ports and profits are concerned, the differences between the Atlantic and the Indian Ocean’s experience of the mid to late 18th century are quite stark. Two examples will suffice: in the Caribbean the Haitian revolution led to a fall in plantation production and a decrease in long-distance trade ‘for a generation’. In Mauritius, sugar and plantation production increased exponentially. Secondly, the impact of European wars were not necessarily detrimental to the slave trade or trade in general⁶⁴ in the Indian Ocean as corsair activity, in particular, proved very profitable.

Thus, although “War changed the way trade investments were conducted, but it did not shut down all opportunities for profitable operations.” The Mascarenes, where the bulk of the maritime traffic was centred, also served as a naval base. It was rare to find any voyages specifically destined for the Mascarenes, unless they were small ships with small tonnages, where the investment resembled one in *droiture*.

A third area of difference between the two oceans is the profits derived from the slave trade which was possibly more consequential in the Indian Ocean than in the Atlantic. However this deserves further study.

PROFITS

The profits emanating from the slave trade have been the subject of study in the Atlantic Ocean for a long time by pre-industrial economists and cliometricians. According to Daudin, there are three methods to study slave trade profits: first, theoretical results from competition theory; secondly, theoretical reconstruction of profit rates, and thirdly, examination of traders’ accounts.⁶⁵ The different estimates of annual profit rates, based on the second method, range between 7.1 % and 30 %.⁶⁶ Estimates of annual profit rates, based on the third method, range between 8 % and 10 %.⁶⁷

For the Indian Ocean, it would appear from the Literature that there was a greater chance of the Indian Ocean slave trade being, in the long run, more profitable than in the Atlantic for the period after 1780s. Daudin’s study thus recommends the use of Private Archives to calculate the profits of the slave trade; in other words, to examine the aggregate data of one *armateur* and one vessel. There are, however, few detailed studies of voyages relevant to giving a conclusive answer. We are better able to understand the mechanism and operation of the slave trade through recent works of French historians published by the *Anneaux de la Mémoire Association* in Nantes.

Research so far on sources on Mauritius does not reveal much about profits derived from the slave trade: in the 1760s, profits from Madagascar were considered negligible for locals, according to a letter from Governor Dumas on the ‘Bénéfices de la traite à Madagascar’ in 1768:

“Si la traite produit des esclaves il faut en compléter les ateliers du Roy et ce complet va au moins à 300, après quoi il faut encore les distribuer aux habitants à peu près au prix qu’ils

reviendront et recevoir en payement leurs denrées, de tout cela peut-il entrer un sol dans la caisse? ”⁶⁸

However, on other occasions, profits were clearly made. Captain Francois Remi Cotte of the *Saturne* wrote to the *armateurs* that he had made a 92% profit from trading 503 slaves at 760 *livres* per slave in and selling them for 1600 *livres*.

A word about currency is necessary here. ‘*Livres*’ were used in public offices since the foundation of the island. The *Livre* was a ‘nominal coin value of about one-fifth to about one-tenth of the value of the Spanish dollar and *doublons* (the latter being legally current at 16 Spanish dollars). However, individuals and companies and Customs kept accounts and subscribed engagements in Spanish dollars. One *livre* was about \$10 (Spanish) in the 1790s. With the Imperial Government Rule, the currency used was *francs*, at the rate of five *francs* 50 *centimes* for the Spanish dollar. By 1810, 200 hundred *sous*, ten *livres* or two rupees of colonial money made one dollar.⁶⁹

Where did the funding come from? Historians seem to concur on this point that most had have been quite wealthy to have engaged in the slave trade. Wealth could have come from inherited fortune or through marriage to a rich family or to have accrued from accumulated profits during trade. We do not have enough information about the genealogies of families to study this in depth.

Agents and *armateurs* were the principal persons involved in the economic side of the trade: agents received commissions for the sale of slaves for all transactions. Captains too benefited, while the *armateur*, often sitting in La Rochelle or Nantes etc. had to wait for the profits to materialise slowly from the time the slaves were sold, since plantation owners took their time to pay. Profits were thus long-term profits. This no doubt led Garesché to write: “Expeditions for the slave trade only make victims now [...]. Captains, agents are the only ones to benefit from it, and the *armateur* is forced to bear loss or grow old waiting for profits.”⁷⁰ Risks involved in those days included shipwrecks, revolts, disease etc. in the Atlantic, as in Indian Ocean, or seizures of ships by the enemy, notably the British.

Finally, according to McWatters, most research about the Atlantic underscores the fact that trade was not highly profitable, but provided modest market returns. Indeed, an individual voyage could be interpreted as a lottery in which the possibility for great profits (or losses) existed, depending on the confluence of a number of market and political factors, but this is not conclusive because of the absence of detailed accounts.⁷¹

Pétre-Grenouilleau notes: “[...] que la durée d’amortissement du prix d’un captif est courte (un an et demi à la Barbade anglaise, vers 1645), que l’individu en question représente un capital toujours disponible, et qu’il ajoute au prestige de son propriétaire”.⁷² The return from slaves, in terms of production, was also discussed in various reports to the Chambre de Commerce at Nantes. For instance, in the Archives Départementales, the amount of sugar produced is discussed, relative to the cost of slaves in different years.⁷³

PORTS

It is also important to look at the role of specific ports engaged in the slave trade to the Indian Ocean and the Mascarenes specifically, as there are significant differences between the Indian Ocean and the Atlantic. Five main ports were engaged in the Indian Ocean.

The percentage of slaves taken away from their homeland by the ships leaving these ports has been estimated as: Nantes 41.3 %, Bordeaux 11.4 %, La Rochelle 11.3 %, and the Havre 10.8 %. There are no final figures yet for the Indian Ocean.

Bordeaux

Between 1672 and 1837, some 480 ships left Bordeaux for the French Caribbean and carried 150,000 or more Africans from their homeland.⁷⁴ **The first ship to arrive in Mauritius from Bordeaux carrying slaves was the *Bretagne* from Pondicherry.** As Bordeaux came late to the slave trade, it faced tough competition from other ports, and this may have been a reason why it switched its source to the Eastern African coast. It developed rapidly, having a rich hinterland and

producing wine. Thus trade flourished, including slave trade. It became France's second slaving port after Nantes. Out of 386 slaving ships, the destinations were as follows:

270	St. Domingue (Haiti)
31	Martinique
13	Guadeloupe
14	Cuba (19 th century)
37	Mauritius. ⁷⁵

According to the Bureau des Douanes in Bordeaux, it was not a triangular trade but rather a quadrangular trade.⁷⁶ This confirms what was stated earlier about the *double trade*. However, Bordeaux found in the slave trade a complement to her existing trade which began to make her the second slave port of France, next to Nantes. In the estimation of scholars, the trade involved 130,000 to 150,000 slaves taken away in 480 expeditions, thus representing 11.4 % of the total leaving French ports.⁷⁷ The figure of 480 ships is higher than the estimate of Saugera. It was not a specialist's activity and, according to the Conservatoire, the ship Captains undertook many other voyages other than slave voyages. Ships used at first were small ships, sloops, goëlettes and corvettes, but after 1763, ships had a higher tonnage, 250 to 500 tonnes.

Our knowledge of slave trading from Bordeaux is partly limited, due to the fire that occurred in the Port Archives in 1919.⁷⁸ The *Journaux de bord* are our only detailed source for daily events occurring during a slave trade voyage. The log book of the *Patriote* from Bordeaux to Mauritius, for example, shows that there was not a simple triangular trade: It left Mauritius on 10 April 1789 and arrived in Bordeaux on 17 February 1791. Numerous slave trading stops took place along the way.⁷⁹ The voyage of *Licorne* is also interesting: although the slaves were destined for the Atlantic voyage, this ship made a stopover in Mauritius, according to Toussaint, on 4 June 1787, before going to Mozambique to procure slaves, and then on to the Cape of Good Hope where some slaves were disembarked before making the Atlantic voyage.⁸⁰

From 1783 to 1793, in total, some 262 slaving voyages were made out, of which 80 ships to the Indian Ocean went from Bordeaux, increasing its share of the slave trade from 5 to 12 %.

The first ships from Bordeaux appear to have arrived as early as 1773, clearly having come to engage in the slave trade, judging from their destinations in the South West Indian Ocean (see database): the *Aventurier*, a 150-tonne *senau*, made one voyage in 1773-4 from Bordeaux to the Indian Ocean. It made several trips within the region: to Kerimba, Madagascar, Bourbon and Mauritius, and back to Bordeaux.⁸¹ It was commanded by Brugevin. The *Affiches, Annonces [...]* of 13 January 1773 noted that the ship made two stops in Kerimba and Madagascar, before arriving in Port Louis on 9 January 1773, loaded with slaves for Mr. de la Maretty. It then went to Bourbon in March 1773. Another trip was made to Mozambique in 1774. It arrived in Port Louis on 22 June 1774, but the future owner of slaves was not mentioned in the records.

Two further trips were made to India but no cargo was listed in the *Affiches, Annonces et Avis divers*.⁸²

The *Bourbonnaise*, commanded by Descormiers, arrived in Mauritius in December 1773 from Kerimba. This originally privately-owned *goëlette* had previously made several trips from Port Louis to Black River District, transporting wood, then made longer trips as a King's ship to Bourbon and, by the end of December, it was going again as a private ship to Kerimba. As for the *Alliance*, it arrived in Mauritius in September 1774 from Bordeaux, but there are no records of stops in Africa or Madagascar.

Not much activity occurred in the 1770s from Bordeaux to the Indian Ocean. In the 1780s, many more ships arrived only to stop again from 1794 to 1795, probably because of the abolition of the slave trade. Corsairs and non-French ships continued supplying Mauritius with slaves illegally. A large number of American ships left Bordeaux to come to the Indian Ocean in this period of 1794-5, but there were no French ships from Bordeaux, it would appear.

Lorient

In Jean Meyer's study, *La France et l'Asie*, it is estimated that over 1,000 trips were made from France to the Indian Ocean. From 1730-1734, according to him, only one *armement* of the East India Company left Lorient. This increased considerably after 1746 but dwindled again a few years later. Latest figures, compiled by Le Lan for the recent Slave Trade Conference organized by the TJC, at the University of Mauritius, estimated at about 92,000, the number of slaves whom the Company exiled, using Lorient as a base. **The first ship from Lorient to bring slaves to Mauritius was *La Meduse* which embarked 237 slaves from Juda.** Between 1728 and 1756, all ships appear to have gone to West Africa to procure slaves.

Haudrère has stated that the slaving voyages, with 630 slaves on board, between 1729 and for 1730 were a total failure because of the high mortality rate. He has described these voyages as a 'hecatomb'.⁸³ In one ship, out of the 200 slaves, 35 died before reaching the Cape and another 30 died in transit at the Cape, due to the cold and not being properly clothed. 93 more died en route to the Mascarenes. 42 disembarked, out of whom 11 died during disembarkation. The FEIC had two main trading posts in West Africa: Juda in Dahomey and Gorée in Senegal. In Gorée, a fort had been built where French traders, their slaves and goods were 'secure'. According to Le Lan.

« *la Compagnie avait de nombreuses implantations de traite en Afrique, dont deux importantes: un fort à l'île de Gorée au Sénégal et un à Juda au Dahomey ainsi que de nombreux points de contact baptisés escales. Un fort était une infrastructure mettant à l'abri les ressortissants français, les captifs et les marchandises, des vétilités adverses alors que les escales n'étaient que des parcelles de terrain sur lesquels les chefs indigènes avaient autorisés les français à commercer.* »⁸⁴

In addition to these ships, the **C4 series** mentions another ship, the *Fleury*, which was to bring slaves from Senegal.⁸⁵ Le Lan has analysed the 19 voyages mentioned by Mettas to Isle de France between 1769 and 1791. He found that of the 19 ships, only 3 definitely came to Mauritius, while 5 others probably came; the others went on to sell the slaves in the Caribbean. Twelve companies undertook these 19 trips, trading some 6,205 slaves and some 2,910 slaves to Mauritius alone between 1771 and 1791.

Marseilles

Marseilles developed a powerful set of merchants in the 18th century, from 250 merchants to over 750 by the end of the 18th century. According to latest figures, most of these went to the Americas, and it was only at the end of the 18th that they came to the Mascarenes.⁸⁶ Many reasons have been advanced for the lack of interest before this period, all the more intriguing as voices were raised against the slave trade: lack of knowledge of the Atlantic compared to other ports, lack of freight (they only had wines and cloth).⁸⁷ They were also more used to quicker returns, having traded with Mediterranean countries for so long.

On Toussaint's list was the *Félicité* on 9 July 1793. Although trade resumed after 1803, only a few ships made it to Mauritius from Marseilles; the last ship was the *Paquebot de Marseilles* whose Captain was Chauvin in 20 September 1805. But the main reason for the rise of Marseilles in the slave trade was the *prime* offered in colonies for every head of slave brought as from 1784.

St. Malo

In the French slave trade, St. Malo ranks as perhaps the fifth port and deserves its appellation as the port of corsairs. It started slave trading later than other ports and began when trade restrictions were imposed by peace treaties; it preferred more traditional activities. The biggest trader was Magon de la Balue between 1717 and 1744, but it is between 1748 and 1788 that there was a real boom, with the largest fortunes made in Marseilles. Magon armed several slave trading ships, *Zélé*, *Le duc de Choiseul*, *Le Duc de Praslin*, *Le Modeste*. Charles Carrière has compiled a list of some 40 merchants engaged in the slave trade.

Between 1773 and 1819, 129 ships set sail from Marseilles to the Mascarenes alone, according to Toussaint. Buti says that it was because of the terms of the Seven Years War and the Treaty of Paris, that the sugar islands in the Caribbean and the Indian Ocean became more important and the plantation economies started emerging.⁸⁸

Some of the Huguenot traders among them, according to Carrière,⁸⁹ also belonged to Freemason Societies, La Loge Saint Jean d'Ecosse, in particular. Names of ships reflect this freemason influence: *Les Bons Amis*, *La Concorde*, *l'Union*. Among famous names of traders were Aenaud, Beaussier, Bigaud, Chauvet, Dallest, Mathieu, Solier, Martin and Salavy. Many were also academics. Between 1767 and 1785, Rambert lists 18 ships bound for Mascarenes. For 1785 to 1789, 33 ships are listed. Dermigny, in *Cargaison Indiennes*, lists 6 voyages from Marseilles between 1781 and 1791. How many of these engaged in slave trading remains to be determined.

For Mauritius, in the early years of French colonization, St. Malo was the first port to supply slaves regularly, and many 'Malouins' were actively engaged in the slave trade to Mauritius and Réunion. The best known (Malouin) is Governor Labourdonnais himself. Other Governors, such as Bouvier de Lozier and Rene Magon, also contributed to the slave trade and expansion of the slave population on the island.

From Port Louis, several other voyages were made to procure slaves in India, Madagascar, and Mozambique, while Company ships brought slaves from West Africa. Many of these ships' Captains and traders were from St. Malo. Corsairs were active in periods of war, but during peace time, they were active in trading and in commerce, of which the slave trade played a vital part. How important for the Indian Ocean, and particularly for Mauritius, was corsair activity, has not yet been estimated by historians, who have chosen to study the more 'heroic' past of St. Malo and its people than its corsair and maritime activities. There was no barrier between the different maritime activities. People engaged in all maritime activities, depending on the circumstances. The existence of '*négociants/négriers*' or merchant/slavers was a reality; in other words, people who were merchants were also involved in the slave trade. In St. Malo, the best example and the most famous of these persons was Mesle de Grandclos, whose biography has been written.

Captains trading after 1763 included: Jean Baudry, Paul Hardy, Jean Francois Corbille, Merven. Grandclos employed Nicolas Le Gue, Joseph Daniel des Landes, Dominique Jallobert, Baudran de Maupertuis, Louis Athanase Ohier, Toussaint Leforestier, Charles Ozelle and Pierre Carre.

St. Malo's trade in slaves appears to decline after 1770. In later years, many traders abandoned slave trading. Many relocated to other ports. Pottier de la Houssaye continued, as did Mesle de Grandclos. But the others, Hercouet, Deshaies, Harrington, Dubois and Fichet Desjardins, abandoned the trade.

Nantes

Although much written about, Nantes was not as important for the Mauritius slave trade as for the Atlantic. We have little information yet on how many ships arrived in Mauritius before the end of Company rule. The latest research on Nantes-Mauritius slave trade comes from Alain Romaine who noted some 15 ships registered with the *Amirauté* and who went to Mozambique to procure slaves.⁹⁰ According to McWatters, who has studied trade from this port for the period 1763 to 1792, the total number of ships 'outfitted' at Nantes rose from 127 to 230 per year; the average tonnage increased from 182.28 to 235.97 tonnes.

During the period between 1773 and 1810, studied by Toussaint, a total of 43 ships came from Nantes to the Mascarenes. How many traded in slaves is not yet clear. Between 1772 and 1778, only 7 ships were armed for the East African coast between 1772 and 1778. Between 1783 and 1793, only 14 or 15 arrived between 1783 and 1793, as against 80 from Bordeaux. It appears that there were cash-flows and liquidity problems, and they could not supply Arab and Portuguese intermediaries with the required amount of *piastres*. They thus preferred to engage in trade with partners who could purchase Nantese or French products.

La Rochelle

Although according to Deveau⁹¹ who has focused on the Caribbean, 427 ships left La Rochelle to engage in slave trading, it is not for certain how many came to Mauritius.⁹² For the Revolutionary period, 39 ships are listed by Toussaint, with the last ship arriving in 1790. Twenty-two of these are said to have carried Captains, who engaged in multiple voyages, included Robin, Lalande, Desplannes/De planne. The boost to trade as with other ports, came in 1784 with a *prime* of 40 *livres* given to every *tonne jauge*.

La Rochelle is of interest to Mauritius because of the activities of a few individuals. When trade was dwindling during the Revolutionary Period and ending with Haiti by 1792, the slave traders organized lobbies to maintain the trade and were supported by metal and textile manufacturers who were supplying slave ships. They sent a representative, Jean Baptiste Nairac, operating in Isle de France, to defend their cause in the National Assembly on the grounds that lack of trade would bring ruin to the port. The slave trade was maintained.⁹³

Brest, Le Havre et Honfleur, Rochefort

There was very little slave trading between these Ports and Mauritius. However, the last slave trading ship, the *Épervier* from Brest, went to the Indian Ocean and to Mauritius; it made its slave trading journey from Ibo, disembarking on 3 January 1785. Although the records showed a Brest to Brest trip, they fail to mention the slave trading trip to Ibo. We do not know yet how many slaves came to Mauritius. From Brest also came some well-known names in MAuritiuS, such as the Trebuchet family. According to Eric Saunier, the Hague and Honfleur saw the start of about 500 slaving voyages,⁹⁴ But according to Toussaint, only one came to the Indian Ocean between 1773 and 1803 from the Hague and 7 from Honfleur. None appear to have come during Company rule. Although the hinterland at Rochefort was ideal for trading and it supplied the crew required for long-haul voyages, the slave trade was not that important. The *Boulongne* and the *Boutin*, both of equal tonnage, arrived on the same day in Mauritius (see slave trade database 1729-1765). Whether they carried slaves is not known yet.

PRICES

Accounting historians have been investigating how the accounts of the slave trade were kept. A unique journal, the *Guide du commerce*, written by Gaignat de l'Aulnais in 1771, has led to a detailed and equally unique historical study by Cheryl McWatters.⁹⁵ In this journal, McWatters highlights the basic documents required for a slave trading expedition, according to Gaignat. These were: “*Le journal de traite, le livre de factures, le journal de vente des noirs et achats en retour et enfin le grand livre*” (Eng trans: *The slave trading journal, the receipt book, the sales of slaves book, and purchases book and finally the big book*). Although written for Atlantic voyages, it seems unlikely that it would have been any different in the Indian Ocean, since many of the ships and Captains were the same. A greater search of the accounts of slave traders might reveal as yet unknown facets of the history of slavery and the slave trade. For example, it is currently impossible to quantify the volume of trade carried on in the interior: those who were simply captured and kidnapped from their villages and where no trading took place. Oral traditions in Mozambique exist and deserve further study. Benigna Zimba, Mozambican historian, has recommended that memorialistaion of this part of the history of the slave trade should also be included in future representations of slavery in Mauritius.

The medium of exchange was at first textiles, rum and muskets. But in Madagascar, the Malagasy increasingly began to demand hard currency, in Spanish *piastres*. By 1807, the French trader, Sylvain Roux, wrote that slaves cost 45 *piastres*, as well as 2 bales of blue cloth. i.e., forming 80% of the transaction.⁹⁶ The French Government believed such trade could only be profitable, if it had exclusive rights over Madagascar slave trading, because it could not compete with private traders. It appears that traders had goods produced in India, which Malagasy traders did not want, and they were forced to ask for hard currency in *piastres*.⁹⁷ Thus currencies were increasingly used but one must also bear in mind the multiplicity of currencies at the time and fluctuations in the value of each currency during wars, for example, or depending on the economic fortunes in France and in Europe generally. *Piastres* or *livres* were the currency used in Mauritius.

Prices ranged widely according to the country of origin at the time. Prices mentioned here refer to a male adult slave, the typical slave sought after for the various tasks being undertaken in Mauritius.⁹⁸ In the early years of Isle de France, slaves could be procured for 100 *livres*. In 1732, the East India Company bought Indian slaves at 3-4 *piastres* per head in India. Within Mauritius, however, in 1738, slaves were being sold for far more at 200 *piastres* per slave.⁹⁹ This was still the case in 1745 for Mozambican and Malagasy slaves, while West African slaves were the most preferred and sold at 250 *piastres* per slave.¹⁰⁰ By 1758, this had gone up to 400 *piastres* for a slave from Madagascar.¹⁰¹

In 1763, it was stated that the Company was selling slaves cheaper than private traders: Malagasy and Mozambican slaves at 25-30 *piastres* per slave, while those from Goa fetched 40-45 *piastres*.¹⁰² On 30 November 1767, M. Poivre provided details of prices of slaves:¹⁰³

Pièce d'Inde and from Guinea:	720	Mozambique:	540
Madagascar:	360	Indian:	300

Prices fluctuated in the country of origin and according to traders, or so it would seem.

1.7. How were slaves sold in countries of origin?

Madagascar: Through the collective works of Gwym Campbell, Pier Larson and Richard Allen, we have learnt much about internal dynamics of slave trading to Mauritius from Madagascar.

Mozambique: We know less about Mozambique as far as Mauritius is concerned. Benigna Zimba's field work in the slave trade route has been crucial in adding to our knowledge to the TJC's attempt to understand local routes within Mozambique and Eastern Africa leading to Mauritius. A film directed by Benina Zimba, and co-produced by the TJC and the Nelson Mandela Centre for African Centre, is in the making which TJC expects to be launched by the Nelson Mandela Centre in the not too distant future. It will be the first time that Mauritians will see the interior of the Mozambique slave route and hear Mozambican descendants of slaves and traders talk about their ancestors memories of the slave trade.

The **places** from which slaves were taken such as the Mozambican regions of Niassa, Cabo Delgado, Nampula, Zambézia, Delagoa Bay, and Inhambane. These need to be studied further as well as the local powers that developed some of the most significant slave systems of Eastern Africa. Rebuilding of genealogies of families of slaves and/or descendants of slave masters need to be undertaken in both countries. In Mozambique, for example, the influence of well-known dynasties such as the Mataca, which played a major role in the export of slaves from the hinterland to the Islands of the Indian Ocean, including Mauritius.

Merchants gathered slaves gradually over days and weeks. In Inhambane, French slave traders were known as *Mafutres*. Within Eastern Africa, the main agents involved in the slave trade need to be better known. These include Africans, Arabs and Indians involved in the process of capture and internal selling, before slaves embarked at the ports of the exportation.

- Agents in Mozambique include: the Yao, Xeiques from Afro Islamic kingdoms such as Quitangonha, Sancul, Sangage and Angoche), *prazeiros* from the Zambeze Valley, Portuguese colonialists from Inhambane, Nguni groups that dominated in Delagoa Bay and Barra do Limpopo in Gaza.
- Agents outside Mozambique but in Eastern Africa include: Xeiques from Afro Islamic territories such Zanzibar, East Africa, Kenya, Somalia, French, Portuguese and Indians.

The main ports for the exports of slaves include:

- Ilha de Moçambique, Ilha do Ibo, Túngué, Angoche, Quelimane, Sofala, Inhambane, and Delagoa.

It is important to distinguish between the place of capture and the ports of sale and departure. In this period, slaves came mainly from:

- **Niassa**, regions inhabited by the **Macua** - Lomué, Xeicados of Sancul, Sangage, Quitangonha, and Angoche, Inhambane, Delagoa.

The **Yao States** have played a crucial part in slave exports from Northern Mozambique to the Indian Ocean for centuries.

In Northern Mozambique, Mataca and Makanjila were two of the most important African States which played a crucial role in the enslavement of trade of the local population. During the period between the late 18th-century and the first two decades of the 19th century, Ilha do Ibo was

negatively affected by frequent attacks of the Sakalavas and the Makhuwa resistance against trade and the enslavement of the local population. This situation changed from 1820 onwards, when Ilha do Ibo became an important port of slave exports. Until *circa* 1830, Yao merchants traded exclusively with French slave traders. After 1830, the Yao slave trade from Ilha do Ibo extended to the Americas.¹⁰⁴

The slaves were not only transported on foot to the ports but were also carried on small boats (*pangaios*) from satellite ports and/or other far away located points of concentration. They were then transported to bigger ports and onto the bigger ships that we are familiar with. French traders had 6 to 10 *pangaios* responsible for bringing slaves in small numbers from satellite ports. From these satellite ports they then transported slaves in bigger ships towards, Comores, Nosibe, Anjouan, Mauritius, Réunion and Seychelles. Local merchants known as *Mujojo* (or *Ajojo*) were responsible for the capture and the sale of the slaves transported in *pangaios*, in small numbers. The *Mujojo* traded in slaves and cloth known as *fazenda* and *fazenda cafreal* (Kaffir cloth). The *Mujojo* also used to steal slaves from one place to another and redirect the trade of slaves, according to the needs of the owners of ships that transported the slaves to the Mascarenes.¹⁰⁵

Another group in Mozambique that deserves our attention is the “Baneane.” *Baneane* were Indian merchants originally from Surat and Cambay, who settled in Diu and Damao. They first started commercial transactions with Eastern Africa, by the beginning of the 16th century.¹⁰⁶ Both the *Mujojo* and *Baneane* deserve the attention of historians and are part of Mozambican-Mauritius connection.

Connections between Southern Mozambique and Mauritius and the Indian Ocean are more frequent in the nineteenth century and during the last stages of the slave trade. However, it continued with other countries, particularly Réunion until the 1850s.

It is important also to know that trading with Mozambique did not end with the abolition of the slave trade. According to the Cape Archives, Delagia Bay served as a meeting point for ships from Asia, Africa, Europe, and America, Mauritius and Madagascar and South Africa.¹⁰⁷

It is unfortunate that we have been unable so far to trace the origins of names of slaves from Mozambique, but this study must continue. The difficulty has been because some slaves were already baptized, from the 1760s onwards and were given Christian names.¹⁰⁸ According to Zimba, in a number of cases, baptized slaves did not know their birth names. However, all is not lost as according to Mozambican tradition, the names of the regions were also very often the same as those of the people.

The French slave trade existed between the 1720s to the first decade of the 19th century without significant interruption. However, although important to Mauritius, the slave trade to Mauritius was small compared to the large slave trade emerging after 1810. For the French traders, however, it was a lucrative business, The Portuguese insisted that French ships should declare, to the port's Customs Services, all merchandise on board. In 1796, the French destroyed the Portuguese factory in Lourenço Marques; this event strongly impacted the ongoing slave trade.¹⁰⁹

1.8. How were slaves sold in Mauritius?

Slaves were sold in various ways, if they were introduced legally.

- Slaves brought by the Company would be ‘distributed’ between the various inhabitants who required them.
- Others would be sold by the Notary usually in his office
- Slaves were also sold at auctions. One recorded site of sale was at the Place d’Armes.
- In the 1790s, because of the smallpox epidemic, slaves were sold on board after being vaccinated. This occurred on the *Saturne* whose voyage has been described in detail by Alain Romaine.¹¹⁰

Because duties had to be paid on every slave, and officers received a reward for every slave brought alive, the slaves had to be brought to be assessed by the Customs for duty. Many traders tried to avoid this by hiding slaves on board. Others landed slaves at other points of the island, such as at Bel Ombre, where they could be easily hidden in the numerous caves in that area. These areas deserve as much memorialisation as official slave sale sites in Port Louis.

In the 1760s, according to Law, information about the arrival of slaves on ships was given to the public by a poster appearing on walls. Private archives may contain some of the posters but none so far have been located in public archives nor in some private archives opened to us such as the MCB Archives.

When Liberated Africans were brought in the nineteenth century, they too passed through the same Customs House as slaves. A certain continuity thus existed in the sites used for disembarkation of slaves, Liberated Africans and indentured. After formalities had been completed, the Liberated Africans were taken to the Immigration Depot where they would be registered as indentured immigrants, just like the indentured labourers who were being brought from India. These sites, the Customs and the site of the Immigration Office (today a World Heritage Property) need to be adequately memorialised. However a new symbolical site needs to be identified to memorialise in a permanent way a site relating to the landing of slaves in Mauritius. While other landing places exist for people who have come as immigrants, such as the Salines or at the Apravasi Ghat, a memorial place for those people brought as ‘cargo’ is also necessary so that the Mauritian population may see and understand the full breadth of the trade and all facets of how forced immigration has occurred in Mauritius.

1.9. The Slave voyage

a. Trauma during the passage

Much has been written about revolts and mortality on board ships and very little will be said of this here. More recently, attention has been focused on the state of mind of slaves during the wait in the slave depot, and during the transportation on ships and the psychological trauma that ensued. If narratives of the passage abound for immigrants later in the century, they are sorely missing from the slavery records in the Indian Ocean; only the acts of slaves give us some indication of their state of mind.

The journal of the *Espérance* also shows the psychological trauma endured by the enslaved through the case of one female slave who allowed herself to die. She was described as being ‘tracassée’ or worried; ‘roulant d’un bord sur l’autre et chantant ensuite, [elle] est tombée dans un assoupissement dont elle est morte’.¹¹¹

In some cases, the crew took the trouble to avoid any additional trauma for the slaves. Again, on the *Espérance*, when a baby and mother died, they were thrown overboard, with the baby being later found in the belly of a shark. This discovery was hidden from the slaves for fear of upsetting them, lest this might lead to a revolt.¹¹²

What enslaved peoples felt and thought as they boarded the ship taking them away can only be guessed at by us today. One can only imagine those moments through accounts of people who witnessed this departure. Henry Salt, witness to these moments, reflected on this:

*“I subsequently saw several dances of the same kind, in the slave-yards on the island of Mozambique; but on these occasions it appeared to me that the slaves were compelled to dance. I shall never forget the expression of one woman’s countenance, who had lately, I understood, been brought from the interior. She was young, and appeared to have been a mother, and when constrained to move in the circle, the solemn gloom that pervaded her features, spoke more forcibly than any language, the misery of her forlorn condition. If there be a sceptic who hesitates to approve of the abolition of the slave trade, let him visit one of these African slave-yards, a short time before a cargo of these wretched beings is exported, and if he have a spark of humanity left it will surely strike conviction to his mind”.*¹¹³

One has yet to calculate the numbers who died during the long walk to the coast, from the interior to the Mozambique for example; Epidariste Colin estimated it to be half:

*“Les négociants ont des agents qui pénètrent jusqu’à 250 et 300 lieues dans les terres pour faire les premiers achats et expédier les noirs par bandes de 4 à 500, sous la conduite d’un chef [...] accompagné de noirs ladines (civilisés). Et la troupe marche à petites journées, et bien souvent pendant la nuit. Durant ce voyage, où l’on traverse des déserts, la troupe manque quelquefois de provisions, et ne se nourrit alors que de racines et de plantes qu’elle rencontre sur son chemin: elle arrive enfin à Mozambique, diminuée au moins de la moitié. Ces esclaves alors sont accablés de fatigue et de besoin, et ont déjà quelques symptômes de dysenterie”.*¹¹⁴

b. Mortality and Revolt

Slave mortality on board ships has yet to be quantified accurately by statisticians and demographers. Estimates range from 10% to 50%, depending on the length of the voyage, supplies on board, disease, resistance of slaves etc. From East Africa, the figure was 21%. From West Africa, mortality was estimated to be between 25 to 30%.¹¹⁵ According to Richard Allen, the ‘overall mortality’ appeared higher than for the Atlantic.¹¹⁶

The voyage from Madagascar took about 21 days and mortality rates were about 12%, while Mozambique voyages which took longer had on average a 28% death rate.

However, as Gerbeau reminds us, distance does not necessarily explain levels of mortality since other factors may be responsible: the illegal status of the voyage, for example, and the need to cram as many slaves on board, the spread of disease etc. In the 1790s, this had not changed. The *Saturne*, however, registered 9 % mortality during its voyage, in November 1793, from Kilwa, a lower percentage than the 14% figure provided by Allen and Filliot.¹¹⁷

When the French East India Company administered the island, it rewarded officers for bringing slaves alive.¹¹⁸ According to Le Lan, this is because it hoped to make huge profits on the slave trade. Regulations were established for this purpose. Rewards were given to the Captain, 1st and 2nd Lieutenant for every slave brought alive to Mauritius. Thus, in June 1724, the Company acknowledged that Officers were undertaking perilous missions that required intelligence and dedication, if slaves were to be brought alive. In addition to recommending that the best Officers be engaged in this trade, a list of remuneration, according to the grade of Officers, was established. The lower orders, sailors etc., did not receive anything.

By 1749, this reward had increased to 25 *livres* per slave brought alive and 70 *livres* for every cargo exceeding a certain number.¹¹⁹ Thus, for a ship carrying 400 slaves and with a mortality rate of 25%, this reduced the slave cargo to 300 slaves. On the first 200 slaves alive, 25 *livres* per head would be given, totalling 5,000 *livres*. On the 100 remaining, 70 *livres* per slave i.e., 7,000 *livres* were paid. Total rewards thus would amount to 12,000 *livres*

However, the fact that revolts often caused the deaths of slaves means that, a small part of the mortality can be attributed to these. It was disease, ill-health and change of diet that caused heavy mortality.

c. Revolt and escape

The revolts of slaves on board have been studied to some extent by several authors: Peerthum, Allen, Filliot. Both revolt and escape occurred on board and appeared to have been expected, when the ship was being outfitted for voyage i.e. extra strong fences, more guards etc. were provided. For ships bound for Mauritius, a number have been documented in earlier studies: Allen’s database of voyages lists only 23 voyages with revolts. Vernet’s transcription of the journal of the *Espérance* also shows that escapes occurred among women as well.

Epidariste Colin, who was on board these slaving voyages, made several observations on the voyages to the Mascarenes: “Je dirai d’abord qu’on embarque trop d’esclaves sur les navires de traite.” On the one which he observed, a ship of 100 tonnes, there were 318 slaves; only 128 reached Mauritius alive. Had it taken only 200 slaves, he commented, mortality would have been much less.¹²⁰ He was also against the practice of putting the strongest men in irons. This practice made the people more likely to revolt.

The change in diet proved fatal for many slaves; it was months before they were fed on vegetables. There was little variety as they were fed on rice twice a day, and rarely had maize or millet. The worst feature of the voyage on board, according to Colin, was the excrement piling up in barrels and which was only seldom changed at every quarter: the smell itself made slaves more ill. Ventilation was a huge problem, despite incense being burnt to counter the putrid smells. Dysentery was the greatest killer.¹²¹

Attempts to abolish the slave trade during the French period had been aborted by the slave traders themselves. But in the 19th century, this was less possible. In French ports, the *commerçants* of the Hague attracted all those traders, French and British, and it became the centre of opposition to the abolition of the slave trade. The Hague refused any extension of Human Rights in 1791 to free the Coloured population of the port. This has earned the port a notoriety for defending slavery. Freemasonry was also closely linked to both the slave trade and its abolition, as many traders were members of the freemason societies, as well as of the *Amis des Noirs*.

After 1815, it is almost impossible to trace the trade between Mozambique and Mauritius, since the slave trade was officially abolished in Mauritius and everything was carried out in an even more surreptitious manner than before. An illegal slave trade ensued. Estimates of the illegal slave trade are based on material wherever this information is provided accidentally i.e. when a ship was seized or sunk or a revolt occurred. Sometimes, as Laurent Pavlidis has shown, it came from ports that had little to do with the slave trade. Accurate figures have not been compiled as yet, but the most recent estimate is that 52,550 slaves were illegally imported for the Mascarenes as a whole. For Mauritius only, figures need to be compiled when the Database is completed. So far, one can only state that Mozambican slaves formed the majority of slaves (60%) before 1806-1808. After that period, illegal trading led to more Malagasy slaves being brought in. The percentage of Malagasy slaves of the total slave population rose from 25.1% to 36.8 % in 1826.

1.10. Memory, Identity and Representation

The slave traders: The slave trade involved slaves and their buyers and sellers but in Mauritius it is only the slaves that are mentioned and rarely the traders, who are represented in their other roles rather than their slave trading roles. According to Daudin, there was a relatively closed network of people involved in it. The merchants and traders did not seek external funds; hence it was a 'close circuit' network. This was corroborated by Meyer's analysis: "L'examen des parts de navires nous conduit à admettre une circulation des capitaux en vase clos."¹²² Often friends or family were recruited in these trading ventures. Most agree that the family connections were important in the slave trade, being the business of fathers, sons, uncles etc., as well as relatives by marriage. However, this appears to be less so in the late 18th century.¹²³ The fact that, by then, there was already a member of the family settled in the colonies was an added factor in facilitating the slave trade.

The ownership of many sugar estates of the 19th century can be traced to the days of slave trading when the captains of those ships were also trading in slaves and benefitted materially from them. The names of captains and some armateurs can be found in the names of owners of estates established in the early years of sugar estates being established. Many of course never survived the various economic crises and restructuring that occurred in Mauritius throughout the 19th and 20th centuries and closed down.

Stein argues that the personal nature of business structures in the French Atlantic impeded the development of an efficient organization and prevented merchants, reluctant to work in sectors where they lacked a commercial network, from adapting to new opportunities. Carrière's study of the Marseilles merchants, although not focussed on the slave trade, clearly demonstrates this. Of the 76 merchants in Marseilles, who were studied, 71% married among themselves. They did not take each other to court but resolved matters amicably (*règlement à l'amiable*).

According to Carrière's study of merchants in the 18th-century Marseilles, the classic company was:

"a family enterprise with perhaps one brother serving as a silent partner and the other actively managing the "affaire." An average firm would employ about four clerks or commis, who would handle the books and ecritures, though rarely the strongbox, which stayed in the

possession of the head of the firm. Some, usually sons of negociants, would eventually make their way to full partnerships. Surprisingly, there is little evidence of travel abroad by either young apprentices or full partners. Travel expenses, like fixed assets, were rarely listed in the account books and no doubt were minimal [...] A suspicion of parochialism is also suggested by the absence of foreign languages in the training of apprentices and by a lack of commercial manuals [...] On the other hand, the account books (grands livres) - those of the Roux and Bruny firms, for example, were superb specimens of legibility and clarity, with double entries and indexes".¹²⁴

There has also been some work on the origins of the families involved. As in La Rochelle and Bordeaux, there was a large number of Protestants, and many slave traders consequently were Protestant. In other ports, such as St. Malo, they were all Catholic. The slave trade would also appear to involve a family network, which linked the port to colonial-based companies. In Marseilles, 15% of merchants were Protestants, most of whom intermarried. The Swiss connection meant that financing was more readily secured for their ventures than others.¹²⁵

We have few detailed individual studies of slave traders operating in the Mascarenes. By the last quarter of the 18th century, some of the trading was carried on from Mauritius. A total of 72 merchants and traders are listed in Port Louis and a good number were involved in the slave trade. Allen has quoted, for example, Messrs. Closnard, Cloupet, Collique, Drieux, Geoffriou, De La Rochelle, Le Blanc, Rolland, Le Bouchet, Le Bourdé, Dahuy Solminiac, La Corte, Laurent Raphaël, d'Hotman and Vally. Louis Monneron also had family links with merchants in India, while Morice focused on slave trading with Zanzibar. Apart from the traders there are also the captains of ships, many of whom have descendants today in Mauritius. Many were also corsairs and this is publicly stated. However they are less public about the slave trading involvement of that ancestor. In France, "Si le titre de corsair est loin de déplaire dans nos annales de famille, ce n'est pas sans regret que nous trouvons celui de négrier."¹²⁶ The same could be said of many families in Mauritius where some parts of family histories are thought best left hidden or conveniently forgotten.

It needs be remembered by these families, however, that the slave trading network involved not only French but a long string of other people in the chain and involving other nationalities: Indian financiers, Arab traders as well as chiefs of African kingdoms. Guilt if there is to be any today must be equally shared.

The slaves: The challenge for descendants of slaves on what origin to look back to help to uncover lost or forgotten identities is of a different nature. The slave registration returns do not show the original names but adopted names in Mauritius. With the mixing of slave populations and absence of adequate civil status records, it is a difficult task to reconstruct one's family history and identity.

Thus for about a third of the slave population, as there are no slave registers for the 18th century, most have Mauritius as their country of origin and none other. They are the '**Créole de Maurice**' as listed in the registers. **Mozambiques** form the second largest group including, as in 1765, all those from the Eastern Africa coast and mainland; **Malgaches** are the third largest group among slaves, also comprising all different groups in Madagascar, including a certain number of Mozambicans exported to Madagascar. In addition there are several smaller groups listed such as **Créole de Bourbon**, **Créole des Seychelles**, **Indian**, **Malay**, **Diégo Garcia**, **Anjouan**, **Guinea**, **Woloff**, **Rio de Janeiro**, **Malabar**, **Créole of Goa**, **Créole of Providence Island**, **Créole of Rodrigues**, **Arabe Mozambique**, **Créole des Six îles**, **Arab**, **Cochin**.

In a few years, if the collection of data continues on the slave trade in Mauritius and in France, it may be possible to trace the ships by which slaves arrived, even though we may not find the actual place of origin. By combining data from slave registers, an examination of the real itinerary, information about the sale of slaves obtained from Notarial records, we believe a complete picture for some families can be put together.

Over the years, identities fused: thus a slave from the East African coast became known as 'Mozambique' and a **Mozambique** was therefore anyone from Eastern Africa. The definition of what was a **Mozambique** appears at this time, as "noir Mozambique qui comprendra toute la côte orientale d'Afrique d'Abyssinie d'Egypte, depuis le Cap de Bonne Espérance jusqu'au port Suez".¹²⁷ Although it has been stated in the secondary literature, that stereotypes of slaves started, when

the slave trade increased in the 1760s onwards, the evidence from the French National Archives shows stereotyping and categorizing of various ethnicities in one group quite early in the slave trade. Thus 'Mozambican' slaves became trusted as were West African slaves; in fact, they were considered trustworthy enough to be recruited for the defence of the island. Women slaves from Mozambique were also appreciated for their reproductive capacity. Statements made at the time smack of breeding attempts: "Nombre trop modique de négresses Mozambique ou Bengalie [...] chaque vaisseau en apporte 12 ou 15 [...] elles peuplent plus et sont moins debauchées."¹²⁸

Branding and baptism: Part of the identity markers at the time included the fact that the slave was a possession and was branded as such. Bodily marks in addition to his traditional tribal marks would be part of his identity. The religion of the slave was also another marker. These two 'actions' branding and baptism marked the formal 'entry' of the slave into the colonial slave world. Branding was the seal of his status as a 'good', as property, while the baptism signified that entry of the slave into the Christian kingdom. According to Filliot, slaves in Madagascar were branded at the site of trading itself, or if they had been purchased in the name of the King, they bore the mark of the King. This was usually the letter 'R' for 'Roi'. Those being sold to private individuals had the initials of the patronyms of the future owner. Drawings of many of these initials have been found in the slave registration returns and deserve to be studied.

In addition to the branding of initials of the owner, slaves in Mauritius were also found to have scarification patterns on them. Preliminary analysis reveals that some appear to be colonial scars, while others were traditional scarification marks. Further research is required on this and would link these scars to particular ethno-linguistic groups. The slave registration returns of 1826 indicate that many slaves from Eastern Africa were listed as having tattoo marks. According to information obtained from Benigna Zimba, the Makonde were the ones who performed extensive tattooing on their faces and bodies. Makonde were the group that practised scarification rather than other groups in Mozambique.

There are visible common traits between known Makonde tattoos and those found on slaves. According to Lars Krutak, the face and other parts of the body "contained chevrons, angles, zigzag and straight lines with an occasional circle, diamond, dot, or animal figure." He states: "After the cuts have been made with the traditional tattoo implements (chipopo), vegetable carbon [was] rubbed into the incisions producing a dark blue color." This blue colour was also observed on the bodies of slaves in the 1826 registration returns. Henry Salt's and Epidariste Coin's descriptions of tattoo marks on different groups need to be compared with the marks found on slaves arriving in Mauritius.

Makua are described as 'strong athletic race'. At the time of his list, the fashion was to "make a stripe down the forehead along the nose to the chin, and another in a direct angle across from ear to ear, indented in a peculiar way." They file their teeth to a point: "[...] they are likewise fantastic in the mode of dressing their hair; some shave only one side of the head, others both sides, leaving a kind of crest, extending from the front to the nape of the neck, while a few are content to wear simply a knot on the top of their foreheads."¹²⁹

We also find out that they were "fond of music and dancing, [...] and have a favourite instrument called the *ambira* formed by a number of thin bars of iron, of different lengths, highly tempered and set in a row in a hollow case of wood."

Epidariste Colin's description echoes that of Salt; he refers to the preference of colonists for Makuhuwa slaves. Tattoos consisted of an oval mark on the temples and a smaller oval between the eyes. The Monjavas could be recognised by the star-shaped tattoos on the body and on the cheeks, as well as 2-3 horizontal marks above the temples. They were less robust than the Makhuwa tribe.

However, they were exhausted by the time they reached the coast and many perished once on board. Colin also noted their love of music and the similarity with the *tsega* found in the Mascarenes. The music was full of sweetness, and he even reproduced some musical notes:

Figure 5: Musical notes from a Monjava song



Source: Epidariste Colin, *Travels [...]*, p. 322.

Tattoos for Colin represented the 'caste' identity of the different ethnic groups, many of which came to Mauritius. Women of the Sofala group also pierced their upper lip and their tattoos consisted of curved lines from their foreheads to temples, and there were points on the cheeks and body.

Another 'cultural mark' was the baptism of slaves, as they filed into the slave ships prior to embarkation. This was the practice before embarkation in Madagascar and Mozambique, according to researchers in both countries. Machado added another dimension in his study of the competition between Portuguese and Asian traders on the Mozambican coast. They did not want slaves to be taken by Arabs and Indians because they were not Christian. Neither did they want them taken to non-Christian countries, such as India and the Persian Gulf.¹³⁰ However, this was quite difficult to control. Despite this, one also sees in the registration returns, mention of non-Christian slaves.

Conclusion

When we have understood the importance of the French slave trade in the Indian Ocean and the accounting, mechanics and economics of the slave trade, the numbers involved in the slave trade needs to be better assessed. The numbers of slaves present in all ships that left the African and Malagasy coasts need to be compiled and an aggregate figure arrived at. How many left the interior and where they came from? How many reached the coast, and how many were embarked on board ships? How many died or escaped on the way and how many actually arrived? This needs to be studied to quantify the full extent of the slave trade.

Many Mauritians of African and Malagasy descent regret the fact that they do not know where they come from. It was thus essential to address this issue, and the TJC has done so in its recommendations. The approach has been multidisciplinary, but it is not possible to locate exact origins through archival search, as these mainly yield the port of departure from Africa and Madagascar, and not the origin of the slave. To undertake this study, DNA testing of a sample of Mauritians, believed to be of African and Malagasy origin, is required.

Justification for this approach may be sought in the words of one historian of the slave trade, Deveau:

"S'il est temps d'écrire une histoire mondiale, prenant en compte l'ensemble des peuples (la redondance est parfois nécessaire [...]), il faut aller la chercher là où, jusqu'ici, l'historien s'est peu aventuré. Familier de la source écrite jusqu'à la virtuosité dans ses analyses, il semble, en revanche, complètement démuné devant d'autres types de sources comme la

mémoire orale, ou la mémoire gestuelle que la chorégraphie peut abondamment livrer, pour ne rien dire de l'analyse musicale. C'est pourtant là qu'il faut aller chercher l'histoire des esclaves. Mais avant d'y arriver, un immense travail de déculpabilisation reste à faire pour délier les langues qui n'osent pas évoquer un passé considéré comme dévalorisant, une sorte de tache indélébile qui collerait aux gènes familiaux et que l'on s'efforce de dissimuler. D'autre part ce type d'informations complètement déconnectées de leur cadre chronologique demande des méthodes d'analyse qui restent encore largement à mettre au point. Des croisements avec les sources écrites ou les données archéologiques donneront en particulier d'excellents résultats."

2. SLAVERY IN ISLE DE FRANCE

Introduction

Slavery in Isle de France is lesser known than slavery in British Mauritius largely, because historians have had greater access to its sources and because of the importance of the expansion of sugar and focus on the amelioration and abolition of slavery. The Commission has therefore chosen to highlight the salient points which deserve to be better known and be fully researched by scholars. Funding must be ensured for such research works to be carried out in the future and we must acquire documents from overseas and interact with scholars overseas. A good example of this was the Slave Trade Conference organised by the TJC in April 2010 which brought scholars and community leaders and members of the public together to share views. The Commission has, in the short time available, managed to collect part of the C4 series found in the French National Archives which contains the bulk of the official records of Isle de France, but certainly not the totality. Maroonage appears as a real problem as evidenced by the numerous volumes devoted to it in the C4 series; it has been also treated extensively in Mauritian historiography and will not here be discussed at any great length.

2.1 The nature of slavery

How was slavery established? This is important when one assesses consequences and continuities with the present systems and determines whether there was a continuous flow of concepts and ideology that continued up to the present day. Perusal of the C4 documents has allowed the Commission to observe and discern continuity in certain mentalities and modes of conduct.

Despite claims to the contrary, the most severe system of repression was put in place in Mauritius, belying the claim in 1766 that slavery in isle de France was 'mild'. According to the Governor,

*'L'esclavage à l'Isle de France est «doux»: laborieux et fidèle, l'esclave peut toujours espérer sa liberté de la bonté de ses maitres'*¹³¹

(Eng. Trans. Slavery in Isle de France is mild: hardworking and loyal, the slave can always hope for freedom from the goodness of his masters).

Yet the laws belie this assertion. The following article, for example, outlining the measures to be taken to receive the reward for capture of maroon slaves: the Detachment would have to produce the left hand of the maroon slave.

*Article du 2 Juin 1726 à l'égard de 3 nègres pris pour détachement: «tous les noirs marron qui seront pris en vie pour détachement lui appartiendront et si les noirs sont tués dans la poursuite, la Compagnie paie 100 livres par main gauche de noir qui sera rapportée.*¹³²

Slaves caught stealing pistols and bullets were ordered to be hung.¹³³ The *Article 20* mentions the slave of Charles Pignolet who stole 1 gun and 6 bullets in 1730. Even Free persons could not query too much. A Free man showing disrespect and attacking Europeans could be returned into slavery. In one case, the 'Coloured' person did not know that the person he had insulted was the Intendant of the island. It was later recommended that French administrators wear uniform to distinguish themselves from other persons. It did not stop the harsh sentence imposed on him.

1777 Extrait des registres du Conseil Supérieur

Procès criminel contre le nomme Benoit Giraud Mulâtre et le nomme César, noir esclave du nomme Deslandes habitant : Convaincu d'injures et d'attentat prémédité en la personne de M Foucault Intendant

-Condamne à être pendu et étranglé a la potence dresse a la place des exécutions, ses biens, si aucun sont, confisques au profit de Sa Majesté.¹³⁴

Lettre du 30 juin 1777

-Informant le monseigneur que le mulâtre Hector a été pendu.

-Hector ne savait pas qu'il était Intendant et qu'il avait l'habit d'un bourgeois quand il l'a insulté.

Recommande que l'administration doit avoir un uniforme pour se distinguer des autres. 'les rues sont continuellement pleines d'esclaves, de noirs ou mulâtres libres, de soldats, de matelots, d'ouvriers...d'arsenal et d'étrangers qui sous prétexte qu'ils ne reconnaissent pas un chef se croient tout permis.'¹³⁵

But in 1775, an insightful comment made by Governor Ternay showed the inherent difficulties of maintaining a colony based on slavery. It was an expensive venture and he felt that a nation of small cultivators should instead have been promoted rather than have a small number of colonists and masses of slaves:

1 Aout 1775 Lettre du Chevalier de Ternay Concernant le Commerce particulier

Elle [isle de France] ne sera jamais une colonie de commerce..
L'introduction des noirs est peut être un des plus grands fautes qu'ait jamais fait la Compagnie; il ne fallait que pour son service...il ne fallait que de petits habitants cultivateurs comme je l'ai souvent répété'.

L'Isle de France se soutient 'grâce à de dépenses énormes'¹³⁶

Rather than import small farmers and cultivators from France, the Company and Government had favoured 'gentleman farming', (Labourdonnais had also envisaged this), with large estates owed by one European colonist using the labour of African, Malagasy and Indian slaves.

The ratio of white to slave began to preoccupy officials. Official concern was expressed concerning the proportion of European to slave: in 1735 there were 69 colonists and 940 slaves. By 1739, there were 107 colonists and 1,249 slaves. Five inhabitants out of 107 owned 1/6th slaves in the island.¹³⁷ Concentration of ownership of slaves and other property was thus already emerging in the 18th century.

There was also tension between colonists and the Company over allocation of slaves and competition for the labour of slaves started early on; there was resentment that the Company was keeping the 'best' slaves for itself. Some 12-15 slaves were recommended per inhabitant.

The Company had also, as shown earlier, began to differentiate between different groups of slaves and their potential to be 'good' slaves: '*Les tirer de Madagascar plutôt que de Guinée car ceux de Madagascar sont meilleurs ouvriers, plus intelligents. Les noirs de Guinée ont tendance au marronnage et à la perfidie.*'¹³⁸

The separation of groups on colour and ethnic lines was also planned from the beginning. This was begun by Mahe de Labourdonnais when planning the construction of the Military Hospital.

Extrait des ordres particuliers donnés à M. de la Bourdonnais: construction d'un hôpital pour éviter que blancs et noirs ne soient confondus :
«construire deux salles, l'une pour mettre les noirs et l'autre pour les malabars indiens avec vue grande cour, le tout construit en pierre»¹³⁹

Although all French laws were applicable in Mauritius, local practices and exigencies necessitated new laws. In practice, it was difficult to separate people whose fate had brought them together on this tiny island. Indian, African, Malagasy and European peoples intermingled, often illicitly. It became necessary from very early on to enact specific legislation for the island.

On the question of marriages for example, the Company had legislated but what of the mixed marriages? The Company then provided a definition of the term 'Creole' to regulate future marriages on the island and to define this new category of person that was emerging.¹⁴⁰ Thus a 'Creole' was someone born on the island but not of white parents of a white male with a woman of mixed parentage:

«filles métisses provenant d'un sang noir meslé avec le blanc et non les filles nées de blancs et de blancs»

Stratification also began to emerge among slaves: there were skilled and unskilled slaves; those being paid a 'gratification' and those not; there were slaves working for the Government and others

for private owners, there were rural and urban slaves etc. Slave commanders received a salary, as did skilled slaves. This cost the Government in 1762 6,000 *piastres*.

Living and material conditions differed greatly among slaves in each of these groups and it would be wrong to generalize on their conditions. The conditions on the estate of Rostaing who owned nearly 800 slaves, for example, were not matched elsewhere. All had a house and a garden all lined up in a row and guarded by black overseers.¹⁴¹

2.2 Treatment and behaviour of slaves

By the 1760s, quite a few slaves had been born on the island and knew no other life than the one in Mauritius. This was not the case for those having been imported and who longed to return to their countries. It affected their whole outlook on life and behaviour. Official opinion was that slaves were neglected and that a different treatment was required for those born on the island compared to those born outside. Those born on the island did not feel the nostalgia, according to officials, of their original home.¹⁴²

Officials also observed that those who behaved differently were those slaves who were religious. According to the Governor, those who had been baptised and instructed in the Christian religion were more docile and less prone to marronage.¹⁴³ But few owners took the trouble to allow slaves to engage in religious activities, even in Catholic Church activities. On 3 December 1765, M. Anthoine wrote a letter to the *Conseil Supérieur* where he asked for spiritual education to be given to slaves on the grounds that Christianity only tolerated slavery, if it helped in the propagation of the religion.¹⁴⁴

Slavery under Royal administration

To what extent did slavery under Royal administration differ from slavery under Company rule? Were slaves better treated?

Manumission

As far as manumission was concerned, there appeared to be lessening of restrictions. Nevertheless, the Governor's permission was required; without it, any manumission was nullified and the slave taken away.

Ordonnance du Roi concernant les affranchissements des nègres esclaves aux Isles de France et Bourbon, 20 Août 1766

- Adopter les mêmes dispositions que pour les colonies françaises de l'Amérique
- Article 1^{re}: une permission d'affranchir doit être obtenue préalablement auprès du Gouverneur, Lieutenant général et de l'Intendant
- Article 2: tout affranchissement sans cette permission est considéré comme nul - les maîtres seront privés de leur esclaves qui seront vendus au profit de Sa Majesté.

The principle was maintained of giving slaves their manumission as a reward: one of the famous examples was the slave Charles Rama, an Indian slave who had contributed to producing the first bunch of cloves in the Pamplémousses Garden. He was freed together with his wife Catherine and daughters Marie. He was also given 2 Creole slaves belonging to the Government.¹⁴⁵

Manumission, as reward, was also given to slaves having participated in the Maroon Detachment who went to 'hunt' maroons. Poivre complained bitterly about the freedom given to these slaves as Maroonage had started once again. The Governor had freed the whole Maroon detachment as well as their wives and children and given land to cultivate.¹⁴⁶

Inter-ethnic and inter-religious relationships

A study of manumission shows the various types of inter-ethnic relationships emerging in the third quarter of the 18th century. Further laws were thus introduced concerning the relationship between religion and children of mixed parentage, but also preventing the marriage of a European and a slave (Article 7).

Christianity was also reinforced.

Thus only children of freed mothers could be baptized; children, who had been baptized even though their mothers were slaves, would be taken away from their owners and sold. We do not know, however, how many slave children were affected in this way. Further research is required as numerous 'slave' children were thus deprived of the right to inherit the property of the father who may have been the slave-owner or a free person.

- Article 3: Ne sont autorisés à être baptisés comme libres que les enfants de gens de couleurs ou de sang mêlé dont la mère est reconnue affranchie
- Article 4: les enfants baptisés comme libres ayant une mère esclave sont considérés comme esclaves - les maîtres en seront privés et condamnés à une amende - les esclaves vendus au profit de Sa Majesté¹⁴⁷

Further regulations were introduced after Governor Dumas and Intendant Poivre came to the island.¹⁴⁸ One ordinance prevented the sale of bread to slaves, for example. The Ordinance of 27 September was, however, far-reaching. It reinforced the hold of Christianity on the lives of slaves and imposed on colonists and slaves the task on Christianising slaves. Christian slaves could be named *Commandeur* (head of section), but not a non-Christian slave (Art. 4); Christian slaves could not be sold to a 'gentile or Muslim' owner (Art. 6). One cannot but point to similar situations in the hierarchy for the technical personnel of sugar estates in 19th and 20th centuries where Christians become heads in the sugar factory.

Social and economic life

The social and cultural life of slaves and of all free persons who were not of European ancestry or cultural background was controlled on the island: no slave or Free Black was permitted to meet to play cards or bet (Art. 8); all music (described as *tam tam* etc.) was to cease after 11 p.m. (Art. 20).

Economic activities of slaves were also strictly controlled: a slave could not sell his goods freely and had to seek permission from his owner or Head of Unit (Art. 11 and 13). The 'civilising mission' was also at work and was reflected in the laws: A Christian slave could not be bought by a non-Christian (Art.6):

Ordonnance concernant la police des nègres, 29 Septembre 1767

- Article 1: devoir de faire instruire et baptiser les esclaves dans les 3 ans suivant leur acquisition
- Article 2: devoir des maîtres de rapporter au Syndic le certificat du curé attestant que leurs esclaves non baptisés ont été envoyés au catéchisme
- Article 3: en cas de vente d'un esclave non chrétien, le propriétaire doit fournir à l'acheteur le certificat du curé attestant l'instruction au catéchisme
- Article 4: ne peut être commandeur noir à la direction des nègres qu'un noir de religion catholique apostolique et romaine
- Article 5: il est interdit de faire travailler les nègres les dimanche et jours de fêtes
- Article 6: il est interdit aux particuliers de vendre un esclave chrétien à un gentil ou mahometan
- Article 7: il est défendu à tout sujet du Roy de contracter mariage avec un noir ou pour les sujets blancs, noirs affranchis ou nés libres de vivre en concubinage avec un esclave - s'ils sont maîtres et esclave, les enfants ne pourront être affranchis - s'il s'agit d'un noir affranchi ou libre en concubinage, il épousera son esclave qui sera alors affranchie et les enfants rendus libres et légitimes.
- Article 8: défense à tout noir, malabar, lascar, noir libre ou noir esclave de jouer ou de s'assembler pour jouer de l'argent ou des bardes
- Article 9: il est interdit au noir de porter une arme offensive, ou gros bâtons ou couteaux flamand sauf au noir munis d'un billet de leur maître expliquant le motif du port d'arme
- Article 11: il est interdit aux noirs de vendre des marchandises sans billet mentionnant la permission de leur maître
- Article 12: il est interdit d'acheter aux esclaves non porteurs de billet de leur maître des marchandises telles que bardes, nippes ou meuble
- Article 13: il est interdit aux noirs du Roy et de la Compagnie qui auront élevé volaille ou cabris de les vendre sans permission du conseiller chargé de la police
- Article 14: il est ordonné au maître de fournir 2 livres de mahis ou autre denrée équivalente par jour à leurs esclaves ainsi que l'habillement nécessaire par année.

- Article 15: les esclaves infirmes par vieillesse, malades ou autres doivent être nourris et entretenus par leur maître- s'ils doivent être admis à l'hôpital, les maîtres devront payer 6 sols par jour pour la nourriture et entretien de chaque esclave
- Article 16: les esclaves non nourris et entretenus par leur maître pourront se plaindre auprès du Procureur Général de sa Majesté
- Article 17: il est interdit de donner plus de 30 coups de fouets à son esclave
- Article 18: les esclaves qui partent en commission pour leur maître sans billet en marque de reconnaissance et sans lumière seront condamnés au fouet et aux travaux publics pendant un mois
- Article 19: il est interdit à tout habitant, malabar, lascar, noir libre de donner retraite ou d'attirer à leur service un noir ne leur appartenant pas
- Article 20: tout lascar, malabar indien, et autres noirs cesseront leurs danses et tamtam à onze heures du soir, rentreront chez eux sous peine de punition exemplaire

2.3 Women

The section of the C4 series consulted by the TJC is unfortunately silent, for the most part, on the situation of enslaved women. The instances where they appear are when they are cited in criminal cases; e.g. in cases when they refused to bear children or in reference to marriage partners and concubines. They also appear, when accounting of the value of slaves was undertaken. More intense searches in archival records are required. Only a few points will be made here.

- **Categorising women**

The same criteria used by colonial society to differentiate between male slaves applied in the case of female slaves: females were categorised according to their capacity for various occupations, based on presumed ethnic traits. Officials also continually complained about women who did not want to bear children and about Malagasy women, in particular, who used traditional medicine to abort. Indian and Guinean slaves were considered better breeders. By the sheer fact of mentioning the reproductive capacity of women slaves, it was clear that officials saw high birth rate as being beneficial since it would reduce the need to obtain more slaves through slave trading.¹⁴⁹

- **Maternal and child health**

Despite the wish to populate the island naturally, maternal and child health, on the other hand, did not appear to be of great concern to individual owners or to much of colonial society. High infant mortality was the norm among slaves, whether they were privately-owned or owned by the Royal Government.

According to reports found in C4 series, there was no decent place for slave women to give birth and many lost their babies during childbirth.¹⁵⁰ Despite the official neglect of health, the call continued for slaves to be better treated so that they would reproduce: 'Les Noirs, il faut encore veiller à leur conservation et à leur propagation'. Inhabitants did not quite understand this need to 'conserve' slaves to avoid the unnecessary expense of slave trading. Measures were recommended to encourage couples to bear large numbers of children by a system of rewards.

In the attempt to reform slavery, to reform administration of the management of concessions to make them more productive, owners were requested to mix men and women and to marry slaves early; pour «accorder des récompenses pour exciter chez eux la propagation». Rewards included getting 2 days off per month, if they bore 6 live children; 4 days off, if they bore 9 children and freedom for the parents, only if they bore 12 children. It was also recommended that heavy loads not be carried by slaves from one district to another.¹⁵¹ Whether these reforms ever got off the ground remains to be researched by an intensive demographic study. By the 1770s, this may not have succeeded, if it was at all implemented as the slave trade was expanding.

An extraordinary measure was recommended years later to prevent women from performing abortions, thereby indicating that the situation may not have improved. An Act dating from 1556 was introduced in the islands and included the **death penalty** for those convicted of ending their pregnancies.

7 juillet 1778

«Qui ordonne que l'édit du Roi Henry II du mois de février 1556 concernant les femmes grosses et le receles de grossesse sera lu et publié de trois en trois mois aux prônes des messes paroissiales.

Mesures prises pour la sûreté des enfants conçus par des moyens déshonnêtés ... Ces lois ne doivent plus être négligées.»

Edit de 1556: Peine de mort pour une femme qui serait convaincue de cesser la grossesse de son enfant.

C'est un parricide, elle prive à la fois le religion d'un chrétien et l'état d'un citoyen¹⁵²

Work of women

Women were involved in various tasks related to domestic work and often performing the same work as men. In one unique document relating to the employment of women on Vigoureux's establishment, the Governor doubted whether women should be given the same work as men. In Vigoureux establishment, some women were pregnant, some worked with children on their backs, others were still breastfeeding and others were employed in cooking food for the entire workshop of slaves. He recognized their social value and felt that, although it was desirable to have women in the workforce, it was an additional expense for the Government to pay Vigoureux for the maintenance of the slaves.

Case study: Vigoureux establishment

The Vigoureux establishment provides an interesting case study. Not only did he obtain a contract to supply slaves to the Company, but he also hired slaves to the Government to undertake a number of works. On Vigoureux's establishment, the following numbers were slaves were to be found in April 1754, whose maintenance was paid for by Government:

Of	Alive	Died	Marooned
Male slaves	377	18	10
Female slaves	212	10	0
	589	28	6

Of the 377 males in his possession, there were 22 young boys of 12 to 1 years; they were returned by the Company to Vigoureux who exchanged them for adult slaves *pièce d'Inde*. Among those who had marooned, was one La Grenade who was eventually hunted down and killed in the area of Port Sud Est (today Mahébourg). Three others were in chains and were working on Ile aux Tonneliers. The last one, Jouan, was punished and his ears were cut off: "*Le nommé Jouan fut fustigé au pied de la potence, où il eut les orilles coupées le 23 d'avril. Il estait, dit-on, dans la bande de ceux qui commirent il y a 5 ou 6 semaines un assassinat à Flack.*"¹⁵³

2.4 State of Health and of the 'Hopital des Noirs'

Although slaves accounted for more than 75% of the island's population between the 1730s and the 1820s, information about most aspects of slave life remains sketchy, especially during the 18th century. Moreover, during the 18th and 19th centuries, not much was known about food and its relationship to health and disease. However, the nutritional requirements of slaves and indentured labourers in the 18th and 19th centuries, were similar to what people require today, and they too needed a balanced diet. Slaves and indentured supplemented their diet with food from provision grounds, fishing or gathering wild vegetables and fruits, although both groups frequently complained of inadequate or irregular food rations provided by the owners.

Diet and nutrition during French Slavery 1721-1810

Le Code Noir and Food Rations

During French occupation, the Island never attained food self-sufficiency and relied on other countries for its food supplies, including rice, salted meat and fish, beans, oils and fats, biscuits and wine. The *Code Noir* of 1685 stipulated that slave-owners should provide food rations to their slaves: adult slaves were to be provided every week 2¹/₂ 'pots, *mesure de Paris*' of manioc flour or three cassava roots weighing at least 2¹/₂ pounds each, or equivalent foods, with 2 pounds of salted beef or 3 pounds of fish, or other foods in similar proportion. Provision of alcoholic drinks to slaves for subsistence was prohibited. Children from weaning age to 10 years received ¹/₂ of the above food ration. This ration provided only about 1,000 Kcal daily (500 kcal for children) and was inadequate to meet the total daily needs of the slaves who, therefore, had to produce or look for additional foods to supplement their rations.

Although conditions surrounding the land grants stipulated that 1/3 of the land had to be planted in provisions for slaves, the fact that the *Code Noir* contained clauses relating to punishments for stealing food products and animals suggests that the foods rations were insufficient and that slaves had to steal for their subsistence. However, most of the time, rations were inadequate and slaves had to fend for themselves to feed their families and themselves. The revised *Code Noir* of 1723 did not specify a food ration in quantitative terms but left it to the local administrators to decide, although their recommendations had to receive the prior approval of the French King before implementation.

Mauritius was an uninhabited island until the arrival of the Dutch in 1638 with a detachment of 25 men. By 1652, the free and slave population amounted to 100. Settlement of population gained impetus under the administration of French Governor La Bourdonnais (1735-46). However, records on population increase show that, during the period 1767-1810, the growth was not gradual as mortality, through epidemics, carried a heavy toll of lives, showing the fluctuations in growth. For example in 1792, 4,000 lives were lost through smallpox.

Agriculture and food supplies

In an attempt to make the colony self-sufficient in food supplies and protect the inhabitants from famine, Labourdonnais introduced manioc or cassava (from Brazil and the Island of St. Jago) as a strategic staple food: cheap, abundant, and relatively secure from destruction by cyclones, as well as from the risk of capture in transit. He promoted the expansion of agriculture by the introduction of other products (rice, wheat, beans, oats and many other plants) from every known region of the tropical world. Salted beef, rice and other grains were imported from Madagascar.

By 1766, less than 200,000 of the island's 400,000 cultivable *arpents* had been distributed to colonists, and less than one-fourth of all granted land had been brought into production.

Diet of slaves

Slaves were generally fed on high carbohydrate foods like manioc, sweet potatoes and maize, and for protein foods, they relied on lagoon fishing for fish, and some raised livestock for animal produce. According to Bernardin de St. Pierre, slaves were given 3 lbs of manioc daily (about 2,000 Kcal, negligible protein) or 2 lbs of maize (3,500 Kcal, moderate in protein). Usually, the slaves started work at day-break, with only a meal of boiled maize or manioc cake. After having laboured the whole day, the slave was obliged to search for his food in the woods and lived on unwholesome roots. White inhabitants did not eat maize or manioc, giving these instead to slaves, cattle and poultry. Slaves and non-White populations were not allowed to eat bread.

Dazille linked the poor health of slaves to the tasteless, monotonous and hard to digest diet based on manioc (often poorly cooked) and *brèdes*, and only a few could afford a *curry* of some animal and vegetable products with chillies. The Indian culinary was introduced early into the colony, as early in the 18th century. The Island then housed many Indian, as well as African, Malagasy and Malayan slaves. About 10% of the colony's slaves were of Indian origin, although there was also a community of Indian merchants, artisans and craftsmen.

British Slavery 1810-1835

In the late 1820s, sugar began to dominate the island's economy. The local slave regime became more oppressive as the cultivation of sugar spread, the aim of the colonists being to extract from the slave the maximum amount of labour.

Food imports and supplies to slaves

The shift to a single cash crop economy was accompanied by much increased imports of rice and wheat from Madagascar, India, South Africa and other countries. On many estates, slaves were temporarily given plots on which they were allowed to farm vegetables and rear animals. They were also provided with rations every day of every week. None of these could actually ensure an adequate supply and variety of food to slaves. Owners who preferred to distribute rations depended on their availability and their own financial liquidity, quite apart from their own willingness to follow the legal requirements which were quite low. Moreover, locally-grown supplies were often destroyed by cyclones and drought, causing serious shortages bordering on famine. It is not known what each estate actually produced and whether this was sufficient.

A 70-kg male slave working on a rice plantation is estimated to expend about 4,400 kcal during an "easy day" of repair work and 8,700 kcal on a "hard day" during the harvest, making an average energy expenditure of 5,500 kcal over the year in order to maintain the slave's body weight and strength (Blogen 2004). So, if we suppose that a male adult slave in Mauritius weighed 60 kg., he would need between 3,800 to 7,500 kcal per day, with an average of 4,700 kcal. It is known that work on the sugar plantations was more intense compared to other cultivations. The duration and amount of labour required by each slave varied with the season; hence, the slaves' energy expenditure also changed with seasons.

Therefore, the rations provided were barely sufficient, and slaves had to produce, steal or gather in the wild, foods to supplement their rations. The task system allowed slaves, who finished early and still had the strength, time to look for food; they were able to attend to personal tasks like gardening, fishing or gathering wild foods to supplement their diets. However, the system was unfair to the weaker or older slaves. But there is no evidence of the types and amounts of those supplemental foods. These supplements allowed the slaves a more varied diet than just the rationed food they were given.

Protein was available in the form of meat during hunting or fish caught, but it was infrequent. Typical festive provisions for New Year's day were a bowl of salt, three bowls of rice, a little meat and a glass of 'arrack' for each slave. Rice and maize were the two principal food items in the slave diet. The sheer monotony of the diet was indeed the commonest impression at that time. The manioc cake was quite unpalatable and had to be gulped down by drinking large quantities of water.

With all its minor variations, the diet of slaves seriously threatened their physical well-being. The slave diet was deficient in the calories necessary for physical labour, in protein needed to rebuild and repair body tissues and in vitamins to ward off infections and deficiency diseases. If the slaves' diet ever approached adequate standards for maintaining health and sustaining hard labour, it was through their own efforts rather than through their masters' indulgence. Protein was much more likely to come from fishing or from livestock such as pigs and fowls reared in their own time, than from their masters' food allowances. Green vegetables, which they grew themselves, were the likeliest sources of vitamins and other nutrients.

Manioc cakes were less nutritious than rice. On the other hand, a diet too dependent on rice increased the risk of beriberi; in Mauritius, beriberi was identified, even though its dietary causes were not known (at that time). Indeed, Charles Telfair (1830) referred to its ravages on an 'epidemic' scale.

Food rations

The 2 lbs of maize given in the 'French'¹ period were converted by the British equivalent to 5 lbs of manioc or 30 ounces of prepared manioc, or 5 lbs of sweet potato (*patate*) which was not available in the rainy season between October and February. When these were not available, it was replaced by 1/2 lbs of rice. On some estates, rations would be distributed straight after work in the evenings, so that slaves could begin preparing dinner. Sundays were also ration days. This daily ration provided

2,500 to 3,500 kcal of high bulk and high carbohydrate food. Telfair claimed he provided each slave with 600 pounds of rice or 1,000 pounds of maize per year, i.e. equivalent to 3,000 to 5,000 kcal per day, apart from vegetables, yams, *cambaras*, sweet potatoes, and groundnuts grown on his estate. But the slave ration, consisting of only 1.25 pounds of maize or 3 pounds of manioc, was also commented upon by Governor Cole in 1825.

Rice was given when other foods were not available. On some estates, rice was given once a week on Sundays, while on weekdays, they were fed manioc. Aside from manioc, slaves received half a herring and 1 lb of salt every Sunday. Disputes with owners occurred over the measurement of rations, with complaints being lodged about smaller measures being used. On large plantations, slaves also received salt, 2 ounces of salted fish or meat (occasionally) and a cup of 'arrack'. On some estates, slaves could take as much cane juice as they liked. Women who were nursing were fed from 'the master's table' for 2-3 months. Slaves also grew their own provisions: *brèdes* (greens), while those in forest estates could hunt for the *tandrac* (hedgehog). Coastal estates had many slaves employed as fishermen and others picking 'bambaras' (sea slug). If food supplies to slaves on small estates were deficient, it was felt that this was compensated for by the less strenuous work of cultivating manioc, grain and vegetable gardens and transporting these goods to market. Some slaves had access to provision grounds, while others were permitted to engage in petty trade.

Cash crop v/s staple foods

By the 19th century, the practice of reserving one-third of estate land for planting food provisions for slaves was not widespread and many estates were in a state of abandon. The area of cultivation of manioc or cassava (a staple of the slave diet) had been more than halved. Far more spectacularly, the area under cultivation of the various grain crops almost disappeared. Therefore, when required, sugar estate owners bought food supplies from the Government or small estates to feed their slaves. The smallest estates produced only what was necessary for subsistence. The living conditions of the slaves and owners were not vastly different and many of the owners were themselves destitute and could not feed slaves. On smaller estates, that had enough land, it was common practice to allow slaves as much as they liked.

On sugar estates, slaves were allowed to consume sugar cane and sugar, adding considerable calories to their diet. So, despite their heavy work, they were reported to appear 'well-nourished'. On some estates, slaves freely drank molasses and cane juice with a marked increase in their calorie intake, as carbohydrate-rich sugar provides considerable energy.

Women and children

Males outnumbered females and only a small proportion of adult slaves lived in family groups, with the majority headed by single-parents, overwhelmingly female-headed. Slave women faced immense difficulties to be able to care for, or even feed, their young children. Slave women often complained of ill-treatment and sexual exploitation; they were obliged to work unduly long hours despite having young children to care. And the insecurity of women necessarily increased the vulnerability of children and the impermanence of family life. If babies suffered from inadequate maternal care, they did not remain babies for long. As children, they soon directly faced mistreatment (e.g. they were put in chains, flogged) which had made maternal care so difficult. Clearly, the nature of the power structure meant that children could not rely on support from parents who were themselves so vulnerable to their masters.

Slave women had to carry out their domestic tasks in addition to their agricultural work. According to a study in Nyasaland, on average, every woman spent about 7 hours daily on such routine domestic tasks as preparing cereals, fetching water and collecting fuel and leaves from the bush for food and food preparation.

Complaints and punishments regarding food

Between 1832 and 1835, common complaints registered related to lack of proper food (in quantity and/or quality) meal times, overwork, Sunday work and ill-treatment. The biggest culprits were in the richest districts on the island, in particular, the large owners. Priority was given to work, and meal times were shortened or very often done away with altogether. Some owners supplied cooked food and others uncooked food to reduce the time allowed for meal break so that slaves

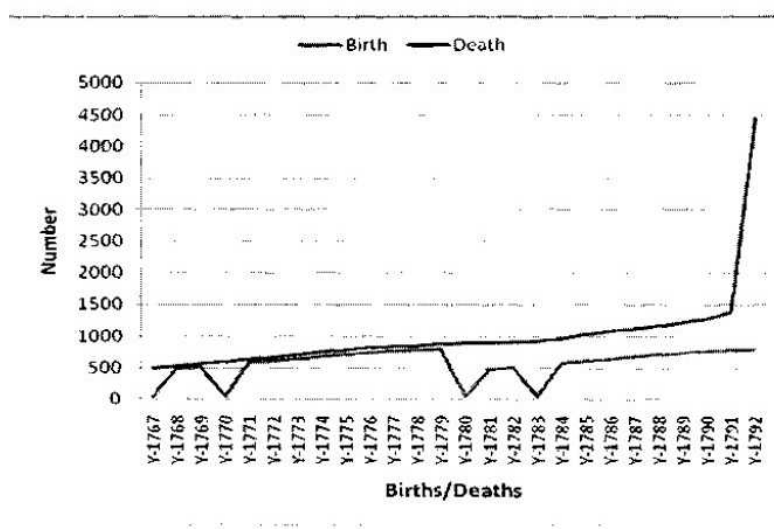
would not waste time preparing it, although the slaves would have preferred otherwise. There were also many complaints relating to punishment (flogging with leather hide) for stealing or allegedly stealing food (mostly for personal consumptions or that of friends, and rarely for sale). Punishments were also meted out to children for stealing or alleged stealing, or even to slaves for complaining. On some estates, the denial of food became a form of punishment. Slaves, placed in stocks or in prison, for example, often went days with nothing other than manioc root and water.

Health services

Writing about the health of slaves in 1772, D'Azille postulated that long hours of work, poor nutrition, insalubrious water and their in-adaptation to the humid and torrid climate pushed slaves physical resistance to fatigue to the limit. Little time was allowed for recuperation and they often fell victims to, and suffered from, irascibility. They could not resist exhaustion and succumbed to a host of diseases. Most common diseases were typhoid, worm infestations, bronchial infections, intestinal affectations of diarrhea and dysentery and depression. To overcome these maladies and to let off the steam, the slaves spent their little night time unwinding with sex and alcohol. The result was a vicious cycle of hard work, exhaustion and free lifestyle. The most common form of treatment, applied by Dazille as was prevalent in Europe, was bleeding the body of toxins: "Il est presque toujours nécessaire de faire précéder tous les remèdes d'une ou plusieurs saignées, soit du bras, soit du pied, parce que la fièvre est ordinairement beaucoup plus forte" and the use of emetics.

Figure 1 No. Births and Deaths Slave Population

Graph 9: Number of Births and Deaths in the slave population 1767-1792



In both the 18th and 19th centuries, doctors wrote about the high mortality among slaves. Dazille, a Surgeon for all the King's Hospitals in Mauritius in the 1770s, and Amédée Bonsergent¹⁵⁴, a doctor in charge of the North of the island, who also wrote a thesis on illnesses among slaves in 19th century, however, disagreed on the causes. While Dazille reported without expressing his personal views on slavery, Bonsergent wrote expressly to counter accusations of the Anti-Slavery Society, that the sugar estates were responsible for the poor health of the slaves. He criticised slaves severely for their habits which, he believed, led to ill-health: drinking, making poorly cooked food, having multiple partners, selling clothes etc.

Dazille did not comment on the habits of slaves but focused instead on the quality of services provided by the Government. He deemed these to be insufficient: there were poorly trained medical staff, some who could not even read, while the diet of slaves left much to be desired inside hospitals.¹⁵⁵ He felt the mortality could be avoided, if certain measures were taken. These measured were outlined in another report.¹⁵⁶

Photo 1

Cover of Thesis of Amédée Bonsergent on illnesses of slaves in Mauritius

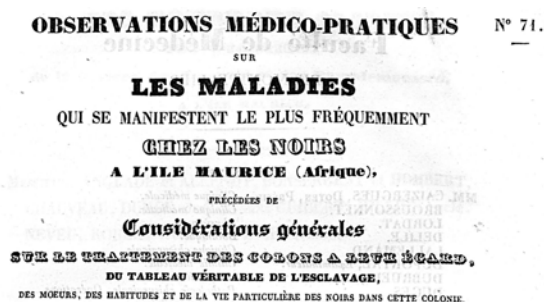
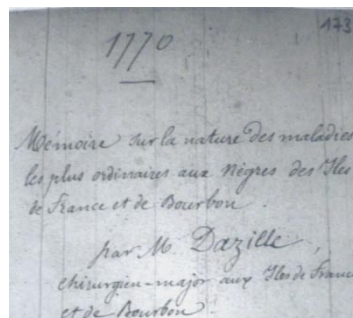


Photo 2

Cover of Surgeon Dazille's Report of 1770¹⁵⁷



Dazille was interested in finding out about the causes of high mortality. He had been appointed surgeon of all the King's Hospitals and was thus well placed to study this. Slaves in 18th century, according to Dazille, ate food with very little variety. (Bonsergent, writing later in the 19th century, stated the opposite). Manioc was eaten 'grossièrement pilées' in the form of cakes with greens (*brèdes*). Some added a 'cary' ('curry') with it, which he described as a 'substance composed of mainly vegetables and hot pepper'. The most common cause of death was tetanus as well as venereal diseases.

Although a hospital for slaves was recommended by most Governors, the treatment to be given in them to slaves differed considerably from that given to free people and Whites. Moreover, medical knowledge was poor among the 'doctors' and inhabitants, who did not make use of local plants and products. Governor Desroches noted that medical remedies were imported from France but after such a long journey, they had lost their potency:

Article 11 Connaissance des produits naturelles

*J'ai trouvé les deux colonies dans l'ignorance la plus profonde sur toutes les productions naturelles de leur sol'[...] les médecins eux-mêmes, au milieu des plantes les plus salutaires n'employaient pour le traitement des malades que des herbes, des racines, des écorces desséchées, transportés de France et qui avaient perdu toute propriété par un si long transport'[...] les Colons voyaient périr sous leurs yeux, faute de remède, de malheureux esclaves.*¹⁵⁸

Thus, although owners were bound to maintain old and sick slaves in the hospital at the rate of 6 sols per day, the hospital left much to be desired. The first hospital, before the arrival of Chevreau, was described as being composed of a room which was dark and where very little fresh air penetrated. *ir - obscurité»*

The newer one was no better: «M. Chevreau a accordé pour l'hôpital des noirs une salle qui servait autrefois de magasin à l'artillerie qui a 18 toises de longueur, 7 toises de largeur et 9 pieds de hauteur, elle laisse passer l'air des deux côtés, elle est par conséquence mal faite.»

It was also located out of the hospital compound and was therefore not practical. Furthermore, it was not fortified, and so security was a problem as slaves received from friends and family other unauthorized foods, fruit and even drinks through the window. Patients with different illnesses could not be separated. The slaves themselves did not like the hospital and tried to avoid being sent there. They preferred to be treated by traditional practitioners or 'consulted Indians'.

Finally it was felt that a stone building should be provided:¹⁵⁹

"On peut sur l'emplacement qui servait avant d'hôpital de blancs, élever un bâtiment en pierres qui servira d'hôpital pour les noirs. Ce sera en quelque sorte une dépendance de l'hôpital des blancs et avoir un lieu en commun, les secours seront plus faciles, plus prompts et moins dispendieux."

Apart from every day illnesses, epidemics also caused high mortality. The 1792 epidemic has been written about in earlier historiography.¹⁶⁰ Epidemics also broke out earlier, however. In November 1771, a smallpox epidemic broke out when slave trader, Brayeur, arrived on board *Le Florentin*

carrying 300 slaves from Mozambique. The officers on board had hidden 4 infected slaves from the authorities, which led to the disease spreading in Port Louis. Twelve slaves died in one day and a small hospital had to be established in a warehouse near the harbour, containing some 200 beds.¹⁶¹

Diseases

During the whole French occupation, Isle de France was reputed to be a sanitarium. Few epidemics are known to have prevailed, except for the outbreak of smallpox in 1792 which caused 4,000 deaths. Leprosy, which is not necessarily a communicable disease, was introduced from Madagascar.

But the food consumed by the slaves consisted of Cassava mixed with vegetables and meat cooked under unhygienic conditions. The daily intake of this insipid food was a possible source of ill-health. The climate, with frequent passage from hot to cold weather and *vice versa* was another common cause of illness among the slaves who did not wear appropriate protective clothing. Their lifestyle, which included abuse of alcoholic drinks and having multiple sex partners, was also detrimental to their health. Furthermore, they were subjected to harsh working conditions, and their workload was well beyond their physical capacity, resulting in exhaustion.

The clinical manifestations of common diseases prevalent among the slaves in Mauritius, as described by Dazille* in 1772, are summarised as follows: -

- (a) Fevers associated with respiratory infections, including pneumonia, or with signs and symptoms of what is now known as typhoid fever or with spasms of voluntary muscles signalling tetanus; reflecting a hostile disease environment with exposure to infectious diseases.
- (b) Digestive disorders with diarrhoea, dysentery, scurvy and worm infestations, which relate to consumption of food that was either contaminated or deficient in essential nutrients or both.
- (c) Venereal diseases, such as gonorrhoea and syphilis, were common with urinary and ophthalmic complications. The prevalence of these conditions was connected with the practices and behaviour of individuals.

Leprosy

Leprosy came to Mauritius in 1770 with the slaves from Madagascar; it had been introduced from Mozambique. In 1781, a commission was set up to inquire into the prevalence of the disease and in 1803, the lepers were exiled to Ile Curieuse, from where many escaped to Seychelles.

In Mauritius, cases of smallpox were reported as far back as 1771. But the first major epidemic occurred in June 1792, when a slave ship from South India reached Port Louis with smallpox on board. The disease spread rapidly among the population, amidst heated debate over the practice of inoculation. Some slave owners asserted their right to inoculate their slaves, while others were vehemently against this practice because of the possibility of the inoculated person developing a severe infection and transmitting smallpox to others. Megan Vaughan of Nuffield College Oxford, writing on Social History of Medicine, has made the following observations on the attitude adopted by the colonists:

"Eighteenth-century colonial medicine was largely geared to keeping the bodies of slaves and workers productive and useful, but formal medicine never had a monopoly. Slaves on Isle de France brought with them a rich array of medical beliefs and practices from Africa, India, and Madagascar. We have little direct historical evidence for these, but we do know that many slaves came from areas in which forms of smallpox inoculation were known and practised." By September 1792, the death toll from the smallpox epidemic had risen to 4,000 in a total population of 98,000. The authorities were alarmed with this turn of events and decided on the inoculation of all the slaves. By January 1793, the epidemic was finally brought under control."

Alcohol Consumption and Slaves

Alcohol consumption by slaves and its effects on the slave population have been widely discussed in literature on slavery in the Americas as well as the 'Slave Health Deficit Syndrome'. Few studies, if any, have ever been conducted in Mauritius on this issue or on the issues of the impact of alcohol consumption on the possible genetic propensity to alcohol consumption. Results of research are not conclusive, but it is important to show the importance of alcohol consumption in the life of the island, as well as its significance for slaves and owners' production and consumption.

Alcohol consumption was, first of all, unrestricted to whites and the free population. There were no fines for drunkenness by these persons, but only for slaves. It was also difficult for slaves to procure it legally and so, consequently, there was much illicit alcohol production and sales. For slaves, it was considered as a luxury item. It became important only because it was forbidden.

Police reports from the 1780s indicate an 'assembly of blacks' on Pont Rouge every afternoon, in Pamplémousses, in one of the camps. These were secret but noisy meetings, where alcohol flowed freely. The Government slaves (*esclaves du Roi*) also attended. It appears that when caught, they were flogged at the Bazaar in public. (MNA: Z2B)

Canteen ownership was also reserved for Whites at this time; so slaves procured from the *Gens de couleur*. In 13 Messidor An 10, Babet Vevard, a free Black woman, was condemned because she had given drinks to 2 slaves, Jacmin and Sebastien (MNA: E 102). A new law on 14 Ventose An 6 declared 3 months imprisonment for illicit liquor sale. Babet got 100 *piastres* fine, as well as having his material confiscated.¹⁶² Many women from the *Gens de couleur*, who cohabited with poor whites, also opened canteens through their partners who gave them the capital to start the business. Adeline, a Free black woman, was imprisoned for 8 days for having 'kept' the Chevalier Peron and 3 other sailors and given them alcohol to drink in the house of Citoyen Mottel (MNA E 102, p. 32).

3. ECONOMIC AND MILITARY CONTRIBUTION OF SLAVES TO MAURITIUS

INTRODUCTION

It is to be regretted that the economic contribution of slaves to the establishment and success of the French colony between 1721 and 1810 is so little known and so little publicised in public representations of slavery.

Despite being visible everyday around us, this economic contribution must not be ignored anymore and needs to be brought to the forefront through memorial plaques and publications and be incorporated in cultural tourism and educational activities, for without slavery, there would have been no 'isle de France'.

In 1764, just before the island fell under Royal administration, the slowing down of construction work was noted and a plan of action formulated. The reasons for the slowing down was that slaves, belonging to the Company, were no longer used for what they had been bought for and were sold and dispersed throughout the island between March and July. However, if no one went in October, one could find 500 to 600 trained slaves, used to the island who, by March 1765, would be able to start work. Slaves were needed in great numbers it was felt, « pour être vendus aux habitants, pour les ouvrages, pour la défense de l'île et en temps de guerre. »¹⁶³ As early as 1733, Maupin advised Cossigny to pay colonists to hire out their slaves to the Company.¹⁶⁴ However, Article 8 prescribed the fees for renting of slaves at 15 *piastres*, instead of the desired 20 *soldes*.¹⁶⁵

Slaves were in short supply at first, however, and on 11th March 1754, Cossigny wanted all slaves who had arrived that year for his works, even though they were small in number. They came from all over the Indian Ocean: «*Les esclaves nouvellement arrivés de Bengale, de Mozambique, de Madagascar quoiqu'en modique quantité, me donne lieu de les demander tous pour être appliqués aux travaux dont je me suis chargé [...]*». ¹⁶⁶

The *corvée* system was used by the *Compagnie* to extract labour from slaves belonging to private individuals. Slave-owners were required to provide two days labour per year per slave above 14 years old.¹⁶⁷

Slaves were involved in numerous activities from the very beginning. By the time of the Royal Government, in 1767, the slaves were divided into several occupational categories. Shortage of labourers was felt at this time. The slave trade that ensued after the Royal Government took over resulted in a rise of the labour force on the island. From 19,000 slaves, the working population rose to 31, 908 slaves in 1785.¹⁶⁸

Only a sample of the economic and other activities is given here to show the variety of work performed by slaves in Isle de France.

1. Clearing of land for settlement and agriculture

Without clearance of land, there would have been no colonial settlement. Land needed to be cleared to build the first houses and offices, cultivate the land and build roads and bridges. Slaves were given to colonists to undertake this 'colonization' of the land. In the 1730s, the first land was cleared by 12 to 15 slaves using axes to cut down the forest which covered the whole island at that time. Genicourt recommended using Malagasy slaves who were 'better workers' because 'Guinean' slaves had a tendency to maroon. Later, however, this view of Malagasy slaves changed drastically. There was also dissatisfaction that the Company was keeping the best slaves for itself.¹⁶⁹

No better direct evidence of the crucial importance of slave labour for the expansion of the colonial economy is available than the report based on the census carried out in 1763. The relationships between land, labour and capital is clearly shown (Table 2). Distribution of slaves, after a slaving voyage, was not carried out efficiently with the result that many large estates with potential for cultivation could not do work to maximum capacity because they received an

insufficient number of slaves. In other cases, estate owners had small acreages but large numbers of slaves.

Table 1 No. of slaves in Mauritius 1766 and 1785 involved in economic activities

Regions and establishments in 1766	Number of slaves	No. of labourers among them	1785
Quartiers en général	2,270	1,206	Pamplemousses 6,140 Black River 3,157
La montagne Longue	1,525	8,06	
Rivière du Rempart	775	413	2,668
Flacq	2,050	1,092	3,537
Port Bourbon	550	293	19
Moka	1,700	905	2,372
Plaines Wilhems	3,000	1,597	2,843
King	2,400	0	3,126
Port-Louis	2,000	0	5,446
L'établissement des forges	800	0	
Maudave Establishment	400	0	
Sugar mill	530	0	
Private entrepreneurs in wood	1,000	0	
Labour force in non-agricultural activities	7,130	Agricultural: 6,312	
Total slave population	19,000		31,908

The census revealed that of the 67,389 *arpents* of land granted, 3,708 were uncultivated due to the absence of slaves. Since the establishment of the colony, it was found that those who had the most slaves were not those who were contributing to expanding the stock of food on the island. Some slave-owners did not even own any land.

In Plaines Wilhems, for example, it was reported that, even though there were many companies and associations of whites (*Société de Blancs*) they only had 2, 3, or 4 slaves.¹⁷⁰

Denomination	Number of inhabitants	Of which no. without slaves	Of which no. without habitation	Remaining - with slaves and estate	Acreage and land	Male slaves	Female slaves	Boys	Girls	Cattle
Employees	80	588								
Officers	63					183	183	87	50	
Bourgeois	86					155	109	78	31	
Women & widows	26					38	29	15	6	
Workers	149					49	32	14	15	
Sergeants	10					10	10	7	8	
Soldiers	15					11	11	11	1	
Free Blacks	38					10	18	15	6	
Malabars	121					5	3			
Lascards	63		129							
Peons	66									
	717	129	588			461	415	227	117	
Inhabitants										
Pamplemousses	36	2	3	31	9695	721	542	147	117	387
Montagne Longue	35	2	2	31	3871	381	282	131	91	197
Riviere des Calebasses	22				3432	114	87	34		11
Maison Blanche	21	ROSTAING 35	6	15	6938	602	373	151	104	1643
Rivière-du-Rempart	36	9	4	20	6025	185	130	66	38	
Rivière des Lataniers	17	3		14	3109	207	120	48		
Moka	27	2	5	20	4689	314	261	119	53	211
Plaines Wilhems	31	1	3	27	14732	622	441	218	141	378
Flack	103		21	82	14898	369	448	203	142	154
Port Sud Est	20			17		166	133	53	57	399
	348	57	44	257	67389	3971	2817	1170	812	3546
Grants of estates uncultivated due to absence of slaves					3708					
The 10 <i>quartiers</i> below and which did not have estates						750	509	208	170	
... that are cultivated					69681	3221	2308	962	632	

2. Contribution to Infrastructure

An enormous amount of construction work was begun when Governor Labourdonnais came to Mauritius in 1735. The whole infrastructure of Port Louis in the 18th century could be said to have been built mainly by slaves. However, the contribution of French *engagés* and free skilled people from various parts of the world. The first colonists were not keen on engaging in construction work, and so a large number of slaves were brought from India, Madagascar, West Africa and Mozambique to furnish the labour power required.

Labourdonnais organized workshops, each supplying a different product. These were headed by skilled free persons who trained slaves for work in different trades. By 1738, stonemasons, carpenters, blacksmiths, brick makers, basket-makers were among those forming part of workshops.¹⁷¹

By 1761, there were a large number of slaves working for the Company and involved in these various workshops.

No of Slaves working for the Company in 1761	
Male and female slaves from Guinea, Mozambique	
Madagascar, America, Macao, Creoles, India and Manila	878
Children less than 14 years	48
Younger slaves not yet put to work	191
In Port Sud-Est (today Mahébourg)	329
In the Navy	552
From Census of 1761, the Iron works of Mr. Rostaing	645
Total	2021

Source: *Extrait de la lettre du Conseil Supérieur de l'Isle de France du 4 Septembre 1761*, COL-C4-13 Corr. Gén., Boucher.

1. Hospital Construction

In 1734, Labourdonnais was given instructions to start the construction of a hospital but to avoid mixing white and black; hence, two sections were to be built. Two rooms, one for slaves and another for 'malabars indiens' with a view on the 'grande cour', were built. They were built in stone which required skilled work. These were only one of the many structures erected in this period by slaves and which still stand today 270 years later.

2. Road and canal construction

A large number of roads and bridges were built using *corvée* labour, while many were repaired by the slaves, but the numbers employed in this work were never sufficient. Several hundred more were needed. The Governor noted with concern that many European families were leaving the islands at this time, and he needed to give them more encouragement to stay. Giving them carts pulled by 4-5 oxen would be one incentive, so that slaves could be released for work on the farms rather than in transporting goods to town. Hence the need for good roads :

«J'ai fait réparer les principaux chemins cette année avec ce qui était de corvées, mais ce mois ne suffit pas, il faut en employer de plus forts pour faire une bonne fois tout les chemins, après quoi, les corvées ____ pour l'entretien dans chaque quartier, il faudrait deux à trois cents noirs attachés uniquement a ce travail.»¹⁷²

In 1739, under Engineer Cossigny's supervision, slaves also built the canal taking water from Grande-Rivière to the Loge in the centre of town of Port Louis.¹⁷³

3. Manufacturing and industry

Under both Company and Royal rule, workshops were established to process and manufacture various goods for use in construction: wood, lime and brick became the most required material for the various infrastructural works required.

A Memorial on civil works shows regulations regarding the organization of works. Article 1 fixed the number of Government slaves to be used in 1754: 1,872, of whom 880 were male slaves, and 558 female. Article regulated the numbers of slaves working on each product: stone work workshop to be composed of 10 European stone-masons and 90 slaves; for bricks: 2 European brick-makers and 10 slaves to produce ordinary bricks.¹⁷⁴

Lime

Slaves were employed producing the thousands of tons of lime required for construction.

Wood

Carpenters were used to produce planks of wood at rate of 2 slaves, with an English saw per day, for 90 pieces of planks.¹⁷⁵

Salt

In 1747, there existed the first salt pans worked at this time, unlike today, by male slaves. The initiator was a M. Meygnier who had wanted to establish this salt-making establishment, employing slaves and training them to make salt and salt pans.¹⁷⁶ He had been the Surgeon Major on board the Company ship the *Apollon*. His salt pan was located in the Tortoise Park (*Parc des Tortues*). He was provided with 2 commanders as well as 20 adult male slaves, 2 young male slaves (*négrillons*), as well as all the utensils he needed. In exchange, he undertook to sell to the Company a pound of salt for one *sol* and train enough slaves within 3 years, after which the salt pan would revert to the Company. At this time, salt was used extensively in food preservation and the Company needed at least 200 barrels per year for this purpose.¹⁷⁷

Slaves, working for in the Headquarters of the Company (*La Loge*) and in the area of Grande Rivière, were also sent to collect fodder everyday. Some were housed, wherever repairs to roads needed to be made. Breaking stone and preparing it in a block of 3 x 4 x 2 feet would take 8 days for 2 slaves and cost the Company 21 *piastres* per month.¹⁷⁸

4. Iron works

The iron works in Mauritius were probably one of the largest establishments on the island in the 18th century, employing hundreds of slaves. Rostaing obtained the contract for the supply of iron; his iron furnace required 50 slaves to build, in addition to the ironsmiths, stone masons, carpenters etc. at the Forges de Mon Désir. It was later transformed into a gunpowder-making factory.¹⁷⁹

Part of this site of the *Moulin à Poudre* in Pamplemousses District is fortunately not yet covered in other buildings, and there is still scope for some recuperation of artefacts from this period. It is considered to be a rich archaeological site and one of the few remaining 18th-century European style industrial sites.

The *Forges de Rostaing* employed some 800 slaves, of whom 720 were Indian and two-thirds male, working and living under the supervision of 'commandants nègres'. By 1760, it contained, according to Article 29 concerning the Census of 1761, 645 slaves and 40 Whites.¹⁸⁰ Most were skilled slaves such as all types of ironsmiths, nail-makers, locksmiths, charcoal-makers, the male slaves needed sarongs, shirts, pants and handkerchiefs, while females had 2 skirts each. Foundry workers needed 2 sarongs. Commanders and workers were also financially rewarded (gratifications) and this cost some 6000 *piastres*.¹⁸¹ Their rations, aside from food, consisted also of wine and *eau de vie*.¹⁸²

5. Packing and Storage of goods

In order to prevent famine, warehouses were built to stock grain and other foodstuffs of the Company. These godowns ('*hangars*') used large numbers of slaves for all activities relating to:

processing of goods, packing, carting, transport, drying, preventing damage by rats, etc. Coffee storage, for example, required 40 to 50 slaves to put 5-6 thousands of unshelled coffee seeds in the sun which wasted over 2 hours' labour everyday. Such numbers were required because there were few mechanical methods devised, and slaves were used for every type of activity that could be done manually. This approach was criticized by the Company itself:

«Pour y mettre 5 à 6 milliers de café en coque au soleil avec 40 ou 50 esclaves, il se passe plus de 2 heures perdues quoique absolument précieuses à un colon. Je crois avoir gagné ce temps par le moyen de ma trappe, sous laquelle j'attache l'ouverture d'une manche qui se conduit de dessous mon hangar sous ma plate-forme ainsi que je désire, ce tuyau de ma manche est posée sur une planche qui l'a conduit dehors de l'agar et des pelles de bois jeter continuellement dans cette pelle de manche, le café qui va tomber sur la plate-forme, ou plusieurs esclaves avec des râteaux achèvent de l'étendre tandis que 2 ou 3 autres conduisent le bout de manche [...]»¹⁸³

Slaves were needed for the weighing and filling of sacks of wheat but here too, labour was insufficient as one inhabitant complained:

«La petite quantité de noirs que nous avons tant pour la pesée que pour l'emplissage des sacs occasionne une lenteur dont nous ne sommes certainement pas responsables ; le reste des noirs étant divisés et répartis entre divers objets qui, quoique différents, n'en sont pas moins relatifs aux travaux de l'Escadre.»¹⁸⁴

6. Transport and Shipping

Slaves were involved in a number of activities relating to the port. During the period of Labourdonnais, port activities were assigned to slaves. In 1738, Labourdonnais gave a description of events on the island. He wrote that slaves were being trained to work as carpenters, *calfats* and blacksmiths for construction. Slaves also completed the *curage* of the port: removing *debris* and carcasses of ships as well as silt from the harbour.

They also performed all construction works for docks, wharves, as well as loading and unloading goods from the ship to warehouses.¹⁸⁵ By 1783, they were still employed in workshops in the port for constructing *radoubs* as carpenters and caulkers (*calfats*).

Governor David continued the practice of using West African slaves in the port, rather than any other slaves of other origin:

« Il est important d'avoir des noirs du Sénégal dans la marine des deux îles car ils peuvent suppléer aux matelots, calfats d'Europe, charpentiers et aux lascars de l'Inde. ne peuvent être suppléés par aucun autre noir.»¹⁸⁶

There were particular hesitations about using Malagasy slaves in the port. In 1766, Mozambican and West African slaves were preferred. West Africa was not only too far away to tempt slaves to steal an embarkation and run away, but the slaves were also cheaper:

«On ne peut employer les noirs de Madagascar dans le port à cause de la proximité avec leur patrie et danger qu'il y a à ce qu'ils enlèvent les embarcations-on peut les confier aux Mozambiques mais ceux de Guinée valent infiniment mieux et coûteront bien moins au Roi »¹⁸⁷

Within Mauritius, they carried goods from the interior estates and loaded them onto boats and coasters going to Port Louis. A large numbers of boats were involved in this local *petit cabotage*. According to the *corvée*, one-fifth of the slaves on each estate were retained to transport wood to the coast for shipping to Port Louis where port and various works were also in demand. Whether slaves were chained on board is not quite clear, as there are conflicting reports.

7. Security and defence of the colony

A very large number of slaves were also needed for the security and defence of the islands. Although there were qualms about using and arming slaves to defend the colonies, there was not much choice, given the shortage of free European labour and soldiers.

MAROON DETACHMENT

Maroons represented the 'internal' enemy, while the British and Dutch were the 'external' enemies. Labourdonnais found an ingenious way to hunt and capture maroon slaves by using slaves with a knowledge of the terrain and scouting skills to track maroons down. 24 loyal slaves were first used to hunt maroons and the Maroon Detachment grew gradually in size.¹⁸⁸ But 'success' was mitigated as maroonage could never be completely stopped, despite the harsh punishments which followed.

By the 1760s, this detachment were still being used: 28 slaves made up the *Maréchaussée*. Even this was not sufficient as attacks on inhabitants and plantations continued, when maroons searched for food, arms and clothes. By this time, slaves were entrusted with a gun and a *mousqueton*. Their numbers also increased to 50.

Reports detailing all the maroon hunting expeditions constitute some of the most gruesome pieces of writing which one encounters, when consulting documents on slavery in Isle de France. Not only were the details of the deaths of maroons provided, but also the manner in which the left hand of the slave was cut in order to collect the reward. It was not clear, on many occasions, whether the Maroon Detachment waited for the death of the slave to cut off his left hand. In 1762, 'Maconte' (maconde?) slaves were used. Between 15 November 1759 and 1762, 234 maroons were killed by the *Marechaussée* and 429 Maroons were killed by slaves of private owners. According to correspondence of Governor Boucher, they were all married and Christian.¹⁸⁹

SQUADRON

Slaves were also trained to form part of the Naval Squadron as there were not sufficient numbers of free inhabitants and soldiers. The *Conseil Supérieur* had agreed to Labourdonnais' proposal, in 1745, to requisition slaves from inhabitants to be embarked on the *Favorite*. About 500 were required. West African slaves were preferred as there existed a spirit of solidarity among them. If any deaths occurred, the owners would be compensated to the tune of 200 *piastres* per slave.¹⁹⁰

These West African slaves were expected to supplement the 'matelots d'Europe', carpenters et 'lascars d'Indes' (European sailors, Indian carpenters and seamen).¹⁹¹

In 1760, there were still many working on board ships. The French Squadron employed 227 slaves in their ships and in those for China at this time. Many were brave slaves.¹⁹²

«Les équipages de nos vaisseaux ayant été complétés de noirs, tant ici que de Madagascar. Il n'y aurait cette année aucunes difficultés sur nos moyens si simples de vous armer, d'autant plus que ces noirs sont très braves et que les vaisseaux qui se sont le plus battus conviennent que ces gens ont montré la plus grande fermeté. Avions-nous, Monsieur, qu'après avoir cent fois renversé les dispositions, les matières de la marine et le port dont vous avez l'absolue disposition ; après avoir retardé un vaisseau pour en presser un autre, abandonner celui-ci pour en reprendre un autre.»

They also learnt to march, to fire canons and shoot.¹⁹³ Numerous expeditions were mounted to fight against the 'enemy' in which the slaves participated fully in defence of French strategic interests in the Indian Ocean. 216 slaves, bought by the Company, were embarked on the *Cendéand Expédition*. Only 118 came back. Those who had become invalids were given work and hunted maroons.¹⁹⁴ The best slaves brought from Madagascar were placed on the *Centaure* carrying also 64 canons and 76 soldiers.¹⁹⁵

«Le 31 juillet, «La Pénélope» est arrivée de Foulpointe avec deux cent-soixante-cinq noirs en cargaison de trente-neuf de fraude qui ont été confisqués au profit de la Compagnie. J'ai fait choix d'une centaine des plus beaux qui seront placés sur le vaisseau «le Centaure.»

FORTIFICATIONS

Corvée labour was also used to build fortifications all over the island:¹⁹⁶

«Nous avons fourni à la Compagnie de la part de M. David, 18 noirs pour travailler à titre de corvée aux fortifications de l'Isle, ils y ont été retenus depuis le 7 août 1747, jusques et compris le 7 février et la présente année 1748. Nous avons cru qu'après une déduction de la quantité de journées qui acquittent en ce qui nous concerne, les corvées dont nous sommes redevables pour la dernière année et celle-ci, il nous serait tenu compte, du surplus, fait en argent, fait à notre [_____] sur les livres de comptoir, ce qui nous est indifférent et nous nous fondions sur ce raisonnement qui nous paraît juste.»

In 1753, slaves were still building fortifications. Moreover, as Megan Vaughan observes “the slaves placed at Charpentier-Cossigny’s disposal for the building, of the fortifications included as many women as men, all of them engaged in hard manual labour.”

Slaves were also used in other activities relating to the defence of the colony, such as manning military posts. Instead of bringing in 700 to 800 French troops, slaves were introduced. It was, however, quite expensive to procure slaves, but as it was considered absolutely necessary to defend the colony, Malagasy slaves were brought because they cost the least.¹⁹⁷

However, manning posts was not so easy and Grand Port District, for example, was ‘riddled’ with maroons because no slaves were available to patrol the area, their services having been requisitioned by Fusée Aublet at the Château du Réduit.¹⁹⁸

This was still a problem years later. Officials complained that there were insufficient troops and slaves. In Grand-Port, the ratio of free slaves was to be 50: 50. Their duties were to patrol the coast, observe the enemy fleet, use movements to create suspicion, and delay descent by the enemy.¹⁹⁹

It appears that slaves preferred to work for the Company as *Commandeurs* and ‘ouvriers’ since they could get a salary.

In addition to their being allocated to workshops, slaves were categorised into groups depending on their presumed loyalty and ability. Thus, there were *Noirs fusiliers*, considered to be the most reliable and loyal ‘class’; the *Noirs lanciers* who were not well-trusted and were ‘mediocre’ and from the *Noirs pionniers*, one would not obtain anything.²⁰⁰

8. Medical care

Despite what one reads about slave-owners and Whites fearing their slaves and fearing being poisoned, slaves in Mauritius were also entrusted with the care of the sick in hospital and in the homes of the owners. The number of manumissions (*affranchissements*) given by grateful owners to their slaves who had nursed them and looked after during their old age, is sufficient testimony to this worthwhile and essential social occupation: care of the old and sick and tending to the health of their owners and their families.

Slaves also worked in the hospital. On 10 November 1759, the journal of Governor Desforges Boucher refers to his visit to the hospital in the company of Mr. Candos, where the number of slaves to be employed in hospital was finalised.²⁰¹

9. Slaves in the Market Economy

A large number of slaves were also involved in the market economy. Their owners sent them regularly to the market to sell the produce of the estate. They were the ‘*noirs et negresses de journée*’.²⁰² They were very mobile slaves, and some even got their owner’s permission to live in the town although the owners lived in the countryside. This allowed the slaves an important degree of freedom but, as Megan Vaughan reminds us, this should not be confused with ‘autonomy’.

According to a letter of Desroches and Poivre of 4 July 1769, one of the problems of sending slaves to the market to sell the goods of the owners was that many did not know how to read; thus they could not distinguish the value of notes which looked alike:

«Tous les billets étant d'une même forme et d'une même grandeur et les négresses qui seules portent des denrées au bazar et qui en achètent une grande partie, ne sachant pas lire, ne peuvent pas distinguer un papier de 20 de celui de 10.»²⁰³

4.A UNIQUE GROUP: GOVERNMENT SLAVES

Although we are aware of the existence of slaves belonging to Government, not much is known about them and how their situation differed from other privately-owned slaves. Megan Vaughan and Corinne Masson have both written on these, Megan Vaughan as part of a general study of French slavery in Isle de France, while Corinne Masson focussed on the British Imperial period (1803-1810). Satyendra Peerthum has dwelt on the slaves owned by the Government during the British period of administration. Here, an overview of the French period is given as it is less known and understood in Mauritius. Why was there a need for the Government to maintain slaves? Who were they? How many were there? What did they do? What was their status, compared to that of private slaves? What happened to them? These are some of the basic and fundamental questions one must try to answer.

1721-1767

Although it is believed that slaves were only ‘owned’ by Government after 1767, this is not strictly true. When the French East India Company traded in slaves, it was not only to supply inhabitants, but to use a number of slaves to its own ends. This, as stated before, was not to the liking of some inhabitants who felt the Company was keeping the best slaves for itself: “Il faut empêcher la Compagnie de garder les meilleurs noirs au détriment des habitants de la colonie” (Eng, summary: We must stop the Company from keeping the best slaves).²⁰⁴

Slaves could also become the property of the State, when the Company confiscated them, if for example, they had been brought illegally without ‘entry fees’ being paid. On 13 July 1758, for instance, the 100 best were recruited for the squadron the *Centaure*.²⁰⁵

Labourdonnais informed the Company’s Directors in 1737 that he was keeping only 10 masons and 10 stone-masons and a few others.²⁰⁶ In addition to the skilled work engaged by the *Compagnie*, there were also those slaves recruited for the *Maréchaussée* in charge of hunting Maroons. Of the 24 making up this *Maréchaussée*, 17 belonged to the Company: “*Ils sont tous mariés et chestiens depuis longtemps,*” added Labourdonnais.

Slaves preferred to work for the *Compagnie*, as indicated earlier, because some of them were paid.

The Company brought slaves for its use from different countries. In the 1740s, many of them came from West Africa. It was stated that “*les noirs Yolof, Bambara et Guinée sont beaucoup plus robustes*²⁰⁷ *et Vigoureux.*”²⁰⁸

By 1758 there were 2,651 slaves who belonged to the Company.²⁰⁹ They had achieved a status that few other slaves could, even though they remained slaves. The number belonging to the *Maréchaussée* was increased by 50 and the slaves were given arms. Those in the Navy were divided up into 3 groups to defend the island. They were thus protecting the very authority that had deprived them of their freedom.²¹⁰

Although they were considered to be an elite among slaves, often their conditions were no better than other private slaves. Food shortages, for example, also afflicted them as in 1760, when Mr. Candos, Commander of Port Sud-Est (today Mahébourg) wrote of the absence of any food for the Slaves of the Company. Yet, they were required to continue working on the construction of fortifications in the port.²¹¹ In 1760, there were, in addition to free persons, 1,850 male and female slaves belonging to the Company. Although they normally consumed approximately 110,000 lbs of maize per month because of the shortage of maize, they were given bread instead. This was not normally given to slaves. By the end of December 1760, the situation had become critical; the Governor reported:

«*À la fin de ce mois, plus de riz pour les noirs, malabares et même pour les blancs à qui on en fournit.*»²¹²

(“At the end of this month, no more rice for the slaves, malbarsand even for the whites that we supply.”)

Those Company slaves, who had been sent overseas in the squadron of D’Estaing, were not so fortunate either; of the 216 sent with him, only 118 returned and of these most were not in good shape and had to be given light work. They could not be used as was hoped to hunt maroons.²¹³

There is a slight discrepancy in the figures which deserves to be studied, since in 1761, it is noted that there were 2,021 slaves. These were made up of the following nationalities and ages:

- From Guinea, Mozambique, Madagascar, American, Ma... (?), Créoles, India and Manila : 878
- Children under 14 years: 48
- Younger children not yet serving: 191
- At the Port S.E : 329
- In the Navy: 552.²¹⁴

1767-1790

When the Royal Government took over in 1767, it was decided to purchase the Company slaves as they were workers; Some 500-600 were purchased to undertake the various works on the island. In 1767, there were 2,400 Government Slaves. None worked in agriculture. The Company, at this time, sold slaves at the following rates:

Pièce d’Inde and from Guinea: 720 *piastres*
 Mozambique: 540 *piastres*
 Madagascar: 360 *piastres*
 Indian: 300 *piastres*²¹⁵

Thus, at this time too, West African slaves were the most sought after, in terms of ethnicity.

Slaves working in the South-East of the island numbered 157 and were used in the lumber workshops. On 10th November 1767, there were 86 male slaves, 38 female slaves, 18 boys and 15 girls. Each one was given 60 lbs of maize.

Their conditions, though slightly better on the whole, did no change concerning the mortality rate. It was approximately at this time 5% costing the Government some 1,500 *piastres* in losses. There appears to be a considerable amount spent on the upkeep of Government slaves, if one is to believe the correspondence of administrators. This was worrying to them, and they sought to economise as much as possible; it proved expensive to maintain slaves, though this was absolutely essential, as inhabitants would not do this work. At one point, it was even envisaged to bring in convicts.

By the 1770s the Colonial Government was confronted with the same difficulty as the Company previously, concerning the upkeep of Government slaves and of European workers. The workshops absorbed a huge amount of the revenue in terms of provision of food, clothing etc. Poivre even observed that it might have been cheaper to recruit 100 French workers than maintain slaves, since according to his calculations, each slave cost 1000 *écus* and not 20 *sols* per day, as was claimed.²¹⁶ He envisaged selling all Government Slaves, to reduce government expenses.²¹⁷

Labour required by Government was carried out using *corvée* labour. For road construction, in 1771, each inhabitant had to supply 4 days of *corvée* per slave.²¹⁸ But by 1772, more slaves were being sought by the Government. In October 1772, Poivre requested that one-tenth of all slave cargo should go to the King/Government.²¹⁹ These were now required for maintenance of public buildings civil and military. In 1776, a list was published of the slaves in the King’s service.²²⁰ Maintenance of a Government slave cost the Government 6 *sols* per day. According to Poivre, many slaves had started taking a liking to their job because he had allowed them to choose their trade:

«Plusieurs avaient pris goût parce que je ne les avais pas forcés à choisir leur métier [...]. C'est avec douleur que je vois sortir 72 jeunes beaux noirs pour faire de tambours [...]. On sentira la différence. Il faudra prendre des blancs très chers»²²¹

In January 1778, a survey of the state of slaves, who belonged to the King, was made, and details given on the heads of workshops. There were 3,084 slaves among whom were 1,732 males, 765 females, 349 boys and 238 girls. An assessment was made of their exact value: out of the 3,084, there were 381 who were either infirm or unfit to work because of fatigue. No strenuous work could be given to them. Some were old and needed care in order not to worsen their infirmities. They tended to be left to themselves most of the time, and the rest of the time, they were given what was the equivalent of children's' work. The boys and girls, up to 9-10 years, were not given any work either. The women, though fit for work, were allowed to stay home and look after their children. It was, therefore, on the male slaves, according to reports, that all the burden of work fell. Even among them, however, some were ill or had marooned. The Government therefore bought 180 more slaves from private persons for the dredging of the Port.²²²

By 11 July 1780, the census revealed that the King had a total of 3,206 slaves and had lost 58 slaves in 2 years.²²³ The expenses incurred for the maintenance of the 'Royal' slaves provided the justification for the King to instruct the Government in Mauritius to sell off the non-effective slaves. Thus, only effective labour and their families would be retained, and all others sold.

Photo 1 Document listing the number of the badges worn by Government slaves (Extract from COL C4-60 *Etat des Noirs*..).

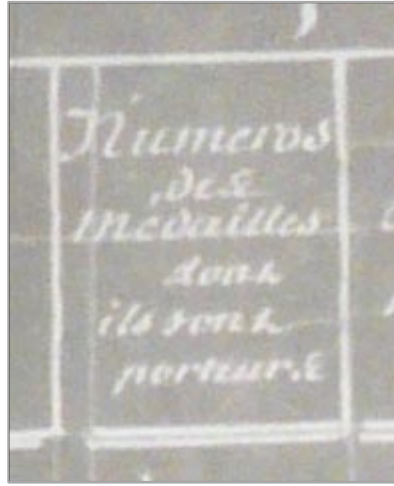
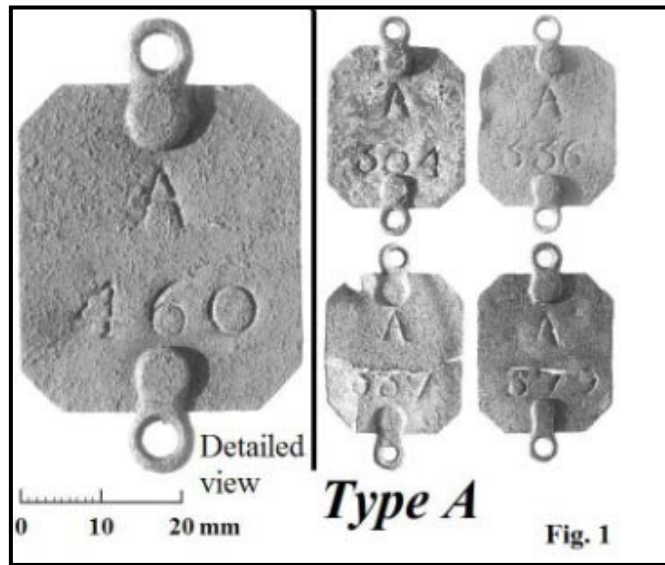


Photo 2 Badges found at the site of the Powder Mills by Richard Ramsawmy.



More expense occurred for the Government during the French wars against the British in India: some 1,600 slaves were sent to India, costing the Government a huge sum of 2 million *livres* as they had to be bought or rented from one inhabitant. Of these slaves, however, only 228 came back. Efforts by the Government through the French traders, Monneron and Coutenceau, were also fruitless. Yet, as the Governor remarked, it was not a small loss since this amount would have to be reimbursed to their owners. It was reported that they might have been killed, died, or run away.

A detailed picture of the state of Government slaves is given in the documents found in the French and Mauritian National Archives, which allows for more detailed studies to be carried out in the future. On the lists, the slaves' names, families, countries of origin, castes and occupations are given, as well as clothes, rations and numbers of medals which they were supposed to wear (see below). There were also personal details, such as whether they were married or not, deceased or marooned. The rations given to them was as follows:

- A driver (*commandeur*) would get 1/4 salted meat, 2 livres of rice or maize per day and 3 of salt per month

- Ordinary slaves would get 2 *livres* of unshelled rice or maize per day and 2 of salt per month.

Utensils were also provided:

- For a driver: 1 maize mill, 1 *pilon* for the rice, 1 cooking pot of 4 pts, 2 wooden spoons, 2 Flemish daggers, 2 mats for slaves bedding;

- For sub-commanders: 1 maize mill, 1 *pilon* for the rice, 1 cooking pot of 4 pts, 2 wooden spoons, 2 Flemish daggers, 4 mats for slaves bedding.

Thus, for 100 slaves, 10 maize mills, 10 pestles for the husked rice, 10 *marmites de dimension* (pots that could hold), 10 pts, 100 wooden spoons, 100 Flemish daggers, 100 mats for bedding would be needed.

The blacksmiths (*Forgerons du Roi*), carpenters, wood-workers, port-workers, those in the Engineering Department (*Génie*) and Artillery also had their names and badges number. In addition, every two months, a surgeon examined them. A *grande médaille* (big badge) was also given to the Commander while the sub-commander got a *petite médaille*.²²⁴

By the 1780s, however, there was a rethink on the part of the Government regarding those 'ineffective' slaves. Although it was an expense for the Government, there was unwillingness to sell the old and sick slaves, and their contribution to the island's economy was acknowledged:

"L'humanité s'oppose à vendre des invalides dont presque tout le temps de la vie ont été employés aux travaux les plus pénibles."

(Eng. Trans. Humanity does not allow us to sell invalids who have spent their lifetime in hard labour)

"Les femmes, dont l'utilité pour la plus grande partie se réduit à porter des pierres sur leur tête pour les travaux [...]"

(Eng. Trans. the women whose usefulness, for the most part, is confined to carrying stones on their head during works).

"Il y a celles qui sont enceintes ou nourrices, lesquelles ne rendent aucun service toute une partie de l'année, il faut au moins les loger, les nourrir, les habiller et leur donner des ustensiles."

(Eng. Trans. there are those who are pregnant or nursing, and do not provide any service for part of the year, we have to nevertheless to house, feed, clothe them and give them utensils).

1803-1810

Government slaves continued to be used up to the end of the occupation of the island by the French. Masson estimates that 4.5 to 5% of the total slave population in 1807 were in this category.²²⁵ A large number, at this time, were involved in port activities, given Anglo-French rivalry at this time and the need to cater for the number of squadrons arriving in Port Louis. The purchase of private slaves from inhabitants continued: in the period 1803-3 357 slaves were bought from 6 different inhabitants. A large number appeared to have directly come from slave trading and were not born in Mauritius.

Despite the harsh laws introduced by Decaen restricting freedoms, the Slaves belonging to the Government benefitted from certain liberties not given to private slaves: being in Port Louis, they circulated more freely in the town, did not always require written permission, what seems an anomaly under slavery until then, and received a salary. This would have been unthinkable a decade earlier in 1800 Isle de France, when Poivre had proposed something similar and had been vehemently opposed. Reform of slavery seemed, therefore, on the agenda already. It is to be noted that one punishment meted out to Government slaves was the withdrawal of this salary payable in '*centimes de poche*' and in clothing.

The necessity of reconciling the various archives spread all over the world can be gauged by the questions posed by Ramasawmy, during his archaeological search at the site of the Forges, where so many slaves worked: he wonders what the badges he discovered (photo 1) were for and who wore them.

Had the French National Archives documents been available to him (photo 2), these questions would have been answered. It is imperative that authorities pay attention to the urgent need to obtain copies of all documents found overseas pertaining to Mauritian slavery. These are important, not only for historical records, but also for memorialisation purposes and allow Mauritians to better research their history.²²⁶

Recommendation:

1. The contribution of slaves to the establishment of port and shipping activities must be given more visibility in Port Louis. The whole area of the Caudan, up to Trou Fanfaron, was an area where slaves worked lived and built the port.
2. Documents found in France need to be repertoried, copied and brought to Mauritius

Indian Slaves

The existence of Indian slaves has been little acknowledged in Mauritius as popular imagination associates slavery with Africans and Malagasies. Yet, Indian slaves and free persons have been part of the landscape since the beginning of French rule.

Historians, such as Muslim Jumeer, who have conducted in-depth research into Indians living in Mauritius during the French period, have regrettably not published their works. Amédée Nagapen has published short texts which highlight the invisibility, today, of these first Indians on Mauritian soil.

Indian men and women were brought both as slaves and as free workers as far back as 1729. Among the free men, were either skilled artisans, poor fishermen, *peons* (*pions*) or sailors. It is also reported that those in skilled trades transmitted their knowledge to their children and thus continued in the same trade for generations.²²⁷ The first Indian worker on contract was brought in 1734, although workers had been arriving well before that date (MNA: NA 6/1A, quoted in Jumeer).

The only work which they refused to undertake, according to official reports, was to cultivate the land. No doubt they did not want to be associated with slaves, even though they were not all materially better off.

According to Jumeer, many Indian slaves were women. Many did not declare the fathers of their children because these were European. This situation is explained by Jumeer as resulting from shortage of European women on the island. The children were known as the 'Noirs Libres' (Jumeer: 105-7). Moreover, among the manumitted, many were Indian women. Their children formed a privileged group being 'Eurasian'.

Finally, there were also those Indian slave women bought by '*petits blancs*' (poor whites). These have been partly studied by Jumeer but further work is required (Jumeer: 114).

As far as their religious background was concerned, they were either Muslim, Hindu or Christian. Although the Muslim and Christian communities are still in existence, those who were Hindu have disappeared, as most converted to Christianity. Why so little of Indian culture remains in this population needs to be researched. Part of the answer may lie in the fact that being a Christian meant possible promotion prospects for those in employment. There was also the fact that many practices were not allowed in Mauritius at that time, as shown earlier. Cremation was not allowed, for example, and Indians adopted the practice of burial. Neither were certain foods imported so that the diet also underwent a change. Singing and dancing were curtailed after certain hours, as shown already. In 1793, there was an attempt to change the dress habits of Indian soldiers who had worn their turbans, as this allegedly shamed the uniformity of the French army. It was thus decided to separate them. It was clear also that French culture could not tolerate 'rival' cultures.

Furthermore, according to Jumeer, *métissage* led to an erosion of Indian culture in French Mauritius. Decaen's period (1803-1810) saw the formalization of residential segregation as Indians were consigned to the Eastern Suburb or the *Camp des Mascars et des Malabars*. Studies have yet to be carried out on the level of conversion at specific times. According to Nagapen, however, although they showed visible signs of adopting Western culture, in the privacy of their homes, Tamil was spoken. However, over 2-3 generations, even this was lost. On the whole, therefore, Amédée Nagapen concludes that there was 'deculturation'.

Among the slaves, as there was a negative male-female ratio, marriages took place outside the group. There were numerous instances of mixed marriages. According to Nagapen, they became Creole slaves first (being born here and being of mixed marriages) and then Catholic.

Among the women, they were among the first to obtain manumission as numerous liaisons existed with European owners and other non-Indian slaves. According to Nagapen, slavery was "*un agent pollueur terriblement efficace*" (Eng. trans. a very efficient polluting agent).²²⁸

Today, there are a few families who can trace their ancestry back to the French period, but for the majority, this knowledge of their origins has been lost. According to Jumeer, their separation from those descended from African slaves, and calling themselves Créole at the time, was not so much racial as cultural. The main dividing factor was between all those who identified with European culture and those who sought to retain their Indian identity.

The last years of slavery in Isle de France (up to 1810)

The last years of slavery under French rule are considered by historians as representing one of the harshest periods of slavery. The period of Decaen's regime have been well documented by Prentout in his book, and it is not necessary to repeat the same facts here. The harshness of the laws relating to manumission etc. have also been highlighted. These were all the more anomalous as the Rights of Man were being propounded across France, in the rest of Europe and the United States.

We have not yet considered the impact and significance of some of these clauses, first for institutionalising not only the notion of 'population', but the *inequality* of populations before the

Law. Even more significant for the Commission's work, was the impact on property-ownership by non-Whites.

When we consider the number of land claims being made before the Commission, by the non-White population of Mauritius, laws that prevented or blocked property-ownership by non-Whites became even more significant. The official policy to stop free non-Whites or slaves having any say or controlling any part of the property of white children was very strong, and this provided the philosophy behind the additional clauses brought by Decaen to the French laws.

A full study of the revoking of manumissions and land transactions by non-Whites, through the implementation of the Colonial Civil Code of Napoleon, needs urgently to be undertaken. This Code was promulgated in Mauritius on 3 September 1805. Another supplement, on 23 October 1805, was specially designed for the colonies and made provisions for exceptions and additions.²²⁹

For the first time, the inequality of groups on the basis of colour was legally established under the Law, making it unique in French legal history, and institutionalizing what amounts to a 'racial apartheid' system, according to Laurent Sermet. Significantly, too, it was also intended to prevent 'racial dispersion' of property.²³⁰

The *Code Civil* thus formally created three groups of persons categorized on the basis of the colour of their skin: the White, the Coloured and the Black Slave.

It was significant that when the British took over, one of the first acts preceding the abolition of slavery was the removal of discrimination against all free persons of African and Indian descent. The *Code Decaen* and the *Code Noir*, in particular Clauses 51 of the *Code Noir* and Clauses 67 and 68 of the Supplementary CCC, were abolished as they had collectively prevented Whites from donating property to free Coloured or freed slaves.

The Muslim part among the French India population has been studied by Emrith and Jumeer. Most had come from from Bengal. Their history needs to be further researched using notarial records and Civil Status records. Although there was reluctance to use non-Christian labour, the shortage of labour had forced Governors to engage Indian Muslim sailors. They were all Urdu speaking, according to Jumeer. We know from research, conducted with one family who has traced their ancestry to the French period, although they have kept the memory of their family origins that they seem to reject their Indian ancestry. In 1805, they secured from Governor Decaen a plot of 250 toises to build a mosque, an unthinkable act in an island where Catholicism was the only authorized religion. However, it fitted in well with the principle of segregation of races, as envisaged by Decaen and so, may not seem so incongruous an action, in hindsight. The separate cemetery created at Rivière Lataniers was also symbolic of the separation of cultures at this time, demanded by part of the population itself and allowed by French Authorities. It is among this group that the first Yamse religious festival was held in 1765 (Emrith: 9).

By the end of the 18th century, therefore, the people living in Mauritius presents an interesting and rich panoply of cultural traditions, some better known than others. There were non-Europeans who have never known slavery, such as the Marmittes from Madagascar who inhabited the *Camp des Noirs Libres*; there were those of Indian origin who inhabited the Camp des Lascars et Malabars. In this group, there was gradual separation between Muslim and Christian elements.

The *Petit Blancs*

A study of slavery in Isle de France would not be complete without mention of the slave owners and other French inhabitants. As stated before, Mauritius abounds in stereotypes, and those associated with Europeans or 'blan' ('white') no less so. The stereotype is that all slave owners were rich and white. Nothing could be further from the truth. Although, the bulk of slave owners at the time of emancipation in 1835 consisted of Indians, *Gens de couleur* and poor Whites. But the majority of slaves were owned by white sugar plantation owners.

Whiteness was a condition that was imposed on all European, whether they wished for this or not. Just like one became a 'Mozambique' during the slave trade and slavery, so one became a 'White'.

Furthermore, they were not all wealthy inhabitants; 50% of Europeans were '*petit blancs*', made up of artisans, workers, carpenters, stone-masons. In the rural areas, the men might be overseers, and the women employed as domestics. As the Free Black population emerged, the Whites relinquished these roles. They did not lead easy lives, as often portrayed. In many respects, they were the '*nègres blancs*' (Eng trans.'white negroes'). They defied the laws which prohibited them from marrying black slaves and cohabited with them. But this only drove them further and further away from the rest of the 'White' society which was emerging.²³¹

As with most neglected histories, they come to light only when the criminal records mention them. Thus Delpont, probably the most famous of them all was accused of multiple crimes: receiving stolen goods, encouraging slaves to steal and giving them resources to steal, squatting on 'unconceded' land etc.²³² Despite all this, they did enjoy the benefits that having a whiter skin colour proffered on them. A black skilled worker would never be equal to a white skilled worker in French Mauritius.²³³

5. SLAVES AND SUGAR 1815-1835

The lives of slaves under the sugar regime have been documented in *Bitter Sugar*, using the testimonies of some 647 slaves making formal complaints to the Protector of Slaves between 1832 and 1835. The complaints emanated mainly from slaves on sugar estates and provide a detailed picture of what life for slaves was like under the period of sugar expansion. Sugar expansion is documented in Chapter One. Following the ending of the slave trade and the resulting 'shortage' of labour to meet the needs of an expanding economy, the slaves endured even more hardships, and their lives became much more stressful between 1815 and 1835. This also impacted on their families as many were either sold or transferred to other estates and districts, causing a dislocation of families.

Slaves who had hitherto engaged in occupations not requiring hard physical labour were brought into plantation work and many did not survive this shift. Women, who had traditionally stayed at home or were working in domestic service, were also forced to shift to plantation work. Children and the elderly were brought in and given lighter work on the plantation (*'petite bande'*) and in herding cattle. That itself, although not requiring hard physical labour, meant much longer hours of work and a 7-day working week.

Anyone familiar with sugar plantation work knows full well the immense effort required to clear land for sugar; that this was done manually without any modern equipment is today unthinkable. Yet, this was the case from 1815 to 1835. Mechanisation occurred in the mill but hardly on the plantation field itself. The human and material costs to the slave population at the time and the consequences for the slaves will be summarized here.

Material conditions of slaves

- Increased mortality among slaves, despite better rations;
- Increased alcohol consumption as slave owners provided alcohol to encourage slaves to work;
- Longer hours in the mill and on the plantation during harvest time;
- Increasing use of physical violence, as documented by the number of complaints made to the Protector of Slaves and resulting prosecutions.

Socio-Psychological Conditions

- Aversion to plantation work after the abolition of slavery;
- Creation of propensity to alcohol consumption in individual slaves and possible impact on children;
- Trauma caused by a sudden change of occupations - from tailor to plantation work, for example;
- Trauma caused by the dislocation of families, as plantation slaves were sold/hired to other owners of plantations;
- Trauma caused by fear of physical punishment and humiliation of publicly-administered punishment;
- Fear of the 'White' man, of authority, further instilled by threat of physical punishment.

Health of Slaves

Height of slaves

Height-for-age of children is accepted as an indicator of the long-term (chronic) nutritional status in childhood. There is evidence that the nutrition of Mauritian slaves was inadequate. Adult human height is the result of both genetic and nutrition: height is affected by occurrences in childhood, as well as by genetic inheritance. A lack of suitable food, disease and too much physical activity - such as overwork - in childhood, all reduce the nutrients available to the growing body, and result in

decreasing average heights. A comparison of the heights of 3,739 slave children aged 4 to 18 years, with the NCHS² Growth Charts made in 1826, showed that the heights of Mauritian slave children were significantly below the NCHS reference throughout the age range studied. These differences in heights may have a genetic component, particularly since some Mauritian children had Indian and Malay ancestry, but it seems likely that malnutrition, disease, and hard work played a part in keeping the slave children short in stature. At 18 years of age, boys were about 25 cm shorter and girls about 15 cms shorter than the NCHS reference for the respective sex. Both slave boys' and girls' growth curves started to level off much earlier than the NCHS growth curves, indicating that the nutrition of slave children was inadequate to support growth, as well as hard physical labour to which they were subjected at a young age. Figure 1 compares the heights of Mauritian Creole slaves (i.e. born in Mauritius), and modern-day Mauritian Creole adults and US adults. It is obvious that Creole slaves were shorter than even their modern-day descendants, as a result of the chronic under nutrition, hard labour and disease prevalence which they experienced during the slavery days.

In the 19th century, how far had the situation changed? Sugar expansion no doubt changed much but the illnesses remained the same. Bonsergent occupied a unique position, being a medical doctor of the District of Rivière-du-Rempart, as well as having treated and observed many slaves in the District. He was there when the cholera epidemic occurred in 1825. This epidemic resulted in the deaths of 22,000 slaves according to him.²³⁴

In written sources on Mauritius, there is little information on the slave camps. Bonsergent no doubt visited a few as he gave a description of a slave camp. According to him, it resembled a small village where everyone had a hut and a garden:

Photo 3

Extract from Bonsergent's thesis

logement particulier lui était assigné dans le *camp des noirs*, c'est ainsi que l'on nomme le lieu où tous les noirs sont *casernés* dans chaque établissement : c'est une espèce de petit village où chacun a sa maison et son jardin, dont les dimensions varient en raison de l'accroissement des familles. Chaque établissement possède aussi un

Food consisted of Bengal rice, manioc, maize, sweet potato, as well as fish, salted meat and dry vegetables. Rations consisted of 1½ lbs rice as is well known. Fresh vegetables were available on the estate as well as a plot. However complaints of slaves abounded as was noted from the complaints made to the Protector of Slaves. Plots were cultivated with *bredes*, tomatoes, *bringelle* and *petit piment*. Those by the sea got sea shells and fish. Some also got what was left from the owner's table.

Extra rations were received by slaves on New Year's Day and some families sold the cattle they had reared during the year. Bonsergent observed that some earned up to 200 *piastres* from the sale of goods. For him, there was no doubt that slavery was very mild and that a European cultivator would readily exchange his free position for that of a slave.

The aged and infirm were given work as guards on sugar estates to watch out for fire and theft, but Bonsergent saw many who were neither infirm nor sick but who stole from the estate huge bags of goods. He claimed that every Sunday, slaves went to the canteen. He also described the situation in February and March 1835 when slavery was being abolished. All those slaves in prison were authorised to leave: however, they were all infected with skin infections which led to numerous other slaves being infected on those estates. Proprietors were forced to open makeshift hospitals on their estates to isolate the cases. This occurred at the time of the harvest, and many owners were deprived of the labour of their slaves.²³⁵

Concerning women, he observed that many young girls had multiple partners by the age of 12.

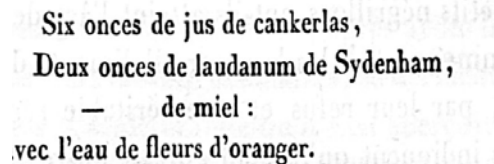
In the early 19th century, according to him, tetanus was also the most important killer. It killed 1/5th of slave babies within the first 15 days of birth. Mothers were placed in poorly ventilated alcoves inside their huts and lighting a fire and a change of temperature caused a child to get

tetanus, according to Bonsergent. Adults who contracted it were give cold washes and *ayapana* leaves as treatment.

Another common and poisonous injury was caused by a particular wood, *Bois de ronde*. A splinter caught in one's skin could lead to tetanus.

Slave fishermen '*noirs pecheurs*' were affected by the fish known as *laff*: if tetanus was contracted, death resulted, especially if the fisherman was alone. If an old fisherman was nearby, traditional remedies could be applied that included roots of wild 'ipeca, veloutier, gingembre, safran...' Another traditional remedy on the island for tetanus was controlled doses of opium:

Photo 4



Six onces de jus de cankerlas,
Deux onces de laudanum de Sydenham,
— de miel :
vec l'eau de fleurs d'oranger.

Indigestion was also a common problem. Infant slaves were overfed by 2 years causing stomachs to be overloaded and causing indigestion. They were treated with leeches. Worms also affected slave children, especially during the changes of seasons from warm to cool, despite anti-worm medicine being given. He gave the example of the fishing establishment of Mr. Faoulez, where 300 slaves worked as fishermen. Despite the excellent management, slaves still fell sick every week.

Bonsergent's statements need to be treated with circumspection, given that his aim in writing the thesis was to show that the illnesses of slaves were not due to their enslavement, but to the slaves' own 'vices'. Much contrary evidence exists that the regulations concerning rations and clothing were not being followed and that many slaves were neglected by their owners, who were sometimes in no position to feed themselves. But the elite also neglected their slaves, as complaints against many wealthy inhabitants demonstrate in both French and British periods.²³⁶

If poor settlers owning slaves could be 'excused' for not providing basic necessities to slaves, the same judgement cannot be made of the French East India Company who also neglected their slaves. Thus although owners complained about their slaves and some officials tried to manage the slave-based economy more efficiently, they were caught in a contradictory situation: slaves were supposed to be '*bien meuble*', but despite being treated as chattel, the slaves' humanity showed up in their every action. That was both the essence and tragedy of slavery. It was never efficient and, indeed, could never be because slave 'human' behaviour could never be predicted and be organised in the way for example, cattle could be.

Amelioration of slaves

How far did slave amelioration policies work in Mauritius and how far did sugar expansion prove to be an obstacle to amelioration?

The Report of the Commissioners of Enquiry (1828), which included recommendations for improving lives of slaves, went every far but was also very scathing on the behaviour of public officials and their connivance with slave owners and planters. Although it could not find evidence, it was convinced of the complicity of civil servants in the illegal slave trade and in covering up illegally introduced slaves in the slave registry.

This was to be expected, however: in a tiny island where there was only a small number of French families, they would be found in all sectors: economic activities property owners, courts, local politics of which Adrien d'Epinay was the perfect example; he was a big sugar estate owner, the editor of newspaper, a banker, a local politician, a lawyer with a brother as *Procureur*. The same applied to the elite among the Coloured population. Links were everywhere, and British officials from very early on, had learnt to be wary. Some even intermarried with local French families.

Nevertheless, changes were brought in which altered the lives of some slaves and gave hope to others. Through the Ordinance for the protection of slaves consisting of 45 articles; it set up the following:

- The Office of the Protector of slaves was established, owners were prosecuted (even though fines were rarely collected and punishments rarely enforced);
- Exhibition of chabouc or Whip was forbidden, when supervising slaves at work;
- No more than 25 lashes per day (Art 12);
- Slaves were also allowed to own property (Art 25): “buy acquire possess moveable and immoveable property” but if slaves died without heirs, owner became the heir;
- Establishment of a Savings Bank (Art 26);
- Manumission by purchase by slaves and no more taxes on manumission (Art 29 and 30);
- Slaves could give evidence in court (Art 36).

The Commissioners also recommended that certain laws of the *Code Noir* be kept, as for example, the appointment of slaves as tutors for owners’ children (Art 50 of the *Code Noir*).

Discrimination against the slaves during their life was oppressive. Even after their deaths, on a visit to Mauritius and South Africa in March 1844, James Blackhouse wrote:

‘The place of sepulture is divided into several compartments, to accommodate the prejudices of the living, for these even separate the ashes of the dead. The main burial-ground is surrounded by a wall, and another separates the portion occupied by persons of white skin, professing Christianity, from that in which the coloured people are interred! So strong is the prejudice that slavery has nursed’.

Memorialisation: Remembering the Slaves

We cannot, in any manner, do justice today to the innumerable, unquantifiable and unjustifiable harm that has been caused to enslaved populations and their immediate descendants in Mauritius. No amount of reparation, financial or otherwise, can unmake the injustices of the past.

What we must do is to ensure that their stories are not forgotten by successive generations and their economic, social and cultural contribution to Mauritius recognized and publicized in permanent and public spaces by all.

We must not forget, in the process, that slavery was both about the slaves and the slave owners, for the slave was primarily a ‘possession, good’ owned by another person. Both groups, in different ways, were victims of a system.

Reconciliation is thus about descendants of slaves, slave owners and the State, jointly and publicly acknowledging that a grave injustice was committed to African and Malagasy populations. Our recommendations on memorialisation of slavery, therefore, need to be openly and firmly supported by all these groups. These recommendations are to be found in the final section on Findings and Recommendations.

As it is impossible to ascertain, with exact figures, how many endured colonial slavery and the slave trade and even more impossible to capture what slaves felt, thought and lived through from 1721 until 1839, no amount of reparation will ever repair the damage done to those who endured slavery and the slave trade. What modern society can do is to ensure that such actions never occur again in whatever form and the justifications (philosophical, religious, ideological, economic, biological etc.) that were used to establish colonial slavery and the slave trade are not used to institute new forms of servitude. Modern society needs to honour the memory of all slaves destined for Mauritius, including those who never reached Mauritius.

It needs to pay special attention to those persons descended from slavery as they continue to endure several forms of injustice, incompatible with principles of democracy and natural justice in the Republic of Mauritius.

We recommend that public and private institutions rethink their cultural policies and incorporate the ancestral values of African and Malagasy peoples; that increased funding for memorialisations of slavery and the consequences of the slave trade in public places and especially in places where slaves have lived, died and worked be provided to all institutions undertaking such work; Increased funding for research in all aspects of slavery and the slave trade, to be conducted in a professional and impartial manner, and covering all groups who were enslaved and existing works to be continued and fully supported by public institutions financially and logistically. Moreover the Commission wishes that all works started by the Truth and Justice Commission to be continued by competent authorities and empowering young Mauritians through foreign scholarships and training programmes where expertise is lacking: slave trade database, ethnographic studies of descendants of slaves.

Sites need to be listed as national heritage sites are also given in the section on recommendations such as Trou Chenille; Slave Cemetery at Le Morne; Le Morne village ; Trois Cavernes ; Bassin des Esclaves ; site where Pedro Coutoupa's head was publicly exhibited; Maroon caves; illegal slave trading on Bel Ombre sugar estate ; execution site of Ratsitatanina.

The Commission also recommends the continuation of an inventory of documents found in France and elsewhere and the continuation of input into the Slave Trade Database. The aim is to establish a list of all ships and their cargo in order to better document the slave trade and arrive at an improved assessment of the volume of the slave trade to Mauritius, and the actual number of slaves having been disembarked in Mauritius. It is also necessary to include in calculations, those ships/persons/slaves destined for Mauritius but who never arrived, due to revolts, shipwrecks, disease etc. This information will be inserted in the database. Scholars from overseas working on the slave trade to Mauritius, in their respective countries, need to be included in this project, such as Thomas Vernet and Benigna Zimba. It is further recommended that this database work be continued by the University of Mauritius in partnership with other institutions with an interest in the slave trade and slavery. The University possesses both history and computer science departments who can collaborate with minimal cost with each other to maintain the database. It also has a pool of students every year who can be initiated and trained in historical research and data entry. However, appropriate funding must be provided and this work is to be shared with the public through an online database.

The Commission recommends the establishment of an Intercontinental Slavery Museum on the Port Louis Waterfront as a permanent reminder of the existence of slavery and the contribution of slaves to the history of Mauritius. We recommend that the Project be initiated and supervised by the Prime Minister's Office in collaboration with related institutions. Being located in the capital city Port Louis will ensure the history of slavery is given its due importance and also to ensure financial sustainability for the Museum once it is opened.

Finally the Commission recommends a NATIONAL GENEALOGY CENTRE, which will help numerous Mauritians, many of whom of African and Malagasy descent, who faced enormous difficulties in tracing their family history and genealogy. This has also caused much distress in families, and some believed they had lost property as a result. These families were unable to furnish basic information on their ancestors to the TJC. Consequently, the TJC helped a large number of families in recreating their genealogical trees and, during this process, it was able to verify for itself the difficulties mentioned by these families.

CHAPTER THREE

THE INDENTURED EXPERIENCE

INTRODUCTION

Indenture cannot be studied in isolation from other systems of labour prevailing in Mauritius and the world and, consequently, it was considered important to look at the legacy of slavery in Mauritius and how it affected the situation of a new type of labour being brought in: indentured labour. We further observed how different labour systems (slavery, convict labour and contract system) coexisted between 1826 and 1839, leading one to conclude that the shortage of labour was felt long *before* abolition of slavery because the Sugar Industry had started expanding after 1815, when Mauritius became a Crown Colony. The colony also witnessed the ageing of the slave population, due to ending of the slave trade and no decrease in slave mortality rates. In *Bitter Sugar*, the huge workload physically imposed on slaves on plantations, the disruption in family life, caused by forced migration within Mauritius, have been documented. However, what needed to be further explored was the wishes, desires and attitudes of former plantation slaves. Did they or did they not wish to continue with plantation labour after abolition? Despite planters attempting to control the labour movement of ex-plantation slaves, on some plantations, there is evidence of slaves being chased away, as planters did not wish to maintain ex-slaves and their families on plantations and at higher wage rates, when they could recruit single male Indians and at lower wages. This part of the legacy of slavery in economic terms, as well as the economic situation of indentured, will be discussed in Part Two '*Legacies*' which follows this chapter.

We believe the Commission's role was also to examine the many perceptions which people had about indenture. We find that the popular and official perceptions of indenture and of Mauritians of Indian origin contrast significantly with the available documentary evidence in many respects. For example, Mauritians of Indian origin are typically classified as belonging to Hindi-speaking, Tamil-speaking, Telugu-speaking and Marathi-speaking. There is even some token recognition of Gujerati-speakers.²³⁷ The reality under indenture was very different, and it is important to acknowledge the existence of a multitude of other groups who have been left out of the current memorialisation policies. It is also regrettable that many Mauritians are not even aware of their own origins and of the richness of the cultural heritage which their ancestors brought with them to Mauritius. Moreover, the richness of the Immigration Archives, regrettably, has not been allowed to be fully exploited through archaic beliefs and regulations which control access in those institutions.

The Commission has also addressed the continuing discussion (albeit sterile) about whether indenture was similar to slavery. This debate is summarized here and an explanation offered as to why these perceptions have held good, despite documentary evidence to the contrary. Ignorance of basic facts of one's history and concepts appear to be rampant in Mauritius, in spite of the high rate of literacy of its population.

What were the conditions of indentured labourers on estates? Did all indentured labourers work on sugar estates? Were all indentured labourers Indian or Hindu? Did all indentured labourers obtain land and become educated in *baithkas*? These are some questions we have answered through fundamental research on demography, landownership and education, as well as detailed histories of families and their lives in Mauritius. Just as it has been stated that one cannot generalize for the slave population, so one cannot do so for the indentured population: the family and life histories presented in Volumes 3 and 4 here show the immense variety of indentured experience, and it is clear that more such family histories, using interdisciplinary methodologies, need to be compiled.

It has been common in public and official discourse to demarcate, along clear lines, the slaves from indentured immigrants; yet, Mauritius at the time was not divided into these two groups: due to the extreme shortage of female immigrants, intermarriage and cohabitation occurred. Intercaste, interregional and interethnic marriages occurred, as evidenced by the family histories compiled. Many, if not most, Mauritian families have undergone a higher rate of *métissage* than they care to admit.

Did the conditions on estates impact negatively on the immigrants and their descendants? The Commission studied both the perceptions of descendants and the documentary evidence. Osteoarchaeological analysis was not possible during this Commission's lifetime, partly because of the difficulty of obtaining skeletons, and due to fact that Hindus cremate bodies. Recent research show that Indian immigrants, moving away from estates, fared worse in some cases as they received no rations.

Landownership has also been a sensitive issue in Mauritius, but Indian immigrant's acquisition of land has only studied in depth by Richard Allen. *Métayage* was another form of 'landownership' but what proportion of indentured labourers, out of the presumed 453,000 who arrived, actually owned land is still not clear. Today, this group of landowners, commonly referred to as 'small planters' and *métayers*, are facing a crisis as sugar estates reaffirm their control over their land. As these close down, *métayers* turn to other occupations. It has not been easy for these vulnerable groups to cope with the rapid social and economic changes, where the services which they provided to the Sugar Industry since the 19th century are no longer required in the new economy. Financial Compensation given by sugar estates, and Government subsidies to retrain do not compensate for the sense of loss felt by many of the descendants and even of the loss of identity which had been defined through their attachment to land and the cultivation of sugar. The Voluntary Retirement Scheme (VRS), introduced to help sugar industry workers face the restructuring of the Sugar Industry, is also analysed in the Conclusion below and in Volume 4, 6.6.2.10-11.

How far as descendants still 'Indian'? It is clear that what we can identify as visibly Indian (type of dress, religion, food etc) yields only a superficial similarity. There has been, in cultural habits and customs, an immense amount of 'borrowing' from other cultures, but it is unfortunate that anthropological and ethnographic studies have not analysed these changes and evolution over a long period of time. Only microcosmic studies focused only on contemporary culture, while very little context work has been undertaken. The Commission undertook a 6-month period of consultation into the caste system and its operation in Mauritius. Detailed studies on several localities were carried out. How caste impacts on modern society today has been partially studied, but official reluctance to discuss the caste system in Mauritius openly is partly responsible.

While the educated elite among descendants proudly assert its Indianness, whether mass of descendants see themselves with hyphenated identities (Indo-mauritian) is open to question. While they distinguish themselves from other ethnic groups, they do not necessarily see themselves as Indian, but as Mauritians of a different group. The sense of 'Mauritianness' appears more pronounced among the underclass of Mauritius than among the elite. Elderly descendants of all groups continually refer to the days when everyone lived in harmony, and most decry the activities of politicians and sociocultural religious groups who are believed to be mainly responsible for dividing the Mauritian population.

Are these consequences of indentured labour or the actions of Mauritians in post Independence Mauritius? The choice to maintain a caste system and to maintain division of ethnic groups in census is clearly a choice of independent Governments since Independence, and it is difficult to see how the indentured system could be held responsible. The choice not to teach a common history rather than a compartmentalised history, and for political and religious leaders to make public speeches where the failure of one ethnic group to achieve in one particular field is underlined, is a dangerous policy to tolerate. Over the years, this has led to increased social and cultural fractures. To avoid further divisions, these need to be stopped and should no longer sanctioned officially.

It needs to be acknowledged that there are still many vulnerable sections among descendants of indentured immigrants: the lower castes, the propertyless, the poorly-trained, the single mothers, the ex-VRS. These issues are addressed in the number of report found in Volumes 3 and 4. The common culture that emerged in the Mauritian village, with Creole Chinese and Indians speaking the same language, seems to be disappearing forever. Should Bhojpuri be the medium in those pre-primary schools in rural areas or should it be Kreol or English? or French? The fact is that there is not one maternal language in Mauritius, but several. As people become conscious of their cultural roots, there is a desire to learn the original languages of the forbears. Should this be encouraged at the expense of English and French which could bring greater benefits in terms of employment rather than a vernacular language? These issues will be discussed in the Chapter on education of indentured immigrants and their descendants.

1. FRENCH *ENGAGÉS* IN ISLE DE FRANCE

In Mauritius, it is commonly believed that indenture started in the 19th century, in Mauritius. Far less is known about the first indentured migration occurring in the 17th and 18th centuries to the United States from England or about the first *engagés* to come to Mauritius from France. There is no direct translation of the term 'indenture' and so the term *engagés* is used to denote all those on 'contract'. It is befitting that the site of the Immigration Depot today known as the Aapravasi Ghat has become a World Heritage site as the first *engagé* no doubt also landed in the same bay of Trou Fanfaron.

In France, a complete inventory of all French *engagés* arriving to Mauritius has already been undertaken and published, and it is not necessary to list all of them. Their history, however, is little known in Mauritius, as many returned to France and have left no descendants. A reading of their conditions is strangely reminiscent of indenture of the 19th century in many respects. Their names were often misspelt and they did not speak French but Breton, and their names are spelt differently on several documents. Their conditions were not always good as one might think, despite the wages. For example, fines were imposed for absences: Antoine Aimé, soldier and locksmith, is described as 24 years, 5'1", with curly brownish hair, square face, small grey eyes. He arrived on the *Badine* on 8 June 1731, worked for a year and left for Bourbon. As his contract included fines, a fine was imposed on him for a day's absence for which he paid 3 *livres*.

A few profiles are given to show the variety of persons arriving as *engagés*: Pierre Avril arrived on the *Maurepas* on 8 December 1733 but engaged in Mauritius on 13 May 1735 for 3 years at 270 *livres* per year, with ordinary rations as *matelot*. His contract in to be found in NA 6 No.72. Michel Ally was a sailor from Hennebont, engaged at Lorient for Mauritius at the end of 1743, for 3 years at 8 *livres* a month. He was 18 years old, of medium height and arrived in Mauritius on 5 May 1744. One of the earliest was Noel Adam, a blacksmith (*forgeron*), lock maker (*serrurier*) *armurier* who engaged at Lorient on 2 April 1723 for 3 years at 360 *livres* per year. From St. Malo, he arrived on board the *Triton* on 21 September 1723 and travelled widely. He went to China in 1730 as *armurier* for 18 *livres* per month. He re-engaged for Mauritius in 1732 as blacksmith at 650 *livres* per year and was 34 years old by that time. Pierre Balancy was a stone-mason from Bayonne who engaged on 27 October 1752 for 3 years at 400 *livres* with half rations. He was 25 years, 5'3" and had small-pox marks.

Apart from skilled workers, the French East India Company also brought frauders (*faux sauniers*) on contract and even some convicts. These were not always allowed back in France. Between 1717 and 1770, some 1,718 'engagements' were signed for a variety of occupations. Apart from French, Indian sailors were also sent on contract. They worked in shipping-related activities and constituted crews on board ships. They were mainly from Bengal between 1729 and 1739. Wages consisted of 2 *pagodes* in gold, 1 lb of *ghee*, 3 oz. pepper, 1 lb. Salt and a free return passage. However, due to many complaints, most were sent back by 1743.²³⁸ Another group of 97 Indian *engagés* were recruited from Chandernagore.

Thus Indian, French, Mozambican, West African and Malagasy worked side by side in workshops on board ships in Port Louis, but also in various agricultural pursuits, such as indigo and on other crops. Wages, rations and conditions were, however, different. The wages of those from Chandernagore, for example, were half that of French *engagés* but the same as French sailors.²³⁹

In addition to free French and Indian *engagés*, non-slave forced labour was also used in the form of convicts from France and, later in the British period, from India. Women *engagées* were also recruited, but in smaller numbers. French children, mostly orphaned, were also brought in and placed as apprentices in Isle de France.

Recommendation

The Commission recommends that further study be undertaken on French *engagé* labour, men, women and children as well as on the orphaned children brought to Isle de France to work.

There are many links between slavery and indenture and many continuities. This is perfectly understandable, given that one could not expect that persons, who were once opposed to abolition or even amelioration of slaves' lives, i.e. the future employers, would suddenly change overnight and see or treat the new labour force any differently. It is worth examining some of these continuities as these have been overlooked in debates and discussions on slavery and indenture. This helps one to understand the situation better in post-emancipation Mauritius.

2. INDENTURED AFRICANS

Although the stereotypical image of the ‘indentured labourer’ is that of the Indian, dressed in a ‘dhoti’ and laboring away on the cane fields, ‘other’ indentured labourers also existed in Mauritius: those working in the ports, and various types of employment in urban centres as well as those working with private individuals. There was also a large group of Africans, Malagasies and Comorians also brought before and after abolition of slavery to work on contract in Mauritius. Some had been freed from slave ships illegally trading in slaves, hence the term ‘Liberated Africans’ being applied to them. They did not benefit from the Act of Abolition of Slavery in 1833 and continued to work with their employers until their contract had expired. The Commission is indebted to two young historians of the Nelson Mandela Centre and the Apravasi Ghat Trust Fund who have shared their work on the Liberated Africans with us during the recently organized Conference on Slave Trade organized by the Commission. Their contributions are reproduced in part in Volume 4 of the TJC report and will be published in full in the Conference Proceedings by the University of Mauritius.

Brief History

The Act for the Abolition of the Slave Trade in 1807 outlawed the importation of slaves into British slave colonies and set down regulations for slaves captured on high seas. In March 1808, an Order-in-Council was passed by King George III, which stipulated that Africans seized on slave ships by the British Royal Navy would be forfeited to the British Crown as ‘prize negroes’. They were also given other appellations such as: ‘Liberated Africans’, ‘Government Apprentices’, ‘Government Blacks’, ‘African Recaptives’ and ‘Prize Slaves’. The trade thus continued and involved many of the islands further out in the Indian Ocean such as Rodrigues and Seychelles where slaves could be better hidden. This history has yet to be written using sources found in all these countries and would need a concerted regional effort, currently lacking.

In his report on Liberated Africans in Mauritius, in 1826, P. Salter, the Ag. Collector of Customs, we learn that between 1813 and 1826, out of 2,998 Liberated Africans brought to Mauritius, some 291 had died even before being apprenticed. Women constituted only $\frac{1}{4}$ of them. More than 9% of the Liberated Africans died within less than a month after landing, dying of dysentery, cholera, and the small pox, as well as from severe cases of malnutrition and dehydration which prevailed on the slave vessels sailing between Madagascar and East Africa to Mauritius and its dependencies. The state of the ships was confirmed by Captain Dorval, who had commanded one of them, *Le Coureur*, involved in illegal slave trading. He described the state of the slave vessels which were always extremely overcrowded, with diseases being rampant and the high mortality rate. Thus we find that more had died before reaching Mauritius.

According to Richard Allen’s latest figures, between 1811 and 1827, between 50,000 and 65,000 slaves were illegally introduced into the Mascarenes. Using this figure this would mean that only between 4 to 6% of the total number of slaves illegally landed in the Mascarenes are known to us and the others merged with the slave population.

The contract

The contract lasted for a period of 14 years, the same amount of time proposed by slave owners for the slaves to be freed after the abolition of slavery and who were to undergo the apprenticeship system. It would appear therefore that what they did not obtain from the British Government for their legal slaves, they did obtain for illegally-landed slaves.

The purpose of this indenture was as expected always ‘laudable’: to ‘train’ the Liberated Africans or Prize Negroes for a specific employment, so that they would be able to support themselves in the future and eventually become free and productive members of colonial society. The employer was required to enter into contractual obligations or an ‘indenture agreement’, a process known as ‘articling’, with the Collector of Customs. The employer agreed to provide the apprentice with sufficient food, clothing, medical assistance and to instruct him or her in a trade or ‘other useful employment.’ The apprentice also was to be baptized and be instructed in the Christian religion.

The indenture agreement was signed by four individuals, the Collector of Customs, the apprentice, the employer and a witness.

The reality for most was quite the opposite.

The work

By 1839, they could be found in three groups: around 1,979 Africans employed privately by mostly British officials, British residents and some local planters. For example, Charles Telfair had 91 of them. Another group was employed in the Offices of the local British administration and the third were enlisted in the land and sea forces. Governor Farquhar and the members of his inner circle hired 560 apprentices, or just over 23% of them.²⁴⁰

Their economic contribution to Mauritius has yet to be quantified and officially acknowledged today. The Commissioners of Enquiry (1826) reporting on this stated that the state owed them much more than they received as salary:

'...the ordinary rate of colonial hire for the labour of a negro in one year, and considering the number of years these negroes have laboured, the severity of that labour, and the profits of the sugar plantations for some years past, a compensation might justly be due to the negro for past service rather than any claim of indemnification be asserted by the master for his present release.'

(Extract from Report of the Commissioners of Eastern Enquiry upon the Slave Trade at Mauritius (June 1829))

For them more than any other group in Mauritius, life was 'nasty, brutish and short'.

59 of the 206 Liberated Africans employed by the local British Government died while in service, representing a death rate of more than 28%. Among those hired to Colonel Draper, the death rate was 50%; for Reverend Jones of the London Missionary Society, it was 43%; for Charles Telfair the death rate was 39% and for Governor Farquhar, it was 39%.

32% or almost one-third of all the Liberated Africans died. In 1830, Captain Vicars, in charge of the Government Apprentices for several years during the 1820s, confirmed that the death rate among the Liberated Africans was much higher than those among the Mauritian slave population. He stated that it was common for them to be overworked and treated worse than slaves. Three years earlier, P. Salter, the Acting Collector of Customs commented that

'it is to be observed that many of the inhabitants do not in their declarations distinguish between slaves and Prize Negroes.'

The import of more African Malagasy and Comorian labourers continued after abolition of apprenticeship in 1839 and the banning of emigration from India. Madagascar, the Comoros Islands, and East Africa were tapped instead for labour. Planters were asked to contribute to a fund and to make known the numbers of labourers each wished to obtain. The local Government was entirely agreeable to this proposal and the task of administering this went to British and local merchants. The Queen of Madagascar and the Imam of Muscat were contacted. Although the Anti-Slavery Society did not approve of these labour schemes, several groups of Malagasy people were recruited on one-year and two-year contracts, amongst which were the 'Marmittes' who were already regularly involved in the cattle trade. In the same logic, the local Government allowed in 1840, the 'Lily' to be brought from Mozambique and disembark 59 Liberated Africans. 324 had embarked and the rest had died.

Labourers were also brought in from both east and west coast of Madagascar: legally from the east and illegally from the west by dealing privately with the Saklava.

The Sultan of Muscat also sent 'Baluchis' - strong men from Muscat, carrying goods about the town loading and unloading ships'.²⁴¹ This emigration was however stopped when the Sultan decided to send his slaves. Lambert & Co. even created a special company 'Compagnie Anglo-Française de la Mer des Indes' to import labourers from Aden for both Mauritius and Réunion. The British

Government condemned their activities and their two ships, the *'Mascareignes'* and the *'Governor Higginson'* were seized. In 1856, the *'Mascareignes'* in Port-Louis was seized with 325 people from Ibo island and the *'Governor Higginson'* seized in Anjouan in May 1857 with 400 labourers bound for Réunion.²⁴²

In 1841, some 200 Comorian labourers came from the island of Johanna after an agreement was reached with the Sultan of Johanna. More came in 1843.

Between 1839 and 1857, some 4,601 Malagasy workers had arrived as well as 320 from the African coast, 433 from Aden, 206 from Comoros Islands and 2,739 Chinese. 'Liberated Africans' continued to arrive up to the 1860s. They, unlike, Indian immigrants did not benefit from return passages, although it was reported that many were afraid to return in case they were recaptured as slaves. One of the last ships to bring in Africans was the *'Manuella'* in September 1860. She had on board 730 Africans most of whom were children and were apprenticed out to planters.

These documents concerning the Liberated Africans are to be found at the Mahatma Gandhi Institute and specifically located in the 'Indian Immigration Archive.'

Recommendation

1. The Commission recommends that appropriate memorials be established in the vicinity of the Customs House to honour the Liberated Africans.
2. The Commission recommends that the Ministry of Arts and Culture reclaim all historical documents given to Mahatma Gandhi Institute concerning Liberated Africans and currently incorrectly labelled 'Indian Immigration Archives', so that the descendants, professional researchers and others may research their history in full freedom without the administrative and political constraints imposed on them at this institution.

3. INDIAN INDENTURE

Setting up the System

1. Private recruitment

The first labour immigrants were brought in under private recruitment, and that is when many cases of abuses led to it being described as ‘new system of slavery’. The prevailing ethos was:

- Cheap labour

The labourers were there simply to supply cheap labour for the expanding sugar economy. This search for labour was no different from the cheap labour required for infrastructural and agricultural works in the 18th century. When the slave trade was abolished from 1810 onwards, planters did not wait for the abolition of slavery to start importing labour; they did so from 1825, 10 years before abolition. Hands were needed for work, and there was little concern for family relationships, cultural habits and wants.

- Families were not required

Women would be brought in to service male labourers/slaves, to undertake domestic duties, such as cooking and cleaning, and satisfy sexual needs:

"In Demerara," Mr. Gladstone stated, "the females are employed in the field as well as the men; and if the female Coolies will engage to work there, a larger proportion may be sent, say two women to three men, or, if desired, equal numbers; but if they will not engage to work there, then the proportion sent to the Isle of France, of one female to nine or ten men, for cooking and washing, is enough".²⁴³

Thus numbers of women would only be increased, if their labour was required. It is only when problems arose that more women were allowed to come. As the company named Gillanders needed labour, Gladstone complied.

- The people with ‘no civilization’

One should also never forget that the colonial officials and planters did not have much respect for the ‘people’ they were bringing in. The first labourers to be recruited were described as such:

"The ‘Dhangars’ are always spoken of as more akin to the monkey than the man. They have no religion, no education, and, in their present state, no wants, beyond eating, drinking and sleeping; and to procure which, they are willing to labour."

- Surreptitiously

The first indentured immigration began in the same way that the slave trade ended: illegally. At this time, Mauritian planters were desperate for cheap labour and engaged in fraudulent practices, by hiding importation of labourers from India. The labourers were forced into prison-depots where they waited for ships to arrive, and where they were:

"then—hurried on board—put under hatches and guards—robbed and pillaged of the advances made to them by the Mauritian agents in Calcutta — shipped in large numbers on board vessels, without the requisite accommodation, food, or medical attendance — brought under the most fraudulent contracts to labour for years on scanty wages, and scanty fare — separated from their families and from their homes — compelled to perform the hardest agricultural labour known, at the discretion of their masters — and without the protection of an upright, impartial, and efficient magistracy."

This, in 1839, was Hugon’s report on the ships which he had visited and where 450 men were confined in a space of 50 feet by 35 feet in breadth.²⁴⁴

It is to be regretted that the records of the first immigrants arriving in Mauritius have not been kept, according to international conservation norms, and have not even been entered into the database as the document was too damaged.²⁴⁵ The Commission scanned the document and has given copies to relevant institutions for research purposes.

- The pass system

In 1839, Hugon reported that immigrants needed to obtain a pass (*Billet de passe*) to leave the estate. He noted that the apprenticeship system was still going on and on many estates, the pass system had already been abandoned, and hence apprentices were no longer required to have one. It was to him an 'abrogation of personal liberty to which the labourer would never have acceded to' and was not part of his contract.²⁴⁶

2. Government Recruitment

Under the system of Government recruitment, which followed private recruitment schemes, there was little change in attitudes at first.

- Plantation Discipline, use of violence and intimidation

Among the consequences of slavery, was the use of violence and intimidation to control labour movements and to enforce strict discipline at work. Although slavery had been abolished, this did not imply an end to employers using violence and intimidation, and this continued for many years afterwards. The excuse given was that these same punishments existed elsewhere in Britain and India for criminals.

Thomas Hugon remarked on this situation in his report in 1839: he showed how this was counterproductive as the Indian immigrants had not been used to it in India and would certainly not be interested in staying on in Mauritius. He urged planters to change their ways and to learn the habits and customs of the immigrants. The continued visible presence of stocks on plantations, for example, reminded Indian immigrants that slavery had only just been abolished and did not endear plantation owners to them: "These should be discretely removed", he advised.²⁴⁷

This mode of behavior was linked to how one conceived of the new so-called 'free' labour. It was indeed difficult for the former slave-owner to separate attitudes to slaves and attitudes to indentured labour; there was, in effect, a continuation of slave mentalities and ideologies. This no doubt convinced the British Government that it had to end the 'bounty' system and take over recruitment and shipping of indentured labourers to Mauritius. The correspondence, published in the Parliamentary Papers, makes for interesting reading in this respect. These abuses thus led the Indian Government to put a temporary ban on immigration in 1839, but it was resumed in 1842. However, many labourers continued to be introduced from French possessions in India.

3. Increased labour needs

In early 1840s, the labour needs for the Sugar Industry and for the production of other food was estimated by the Immigration Committee at 30,000 to 35,000, and it was expected that 25,000 immigrants would have reached Mauritius by 1843.

However by this time, Mauritian planters represented in the Immigration Committee also wished to have permanent immigrants, and not temporary ones, as 6,000 immigrants had already left Mauritius by 1844. To do this, however, would have necessitated the introduction of a greater number of women and families.²⁴⁸ It was not thought necessary to import much more after that year. It was felt that to undertake Government-controlled recruitment and shipping, this could be more efficiently supervised by a Government Emigration Agent based in Calcutta. Furthermore, this was also where rice supply for Mauritius was procured. By October 1843, the Protector of Emigrants reported that the labour needs of the Colony had been met: about 29,000 labourers would have been introduced of whom 2,700 were women and 700, children.²⁴⁹

- Emigration of women

After 1842, it appears that officially, about 12 women to every 100 were to be brought, including some children, but in fact, many more were brought. On 23rd January 1843, the first boat load of

immigrants with wives and children were disembarked, “a very rare occurrence up to the period of the prohibition.”²⁵⁰ Employers preferred women below the age of 20, and up to 30. However, it was not easy to find more females: according to the European view of Indian women, the tendency was to think that “respectable females of the working class in India will not go abroad.”²⁵¹

However, Hugon had different views: he stated that there was no real objection to women accompanying their husbands, even to work, since women, among the Hill people, had a different attitude to work. Tribal women worked, while those ‘of Hindostan’ did not. But, due to increased landlessness and unemployment, he did not feel that even this would be an obstacle for women. The real obstacle was the fact that in Mauritius, there was no law guaranteeing that the wives would stay with their husbands as religious marriages were not recognized.²⁵²

- Madras and Bombay ports

Although many of the first immigrants came from Madras and Bombay, the Indian Government was not agreeable to other ports in India being used by the Mauritian Government because immigration could be better checked, nor could abuses, (‘under the eye of the Supreme Government’). From Calcutta, it was also possible to ensure that more women embarked, as very few women embarked from Madras and Bombay.²⁵³

The aim of this section is to show continuities in how labour was procured, and similarities in attitudes towards slave and indentured labour. It is important to state, however, that one of the most important difference between immigrant labour recruitment and slave trade is that the immigrant, were allowed to return, at least in the early years. This fact is often overlooked by Mauritians who assume that all immigrants settled in Mauritius. The activities at the Immigration depot concerning returnee migrants were so important that the Office had to be extended to accommodate both immigration as well as departure procedures.

From the much quoted figure of 453,000 believed to have come to Mauritius, about one-third returned to India, while another 1/3 did not survive their indenture and did not leave any descendants. This makes the request by the Mahatma Gandhi Institute, which houses the Immigration Archives even more ridiculous, when they ask researchers to ‘get the permission’ of descendants, before embarking on tracing family histories. It appears they are not aware that the bulk of immigrants never left descendants and are now consigned to oblivion in Mauritian History books, because of uninformed and unscientific based policies.

Mauritians, thus, still needs, to do justice to the history of these immigrants.

4. THE EARLY YEARS, 1825-1839

Although indenture is associated with the abolition of slavery and the year 1834, it is little known that Indian labourers were brought in as early as 1825 into Mauritius. A first batch was brought by no less a person than Adrien d'Épinay, the champion of slave compensation for slave owners, 10 years *before* slavery was abolished. On his estate at Haute-Rive in Rivière-du-Rempart District, it appears that Indian labourers worked side by side with slaves in the sugarcane fields. According to d'Épinay, he wanted to show his slaves that free men did not consider it a 'dishonour' to perform manual labour in the cane fields. This could be considered as the 'first experiment' with indentured Indian labour. The next recruitment came in 1828, when more labourers were brought in. The following year, the Commercial Agents of Gaillardon & Co., a Mauritian trading company, went to India with the objective of importing cheap Indian labour. They had the firm support of the British Colonial Government of Mauritius and so, on 21st September, the *Albion* dropped anchor in Port Louis harbour with 500 male labourers, 9 females, and one child on board. A further 600 labourers were brought in that year in smaller groups. By mid-October 1829, there were already over 1,100 Indian labourers in Mauritius.

These early experiments do not appear to have been successful, as wages were considered too low. The employers did not honour the agreements which they had made, and most of the Indians wanted to terminate their contracts. A large number deserted the sugar plantations and showed increasing signs of 'insubordination'. By late October 1829, John Finiss, the Chief of Police, ordered the repatriation of these rebellious labourers. Between the end of October 1829 and May 1830, they were returned to Calcutta and Madras in small groups.

Between 1830 and 1834, there was only a trickle of immigrants arriving between 1830 and 1834. About 10 labourers were introduced in 1830 and another 29 between 1831 and 1832 by Mr. Bickajee, a wealthy businessman. In 1833, another 29 labourers were introduced. In 1834, on the 4th August 1834, the newspaper *La Balance* announced the arrival, on 1st August, of the *Sarah* in Port Louis, with 29 Indian workers. The arrival of these labourers served as a prelude to the start of large-scale Indian immigration, with the coming of the *Atlas* on 2nd November. It is worth noting that the Commission has been unable to find which *Atlas* came to Mauritius as there were several ships bearing this name: *Atlas I*, *Atlas II*, *Atlas III* etc. At least one of the *Atlas* was also used to carry convicts to Australia. Further research is required.

On 10th September 1834, 36 'Hill Coolies' of the *Dhangar* group (originally from the hills of Bihar in Eastern India who were then living in Calcutta) signed a five-year labour contract with Arbuthnot and Co. Their labour contract was written in Bengali. The salary for the males was Rs. 5 per month, while for female labourers, it was Rs. 4 Rupees per month. The *sirdar's* salary was Rs. 10 per month and the assistant *sirdar* around Rs. 8 per month. They all received six months' pay in advance before boarding the *Atlas*. One rupee was deducted by Hunter Arbuthnot & Company to pay for the return passage to India. They had paid for the immigrants' journey from Calcutta to Port Louis. They were also to be provided with food, clothing, lodging and medical care. The ship also carried a large cargo of rice. On the 3rd November, Monday morning, Arbuthnot wrote to Governor Nicolay, requesting that: "they be allowed to land 36 Hill Coolies from the ship *Atlas*, whom they intend to employ on their Estate, under guarantee that they shall not become a charge on the Colony." Permission was granted. These first Indian labourers were, according to Brenda Howell, "the pioneers of a migration which was eventually to transform the character of Mauritian life and industry." Between November 1834 and April 1839, during the first wave of Indian immigration, around 25,468 Indians were introduced, amongst whom were around 23,281 males, 727 females and 175 children. Almost 15,000 came from Calcutta and Bombay and over 9,000 from Madras and modern-day Andhra Pradesh. More than half of these first Indian immigrants belonged to rural tribes, known as the Oraons, the Mundas, Bhumjis, and the Santals. In his report, Hugon categorised the 14,500 from Calcutta, but not from 'Hindustan', as follows:

Figure 2 Region of Origin for early immigrants 1843

Region of origin	No of immigrants
North Western provinces	7,000
Bengalis, West of Ganges, principally from Cuttack, Midnapur, etc.	2,500
Bengalis from Calcutta and neighbouring provinces	3,000
Hill tribes, West of Ganges	2,000

In May 1839, immigration from India was suspended, only to be renewed in January 1842, when it became 'State controlled' and 'State sponsored' by the British Governments of India and Mauritius. A Protector of Immigrants was also appointed in Mauritius.

The Recruitment process

Of all the countries importing Indian labour, Guyana (Demerara), Trinidad, Jamaica, Grenada, St. Lucia, St. Kitts, St. Vincent, Nevis, Natal, Fiji, Réunion, Cayenne, Guadeloupe, Martinique St. Croix Surinam, Mauritius was the only colony to recruit immigrants all the year round.

There were Central Depots in each Port (Calcutta, Madras and Bombay) as well as sub-depots. The district and sub-district depots were headed by the Chief Recruiter and Sub-Recruiter respectively. The sub-depot was much smaller and the role of Sub-Recruiter to keep his emigrants well fed and *khush* (happy), according to Grierson.²⁵⁴ Uncooked food was provided by a *banian*.

Unusually, the Sub-Recruiters in North-Western provinces were Jewish, but in other areas, recruiters were drawn from all castes, from Brahmans to Chamars, and from *chaprassis* or higher domestic servants to cloth-sellers, labourers and peons.

Those in charge of registering immigrants often made mistakes, and these were reproduced in the registers found in Mauritius. Transcription errors by copyists transferring data from one register to another, unfamiliarity with the language, employment of semi-literate persons, as well as sheer laziness, were responsible for the multitude of errors found by Grierson during his inspection.

These errors have inevitably found their way to Mauritius in registers found at the Archives. The task of correcting these errors today is a daunting, but a necessary one. Thus, the clerks, who could not read English, sometimes inserted the village for the heading marked *Zillah* or the opposite; sometimes, a fictitious *Zillah* was written down and the name of the *pargannah* almost invariably wrongly written.

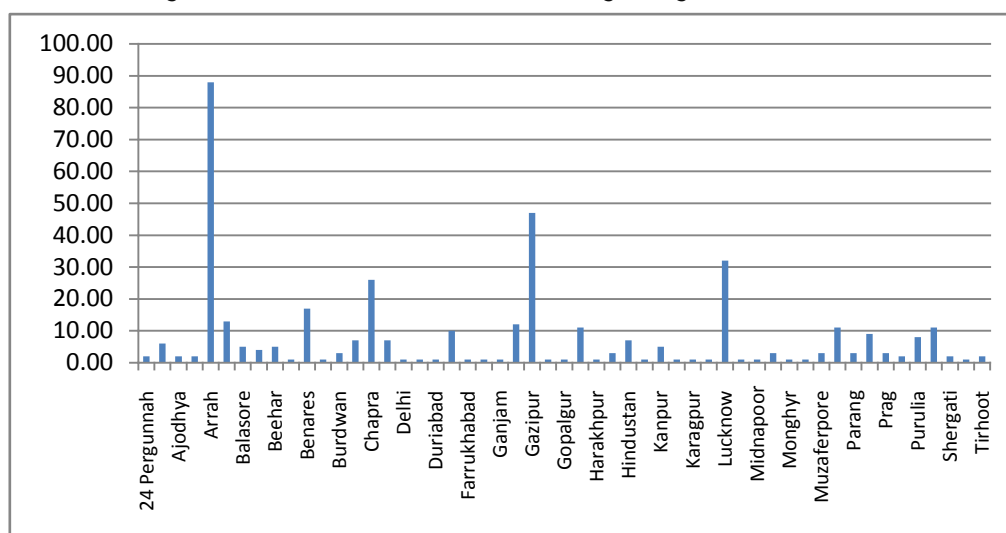
By the time the registers, or 'hash', as Grierson preferred to call them, reached Calcutta, where Bengali was the language- clerks did not understand Bihari names- more errors had crept in. Despite all this, it was quite surprising to Grierson that the registers seemed, nevertheless, on the whole quite correct.²⁵⁵ The perception, in Mauritius, that European officials wrote down names which they were not familiar with is thus slightly exaggerated as the language barriers and problems among Indians themselves, at source, are the factors which caused the discrepancies and errors in writing down names.

It is to be regretted that up to now, there has been no attempt to explain this to Mauritians who seek to trace their ancestry and discover that names, castes and districts are not the same as they believe them to be. Mauritians have thus been left with incomplete, undigested and unexplained information by custodians of the Archives. Had this information and educational exercise been undertaken, the Mahatma Gandhi Institute would have saved itself many acrimonious contestations over these registers over the past years. Other identifiers, however, helped to locate the immigrant: in well-organised depots, the name of ships, and the number of the immigrant on board the ship would be the surest way to identify an immigrant. This is the reference used today to trace the ancestry of many descendants.

Northern India

George Grierson's report of 1883 is one of the most comprehensive surveys of recruitment procedures in Northern India. We have not found a similar document for Southern India, and so the focus of this section will be on recruitment from Northern India, to form an idea of what recruitment consisted of. From Grierson, we have some information on recruiters for Mauritius. They were almost all Brahmin, Muslims or Rajputs. The recruiter in Arrah District was a man named Jhumman Khán. He had originally started out as a recruiter, become a labourer in Mauritius and returned to India and began recruiting again.²⁵⁶ The MGI database collection on a sample of 209,000 immigrants confirms that Arrah District was one of the main recruitment centres. Apart from Arrah, immigrants also came from Ghazipur, Lucknow, Chapra Districts.

Figure 3 Districts in Northern India sending immigrants to Mauritius



This confirms the areas mentioned by Grierson: Shahabad, Saran and Patna Districts. All three were also located at the confluence of the River Ganges and other rivers. The most important recruiting districts were those located along the Ganges. Shahabad was considered one of the most successful centres of recruiting at this time.²⁵⁷

Patna was another of the districts sending large numbers of immigrants to Mauritius. The chief recruiter there was a man named Chunni. Recruiters were encouraged to put up posters showing the advantages of emigration, "in kaithi character and in simple language by thousands throughout the district."²⁵⁸ However, between 1879 and 1882, when Grierson had visited, only 110 emigrants had left for Mauritius, out of 717 leaving Patna, and emigration was dwindling. Chunni worked alone, according to Grierson and had a *pakka* sub-depot in Patna. One rarely encounters women in the recruiting process, but Sukhiya deserves mention as she provided food to the emigrants and had lived in Mauritius for 12 years. She set up a 'Railway refreshment room' for emigrants. She stated that she encouraged people to go to Mauritius.²⁵⁹

The returnee emigrants played a crucial role, according to Grierson, in encouraging potential emigrants. A study is required on those who returned and their experiences of Mauritius. According to Grierson, the total number of emigrants in Mauritius entitled to a free return passage was 215,713 immigrants. Of these, 80,007 returned to India.²⁶⁰ Figures for the rest, who paid their own return passage, need to be compiled.

Factors affecting numbers emigrating

1. **Myths and taboos:** The *Mimiai ká tel* myth: In some districts, where there was less emigration, rumours of horrendous treatment scared away people. For example, it was believed that in French colonies, labourers were hung upside down and oil extracted from their heads (*mimiai ká tel*). There was also the rumour that they would be forced to become Christians and eat beef.

Kala pani or *tapu*: In almost all districts, recruiters were asked *not* to refer to colonies as ‘*kala pani*’ (the black waters), but as *Tápú* in order not to dissuade potential migrants. Finally, another reason, noted by Grierson for reluctance to emigrate, was the ‘longing for home’ or *janambhúmi*.²⁶¹

Over the years, it would seem that the term *kalapani* was not used. Grierson had also noted a change in the caste mentality about travelling overseas. A new caste rule appears to have emerged. Thus, on the ship, eating ‘everything’ was no longer taboo, as the ship represented the *Temple of Jagannáth*.²⁶²

2. Economic factors: The labour market prevailing at a particular time, the price of rice on the market, the harvest times, existence of large-scale public works and density of population in a particular area, also influenced departure from a particular district. In Northern India, the Darbhanga, Saran, Motihari and Muzaffarpur Districts, where there was a high density of population, the construction of the Maharaja’s palace and three railway lines reduced the numbers willing to emigrate. There was also Northward migration into Assam and Nepal. Saran District sent quite a few overseas, but these were not registered as from Saran, but from East Bengal and Calcutta, where they had gone to look for work. Further down in Patna and Shahabad Districts, there were no major public works and so, much recruitment took place there, particularly from the Northern sub-districts of Arrah and Baksar.

3. Price of food: According to Grierson, the correlation between the price of food and emigration was very close. The famine years of 1874, and again 1878-9, led to a corresponding rise in emigration. In the South Gangetic Districts, the 24 Pergunnahs, high food prices led to increased emigration.

4. Availability of local work: In non-famine years, what influenced emigration was the availability of work: Patna and Shahabad Districts were compared; during the harvest season (October to December), there was less recruitment as employment was not a problem. Recruitment started again in January, only to drop in February, when cutting of spring crops started. Thus, the months of April to July were recruiting seasons.²⁶³

4. The Indian Mutiny: Although not yet fully researched and perhaps, as hinted by Carter, purposefully ignored by local British officials in India and the sugar colonies, the emigration of sepoys who had taken part in the Indian Mutiny must also be considered for the period after 1857. According to Carter,

the regional breakdown of the figures was striking: in 1857-58, of 9,864 adults who embarked for Mauritius, 2,229 came from Shahabad, and 1,658 from Ghazipur. In 1858-59, of 20,166 adults who emigrated, 5,522 came from Shahabad, and 2,921 from Ghazipur. The inference is clear: a region that was closely linked to heavy recruitment of sepoys was also sending emigrants in massive numbers to Mauritius. Yet it seems that no investigation was made at the time, either in Calcutta or in Mauritius, to check whether fugitive rebels were among the number. This was not for want of experienced colonial officials to undertake such enquiries. On the contrary, many of the senior police and magistrates serving in Mauritius at this time were former Indian army officers.⁷⁶ Instead, it is noteworthy that high-ranking officials took steps to discredit any notion that sepoys might have had a commonality of interest with the legions of ‘coolies’ departing for or already settled in the sugar colonies.²⁶⁴

Furthermore, in Mauritius, the ‘greed of colonial capitalists [that] kept the existence of any itinerant sepoys carefully under wraps’. Emigration of sepoys and possible repercussions on Indian immigrants already in Mauritius was therefore avoided at the time. One has still to fully understand the huge rise in emigration from India for the period 1858 and 1859. However the role of the Mutiny must not be discounted. Further research in the UK, India and the colonies are required on this issue.

5. Reasons in Mauritius: The economic history of sugar and impact of immigration is more fully discussed in chapters 1 and 4. However for the period of 1858 and 1859 which witnessed the highest rates of emigration was in part due to the huge rise in sugar prices and consequent increase in sugar cultivation.

5. ORIGINS OF INDIAN IMMIGRANTS

The database, compiled by the Mahatma Gandhi Institute, was 'cleaned' and uniformised before embarking on this preliminary statistical analysis. At the time of writing, it was not possible to complete a similar exercise for the ports and recruitment Districts of Bombay and Madras. However, all copies of data collected by the Commission has been given to research institutions, so that they might continue the task of researching the origins of Mauritian and make the data available to the Mauritian public.

It is to be regretted that no further information was forthcoming on how this database was constructed, as all data from the volumes were not fully inserted and no indication is given why one volume was preferred over another. It invariably leads one to assume that it reflects the personal research interests of the custodian. It is also to be regretted that categorising of the data has been done according to less than scientific criteria. Thus, the 'Tribals' are listed in a new category created by the MGI 'Hindu', which is a very misleading and incorrect assumption made by the authorities there.

From the sample database thus obtained, the proportion of 'Hindus' among the 209,000+ immigrants in the database is about 75%, while non-Hindus comprise 12%. For some 15% of the immigrants, their religion is not specified. The immigrants can be further categorised into Tribals, Christians, Muslims, Sidis, Africans and Arabs, the latter three having emigrated from the port of Bombay (today Mumbai).

Figure 4 Proportion of Hindus and non Hindus

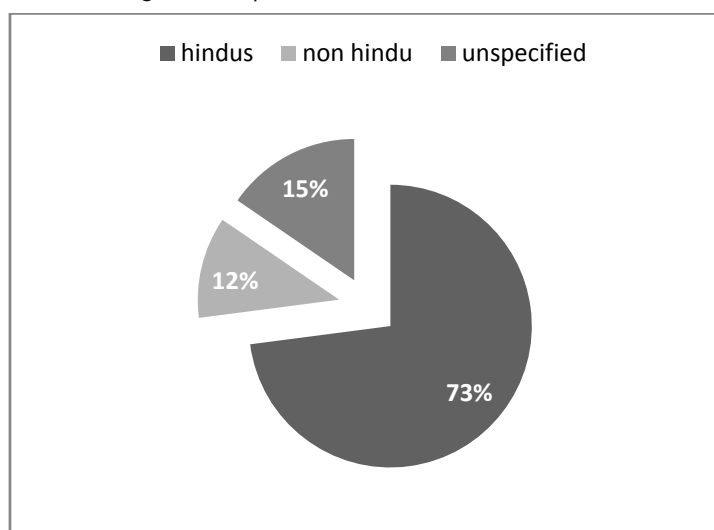


Figure 5 Further Categorisation of Immigrants according to ethnic and religion categories

HINDUS (but includes tribals listed as Hindus)	152,505	152,505
MUNDA	1,398	
ORAON	1,132	
DHANGAR	1,009	
SANTAL	246	
	3,785	3,785
MUSLIMS	23,258	
CHRISTIANS	888	
SIDIS	85	

In India, the principal tribal regions, today, cover the Districts of Hazaribagh, Ramghur, Ranchi, Midnapur, Purulia, Jobburpur, Bancoora, Nagpur and Gaya. However, from the information derived from Immigration Registers in Mauritius, the regions of Nagpur, Ramghur, Ranchi and Hazaribagh were the particular districts tapped for Mauritian emigration between 1843 and 1844, while in the 1850s, Ranchi, Hazaribagh, Midnapur, Purulia Districts were tapped.

Comparatively more tribals were brought from Calcutta than from Madras and Bombay. Between the years 1843 and 1844, tribals could be found on every ship leaving Calcutta. One of the reasons for their bad experiences on board ships was the change in diet; while in India, their diet was extremely varied, on board they were restricted to a few items. In India, meat, fish, turtles, eggs, crabs, and bivalves were consumed, as well as root crops, tubers, fruits and honey,²⁶⁵ all products found in hills and forests. On board, by contrast, they were provided with only rice, salted fish and water. The higher mortality rate among them may thus be explained.

The gender ratio must also be mentioned (Fig. 6). Under private importation, no women or children were brought in. Later, of the 512 tribals sampled who came between the years 1843 and 1844, 75% were men and 16% women, the rest being children or unknown. The percentage of women was higher than for other immigrants, since women of other groups, it seems, were reluctant to travel.

The age group is also significant and shows clearly a preference for young able-bodied persons. Only 1% was above the age of 40, while 28% were between 11 and 20, and 51% between 21 and 30 years of age. This profile matches closely those being brought during the Slave Trade.

We have very little knowledge of their lives in Mauritius. Some details can be gleaned from the records, but a more in-depth search is needed. Shreemutty, No. 41293, was photographed on the 3rd June 1881 (see Vol. 3.1.6). She had migrated from Ranchi at the age of 24, on the 25th of April in 1844. She was accompanied by her husband, Nundoo. Bissonauth No. 41416, who arrived at the age of 14 in 1844, was photographed many years later as an adult in 1884. He had migrated from Ranchi and had been employed as a labourer. Pandoo, No. 40335, was also photographed in 1890. A Dhangar, he had arrived in February 1844 at the age of 25 from Nagpur and worked for Mr. Hunter and Arbuthnot as a labourer.

Apart from Dhangars, *Mundas* were another tribal group arriving in Mauritius in the early days of indenture. Rusum No. 92424 from Ranchi, arrived with Bunode his wife in 1851. Bissoo, No. 92973, also emigrated with his wife Randhee, also a Munda, from Ranchi in 1851. They were one of the few couples who were also accompanied by their two daughters, Roopnah and Deepun.

From the sample of 543 immigrants, only half of them can be traced through the records. Of these, 125 died and an almost equal number, 116, returned to India. What happened to the other half is unknown; they are expected to have survived their indenture and possibly left descendants. Some died during the malarial epidemics that ravaged the island, such as Sonatun, No. 39479, a Dhangar, who migrated from Hazaribagh in February 1844 and died in 1863 from fever. A peculiarity concerning his case is that he is registered twice under different numbers, which leads one to conclude that the real immigration numbers may be not quite as high as the oft-quoted figure of 453,000, if there have been numerous cases of double or triple counting of immigrants.

Also of interest is Etwah, No. 40415, a Dhangar who migrated from Ranchi in 1844 with his father, Jhoopah, No. 40411. He worked for Hunter and Co. as a labourer. Etwah died at Plaines Wilhems in June 1864 from fever; he is not listed as a Dhangar on his death certificate, but as a Hindu. His place of birth is also wrongly written as being Calcutta. Transformations in identity from 'tribal' to 'Hindu', due to clerical errors, seem to be a fact of life for Indian immigrants.

Figure 7: Arrival of tribals in Mauritius in 1851

No	Name	Name of father or mother	Sex	Age	Tribal group	District	Movements
92188	Boyjoo	Bhautoo	M	21	Oraon	Hazaribagh	Distributed to Lanougarede on 9.4.1856
92196	Soophul	Boodhoo	M	27	Munda	Hazaribagh	
92203	Boodhoo	Bheekhoo	M	22	Munda	Ranchi	Distributed to Mr. Pierre on 20.4.1866. Died Flacq 12.7.1866
92237	Dhurwah	Bucktowar	M	21	Oraon	Ranchi	Tax paid up to 2.4.56
92239	Loudyel	Unknown	M	45	Oraon	Ranchi	Distributed to Mr. Duhamel 14.4.56
92248	Jourah	Faugooa	M	24	Oraon	Ranchi	Distributed to Mr. Duhamel 14.4.56 Died Moka 10.11.1873
92268	Meetoo	-	M	19	Munda	Ranchi	-
92274	Soorjun	Unknown	M	45	Munda	Ranchi	Engaged to Mr. Wilson. Died at Plaines Wilhems 14.9.73
92282	Perul	Dinnoo	M	35	Santal	Purulia	
92373	Rughoo	Gobin	M	21	Santal	Purulia	
92374	Gungadhun	Khoodyram	M	24	Santal	Midnapur	
92375	Kaulloo	Kawol	M	25	Santal	Midnapur	Distributed to Mr. Blancard on 21.4.1856. Died 9.2.1906 Black River
92376	Poorun	Choytun	M	27	Santal	Midnapur	
92447	Muncheea	Ram	F	15	Khol	Hazaribagh	Died at Plaines Wilhems 10.3.1873
92424	Rasur	Bheekha	F	25	Munda	Ranchi	Died 9.7.53 Savanne
92426	Pudery	Sunrah	F	21	Munda	Hazaribagh	
92446	Whinthaly	Chingoro	F	16	Khol	Hazaribagh	Died in May 1851
92452	Tauramony	Roopnarain	F	24	Munda	Purulia	

(Source: Compiled by Sheetul Ramchurn from IIA PE 36 series)

The lack of interest in tribal history on the part of Indo-Mauritians is disturbing. During the course of TJC work, many Mauritians did not want to even talk about this subject. It is perhaps the association in India and reinforced by the current elitist policies of assigning Tribals to the lower caste category, even they are outside the caste system which has created this.

However for Mauritius, this has important consequences: medical research linking genetic origin and particular diseases affecting populations such as diabetes type 2 may be hampered if people do not reveal their real origins. Tribal communities appear to have a different genetic make-up from the rest of the Indian population.

Also lost are the particular cultural habits and traits which were quite evident in the early years of indenture and were observed and possibly adopted by some ex-slaves.

Other Origins

Time constraints were one of the factors which did not make it possible to undertake detailed studies of all the groups that came to Mauritius and a fuller study of these groups is required. There are however existing studies which are perhaps little known and which deserve to be better published and publicised. Excellent doctoral theses and publications have been produced by a generation of scholars. For Telugu-speaking immigrants, the pioneering work of Ananda Nirsimloo was followed by Nagamah Gopauloo's work at the MGI and recently by Tatayah; for the Tamil-speaking community, Rama Sooriamurthy's work was supplemented by Huguette Ly Tio Fane's *Lured Away* and a host of studies since. A major work on Tamils also seems to be in the making at the Mahatma Gandhi Institute by V. Govinden. Moomtaz Emrith's work *Muslims in Mauritius* covered many topics, and his work is being continued by an impressive list of scholars: Cader Kalla, Amenah Jahanger-Chojoo (*La Rose et le Henné*). It is not known why Muslim Jumeer has not published his work on Indian Muslims in the French period, despite the interest in this study.

Apart from the Tribals, the neglected groups in Mauritian historiography include: the Christian and Bengali communities. Research is, however, ongoing on these communities in several institutions, such as the University of Mauritius and the Aapravasi Ghat Trust Fund.

Due to many misconceptions about caste and identity in modern Mauritius, and the persistence of caste issues among descendants of Northern Indian immigrants, the Commission has sought to investigate this more fully. However, results are not fully conclusive, due to lateness in accessing the database compiled at the MGI.

The bulk of immigrants, as is well known, came from what is today known as Bihar, Uttar Pradesh, Jharkand and Bengal Provinces. In the 19th century, these were regrouped roughly into the United Provinces and Bengal Presidency. Thus, in the Immigration Archives, Bengal refers to the Presidency rather than the State it now is and covers also Jharkand, Bihar and part of Uttar Pradesh.

Out of a sample size of 209,000 immigrants, the following information is derived from the database available at the MGI,

- 120, 518 from Bengal Presidency
- 69, 194 from Madras Presidency
- 19, 225 from Bombay Presidency
- 63 from districts today found in Burma

Furthermore, among those embarked from Bombay Presidency, 48 were from Arab and 48 were African.

Bengal Presidency

Grierson's report, little-known in Mauritius, provides one of the most comprehensive reports on castes, religions, villages and district origins of immigrants from Bengal Presidency, the province sending the largest number of immigrants to Mauritius.²⁶⁶ He visited Shahabad, Saran, Gaya, Patna, Darbhanga, Muzaffapur, Champaran, the 24 Parganas and some sub-divisions as well. He did not look at Chota Nagpur as no emigration had taken place in the last few years, prior to his visit, due to many Tribals suffering on the long journey by sea and preferring inland migration.

From a sample derived from 1835 to 1874 approximately, the districts from where recruitment took place were:

Figure 8 Detailed list of districts supplying immigrants to Mauritius, 1835-1873

Arrah	21,538	Midnapur	870	Dacca	132
Gaya	13,647	Burdwan		Sherghati	131
Gazipur	9,830	Monghyr	753	Purnia	116

Patna	5340	Hooghly	586	Dinapur	114
Chapra	4,906	Calcutta	511	Ramgarh	110
Hazaribagh	4,473	Mirzapore	472	Murshida bad	97
Purulia	4,019	Ganjam	458	Agra	89
Azamgarh	3,090	Allahabad	361	Hawalli	76
Ranchi	3,042	Bhagalpur	358	Faridpur	70
Benares	2,610	Nagpur	333	Farukhabad	70
Bankura	1,952	Balasore	296	Sylhet	62
Lucknow	1716	Beehar	242	Bhojpur	59
Muzaffarpur	1705	Madafarpur	232	Jessore	59
Gorakhpur	1689	Birbhum	229	Kishnagar	49
Sahibganj	1459	Cassee	217	Nepal	45
24 Pergunnah	1320	Kanpur	184		
Jaunpur	1216	Nadia	143		
Cuttuck	921	Faizabad	138		

Madras Presidency

Madras Presidency, in the 19th century, included what is today known as Tamil Nadu, Andhra Pradesh and Orissa. In Mauritius nowadays, descendants from the immigrant groups are known as Tamil-speaking or Telugu-speaking, depending on which State they came from. However, this has obscured the other 19th-century languages that were spoken by the immigrants arriving from these areas, such as Oriya, Bengali and other dialects. The following summary, therefore, separates Tamil-speaking and Telugu-speaking, for the sake of clarity, for those not familiar with 19th-century Indian administrative/political boundaries and their linguistic diversity. From Madras Presidency, the districts which sent many immigrants are as follows:

Figure 9 Main Districts in Madras Presidency sending immigrants to Mauritius 1835-1873*

Today Tamil Nadu		Today Andhra Pradesh	
Tanjore	24376	Chittoor	2865
Trichinopoly	7900	Hyderabad	156
Kombakonam (Kubakonam)	5499	Gentoor	129
Chingleput (Chengalpatu)	3021	Coimbatore	109
		Vizagapatam	4201
Madras	2072	Nellore	611
Madura	2997	Vizanagaram	102
Cuddalore	1782	Cuddapah	201
Tiruvallur	52	Perungudi	85
Rajahmundry	909	Tinnevely	84
Manarcoil (Nagarcoll)	65	Negapatam	78
Kattoor (Kerala)	35	Mysore	68
Salem	464	Godavari	65
Arcot	412	Palamcottah	60
Bangalore (Karnataka)	347	Kanjeevaram	45
Masulipatam	322	Vellore	34
Pondicherry (Pudukottai)	275	Ganjam	2948
Tharangambadi	227	Chicacole (Srikakulam)	31
Bellary (Karnataka)	89	Berhampur ,today Brahmapur Orissa	34

*In brackets are the modern names for these districts and areas

Figure 10: District Map of Modern Tamil Nadu, showing most districts found in fig. 9)

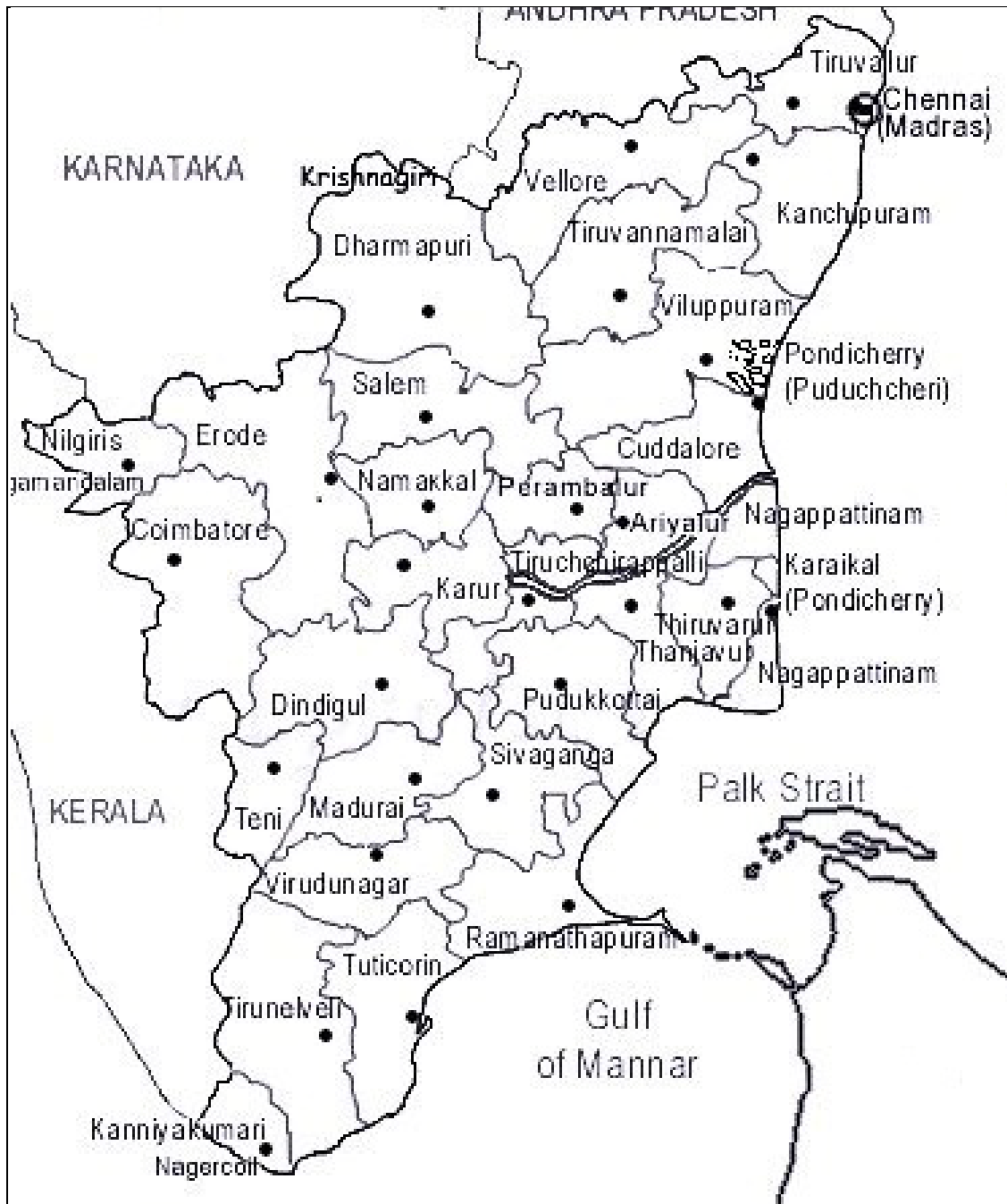


Figure 11: District map of Kerala, showing most districts found in fig. 9



As will be noted, many names have not changed substantially. However, the ports where immigrants embarked went as far north as Orissa, Kattoor (suburb) in Kerala, and as far south as Tinnevelly (Tirunelveli today), Coimbatore, on the West coast.

The caste origins of Southern Indian indentured immigrants also reflected similar trends as in the North Indian indentured labour migration. However, in the South, the bonded labour system was strong. Despite the abolition of slavery in 1843 in India, many ex-slaves were sent to Mauritius. This is reflected in the names that are attached to caste names, or by names of individuals, such as Pallan (also spelt Pallen and Pallinin immigration records), Paria, and so on. These came mainly from the Kombakonumr Regions of Madras Presidency.

By way of an illustration, it was calculated from the MGI database, that out of the 209,000 immigrants listed, and 69,194 arriving from Madras Presidency, 5,499 came from one area, Kombakonum alone. From there, 4,144 were listed as Malabars (4,044), 1037 were Paria, Gentoo or Pallan.

The most striking fact, however, in this case, was not only the caste, but the fact that the bulk, 4,938 immigrant labourers, came in the year of the abolition of slavery in 1843. Many explanations are possible, but none is conclusive, as yet. Did they want to leave of their own accord to escape or were they encouraged to leave, as they were now free, or were they forced out?

IMMIGRANTS FROM TELUGU-SPEAKING DISTRICTS

Although today it is collectively known as Andhra Pradesh and is known as a Telugu-speaking province, there are many important differences in this province which could be roughly divided into three. The areas around Hyderabad, today, are known as 'Telangana' and contrasts sharply with more prosperous coastal Andhra Pradesh. In Mauritius, Telugu-speaking people represent more a minority among Hindus, somewhat wedged between the Tamil-speaking South and the Hindi-speaking North. This is reflected in their status in Mauritius nowadays, and the practice of both 'Pan Hindu, Tamil and Hindi-speaking rituals.²⁶⁷ Despite their small numbers, they have not disappeared; like so many other minor groups. According to Anenden, the Telugu identity has been maintained, chiefly from the preservation of marriages and alliances which she has described in great detail.²⁶⁸

Figure 12: Modern map of Andhra Pradesh showing some of the districts sending immigrants to Mauritius, 1835-1873



Bombay Presidency

From Bombay Presidency, the following districts were tapped. It must be noted that a number of Africans and Arabs were also embarked and recruited as indentured labourers from Bombay District. Africans may be of the Sidi community, into which more research is required. Thus, out of 19,225 immigrants, the following districts were sourced. Some of these areas are in fact, not in the districts, but in other countries and regions, for example in Afghanistan, Delhi, Punjab etc. These places need to be seen in conjunction with other maps of different regions of India.

Figure 13: Districts in Bombay Presidency sending immigrants to Mauritius, 1835-1873

Ratnagiri	2642	Karnataka	25
Konkan	2534	Goreygaum	24
Deccan	2345	Salse	21
Satara	1729	Trichinopoly	21
Poona (Pune today)	887	Jaunpur	18
Tanna (Thane)	791	Madura	18
Sawantwadi	726	Mysore	18
Kolapur	540	Alibag	17
Lucknow	388	Kharepatan	17
Bombay (Mumbai)	379	Mirzapur	17
Khair	328	Bancote	16
Hindustan	305	Colaba	16
Nizampur	282	Jubalpur	15
Malvan	258	Sahibganj	14
Hubran	224	Sangelly (Sangli today)	14
Moglae	217	Carnatic	13
Gujrat	128	Jalna	13
Solapur	126	Mandesh	13
Rajapur	115	Tasgaon	13
Chiplun	94	Anjelwel	12
Dharwar	94	Farrukhabad	12
Sitarrah (Sitara)	93	Juvanpur	12
Hurnay	90	Maligaon	12
Meerut	86	Fatapur	11
Delhi	70	Halsan	11
Bancoora	68	Jognuddy	11
Malabar Coast	51	Barsey	10
Arabia	50	Nagotna	10
Mahar	50	Sultanpur	10
Goa	49	Tellungan	10
Africa	48	Fultan	9
Kanpur	47	Jungera	9
Nashik (Nasik)	45	Mangalore	9
Prag	42	Ahmedabad	8
Tanjore	36	Ajmere	8
Surat	35	Baroda	8
Joonder	34	Gonda	8
Savendrug	34	Gungthuree	8
Panvel	33	Gwalior	8
Belgaum	31	Kurrad	8

The social origins of immigrants from Maharashtra, using the MGI sample, were as follows:

Caste/religion/occupation	Number
Maratha (Soldier, cultivator and service)	191
Mahar (Weaver and labourer)	34
Purdasee	21
Hindu	24
Purwaree	25
Cambattee	12
Muslim	50

Gender-wise, there was a preponderance of men: out of 441 immigrants, 358 were males and only 83 were women. Immigration, according to the database, was most intense before 1853, with the bulk of immigrants arriving in 1852. Reports do indicate that recruiters found it hard to recruit women.

Figure 15: Sample size per year

Year	No.of immigrants
1834	40
1843	23
1844	79
1847	1
1852	186
1854	34
1856	63
1857	38
1858	33
1859	12
1860	8
1861	12

Further research is required into what prompted immigrants to leave their district and whether the reasons for leaving are the same. As for other provinces, it is imperative to correlate data in India with what is available in Mauritius.

MUSLIM IMMIGRANTS

Mention has been made earlier of Muslim workers brought in during the French period as sailors, artisans, masons. Their place of residence for those who decided to stay was Port Louis. During indenture in the 19th century, their role and place of residence were totally different since they were now recruited for plantation labour. They were collectively known as the *Calcuttyas* as they had embarked from Calcutta and were, for the most part, Sunni Muslims. By contrast, the trading community which came as free immigrants, were from Gujerat and were made up of *Surtis*, *Mehmans*, *Bohras*, *Khojas* and *Ahmadists*. A smaller group came from the Konkan currently in Maharashtra District. The story of the trading community has been well-documented, but not so for those with indentured ancestry. There are also class and social status differences between them, although, as Amenah Chojoo remarks, these were less among those of indentured origin. The indentured Muslims formed about 17% of the population, according to Chojoo. Shiploads sometimes brought in immigrants who were all of the Muslim faith, and others, of mixed religions. The

Minerva, cited by Chojoo, brought in, not only a majority of Muslims, but all from the same village in Arrah District in Bihar.²⁶⁹ Their status could also be gauged from their names: those with the Syed, Shaikh prefixes would be of high rank or caste. Indian Muslims, thus, also had ‘caste’, and this is evident from the immigrant registers where Muslims are listed as MAleea, Rajput, Pathan, and so on.

The history of Calcuttiya Muslims was no different to that of other labourers on plantations. Housing arrangements were made, when they did not want to live near pig-breeders among the labourers families. But, in general, they went through the same evolution. After indenture, many became small planters, share-croppers (known as *métayers* in Mauritius) and others migrated to the town of Port Lous and opened textile shops, some of which are still in existence today. It is not known yet how many returned, but one family story does not confirm that there were immigrants who returned after the indenture. Many left families in Mauritius since those born in Mauritius, were not eligible for return passages. One immigrant returned to India, kept up a correspondence with his family, but remarried and reindentured to Guyana and was lost from view from then on.²⁷⁰

Out of the 209,000 names in the MGI database, 23,257 Muslims were located:

Origins

Bengal Presidency	20,265
Madras Presidency	1,565
Bombay Presidency	1,406

Main Districts in Bengal Presidency supplying Muslim immigrants before 1873

Arrah	4,075
Ghazipur	2,005
Chapra	1,675
Patna	874
Azamgarh	679
Muzaferpore	442
Burdwan	233
Gorakhpur	316
Jaunpur	216
Lucknow	282
Monghyr	214
24 Pergunnahs	455
Calcutta	283
Dacca	103
Allahabad	85
Unspecified	3,509
Tribal districts	
Gaya	1,920
Hazaribagh	494
Midnapur	123
Madras Presidency	
Tanjore	222
Madras	210
Chenglepet	86
Chittoor	196
Hyderbad	134
Trichinopoly	124
Madura	93
Kombakonum	38
Gender	
Male immigrants	23,233
Female immigrants	5,480
Marital Status	
Married	5,346 of which 2,774 were

Widow	546	women
Not specified	17,203	of which 542 were women
		this included a large
		number of males and
		children of both genders
Single	31	

In terms of language those who came from the North of India and from Bhojpuri regions, spoke Bhojpuri and many, especially of those of a higher status, could also speak and write Urdu. With 'Islamisation', many have rejected this Bhojpuri/Indian culture and it is mainly the elderly alone in rural areas who continue to speak it. Many have opted for a more 'Arab-style' culture. The celebration of the *Muharram* festival, called in Mauritius the *Ghoon* or *Yamse*, which has existed in Mauritius since 1790s and where many Calcuttiya Muslims has joined in the 19th century, is also frowned upon today as being 'unIslamic'. However, among the younger generation of historians, there are interesting studies being carried out on family histories and their evolution as Mauritians. These studies deserve to be incorporated into a larger study and published.²⁷¹ The Bengali language also spoken among those originating from district located around Calcutta are unknown to descendants interviewed.

As many Hindus become more 'Indianised' and reject the 'Mauritianness' of their Hinduism, so do many *Calcuttiya* Muslims reject the Indianness of their culture.

Sufism brought by the immigrant Muslims, however, has not totally disappeared.

BENGALI IMMGRANTS

The Bengali-speaking immigrants have received no recognition yet in History books, despite the large numbers emigrating to Mauritius and despite the evidence of emigration from what is today Bangladesh, Dacca, the 24 Pergunnahs, all Bengali-speaking territory. Various 'Camp Bengali' existed in Mauritius and many families up to the 1980s still had members of families speaking Bengali.

CHRISTIAN INDIANS

It appears that about 1% of indentured immigrants were Christians. In the MGI database, there are, however, only a total of 882 Christian immigrants, out of the 209,000 immigrants listed. Of these:

Bombay Presidency:	116	with the bulk arriving after 1859
Bengal Presidency	40	
Madras Presidency	725	

It will be observed that, in contrast to other groups, not only were many more women present on board ships but many more were married. The category marked 'unspecified' might also contain married persons.

Marital Status

Male	579
Female	302
Married	193
Widow	4
Not specified	662

Origins

The bulk in this small sample came mostly from Tanjore, but this would need to be cross-checked from the completed database.

Madras Presidency	
Tanjore	338
Trichinopoly	132
Madras	103
Bombay Presidency	
Ratnagiri	19
Chittoor	18
Goa	16
Malabar Coast	14

6. CASTE ORIGINS OF BIHAR AND BENGAL IMMIGRANTS

Attention has been given to the caste origins of indentured labourers from Northern India, given the controversies that arose when the Commission decided to request a copy of the MGI database for the exercise of tracing the Indian origins of Mauritians. The study of the caste background of immigrants had however not been the original intention of the Commission in seeking access to the Immigration Archives. It became necessary however to make a few points concerning the caste origins of immigrants. Further study is required. The database has been reworked and additional information added to conduct this preliminary analysis.

Grierson, who toured all the recruiting districts in 1880s, did not find any reason to think that some castes did not want to migrate. There did not seem to be any hostility to emigration as far as caste was concerned. According to him, higher castes were fully represented among the indentured immigrants. This would appear to match the database.

Out of 175 persons emigrating from one district, the following 'higher' castes were registered by him:

Chhatri	51
Ahír	32
Koeri	17
Kahár	16
Kurmi	10
Bráhmin	7

The various lists, which he compiled from the districts visited, was compared with the Mauritian MGI database, consisting of some 209,000 immigrants, and his findings would appear to be compatible with the database. The caste categories, listed by him, were also compared with MGI data of 209,000 immigrants. A total of some 34,736 persons were analysed (figure 16).

The 'position' given to each caste shown below, following Grierson, although some writers have put some castes in other categories; Koiri (or Koeri), for example, is listed by others as an 'aboriginal low caste', while Grierson places this group in 'Medium' position.

Figure 16: numbers arriving from caste categories listed by Grierson	
'Higher' positions castes	
Chhatri	553
Brahman	2480
Rajput	4873

'Medium' position castes	
Gowala	6,943
Koiri	6,489
Kurmi	6,981
Kahar	9,706
Mali	94
Teli	1,070
Naipali	
Kaesth	99
Kalwar	299
Baniya	845
Ghatwal	1,731
Sonar	409
Dhanukh	70
Others	
'Lower' position castes	
Chamar	15,516
Dusadh	7,539
Bhar	1,050
Hajam	894
Nunia	1,252
Kaibarta	244
Dhobi	949
The higher, medium and lower descriptions refer to those cited by Grierson at the time of writing (1883) and do not reflect current statuses in India or Mauritius.	

According to the Grierson report, there were very few castes which did not wish to emigrate: this included the *Kayasths* and *Tirhutiya* Brahmins. As the database shows, this would indeed appear to be the case for Mauritius as only 99 *Kayasths* emigrated in the sample. According to his own survey of 1,500 persons, two-thirds belonged to people of higher and middle castes. Here too, Grierson's analysis matches the Mauritian database.

Figure 17: Proportion of castes emigrating

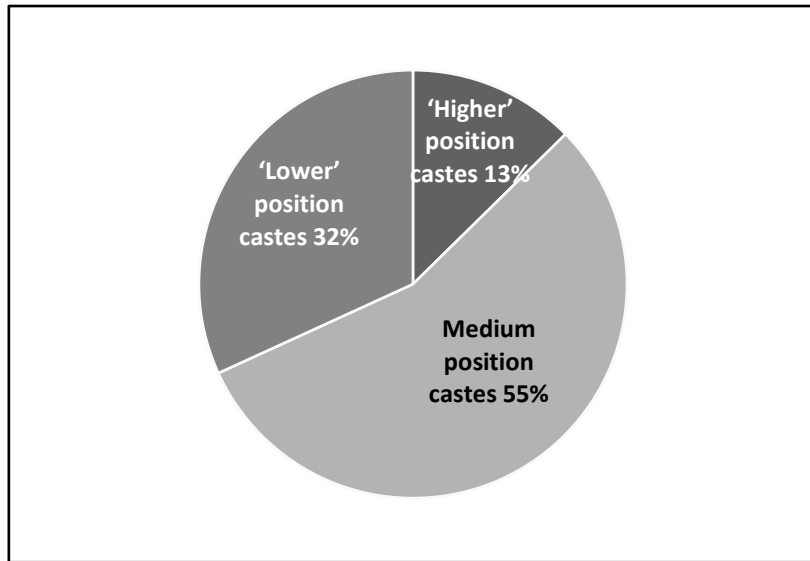


Figure 18: Proportion of 'higher position' sub-castes emigrating

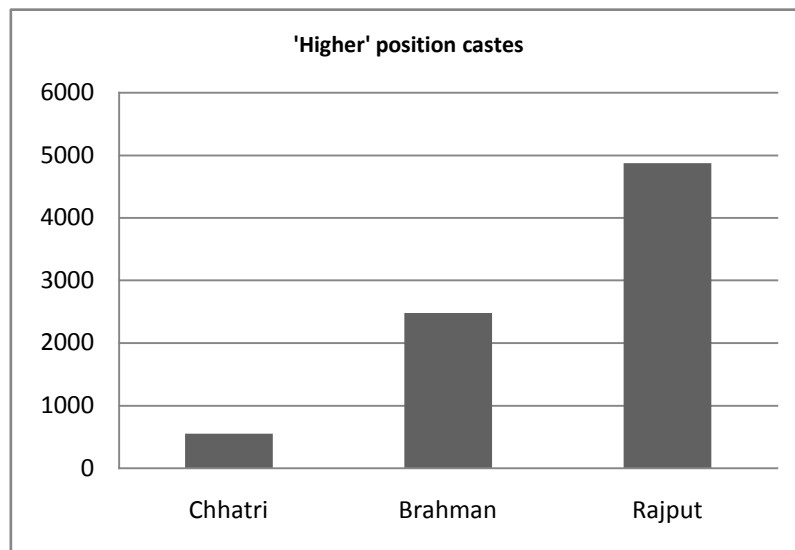


Figure 19: Proportion of 'medium position' sub-castes emigrating

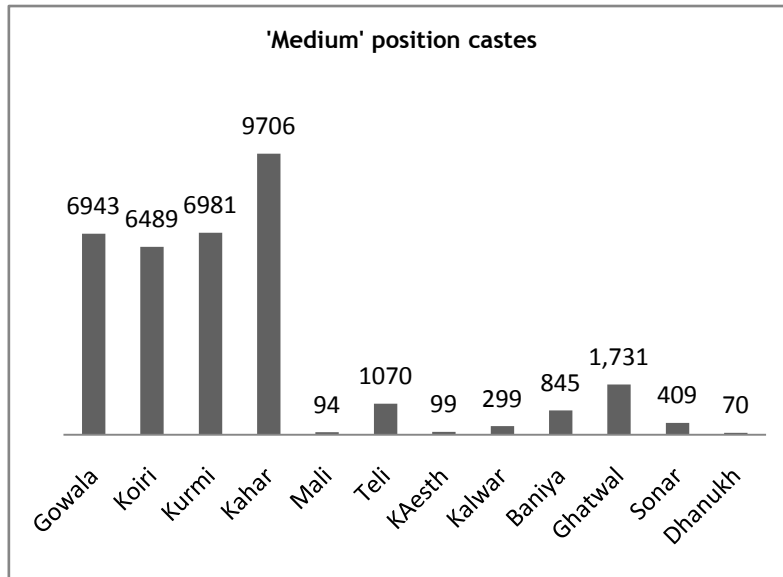
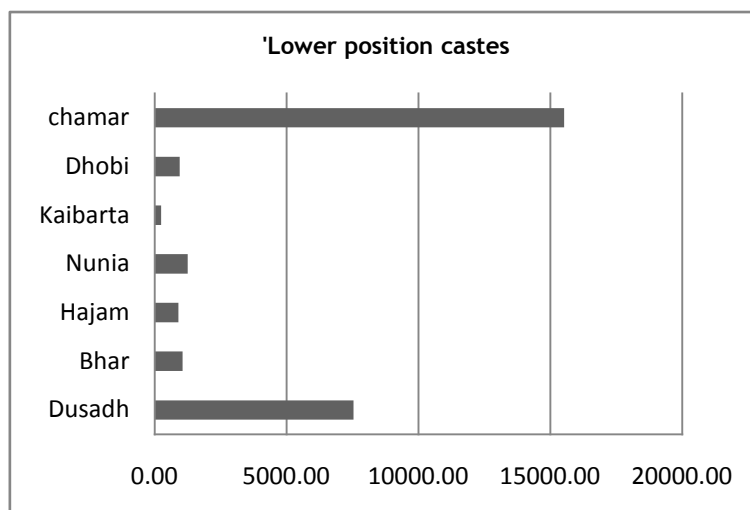


Figure 20: Proportion of 'lower position' sub-castes emigrating



A more thorough study, however, is required, combining Indian and Mauritian data to correlate the data since many discrepancies have been noted between data collected in India, data collected in Mauritius and those of other indentured countries. The database, compiled at the Mahatma Gandhi Institute, needs to be cleaned up and contrasted with Indian Immigration data, as well as confronted with the Surinamese and other data available online.

Furthermore, if Tribal communities are included, the proportions change drastically. In India, Tribals are included as 'Scheduled Tribes' and considered as part of 'Lower' position groups. Whether Mauritians wish to officially categorise Tribals *as lower position as in India*, remains to be seen.

The Commission believes that the principle of self-identity needs to be respected. In other words, it is up to the individual or the group to decide what category he or she wishes to be recognised as. It is not the State, and certainly not the historian, who should decide this. However, this is not the prerogative either of the politician or of the small group of persons at the Mahatma Gandhi Institute. Public consultation and open debate must be the order of the day.

7. LIVING AND WORKING CONDITIONS ON SUGAR ESTATES

The control of indentured labourers by wages cuts, by laws restricting labour mobility as well as physical mobility has been discussed in Chapter 1. By the 1870s, as analysed by Mishra, just as the planters had found maintaining slaves expensive, when amelioration laws were passed, so by the 1870s, planters found that when numerous laws were passed to improve conditions of labourers, their revenues might decrease as a result of more spending on social services for labourers. The planters' strategy was what it had always been: change the terms and conditions of the labour system. Thus, now, they no longer wanted labourers on the estates on a permanent basis, but rather on contract for only the work required. As for ex-slaves, the changing labour conditions impacted on the immigrants' decisions to settle in Mauritius and return to India. In Mauritius, the popular tendency is to focus on those who stayed and label them as 'successful' immigrants. But most Mauritians have chosen to ignore those who left and who never survived their indenture. Nor has there been an examination of the reasons which prompted immigrants to return to Mauritius. When ALL the immigrants' experiences are taken into consideration, the picture is less rosy than is usually presented.

Sugar estates needed, not only to maintain sugar production, but to expand, and so it was crucial to maintain Indians in sugar production as no one else would do it. Manual work was despised and no *Gens de couleur* would deign to labour the land. Sugar estates, thus, sold or leased to the Indian immigrants so that they could continue producing sugar and supply it to the sugar estate. This intimate relationship between planter and labourer, turned small planter, emerged, and to this day this remains a highly problematic one. The *métayers'* dependence on the good-will of the mill and estate owners for land leases was always, and is up to today, fraught with difficulties. Despite political will, it does not appear that the *métayers* and small planters have benefitted as much as the big planters/millers from the millions given by the European Union to palliate the negative effects of abolition of a guaranteed EU market for Mauritian sugar.

Roland Lamusse, the most Senior Economist in Mauritius today, has titled his book the *Twilight of the Sugar Industry*. Indeed, many feel Mauritius has now come full circle as far as sugar is concerned: slavery, then indenture, then VRS, symbolises the end of the reign of sugar.

The Findings of the 1875 Royal Commission

As part of their enquires, conducted between 1872-1874, the Royal Commissioners interviewed various witnesses and visited 51 sugar estates and consulted the record books of estates to determine the validity of the accusations made by the petitioners and de Plevitz. (Vol 3.1.7 Coucaud).

The pertinent parts that concern us today are the complaints concerning the non-payment of wages and planters and *sirdars* or job-contractors making illegal deductions from the wages of labourers, or planters failing to provide adequate lodgings and sanitary conditions in estate camps.

These abuses continued after the end of the indentured labour period and are clearly visible in the oral testimonies of elderly sugar estate workers themselves.

Wages

According to the 1875 Royal Commission, the non-payment of wages constituted one of the worst abuses of the indentured labour system, as reflected in the large number of complaints brought before the Courts by both Old and New Immigrants (Frere and Williamson 1875:582). Apart from keeping wages in arrears often for two to three months or more, the Royal Commissioners drew attention in particular to the "double-cut", a method used by planters to reduce the wages of labourers two days for every day on which they were recorded as being illegally absent. The Royal Commissioners pointed out that the "double-cut" was not in itself illegal, as originally viewed by the British Colonial Authorities with some degree of apprehension, when it was first proposed by the planter-dominated Legislative Council and then, eventually passed into law with the passing of Ordinance No. 16 of 1862.²⁷² What was not legal was the manner in which the "double-cut" was

used by planters, *sirdars* and job-contractors, to make deductions from wages, by recording labourers as absent when they did not complete a set task.²⁷³

The “double-cut” enabled planters to save enormous sums of money on wages,²⁷⁴ but worse was that immigrants, who went to lodge a complaint with the Authorities or were imprisoned for an offence, were fined a further two days of wages for everyday they were absent. In many cases, it was used as justification to prolong their contracts or to force them to re-indenture. This was exactly what happened to slaves when they had to complain to the Protector of Slaves: they were flogged for absenting themselves without permission of the owner. This illegal use of the “double-cut” had become customary amongst planters and encompassed a wide range of deductions ranging from fining labourers for the theft of thatch or the loss of tools and even for collecting grass or *brèdes* from rivers and streams without permission.²⁷⁵ But it was with respect to marking labourers as absent, when they did not complete set tasks and making deductions from their wages, without recourse to the decision of a Magistrate, which the Royal Commissioners found particularly objectionable. This “fiction”, as it was described by one prominent Colonial Official who was interviewed by the Royal Commissioners, consisted of marking a labourer as “sick” for not completing a set task, even despite the fact that the labourer had, in fact, worked on that day:

*“Regarding deductions for unfinished tasks, we have been generally informed that men are required to complete their tasks next day; and that, failing to do so, they are marked sick, or have some other marks put against their names, signifying “malade travail,” and are cut as if sick. The grounds on which this fiction, as the Surveyor-General calls it, is defended, are, that if the man has been put to taskwork and cannot finish his task, he is supposed to be sick in proportion to the work left unfinished; thus a day’s work upon the roads being to break 25 baskets of stones, or 150 baskets in the week, he is supposed to have been sick for two days, and fined accordingly.”*²⁷⁶

What confirmed how widespread this illegal practice was for the Royal Commissioners was when they consulted the pay books of sugar estates. Upon inspecting these books, such as those of a member of the Chamber of Agriculture, whose conduct the Commissioners presumed should have been more exemplary than others, they found clear evidence that the proprietor of the estate had been fudging his records.²⁷⁷ Apparently it was common practice for planters to mark labourers as absent for unfinished tasks in the columns of their books, but when asked by the Royal Commissioners for permission to inspect their books and pay-sheets, it was evident that pencil notations had been deliberately rubbed out to mislead the Commissioners.

However, we should not be deluded into thinking that the illegal use of the “double-cut” to make deductions from wages of labourers was only restricted to the planters. Although mention is often made in the literature on indentured labour in Mauritius, of the usurious rates of interest charged on loans to labourers by *sirdars* and job-contractors, rarely do we find any reference to the fact that *sirdars* and job-contractors also took advantage of labourers and “robbed” them of their wages.²⁷⁸ The 1875 Royal Commission seems to be less clear about the evidence against *sirdars*, who, like job-contractors, were resented by planters because they could not control them and also because they were highly dependent upon them. With respect to job-contractors, however, which the Royal Commissioners point out in their report is “closely connected with the Sirdar system-the Sirdar being, in fact, a job-contractor under another name”, the evidence is much clearer. The Commissioners cite a report by a Stipendiary Magistrate, named Mr. Daly, who, based on his half-yearly inspection of estates in the District of Savanne claimed that

*“[J]ob contractors are, of all employers, the most unscrupulous in endeavouring to profit by the curtailing of their servants’ wages, as he had, within the first six months, detected a system of illegal and unjust marking as absent, men whose amount of work or task did not satisfy the employing job contractor. He also, on the next page, mentions two cases, one at “Beauchamp,” and another at “La Flora,” where job contractors had marked for the forfeiture of wages, as if the labourer had been really absent, men who had not performed their allotted task.”*²⁷⁹

There is also evidence of job-contractors resorting to the “double-cut” in order to prolong the contracts of labourers in their gangs and make false records in their pay-books. Just like planters, job-contractors were able to take advantage of the 1862 Labour Ordinance to mark as absent

labourers who had to walk five miles to work and thus spent half their time walking rather than working, or of being able to gain one month of work at no expense, if a labourer was absent 14 days in a month.²⁸⁰ One of the reasons why planters resented job-contractors was because they were able to gain these benefits without having to provide the same kind of facilities that planters were required to by law. Yet, there is evidence that some job-contractors owned or ran their own estate camps and of even providing rudimentary medical care in some cases.

Lodgings

According to the Royal Commissioners, it was not until a new Ordinance was introduced in 1867 that planters were required by Law to provide lodgings for their labourers, as the provision of lodgings had, until then, depended upon the contractual agreement signed between the parties prior to the immigrant leaving India. But it had in fact become customary for indentured immigrant labourers from India to be housed by planters, and, initially, it would appear that many were housed in the former lodgings of ex-slaves.

The Royal Commissioners state that most dwellings in estate camps were made of thatch and straw, but they also visited several estates that had stone range barracks, among them “Mont Choisy”, “Bois Rouge”, “Trianon”, “Antoinette”, “Esperance”, “Bel Air”, “Benares”, and “Labourdonnais”, which struck the Commissioners as being superior to the more common thatch and straw huts.²⁸¹ However, some of the labourers preferred thatch and straw huts to stone range barracks, the reason presumably being, according to one medical expert, that thatch and straw huts were healthier because “you cannot get contagion out of stone walls”. It apparently never struck this medical expert or the Royal Commissioners that labourers preferred thatch and straw huts because they would not have been nearly as hot as the stone range barracks which were made no doubt of local volcanic stone and were less well-ventilated than thatch and straw huts.

Some labourers were also forced by planters to build their own dwellings. Yet this does not mean that labourers were unwilling to avail themselves to lodgings provided for them at the expense of planters, after being required by Law. After Ordinance No. 31 of 1867 was introduced, servants had brought 75 complaints against masters, but only 11 were proved because of the ambiguous wording of the Law.²⁸²

Sanitary conditions

The 1875 Royal Commission was much less equivocal perhaps because of the recent malaria epidemic that claimed thousands of lives several years before. The Commissioners were emphatic about the need to maintain sanitary conditions in estate camps and to ensure that planters complied with regulations to reduce the risk from pestilence. They complained about the numerous untidy camps that they saw on their estate visits, of pigs and other livestock running amok amongst piles of refuse that had not been properly disposed of, and of inadequate latrine provision:

“On 206 estates from which we have received returns, there are only 13 on which there are any arrangements whatever for conservancy in the camps. At “Providence,” as mentioned before, we found one camp swarming with pigs and filth, but the other as clean and neat as could be wished. So also at “Beauchamp,” where the people were certainly well-treated, the camp was in bad repair, dirty, untidy, and swarming with pigs. The very excellent camp at “Labourdonnais” was dirty, notwithstanding that there was a most suitable “parc a cochons” for the pigs; and while the planters object to Government appointing the medical men, because it will sever the connection between the labourers and their employers and put an end to the interest the planters take in their labourers, they will not hear of being made answerable for state of the camps, in which they lodge their labourers and foster the causes of sickness, because if they should trouble themselves upon those subjects, the labourers will leave them, and go to other estates where they are allowed to do more as they please.”²⁸³

The general view at the time, both amongst planters and British Colonial Officials, was that Indian immigrants cared little about hygiene and would have refused to re-engage if planters interfered and forced them to maintain cleaner dwellings. The Royal Commissioners seem to have seen through this ruse, however, and suggested it was more likely that planters used this reasoning as a convenient excuse to avoid having to pay the cost of improving sanitary conditions in estate camps.

As the Commissioners point out in their report, they had evidence before them that Indian immigrants were willing to use latrines, when planters made these available in estate camps (Frere and Williamson 1875:351). And upon asking a Stipendiary Magistrate who conducted half-yearly inspections of estates if he thought that sanitary conditions were worse in camps or the villages of Indian immigrants, they were told that conditions seemed more preferable in villages than estate camps (Frere and Williamson 1875:350).

The Royal Commissioners did not reject out of hand the planters' argument that Indian immigrants were less conscientious about hygiene than Europeans seemed to be, pointing in particular, to their propensity to use cane fields, when latrines were not available. Nonetheless, they were adamant that planters should be held to account and "made answerable, not only for the health of their labourers, but that their habits do not tend to injure, not only their own health, but that of others." The Commissioners made a number of recommendations regarding how planters might improve sanitary conditions in estate camps, the introduction of a system of latrines being one of the most important conditions which they identified.²⁸⁴ They also recommended that inspectors be empowered to enforce compliance with sanitary regulations and to penalise offending parties without the need to resort to police intervention.²⁸⁵ The Commissioners were no doubt unaware of how prescient their recommendations would later turn out to be.

In the early 1920s, J.F. Kendrick, a medical expert working for the International Health Board, a philanthropic organisation funded by the Rockefeller Foundation, came to Mauritius and wrote a report in which he urged the Colonial Government to tackle the hookworm epidemic gripping the colony. Until Kendrick's Report, which was released in 1920, it was not generally known how many people suffered from hookworm disease; but according to Kendrick, as many as two-thirds of the population were suffering from this parasitic form of disease.²⁸⁶ Kendrick's report left no doubt that failing to address the island's sanitation problem, in particular the shortage of latrines in rural areas, would have disastrous long-term consequences for the health of the wider population. Yet in spite of these recommendations, sugar estates continually failed to tend to this problem well into the twentieth century.

Women under indenture

If slavery and indenture as economic systems have received due attention on the part of scholars, the lesser-known aspects deserve also mention. Indentured labourers like slaves, brought with them their cultures, life-styles which they were in varying degrees able to keep. In the case of Indian labourers, how were their cultures and social life transformed by indenture? In other words, what was the impact on their non-working lives? Women have been recognised in Mauritian history as having kept the traditions brought from India. This was possibly because they stayed at home, unlike other labour immigrants and so were able to provide the nurturing roles. The absence of women, for example, in the early years deserve mention, as this was a matter of concern for authorities.

As Marina Carter (1992:115-116) has pointed out, Mauritius was exceptional, insofar as after 1842, it was the

"only [British] colony which failed to engage Indian women as indentured labourers. The numbers of women formally employed on estates was consequently never very high, even in the principal sugar-growing districts ... In 1846 9% of the total Indian female population was registered as part of the plantation labour force. At the time of the malaria epidemic in 1867, less than 100 women were reported as working on the sugar estates. By 1871, when the next census was taken, this figure had risen, even so, only 7% of women [or 1,808 Indian females out of a total estate population of 24,425] were officially employed as plantation workers."²⁸⁷

Marriage patterns

One consequence of indenture, because of the relative scarcity of women, was to raise the 'marriageable value' of women and, in so doing, transform their social power. Women were crucial for the early indentured as they were imported solely and clearly to look after men's needs in the barracks: provision of food and domestic chores. Rather than requesting a dowry, men now paid parents, thus reversing an age-old Indian tradition. Doyal of Flacq paid a huge sum of \$137 to get

married to *Bagmanea*. This practice of paying the bride's price was not limited to any particular section of the Indian immigrants, and another immigrant *Virapatim*, of South Indian origin, paid several hundred rupees to get married to *Taylamen*.²⁸⁸ This should not necessarily be interpreted as an example of women's emancipation, since there is some evidence of this resembling a 'sale' of daughters rather than being a celebration.

Another consequence of indenture was the non-respect of Indian marriage. The Indian Government was concerned that the cohabitation of the Indian population living in Mauritius was declared as immoral and illegal by the State, even though they had married according to religious rites. Thus, under existing Marriage Laws in Mauritius, most Indian children in the Colony were illegitimate.²⁸⁹ The figures spoke for themselves: there were relatively very few numbers of registered (legally recognised) marriages among Indians. In 1866, the Protector reported only 112 marriages and 166 marriages in 1867.²⁹⁰ By 1872, the situation had not improved. By 1893, Muir-Mackenzie, deputed by the Government of India to enquire into the conditions of the Indian population in Mauritius, was still concerned: "an unmerited stigma is cast on the morality of the Indians, and injury results to their self-respect and moral character." In 1909, in a representation to the Royal Commission of 1909, Manilal Doctor demanded the recognition of marriages performed among the Indian communities according to their religious rites.²⁹¹ Finally, the 'Civil Status (Indian Marriages) Amendment Ordinance, 1912' was passed, aimed at making better provision for the registration of Indian marriages, this Ordinance recognised the validity of marriages solemnised according to the religious traditions of immigrants and conducted by the Indian priests (both Hindu and Muslims). The effect was immediate: the rise in Indian marriages and for the first time, the Census of 1921 recorded religious marriages of Indians.

Instability of marriages was also a consequence of the imbalance in sexes: there were reports of wives being enticed away by other immigrants and women moving out of the matrimonial alliances, according to Mishra, for 'more attractive' options.²⁹² Archival records show that this was one of the primary concerns of the male population in Mauritius who requested the Authorities to restore their wives. However, due to the fact they were no 'legally married', the Police could not intervene.

Children under indenture

During the period of indentured immigration, children were also brought either accompanying their parents or came alone. There are many ways in which a child could have ended up on a ship alone. A parent may have died in the Depot or abandoned children being an easy prey for unscrupulous recruiters would be enticed into the ship. Their stories will probably never get into the History books as so little written evidence has survived. What we do have today are the few descendants who have kept alive their family history and recounted how their ancestors arrived as children.

Whatever the individual story of migration, once on the estate, children were often put to work by estate and/or by their parents. Orphans ended up running away and roaming the streets in Port Louis or were taken to the Orphan Asylum. The Poor Law reports are full of stories of children found roaming around the island, of having been beaten or abused, or not having been paid their wages.

A 'child' was officially, according to the Blue Book of 1870, a person below 10 years of age. In 1860 a minimum wage was prescribed depending on the age of the child, thus:

Figure 21 Wages of children

Age of labourer on day of engagement	1 st Yr- Shilling per month	2 nd Yr- Shilling per month	3 rd Yr- Shilling per month	4 th Yr- Shilling per month	5 th Yr- Shilling per month
7 - 9 inclusive	2	4	6	7	8
10 - 12	4	6	8	9	10
13 - 16	6	8	10	11	12
17 - 20	8	10	11	12	13
21 upwards	10	11	12	13	14

Source: MNA:B2/Blue Book/1860

Child labour continued well into the 20th century, when the Labour Act of 1908 which banned child labour. However, a ‘minor’ of the age of thirteen and upwards up to sixteen shall be free to engage under written contract of service for one year only with the consent previously obtained of the parents or guardian’.²⁹³ Poverty kept many at work especially as this Law did not cover domestic service. The attraction for parents was the wage which the children received and also the rations which were sometimes given in lieu of wages. This tradition of parents of ‘forcing’ the child to work to bring revenue to the family has continued up to this day for daughters are encouraged to go to work as maids for example, instead of being in school.

Indian children particularly, also tended to be viewed by colonial society as persons who would take over from their parents in field labour and domestic work. Thus, education would change the mentality of children, and it is not surprising that many resisted such education for their children. Many plantation owners, for their part, used the same arguments as under slavery, and expressed fear that education might lead to rebellion. Knowledge was considered ‘a dangerous thing’.²⁹⁴ The fear was as real as it had been during slavery.

Indian ‘traditions’ under indenture

How far indenture altered the culture of indentured immigrants has yet to be adequately understood, as there has been a tendency to believe that the rites and rituals practised today among the population of Indian origin is what was practised under indenture. It must be remembered, however, that there is a gap of several decades between the end of indenture and the descendants who are visible and vocal, as well as several other substantial influences present to affect the evolution of Mauritian/Indian culture. These include the type of formal education received, the political situation in Mauritius, the Empire and decolonisation, amongst other determining influences.

It is still not that clear whether it is Westernisation or indenture, whether it was self-change or imposed change, which modified/changed Indian traditions in Mauritius. Anthropologists have given their views but there has been little attempt to study the evolution diachronically, in other words over time, since the 19th century. The difficulty has been that, although much historical data is available on material conditions of immigrants, their cultural and social life remains largely unknown. Although in India, reformist movements were also advocating changes, in Mauritius it is not clear whether the changes that occurred were imposed by plantation conditions or Colonial Officials’ intervention through laws or whether the immigrants themselves abandoned them. The practice of *sati* (widow burning) dowry were understandably no longer practicable in a period of shortage of women but for other practices, the situation is less clear: human sacrifice, polygyny, child marriage etc. There is no indication when these died out, if they ever existed at all. From interviews with elders, it is clear that child marriages existed, as did the heavy expenditure during marriage that parents endured.

At the end of the 19th century, when most immigrants became settled and ‘Mauritian’, some of those responsible for these changes were from the emerging elites from among the indentured immigrants. They played an ambivalent role: on the one hand, being intermediaries with what was

perceived as a 'hostile' outside world and facing the stigma of siding with British, but, on the other hand, 'defending' and 'protecting' their fellow Indians: these were the *sirdars*, the wealthier planters, the literate, those working as interpreters, recruiters those converted to Christianity and all those who came into contact with officials and planters. They also represented the most modernised among the indentured Indians and had to face the more orthodox traditional leaders among the indentured.

Also at the forefront were the caste groups which reorganised, with some moving themselves up the social ladder but without changing the system. As for tribals, it is not clear, when they became 'Hindus', which caste group they placed themselves in. Thus, 'fusion' rather than 'fission' has occurred but, at the same time, creating larger groups which had a deeper cleavage. This fusion has not yet been studied fully nor have the deeper cleavages that emerged as a result of democratisation of politics. The fact that these processes were also occurring in India leads one to suggest that it is modernisation, rather than indenture, that has led to these changes.

Thus caste mobility occurred throughout Indian and in Mauritius and should be accepted as part as the evolution of Mauritian Hinduism.

In India, the caste categorisations show clearly the upward movement of castes. There is no reason why it should not have occurred in Mauritius as well. However, who decided who moved where is at issue: while in India, this was considered by Census Commissioners. In Mauritius, by contrast, no such provision for caste categories existed in Mauritius in 19th or early 20th centuries. There is little mention of the existence of distinct castes in the census reports. Thus emerged the caste 'sabhas' in India and Mauritius to make the claims and/or approve or disapprove. In India, the Mocha who were in 191 Census *baidya rishi* in 1921 became, by 1931, included in Kshatriya caste.

The Nar who were barbers and thakurs in 1921 Census became Brahmin by 1931 Census; the chamar who were tanners and Baidya rishi in 1921 census became Kshatriya in 1931 census.

Upward mobility thus is a phenomenon which appears to continue. However, it appears that some dominant castes or those with very traditional views did not wish for this to happen and thus protested officially against changes in castes' alignments. In Mauritius, a Supreme Court ruling is still awaited following the objection of Brahmin to non-Brahmins officiating as priests.

Before Indenture

Claveyrolas *et al* recommend examining the individual's perceptions, before they arrived in Mauritius. It is thus necessary to analyse them in the light of their Indian pre-indenture experience. However, as there is no one 'typical' indentured immigrant, but more a series of typologies: the Sepoys fleeing colonial repression, the indebted peasant and unemployed weaver, the son-in-law fleeing parents-in-laws, the migrant looking for a better future.

Our research, among mainly Bhojpuri-speaking groups in particular, has led to some conclusions. In India, the caste hierarchy is more flexible among Indian Bhojpuris. Bhojpuri Brahmins are not the fierce defenders of socio-religious orthodoxy which they are in other, more territorialized, regions such as Mithila, for instance (Servan-Schreiber 1999). Many institutions are opened to all, and Bhojpuri leaders do not promote an elite and Brahminic culture. Bhojpuri leaders more often address the unifying power of the language in their speeches. In Bhojpuri land, so they stress, it is as important to speak Bhojpuri as to be Muslim or Hindu, or to be Chamar (low caste leather worker) or Brahmin.

In Mauritius, the real caste identity of indentured labourers may be different to what is listed in official registers of immigrants for reasons well studied by historians. Individuals are declared under caste names (Ahir) but also with sub-caste names, professions, or regional origins (Bengali). We cannot be sure how far the British Officials understood all the 'caste' terminologies of potential immigrants. Secondly, emigration offered an opportunity for upgrading one's caste status. But opposite strategies were also used: to secure the right to emigrate, one had to prove one had experience at field work: the British started inspecting the hands of emigrants to check for signs of the immigrants having performed manual labour. The registers thus show a multi-caste type emigration, quite representative of the Indian caste distribution (Deerpalsingh 2000; Servan-

Schreiber 2010). True enough, peasant castes were over-represented, but such is already the case in India itself (Tinker 1974).

The same gross percentage seems to have been prevalent in India, and in indenture, with a huge majority of Untouchables and Shudra, some Vaishya and Kshatriya, and a very small minority of Brahmins. This parallel between castes, percentage in India and in indenture is also true of religions: approximately 15% of Indians were Muslims (Servan-Schreiber 1999) and 15% of the Bhojpuri indentured were Muslims (Deerpalsingh 2000).

In the 1830s to 1850s, the indentured population also consisted of Tribal groups who gradually became merged with the Hindu population. This is evident from a sample study of Civil Status Records of this population. In their new identity papers, they did not put down any caste. A new identity thus appears to emerge in Mauritius, that of casteless Hindus, due to indenture.

One can infer that the so-numerous 'Vaish', identified in Mauritius today, probably belonged to other castes before indenture. This is to be regarded as another example of upward caste mobility. Some 'jatis' belonging to lower castes in India have been 'upgraded' in the Mauritian caste system. But such upward mobility often goes hand in hand with temptations to deny the popular origins they shared with other indentured labourers. This reluctance to acknowledge their real history may explain the MGI's insistence that caste information of indentured should not be revealed to public. This attitude is reminiscent of descendants of slaves in Mauritius as well as descendants of convicts in Australia. In Mauritius, however, this is tied up with claims of political representation and caste quotas.

Upward mobility was also possible through intercaste marriages. Numerous examples exist in family histories. Loss of caste identity occurred at several stages apart from the Emigration and Immigration Depot in Calcutta and Mauritius.

The ship voyage

The crossing of 'Black Waters' or the *kala pani* was incompatible with caste purity requirements, according to the 'legend'. However, alternative concepts of the caste system have, however, emerged as a result of indenture. Recruiters were asked not to use these terms but to use the rod '*tapu*' instead.

It is, as a consequence of this, necessary to re-focus on castes as both structural and flexible. One must remember the original flexibility of the Indian system, naturally enhanced in exceptional contexts. Indian Hindus are familiar with example of such occasions. The association of losing one's caste with the sea voyage constitutes a Brahminic vision of caste and Hinduism. Thus, by continuing to use this perspective, we are perpetuating an ultra-minority elite perspective and applying to the experience of the majority of the population who was not of that origin. Leaving India was probably never a taboo for non-Brahmins. Similarly, Tribals, Muslims and Christians did not have any reason to bother about the taboos of leaving Indian territory and crossing the sea.

Caste regulations were, however, not totally absent from the boat. Brahmins and high castes managed to keep their purity by refusing to eat cooked meals on board or benefiting from certain occupational exemptions (Carter 1995). Thus we learn that on board the *William Wilson*, one caste 'refused eating any cooked food afloat.'²⁹⁵ They lived on water and 'undressed gram' but became so incapacitated that the Captain was afraid that they may not survive their quarantine. The passengers of the *Indian Oak* in quarantine in Fort George Minute of the governor of 19th April 1837 to report of the Medical Board of 10th April 1837 Governor turned down a proposal for quarantine.

Another example of maintenance of caste distinctions on board ships and at the Depot was the case of immigrants, reported in the letter of Emigration Agent Laird to Colonial Secretary of Mauritius. According to him, the Indian emigrants brought their own cooking utensils to cook their food on deck during the passage. Dholl, salt fish, curry for South Indians were provided by the Captain. The emigrants used to constitute themselves in groups. This started at the time of their departure from their villages to the depot at the port of embarkation. People from the same caste flocked together. Even the *jahaji bhai* system did not work, as again according to him, *jahaji* (or *Zahazi*) brotherhood did not cut across caste divisions. Groups continued being constituted at the depot, at

the time of embarkation and on board. Even in the face of adversity, unity did not cross caste barriers. It was perpetuated when they were already there.²⁹⁶

Estate camps

The first Indians to arrive in the 1830s and 1840s, shared the same living and working spaces as the ex-slave population still on the estates. Ritual purity and occupational specialization were left behind during the sea voyage and the installation in camps. These spaces have been cited as presenting obstacles to the reproduction of the Indian caste system in Mauritius by Hazareesingh and Benoist, among others, who stated that Indian indentured labourers waited until they left the estates to settle in villages (in the 1880) to reproduce the Indian social structure.

In the camps, the absence of spatial segregation and of occupational specialization is presented as incompatible with castes' rules and regulations. But detailed reports from sugar estates show that, when requested, estate owners acceded to high-caste immigrants', and Muslims', desire to be housed separately from other (lower caste) immigrants breeding pigs. Thus, the caste system did survive in spatial arrangements on estates and as important criteria in private life, especially as far as marriages were concerned. As for settling regulations when it comes to acquiring land, Allen notes that "it was not uncommon for persons of the same or comparable caste status to purchase land near one another in a specific locality" (167), adding that other criteria were to be considered, such as religious affiliations and *jahaji bhai* relationships.

Regional origins were yet another important identity marker. The historical records show "a certain propensity for immigrants from the same home district in India to settle near one another" (Allen, 167). Marina Carter (1995) also explains how the strategies of 'returnees' for recruiting new labourers reinforced the process of bringing together people from the same district and villages. This strategy, based on the returnee's social network enabling him to contact and convince new candidates, was bound to help maintain caste solidarity and logic.

Castes with the largest numbers of individuals, such as the Ahir, the Chamar or the Dusadh, were probably more prone to endogamy and, consequently, to a reinforcement of their caste identity, whereas castes with fewer members, incapable of maintaining endogamy, were probably led to re-negotiate their status in the local hierarchy through new marriages and life-style strategies. The universe of plantation estates was not at all unknown to Bhojpuri labourers, as these existed in India as well. The estate camps would not necessarily represent a major rupture with the compulsory conditions of the caste system.

To conclude, indentured immigrants from Bihar were able to leave their native region and thus were not necessarily prone to caste identity loss. Neither were they, as individuals, submitted to a fixed caste logic unable to adapt to new living and working conditions or to contact with other cultures. Indenture for this group did necessarily involve the loss of the caste system.

Education

Orphaned children of indentured immigrants or who had arrived on board ships carrying indentured immigrants were often taken to the Orphan Asylum. The Asylum was also full of children who were not real orphans: many had families whose situation was too precarious to afford keeping their children at home.

It is this same poverty which made parents 'sell' their daughters and marry them off at a very early age. In some cases, when the parents situation got better, they claimed the guardianship back from the Government Orphan Asylum. For example, the children, Natamoney, Ponnedy and Vurdarajooloo, were given back to their father Balkistnen No. 376828.²⁹⁷ This institution opened its doors at the height of indentured immigration in 1859,

Figure 22: Origins of orphan children

Children's Origins	Males	Females	Total
Indian immigrant	98	44	142
Europeans	1	4	4
Africans	28	5	33
Mauritian of Indian or African extraction	37	19	56
Total	164	71	235
Creoles of African origin	10	1	11
Total	174	78	252

Source: MNA: B6/Blue Book/1864

The life of the children there gives us a rare insight into colonial thinking about children, as information on non-orphaned children is scarce. They were all given a Christian education, many at their request. But there were different languages taught; so they did not lose touch altogether with their maternal language. Education involved the preparation of those orphans for their lives at a time when they would leave the GOA; they received tuition in English, Tamil or Hindustani, Arithmetic and Geography.²⁹⁸ Some even became teachers at the Asylum when they grew up. A gendered approach also existed in education, as all the boys and girls were 'apprenticed to useful trades and occupations'.²⁹⁹ The tasks assigned went according to gender: boys were trained in manual work and could exhibit their work in workshops which were found at the GOA, and some of their products were sold. On the other hand, girls performed well in cooking, ironing and sewing. In both cases, the students were efficient. Just as for other girls, marriage was considered as an outlet for orphaned girls. When the girls were grown up, they were allowed to get married with the Reverend's permission. Numbers at the asylum began to drop, but it is not clear why; was there stricter control of emigration and selection of immigrants? It is also possible that with opening up of other orphanages and school, numbers dwindled.

Education of the children of immigrants posed a problem for the authorities. Not only did the type of education to be provided to an immigrant population, who would be returning, pose a problem, but the issue became embroiled with the English /French debate.

The Government of India objected to imposing compulsory education on the Indian population in the French medium on the grounds that it did not include their mother tongue and would lead to creolisation of the Indian population.³⁰⁰

Furthermore the motives of the British in promoting education was far from humanitarian. It was essentially based on the 'civilising mission' and the need to pacify populations. Illiterate immigrant labourers were seen as 'barbaric' and possible threats to the 'civilised order of plantations'. Education would transform them into peaceful citizens.

The immigrants' own languages were ignored for the most part, except under the Governorship of Phayre who introduced vernacular schools. Most children either did not go to school or went for half a day until end of the 19th century. Parents, as we have seen, preferred to send their children to work or stay home to look after younger children.

The Government of Mauritius was not in favour of including Indian vernacular languages. The main argument for insisting on Creole was the familiarity of Indian children (the majority of whom were born in Mauritius) with the Creole *patois*, and they were supposed to live their lives in Mauritius. Another reason for the opposition was the high expenditure in obtaining teachers from India to teach in vernacular mediums.

As far as the colonial authorities were concerned, despite this awareness about the lack of education among the immigrants, the need to provide education to the labourers and their children did not fit into the scheme of things for planters, neither did it attract the attention of the administrators in the first few decades because, for Mauritian authorities, Indian indentured

labourers were primarily 'transient sojourners' who had come to Mauritius as labourers to work on plantations and would eventually return to their homelands. Therefore, there was no logic or requirement to provide education for them. The more fundamental reason for this slackness towards providing education was the inherent logic of capitalist production system which does not permit any investment for which there was no material return. Since performing menial labour in the cane fields did not require any specific knowledge, there was no motivation for planters to invest resources in making arrangements for the education of immigrant labourers or their children. Even the missionaries, who were considered to be very active in providing education to the underprivileged classes, somehow did not get involved in the 'mission' of educating the Indian immigrants. Superintendent of Schools, R. H. Walsh, noted this inaction of missionaries in 1859 for which he put the blame on ignorance of missionaries in languages spoken by the Indian immigrants,

He argued for English as the main language of learning at secondary level, and that the second language had be optional between French or an Indian language.³⁰¹

Suspicion on the part of immigrants towards schools also existed, as these were seen as sites of proselytisation missions. This situation continued long after indenture and lasted well into the 20th century as the numerous oral histories conducted with elderly Mauritians show, with girls suffering the most from this exclusion.

Teaching of French and English was also viewed suspiciously. Although this attitude changed decades later, when social and economic mobility was seen to be possible through acquiring Western style education. Reformist movements, as well as activities of emerging political leaders and intellectuals, further transformed the initial hostility to Western style education. The proliferation of *baithkas* and *madrassas* and other informal learning centres is also considered as a major development in the lives of immigrant children, as well as in maintaining the cultural baggage they had arrived in Mauritius with.

Nevertheless, education was never made compulsory, and this affected the numbers attending school, compared to other countries, such as Trinidad and Guyana where 20% of the total number of children among the immigrant community went to school. For Mauritius, as reported by Muir Mackenzie in 1893, only about 7% of Indian children went to school.³⁰²

Parents of Indian children became more attentive towards the need for a basic education but also gradually sought access to more specialised and highly professional education, like Medicine and Law. In a petition to the Governor, members of Indian community highlighted the discrepancies between the Mauritian and Indian Education System and demanded that special facilities be offered to the Indians for their entry into Indian universities, especially in Law and Medical Education.³⁰³

This was, indeed, a very big jump for the first and second generation of descendants of immigrants who were, by this time, firmly implanted in Mauritius and had no intention of returning to India. Their attitudes were not like those of their parents or grandparents who had known India and whose affinities lay clearly with her. The relationship of the descendants was more intellectual and spiritual than emotional.

There was also a class factor involved and J. F. Trotter, Protector of Immigrants, did comment on this: according to him, only the 'better class of Indians' wished to educate their children.³⁰⁴ Manilal Doctor, in his statement to the Royal Commission, stated that education was beyond the reach of poor parents, even with regard to scholarships. All the scholarships for Higher Education were awarded on the basis of qualifying examinations which needed extra learning; therefore, only the children of prosperous Indians would qualify for these scholarships, as their parents could afford private tuition for their children. Even if a poor parent wanted to send his child to a secondary school, it was most unlikely that the child would qualify for it.³⁰⁵

HEALTH

Much is known about the health of immigrants due to the unhealthy state of the island and also because great care was taken to ensure that indenture was not compared to slavery. The colonial administration generated an innumerable amount of reports and correspondence on the issue of health and sanitation. Since then, numerous books and articles have also been written on colonial

health, while for Mauritius, Raj Boodhoo's work published in 2010, provided many details of the health of immigrants. A few salient points will be made here (see Vol 3, Part V 16).

Food production and supplies

On some estates, Indians cultivated vegetables and reared animals such as cows, goats or pigs. Estate owners allowed the rearing of animals inside the camp, in order to encourage labourers to stay on their estates. In the same way, some planters provided land to labourers for them to cultivate gardens. Rice and *dhol* and other Indian food items were imported. Rice was imported from Madagascar and Java, and increasingly from Bengal, when Indian immigration intensified. The quantity of rice imported and supplied to the workers depended sometimes on food prices abroad. The 1860s were particularly difficult when the price of rice shot up in India, because of poor harvests caused by floods. In the second half of the century, Indians could buy certain food items from the shops on the estates or from hawkers. There were complaints about the high prices of foods such as poultry, pigs, goat, fruits and vegetables.

Many Indians had other food resources which they produced themselves, such as milk, poultry, meat and vegetables. The sale of animals brought a substantial increase in their revenue. This trend, which started in the mid 1850s, accelerated in the decades that followed, as Indians moved to set up independent enterprise, as soon as they terminated their contracts with the estates. However, not all estates on the island provided facilities to Indians to keep animals or cultivate gardens. Indians could improve their consumption of vegetables and milk following the *morcellement*, when they moved to the Indian villages and produced vegetables and reared cows, apart from growing sugar cane (Boodhoo 2010).

Indian diet

Most of the Indians came from rice-and-flour eating areas in India. On the estates, they were provided with food items that were familiar to them: rice, flour and *dhol*. They refused to consume manioc and maize or food unknown to them. Rice remained the main ingredient in any meal, but it sometimes happened that its importation was affected by poor production in India, the main supplier. Immigrants, drawn from different parts of the subcontinent, had many variations in cooking and eating customs (often based on the caste requirements). Due to their various taboos, their food at first was simple and monotonous. Some variations became possible only on some estates, where they were allowed to do some gardening, and rear animals and poultry. When shops were opened on the estates, more Indian food items, such as spices, became available.

Food rations of indentured labourers

One of the regulations of Ordinance No.6 of 1845 defined the weekly provision of food rations. Before 1842, 'usual rations' were mentioned without giving any details. Indians complained of food items that were unfamiliar to them. Employers had, therefore, to provide Indian food items such as rice, ghee (clarified butter), *dhol*, salted fish, tamarind, salt and sometimes tobacco. Attempts to provide local food items like manioc and maize to Indians failed. Planters also preferred to distribute imported rice, instead of cultivating local foodstuffs on their estates. The Indians, who formed the bulk of the population (in the second half of the 19th century), were mostly semi-vegetarians, whereas ex-slaves consumed mainly rice, *brèdes* (greens), salted fish or boiled salted beef. The Whites ate rice, salted beef and fish, and a lot of vegetables. The Typical Indian meals included rice, *dhol*, vegetable curry and salted fish, garnished with *chutney*.

Food rations were provided to indentured labourers in lieu of part of their wages, i.e. they received five rupees or ten shillings a month as wages and food and a clothing allowance, in addition to free housing on the estates and free medical attendance. The daily rations were as follows: two pounds of rice for one man, one and a half pounds for one woman, half a pound of *dhol*, two ounces each of salt, mustard, oil and tamarind. This was a ration high in carbohydrate, moderate in protein, low in fat, with low levels of B-vitamins. The ration (if provided in full and regularly) was slightly more than adequate for an adult's needs; however, it often had to be shared with other members of the family. Labourers who freely drank cane juice experienced a marked increase in calories as carbohydrate-rich sugar provided considerable energy (Boodhoo 2010, Mishra 2009).

Estate owners often provided either salted fish or *dhol*, but not both, saying that Indians preferred *dhol* to fish. However, this ration did not cover the needs of labourers with families, women and children too young to work. Those who became sick, while at work, received the whole ration, while those who did not attend work at all did not receive any ration. Rations were distributed on Saturdays during the '*entrecoupe*' (non-harvest) season and on Sundays during the harvest season. Rations and wages were given to labourers who fell sick or had an accident at work. Those who were sick and absent from work did not receive any wages or rations. But working conditions varied widely from estate to estate.

Food rations remained a major issue throughout indenture as rations were often reduced or stopped altogether for those absent from work or sick, thus causing great difficulties to workers and their families. Labourers complained about food ration distribution as being irregular or insufficient (Boodhoo 2010).

The average height of 120 adult Indians (aged 20 to 39 years), who arrived from Calcutta in 1843, was 159.2 centimetres (calculated from data available at the Mahatma Gandhi Institute) compared to 167.5 centimetres for contemporary Indo-Mauritian male adults (MOH 2004). This indicates that the Indian immigrants were chronically undernourished, even before their arrival to Mauritius.

Mortality

During the malaria epidemics of the mid-1860s, it was observed that many Indians (especially those coming from Calcutta) could not resist the onslaught of various fevers, and they died because they were already exhausted by hard work in the cane fields. They were found to be weak and vulnerable to disease, due to poor nutrition believed to be related to their religious food taboos. Quinine was the main medicine for fever. In 1905, one Official wrote: "Indians are old at fifty". They suffered from various other diseases like bronchitis, pneumonia and heart disease. Indians were already in deplorable physical conditions when they arrived from India.

It should be noted that, in the 1870s/1880s, although it was compulsory for men (Indian labourers) to attend the estate hospital when ill, women and children often did not, either due to ignorance or cultural norms or poor hospital conditions (including food not being to their liking). Children were often not vaccinated. Women would not deliver in hospitals and gave birth in their huts with the assistance of traditional midwives (*dais*). They attended hospitals only in case of complications. This resulted in high child and maternal mortality on the estates. But things gradually improved, when medical care and living conditions in estate hospitals improved.

In the 1920s, about a third of total deaths was among under five year olds, indicating that malnutrition among under 5's was an important contributing factor, apart from infectious diseases.

The table shows an increase of 36.5 per cent deaths over a three year period (1858-1860) on board ships from the port in Calcutta. Over the same period infant deaths increased by 57.2%, 77.5% and 72.5% respectively from the ports of Calcutta, Madras and Bombay. There was necessity for greater vigilance in the examination of infants presented for embarkation.

Figure 23: Death Rates on board ships between 1858-1860

Port	Year		
	1858	1859	1860
Calcutta	2.62	2.56	4.14
Madras	.49	.60	.76
Bombay	.57	.99	.76
Calcutta (Infants)	12.40	9.79	28.99
Madras (Infants)	1.30	2.87	5.78
Bombay (Infants)	1.96	2.88	7.14

The Report found 'the Hospital Ordinance (No 29 of 1865) to be incomplete, unless supplemented by the regulations' that ought to be so' by the General Board of Health, but was not framed as should have been. According to the Ordinance No 29, there should be:

- A hospital with accommodation at least 4 beds and with certain space in proportion to each bed.
- A medical attendant visiting the hospital once or twice a week according to the size of the estate.
- Store such medicines as may be considered necessary by the Stipendiary Magistrate.
- A hospital attendant qualified to attend the sick and to keep a Hospital Register.

Enquiries had also shown that there was hardly a Hospital in the Island (except one at Midlands), that could be considered complete. The buildings were considered excellent in structure but were such in 'character as for it to be a gross misnomer to call them hospitals at all'.

As regards the hospital attendants, in vast majority of cases they had no qualifications that made them fit for their duty of attending the sick. The Report found the Registers as simply valueless for the purposes of statistics or as evidence of stay in hospitals.

In the 1870s, the sanitary conditions of the Island had reached a deplorable state. Application of Health Ordinances was often not observed much to the detriment of the sick needing medical care. A tug-of-war type of mentality existed between the Council of Government, the planters and the Indian immigrants on the provision of hospital care (Boodhoo).

In 1909, the Royal Commission investigations had observed that in a Military Report dated 1905, there was much scope for improvement in the sanitary condition of the Island. Malaria, dysentery, enteric fever, tubercle, and syphilis were prevailing extensively. During the 15 months that the Commission was working, the diseases were on the increase. Most of the food consumed in the Island was imported. With custom duty applied on all foodstuffs, prices were high to the detriment of the working classes. Scarcity and dearness of the food were, according to the Commission members, some of the causes of high sick and death rates.

In 1908, Dr. Ronald Ross submitted his comprehensive report on measures for the prevention and control of Malaria. In the summary of facts regarding the amount of Malaria, the report mentioned the abnormally high death rates in the population and the costs to government, loss of labour, labourers' loss of wages and losses to the general community.

Of particular interest was the observation of a high number of children found with enlargement of the spleen, 62,000 out of 182,000. How sustained Malaria-related morbidity affected the young population's health and the plausible generational effects on chronic metabolic diseases need further investigation.

Diseases and Epidemics

There was little or no understanding of the disease among the people and the health workers. Ignorance resulted into panic and disarray in the population. The 1854 epidemic raged over the Island with an extreme violence, killing more than 12, 000 people in a population of 181, 000. The population was at a loss to comprehend what was happening. There was despair and desolation everywhere. Two eminent personalities participated actively in bringing support and assistance to the victims of cholera. They were Dr. Edouard Brown Sequard, famous physician who later became a member of "College de France", and Father Jacques Désiré Laval, Catholic missionary who devoted his life, to the welfare of the poor and the destitute.

It was observed that the epidemic was occurring during the hot season, which coincided with the intensification of cholera in India. The infested ships were put on quarantine at the mouth of Grand River North-West. But quite often there were infringement of quarantine laws, as local people used

to communicate with those on board the ship, thus contributing to the spread of the germs inland. As from 1862 the quarantine laws were tightened and observed rigorously. It is significant that some pertinent observations were made in medical reports on the cholera epidemics. It was observed that the invasion by cholera was mild in the well-watered district of Moka, which had streams with swift course to the sea. It is also reported that the fatal power of the epidemic did not affect persons who lived on Montagne Chamarel situated 1000 feet above sea level and rather isolated from the populous areas. Another observation concerns the Chinese population of the island, who suffered the least from cholera epidemics because they never drank any liquid except tea, infused in hot water. The medical profession modestly admitted that, being uncertain of the actual cause of the disease, they could only combat the symptoms. Their remedies consisted of Purgatives 'to drive out the vitiated contents of the bowels' which contained the cholera poison; emetics and fluids were administered to assist Nature in getting rid of the poison; opium was given to soothe the abdominal cramps and check excessive evacuation.

Significant outbreaks of Malaria occurred in 1856 - 1859, 1862 and 1865. But the first serious epidemic struck the Island in 1867. It was a major calamity causing 40, 000 deaths in a population of 333, 000. Ronald Ross qualified the epidemic as the greatest disaster in Mauritian history. Thereafter, Malaria remained endemic in Mauritius until 1950's. The result was a serious source of wastage in terms of manpower and money, through deaths and reduction of population; loss of manual labour in plantations, factories, farms etc; sickness among labourers and officers, incapacitation and deaths among higher officials and soldiers.

8. END OF INDENTURE

Official immigrant registers listing arrivals show 1910 to be the last year when indentured immigrants arrived. However, Protector's Reports indicate that there arrivals as late as 1924 and 1925. Indentured labour Immigration in Mauritius dwindled rather than ended abruptly, and it is still not clear whether to consider as 1910 or 1925 as the end of immigration. 1910 was the official end but immigration actually ended in 1925. For memorial purposes, both years need to be mentioned.

There were multiple causes why it dwindled to an end in Mauritius while immigration increased in other colonies. First, in 1909, the Council of Government of Mauritius requested for a Royal Commission of Inquiry in order to secure a loan for the revival of the local economy. The Royal Commissioners discovered that there were still widespread abuses in the sugar industry such as the "double cut" system, the non-payment of wages of the indentured workers and mistreatment.

The Swettenham Commission had felt that the importation of indentured immigrants to Mauritius from India should be permanently abolished. Consequently, in 1910, a Special Committee was appointed to investigate the social and economic conditions of indentured workers This Committee recommended that the indentured labour immigration cease.

While focus has been on those who stayed in Mauritius, many decided not to. These figures need to be compiled. What prompted those who stayed to do so and those who left to do so will be for future historians to research. Available figures so far show that between 1906 and 1910, more than twice as many of those who arrived, left, either to go back to India or on to other colonies such as Natal, Guyana and Fiji. The movements of these last migrants show they were seasoned travellers, many of whom had been to other British colonies and were not 'new' migrants from India. This was the case for the period between 1923 and 1924 for some of the 1,395 labourers or so, most of whom decided to return to India.

Maharaj Singh's arrival in 1925 was unique in that he was the first ethnic Indian to come to study Indian situation in Mauritius. The question was again, whether further immigration was necessary. He recommended it should not and that was the end of the immigration. 1925 would seem to be therefore a seminal date.

The last indentured: Rodriguan migration to Réunion Island

Despite the ending of indentured system in Mauritius, few people are aware that it continued elsewhere and in the most unlikely of places: in Rodrigues, where sugar was not grown. Sugar production thus continued to produce 'victims'.

In the 1930s, Rodriguans were recruited and sent to Réunion Island to work in sugar cane plantations. Why anyone would go all the way to recruit Rodriguans who had never work on sugar plantations is not quite understood. The role of the de Villiers family has been mentioned as people who knew of the work capacity of Rodriguans. However this was not new: many Rodriguans were also recruited to work in Mauritian plantations in the 1940s and 1950s.

Of the 'bann driguais' as they were called in Réunion island who lived out their indenture to the end find themselves today in an anomalous situation in not being able to obtain French citizenship. A report on their situation was prepared by Mr Emmanuel Suffrin '*Histoires des Engages et Ouvriers sur les Quartiers Cafrines et Grand Bois*'. However it appears he spent only two days in the Archives and so the historical documentation is sparse. He has however conducted many interviews with the remaining survivors. A summary of their situation is given here to highlight their situation and make recommendations.

The first Rodriguan indentured labourers arrived in Réunion island on 10 August 1933. They had been brought there through the intervention of Mr. de la Giroday who had recruited them after mass outside the Church in Port Mathurin.

On arrival in Réunion, they were placed in the Quarantine Station at La Possession. They were then sent to different estates where they started working in sugar plantations. Later, other works were given to them. Their engagement was to last 3 years and in 1933, 800 workers were recruited as indentured. Other nationalities were among this group. Their working week lasted from Monday to Sunday morning when there was compulsory Mass. There were no fixed hours of work.

Some were housed together with the cattle and horses and food rations were sparse: 3 lbs peas, 5 pints rice, and 3 pints beans per week. Others were housed in structures dating from the period of Indian indentured labour immigration which had survived. According to Mr. Suffrin, these structures may possibly even date to the period of slavery although this has not been confirmed yet. Rodriguans were, however, the last occupiers of the 'Cabanons' as these structures are known today.

Many of them broke their contract and returned to Rodrigues as they were not happy there. Some, however, stayed. In the 1980s, sugar mills started closing down in Réunion, and it seems with very little preparation or social plan for the employees.

The Rodriguans who had stayed have not up to today been able to acquire French nationality, nor do they have the right to vote and their legal status is unsure. It is unclear however how many people are in this situation.

Conclusion

Is the Mauritian Sugar Industry culpable for its past actions, and how has it treated its workforce since the end of slavery and indenture?³⁰⁶ Comparisons of the Eastern Enquiry Commission of 1826 and of the 1875 Royal Commission and the situation in a post-slavery and post-indenture Mauritius need to be compared. The situation of descendants of slaves most of whom were forced to leave or left of their own accord, due to unacceptable working conditions is in contrast to descendants of the indentured labourers who stayed in Mauritius and continued to rely heavily on the Sugar Industry for a livelihood. We know little about the experiences of both these groups for the 20th century.

For descendants of indenture, for the Commission, their living conditions needed to be known as reports have been produced on their working conditions (Vol 3, Part 1). The oral testimonies of elderly sugar estate workers collected by the Aapravasi Ghat Trust Fund were extremely useful, and the Commission is indebted to this institution for having provided them to the Commission.

One is tempted to ask why another Commission was necessary when so many other Commissions have been set up in Mauritius, precisely with the aim of investigating conditions of sugar estate workers. It has become clear that many of the recommendations were never implemented whether by the sugar estates or by the Governments who had commissioned the reports.

Regrettably, the problems remained and continued up to the present day.

The first Commission was in 1875, when a Royal Commission was convened by the Colonial Government after receiving several thousand petitions from Indian immigrants collected by Adolphe de Plevitz. The terms of the contract which they had signed were not being followed by their employers: basic wage, free housing, medical assistance and rations. Instead, withholding of wages in order to try and re-indenture them, less than adequate medical attention, and reduction of rations in addition to being forced to carry a ticket in order to allow them to travel beyond the radius of the sugar estate where they were housed and worked. Although the 1875 Royal Commission confirmed the existence of abuses and made a number of recommendations to rectify this situation, many sugar estates did not meet their legal responsibilities, even after the end of the indentured labour period.

Two subsequent Commissions in the 20th century were held: the Hooper and Moody Commissions. How far the official enquiries by the British Colonial Authorities were impartial or conducted as thoroughly as they might have been has been questioned (Vol 3, Part I). Discrepancies exist. Similar discrepancies have been noted in the reports of Labour Departments since 1938. The 1938 Hooper

Commission declared, for example, that housing conditions in sugar estate camps were satisfactory and that planters were doing all they could to comply with the necessary Labour Ordinances and the Department's regulations. The 1943 Moody Commission Report, written only a few years later, affirmed that sugar estate housing conditions in the North of the island left much to be desired, and that hospitals and medical dispensaries on sugar estates were often poorly equipped.

Did employers in the Mauritian Sugar Industry meet their legal responsibilities during indenture and since the end of indenture? It can be categorically stated that the Mauritian Sugar Industry does appear to be culpable for the reckless, and at times callous, manner in which it has treated its workforce. It can be accused of flouting its legal responsibilities under existing labour laws. However, this does not apply to all sugar estates in Mauritius. Some sugar estates went beyond what was required by the Law to provide decent conditions of living to its work force.

Small planters

The contribution of the small planters to the Sugar Industry is a phenomenon since they did not lag behind but, instead, struggled till today; they recovered from a succession of hardships, such as natural calamities, pests and diseases, the reduction of sugar prices, the centralisation of sugar factories, the lack of a labour force, the low payment for canes, and many other problems. It is understood that various difficulties, faced by these small cane growers, have a direct impact on the economy of the country.

In 2006, the Mauritian Government proposed the Multi-Annual Adaptation Strategy for the Action Plan 2006-2015 indicated that small planters, i.e. those cultivating less than 10 hectares, cultivated some 26% of land under cane in 2006. This percentage would come down as a result of land conversion and cane abandonment, but this category of producers would still cultivate some 20 % of the total area under cane. This statement proves to be partially the truth nowadays, with the frequent land abandonment issues by small planters, due to high costs of production, a rise in unemployment and agricultural lands being converted into residential properties, used for construction purposes, and with the great pace of urbanisation. The sustainability of the small planters (cultivating 10 hectares or less) and the reliability of the supply of their canes, hold the key to the future viability of the sugar cane cluster.

Métayers - A Forgotten Community

Métayage, also known as sharecropping, emerged in 19th-century Mauritius after the abolition of slavery and again after indenture. *Métayers* were ex-slaves and ex-indentured labourers who were provided with a plot of land on the sugar estate where they resided, with the clear agreement that they grew sugar cane for delivery to the estate factory. They did not pay any type of rent money for the estate land where they grew the sugar cane, "but they received less than the ruling market rate for the cane supplied, which was equivalent to payment of a concealed ground rent in kind."³⁰⁷ Estate owners did not give land to anybody; it was usually as elect group whom they knew very well and had worked for them for several years.³⁰⁸ By the mid-20th century, the majority of the *métayers* were monthly workers who had worked for many years on the same sugar estate and had resided for years in the estate camp and in the nearby villages.³⁰⁹ From the 1920s onwards, however, the importance of the *métayers* declined. Today, they form a very small class of small sugarcane growers with their numbers diminishing each year.³¹⁰

At that time, most land was marginal land but today, with irrigation and expansion of Tourism, this marginal land has become highly profitable. Hence, the desire of the sugar estates to reclaim this land and sell it to a foreign clientele or undertake tourist-related activities. Despite the enactments of various laws, judgements and even a Privy Council ruling, authorities have been lukewarm in their attempts to protect historic rights of the *métayers* when sugar estates wanted to reclaim the land leased.

From Indenture to VRS

As far as living conditions are concerned, the irony, as pointed out by Couacaud, is that those sugar estates who neglected to abide by their legal responsibilities and to improve sanitary conditions in

estate camps, not only endangered the health of their workforce, but also handicapped their own economic prosperity. However, as noted by the same author, one of the most outstanding achievements of Mauritians is “their ability to persevere and lift themselves up by their own bootstraps.”

As a result of further pushes to mechanize the Industry and retrench full-time workers, the Sugar Industry has been fully helped in this by Authorities who proposed, and pushed workers to accept, Voluntary Retirement Schemes (VRS). The result today is that many have been re-employed with job-contractors under less favourable terms than when they were permanent employees. Not only are they forced to sacrifice many of the benefits that they used to enjoy as full-time workers, but they are also being paid less than they were before and their bargaining power has been completely diminished. Thus, one is tempted to question just how beneficial VRS redundancy packages actually are for the average sugar estate worker in Mauritius. One is also tempted to compare the situation of labourers today with their indentured forbears.

CHAPTER FOUR

**LEGACIES, CONTINUITIES AND
CONSEQUENCES OF
SLAVERY AND INDENTURE**

Introduction

Among one of the conclusions of our review of the history of slavery and indenture is the fact that slavery and indenture, as they evolved in Mauritius, were in many ways continuations of an economic system based on the exploitation of unpaid or cheap, plentiful and docile or coercible labour. The Mauritian experience of slavery and indenture contrasts singularly with the Atlantic world in several respects.

There was continuity in the flow of such labour for several reasons: Mauritius was geographically close to sources of cheap labour: Madagascar and India, both countries had traditionally supplied labour. Thus, despite the abolition of slavery, Africa and Madagascar was again tapped for sources of contractual labour and the experience of this new contractual labour, the Liberated Africans, in many ways did not differ from their fellow Africans and Malagasies who had come as slaves almost a century before.

Secondly, the continuity arose from the fact that capital to finance economic activities was generated locally. This was not the case in the Caribbean, with a large presence of absentee labour, while the USA was similar to Mauritius. Of course, generous grants from Colonial Governments were forthcoming as well as relaxations in the duties and taxes relating to commodities and goods being exported and imported into the country. The original owners of the large tracts of land grants of the 18th century merged and intermarried with new arrivals from France during the 18th century and 19th centuries, and a gradual consolidation of ownership of land occurred during various phases of the economic development of the island. The trading and merchant community of the 18th century merged with rural owners of land over the course of the latter quarter of the 18th century and reinvented itself into a powerful force during the period of sugar expansion in the 19th century, owning land, influencing, if not controlling, political decisions and being the driving force to economic and social activities occurring on the island for most of the 19th century. When viewed with hindsight and from a distance, it is indeed remarkable how such a tiny community, this ‘most refractory little community’, as one British official described it, was able to control the destiny of so many people and even intimidate and dictate to the British Government represented by the Governor and a few British administrators.

Thirdly, there has been continuity in the laws, treaties and conventions adopted by the country which have served these economic interests so well. From the *Code Noir* in 1723, established to categorise one group of human beings as ‘goods’, in order for the owner of these goods to be able to obtain insurance money and compensation in case of loss of his ‘goods’, to the Capitulation Treaty of 1810 which guaranteed the protection of these ‘goods, passing through the *Civil Code* of Decaen which once more not only reaffirmed that ownership of property would remain in the hands of this group, but, this time, clearly introducing a racial component in the Law concerning ownership of property. These amendments to the French Civil Code are described a ‘unique’ in French Law and reserved only for French colonies, in order to maintain the control of French inhabitants over property in the colonies. And what of the Compensation money, over £2.1 million to compensate owners for ‘loss of property’ but not the slaves for having sacrificed life, labour and freedom for Mauritius? Abolition of slavery, ironically, financially benefitted the owners of slaves rather than the slaves.

It is therefore ownership and control of property, above all matters, that dominated the laws, the economy, and ideology of the island for most of the 18th, 19th and 20th centuries. Human beings, used as labour, continued to be seen as ‘property’ over which only the former owners should have control. Discouraging any independent economic activity became part of the tradition which many civil servants were only too happy to assist in.

Similarly, property ownership had to be controlled: small independent proprietors were a bane depriving the island of potential hands. How many times has the Commission heard these words: ‘Kreol pa kapav ena later!’ (‘Creoles can’t own land’!) being repeated by members of the public when they went to search for documents in public institutions. Few of those working in these offices are aware that, at a certain point of time, many thousands of ex-slaves did own land. It has been difficult for Commissioners to acknowledge that most who owned land have lost their land

‘legally’, but it is even more difficult to acknowledge that there is very little possibility of redress or getting any more land in the current economic and political structure of Mauritius.

This ideology of control and ownership of property by a tiny elite persists to this day and continues to pervade all our institutions, private and public though in not as visible form as it was in the past. How far is the economic vision established by Government, the vision of the people of Mauritius, most of whom are descendants of slaves and indentured labourers or how far is it the vision of the powerful economic interests of a few? It is perhaps true that ethnicity is no longer the issue as our ‘rainbow nation’, as most ethnic and religious groups are fully represented in this elite, although some may be more visible than others due to their phenotype.

Despite attempts to ‘democratise’ society and economy, institutions in Mauritius remain geared to protecting the wealthy and powerful, and that with full connivance and collusion of the ‘respectable’ professions. They will no doubt recognise themselves, should they take the trouble to read this.

While the above may be seen as an analysis of society from a political economy perspective, this is not to say that the human, individual agency or perspective is being ignored. Indeed it has been a source of wonder to the Commission to observe how throughout centuries, many ordinary men and women have been able to make full use of the few opportunities offered to them to break free from a system that attempted to control their economic, social and cultural being and limit their economic and social mobility. Human agency is real, but whether it changed the fundamental economic and political structures that dominated Mauritius is to be doubted. How far will attempts in recent times to ‘democratise’ Mauritius succeed remains to be seen.

The Commission thus recommends measures that encourages the holders of economic and political power to morally and materially repair the harms and injustices of the past in order that will benefit not only the presumed descendants of slavery and indenture but the Mauritian nation as a whole so that Mauritius can be finally at peace with its history.

1. THE ECONOMY

1.1 The Sugar Industry

The history of Mauritius has been characterized and fundamentally determined by the evolution of the Sugar Industry during the era of British Colonialism and later of British Imperialism. Two key events were the turning points in the evolution from economic and financial perspectives: (a) as Crown Colony, Mauritius was given access to the British sugar market as from 1815; (b) in 1825, the tariffs imposed by Britain on sugar imports from Mauritius and from the Caribbean were equalised.

The understanding of the consequences for contemporary Mauritius of these key events would be largely insufficient unless a holistic view of history is adopted. The Commission finds that there is a continuous evolution of economic exploitation, social and cultural oppression. This has led to contradictions between British Imperialism, the plantocracy of both French and British origin on the one hand and, on the other hand, labour (the enslaved, the indentured and their descendants). The wealth created throughout Mauritian history is the result of the impressive contribution of labour on the one hand and the capital and know-how of colonists and British Imperialism on the other hand. However most of this wealth has been appropriated by colonists and the British Imperial and Colonial States, whilst large proportion of the laboring classes faced unemployment and poverty during the Colonial era ending in 1968. The intermediate social and economic classes such as traders, merchants, middlemen and medium planters were able to retrieve some of the wealth. There have been thus two complementary historical processes: development and substantial material advancement for the few and underdevelopment for the many constituting the labouring classes.

The Sugar Industry in 21st Century

The sugar industry has been facing an unprecedented crisis following the 36 percent decrease in the price of sugar during the period 2006 to 2009 by the European Union.

In June 2005, the European Commission published legislative proposals to reform the Common Market Organisation for sugar, which called for severe reduction in EU sugar prices and an end to the current system of national quotas.

The reforms impacted severely on the ACP (African, Caribbean and Pacific) sugar supplying States, including Mauritius, and inevitably led to the destruction of century-old traditions of sugar production with devastating socio-economic consequences. Mauritius, being the biggest quota holder under the Sugar Protocol, was the most affected country. The bulk of the exports for Mauritius were 507,000 tonnes under the Sugar Protocol and 20,000 tonnes under Special Preferential Sugar Agreement. Under the new EU sugar regime, which lasts from 1 July 2006 to 30 September 2015, Mauritius will lose up to €895 million and suffers a permanent loss of €95 million annually. The reduction in prices in the EU implies a shortfall in export earnings of €782 million over the period 2006-2015. However, the effective loss to the economy is much higher when the social and environmental multiplier effects of the Sugar Industry are accounted for.

The Multi Annual Adaptive Strategy (MAAS)

In April 2006, the Government, after consultation with the Sugar industry and with the approval of the European Commission, published the Multi Annual Adaptation Strategy (MAAS) and the Action Plan 2006-2015. The objective of the MAAS was to ensure the commercial viability and sustainability of the sugar sector for it to continue fulfilling its multi-functional role in the Mauritian economy. This objective could only be met through five major broad initiatives; the transformation of the Sugar Industry into a sugarcane cluster, production of electricity from bagasse/coal and ethanol from molasses, fulfillment of the trade commitments of the country, reduction of the dependency on the import of fossil fuels generally and in oil on particular, and the continuation of the multifunctional role of sugar with the support to national environment and social objectives.

As per the MAAS, measures had to be designed and funds found to ensure adaptation. In this context, the EU allocated €40 million for 2006 as an interim measure for ACP States and then €1244 million as Accompanying Measures for the period 2007-2013; the allocation for Mauritius for the period 2007-2010 is €128 million.

However, the market environment has changed significantly from the time the MAAS was envisioned. Whilst the MAAS anticipated the major price decrease, it did not envision the phasing out of the “quantity and duration guarantees”. Accordingly, in 2010, there was a Mid-Term Review of the MAAS. This review highlighted the fact that the 520,000 tonnes of sugar envisioned as an average production was unattainable, and that 450,000 tonnes to be more realistic over the next five years for various reasons.

Key features of the MAAS included centralization, decrease of the labour force and creation of a so-called “flexible” workforce and the mechanisation of field operations. Whilst these measures were meant to ensure the economic and financial viability of the sugar industry, the social costs, especially for the labouring classes descended from slavery and indenture have been enormous.

From slavery and indenture to VRS (Voluntary Retirement Scheme)

The implementation of the measures prescribed by MAAS has led to a large reduction of the labour force of the Sugar Industry. A compensatory package for the loss of employment was agreed between the Government and the Sugar Industry. This led to the establishment of the Voluntary Retirement Scheme (VRS), as part of MAAS.

The package offered was applicable to all employees “wishing” for an early retirement and included cash compensation as well as a plot of land of 300 m². This policy had started since 2001 with the participation of some 8000 employees and is referred to as VRS I. In 2007, the VRS Scheme was amended and implemented; about 7,000 employees have ultimately joined the scheme, referred to as VRS II. The salient feature of the amendment of VRS for agricultural workers is the lowering the age of retirement from 50 years to 45 for female workers and from 55 years to 50 for male workers. The cash compensation is two months/year of service for both VRS I and VRS II. Employees who accept the VRS are entitled to the early receipt of the contributory retirement pension but at an actuarially calculated reduced rate. Thus, a person aged 50 would receive 60 percent of his/her retirement pension.

One of the immediate consequences of the labour retrenchment policy is that most of the retired labourers have gone back to work for the sugar estates as casual labourers, doing the same job they did as permanent employees. They do not have the fringe benefits that they used to as permanent workers, and have a lower rate of pay. Descendants of indentured labourers fought in the 1930s and 1940s for permanent employment and benefits in the sugar industry. Today the children of these descendants find themselves in a similar situation as their forbears in the 19th century. Section 20 of the Employment Rights Act clearly stipulates that there must be equal remuneration for work of equal value and thus this Section 20 was not being respected in the case of those new casual labourers having opted for VRS. It appears an agreement has been reached to respect the Employment Rights Act.

A second aspect of VRS, is that younger labourers and some aged even below 50 years (40 or 45 years) are finding it difficult to cope with the cost of living, especially when they have to cater for their children.

From a sample survey conducted early in 2011 among 283 labourers who participated in the VRS II scheme, 70.3% of the labourers are working, with 78.3% among the women and 68.2% among the men. It is to be noted that the number of men and women labourers in the sample is respectively 183 and 60 given a ratio of 3:1 as per the population of labourers having opted for VRS II. Further, among those working and the 150 men and 45 women who responded to the required question, 74% of the men and 84.4% of the women are on contract with the sugar estates or with the job contractors of sugar estates, thus going back to a system that existed under indenture.

The prevailing income among the respondents is very low indeed. About 62% of them earn between Rs 1,000 to Rs 6000; and women labourers are worse off with 68% of them being in that income bracket.

A 're-skilling programme' had also been planned for the labourers. From the sample, 72% of men and 82% of women either had not benefitted from any training whatsoever or did not attend the training session. Among those who did attend, only 17% found it beneficial. It is obvious that the training provided did not satisfy the objective of re-skilling as defined in MAAS.

It was also noted that among the retired labourers, the women face a particularly difficult situation. The reduced pension, referred to earlier on, impacts more severely on them for three reasons. Firstly, their basic salary is lower than that of men on account of wage packages and remuneration orders prevailing in the Sugar Industry. Secondly, they retire at a younger age than the men, at 45 or 50 years and the actuarial factors used to compute retirement pension are lower. Thirdly, they may be widows or are the only bread earner in cases where the husband is unable to work.

To provide support to women affected by the VRS, an amount of Rs. 800 million was included in the Action Plan 2006-2015 for adaptation and empowerment. These funds were destined for the safety nets, possibly in a revamped Social Aid Programme. However, this specific project has not been implemented.

By May 2011, at the time of the survey, around 89% of the respondents had not obtained their plots of land to which they were entitled. Some were expecting to build a house on that land, but by 2011, much of their funds had already been spent.

There is a major shortcoming of MAAS, and a disturbing one. The issue of water rights has been overlooked. Sugar factories were given special water rights in the past for obvious reasons. But, with their closure, there was the need to re-examine the issue, given especially the prevailing problem of accessibility to water.

Finally, in the case of métayers, particularly those in the South of Mauritius, were unhappy that the option of possible buying of their land, as provided in MAAS, was not presented and explained to them fully by the authorities.

While the labourers may have obtained a deal which, most probably, would not be offered in other sectors of the economy, nevertheless, in the long run, with the massive labour redundancy, the labouring classes are on the losing side.

Long term benefits for the Sugar Industry

As far as the Sugar Estates are concerned, it appears that VRS II is not financially attractive in the short term. But in the medium and long run, the labour costs will be reduced considerably and, at the same time, the estates will be able to mechanise field operations given the considerably reduced labour force. Over time, it is expected that the number of seasonal (i.e., casual) employees will be reduced. Moreover, the cost of the VRS forms part of the accompanying EU measures and is financed by both the EU and the sugar cane producers/private sector.

1.2 The Cheap Labour Policy of the Post-Independence Period

The Export Processing Zone (EPZ)

In 1970, the Export Processing Zone (EPZ) was established in Mauritius and the Export Processing Zone Act was passed. The Act provided major incentives to manufacturers catering for foreign markets. Moreover, firms within the EPZs equally benefited from the availability of cheap labour which came from unemployed workers and women who were outside the labour force at that time.³¹¹ In his paper, Ali Zafar elaborated as follows

“According to interviews with textile executives located in the EPZ, 80 per cent of workers in the EPZs in the 1980s were women. The rate has decreased somewhat in the 1990’s and 2000’s, but women continue to be more than 60 per cent of the workers in the zones. The lower wages that were paid to the workers in the EPZs in the early years allowed the firms to accumulate capital and reinvest the earnings into the firm’s expansion.”

History has repeated itself. About one hundred and thirty years ago, the plantocracy recruited indentured labourers from a vast reservoir of cheap labour found in British India. As a result, the plantocracy accumulated capital which was partly siphoned off to financiers/ investors abroad (Britain and France mainly) and partly reinvested in modernising the sugar factories. The new dimension, this time, lies in the fact that the reservoir of cheap labour came from within Mauritius: women and the unemployed. Unemployment and poverty were the direct consequences of policies of free trade by British Imperial Government and of cheap labour policy of the Colonial Government and the plantocracy.

For this process of capital accumulation to be successful, there was a need to control the labour force and, even to coerce it into accepting special working conditions applicable in the EPZ and not applicable in other sectors of the economy. Certain key features of the EPZ Act of 1970 are highlighted to illustrate the point.

Firstly, the notorious policy of ‘double-cut’ for absenteeism which was prevalent in the Sugar Industry during the period of indentured labour was re-introduced in the EPZ Act. It stipulated:

“An employee who without his employer’s consent or without good and sufficient case absents himself from work on a day which immediately proceeds or follows a public holiday, shall forfeit one normal day’s pay in the next following week or if he is entitled to paid holidays the amount which would have been accrued to him in respect of the next ensuing paid holiday.”³¹²

Secondly, new legislation, not in line with existing legislation and practice, was included on the issue of severance allowance and termination of service. Section 14, paragraph 18 stipulated

“When an employee reckons not less than three years continuous service with an employer and his services are terminated, he shall be entitled to receive compensation which shall be equivalent to not less than two weeks’ wages for each year of service he reckons with an employer.”³¹³

The Legislation prevalent in other sectors of the economy provided for the payment of severance allowance after twelve months of continuous service with an employer. With respect to termination of service, section 14 paragraph 9, stipulated that

“The provisions of the termination of contracts of service ordinance 1963 shall not apply to any contract of employment between an employee and his employer.”

Thirdly, the working week for workers of EPZ was of forty-five hours duration and overtime work for ten hours was, in practice, made compulsory. The Act provided for the following clauses:

- a) *“An Employee shall not be made to work overtime for more than ten hours per week.*
- b) *An employee may be required to work for more than the normal number of hours on any day other than a public holiday and no payment for overtime shall thereupon accrue to the employee if the number of hours of actual work in the week does not exceed forty-five.”*

Overtime work was made compulsory on the one hand, and worse still, was payable only after a working week of forty-five hours. In many sectors of the economy, overtime work was paid on a daily basis where necessary. Ali Zafar summed up succinctly the situation prevailing at that time in the EPZ:

“Firms within the EPZ were subject to general labour laws (including minimum wages) but were free to fire workers, to demand compulsory overtime work, and to penalise workers heavily for absenteeism.”³¹⁴

There is no doubt that with the establishment of the EPZ in the 1970s and its expansion in the 1980s, unemployment was reduced considerably and the economy benefited substantially, with the

growth rate of the EPZ's value added being close to 30% annually between 1983 and 1988. Moreover, employment fluctuates over the years. But the major issue is that this was done in a manner similar to the growth of the Sugar Industry in the 19th and 20th centuries whereby the workers' share in the wealth created was minimal and their working conditions were such that it was to a certain extent like coercible labour.

The Export Oriented Enterprises (as the EPZ is to be known as from 2006) employed, by March 2001, 93,218 workers of whom 30,783 and 62,435 were respectively males and females, giving a ratio of nearly 1:2 in favour of female workers. With the restructuring of the sector, there were many redundancies so that by June 2009, there were 58,066 workers of whom 24,451 and 33,615 were respectively males and females, giving a ratio of 1:14 or 5:7 in favour of female workers. Of the 35,000 workers made redundant, about 29,000 were women and about 6,000 were men. Thus women are the most vulnerable group in the labour force in that sector.

In the process of restructuring, wages went up compared to the 1980s; but nevertheless, in the textile sector, monthly wages in March 2002 went down from Rs. 7,039 to Rs. 6,236 in March 2008 in real terms (using 2001 as base year). The wages reached its March 2002 level in March 2009. As wages go up, the share of females in the labour force in this sector goes down. The obvious question is: "What happened to the 35,000 workers made redundant and, in particular, to the 29,000 women?"

Migrant Labour

There are essentially three sets of problems faced by migrant labour. Firstly, the dormitories provided to the migrant workers are not up to standard and the established criteria are not respected. Secondly, in certain cases, working conditions are not respected. Thirdly, very often migrant workers have two contracts; one which they get in their country of origin which usually provides very favourable conditions (e.g., wages); then another contract, the real one, which they obtain in Mauritius.

Whilst it may be rather difficult for the State to intervene in the third problem mentioned above, it is indeed disturbing that Mauritius, having had the experience of both the labour of enslaved people and indentured labour, should allow such conditions to prevail. Migrant workers represent an asset to employers because of their understandable 'flexibility' to work many hours in a given week, as opposed to Mauritian workers.

It is the duty of the State not to allow conditions prevailing during indenture period to be reproduced, if only on a limited scale, in the 21st century.

1.3 The New Labour System and Labour Struggles

1.3.1 Labour Struggles

In Chapter 1 it was stated that the driving force for some improvement in the living conditions and wages of the labouring classes was the struggle of the same labouring classes. From the 1840s to 1860s, there were various legislations which created harsh working and general living conditions for the sugar industry labourers. It was only through their struggles in particular, through their petition of 1871 with the help of Adolphe de Plevitz, that there are some improvements in their working conditions, following the setting up of a Royal Commission. Similarly, in the 1930s, the labourers' wages in the sugar industry were drastically reduced and they faced unemployment and poverty. Their protests and strikes in 1937, of dockers and other workers in 1938, and of the sugar industry labourers in 1943 led to two Commissions of Enquiry being set up to look into the various problems and issues and to make recommendations.

The Colonial State was also however very repressive: trade union leaders were deported or placed under police surveillance and strikers were imprisoned. Nevertheless, a system of industrial relations was developed. It helped to control the situation on the one hand and to bring certain

reforms on the other hand. Moreover, the Colonial State used 'divide and rule' tactics, especially during the dockers' strike of 1938.

In the years following independence, Mauritius inherited social and economic structures which were favourable to the plantocracy and to the emerging elite at the expense of the labouring classes. Still trapped by a monocrop economy, Mauritius faced a somewhat high level of unemployment and of poverty. Under these conditions, the working classes reacted as in the 1930s and the 1940s in their quest for decent wages and decent working conditions; there was equally a political party, the Mouvement Militant Mauricien which contributed significantly in that quest of the labouring classes.

As from 1970 and 1971, there were strikes on a small scale in different economic sectors like the tea industry, the sack factory, the Municipality of Beau Bassin/Rose Hill and the power sector (Central Electricity Board). In late 1971, there were strikes in Public transport (by bus) employees; in November 1971, there was a strike by the dockers. By December 1971, as strike started by the dockers this led to a general strike involving many key sectors of the economy: Public Transport, the CEB, the Sugar Industry, amongst others. The State declared a state of emergency and the Riot Unit of the Police Force intervened to break up public gatherings. The general strike was called off with many Trade Union leaders of the new trade union federation, General Workers Federation, being put in prison.

The aftermath of these strikes of 1971 was harsh for the workers in particular and for the population at large in so far that certain basic democratic rights were being threatened and even denied. Two acts, the Public Order Act (POA) and the Industrial Relations Act (IRA), were indicative of the new repressive legislation. C. Bhagiruty of the Plantation Workers Union wrote:

'Cette vague de repression allait laisser des séquelles des années après, quand le gouvernement vota deux lois iniques, le Public Order Act (POA) qui interdit les rassemblements publics sans autorisation préalable de la police et l'Industrial Relations Act (IRA) véritable écharde dans les pieds du mouvement syndical, puisqu'il rend toute grève pratiquement illégale par de longues et fastidieuses procédures bureaucratiques.'

The above brief description of the POA and the IRA sums up the fundamental aspects of these two 'legislations'. In spite of these laws, further strikes occurred in 1973 and in the later half of 1970s.

Another sector where workers were dissatisfied with their wages and working conditions was the Export Processing Zone (EPZ).

1.3.2 Labour Legislation and Labour System

The Labour Legislation and Labour System prevailing in the 1970s was that set up during the colonial period. During the 1950s and the 1960s, there were some positive developments in the enactment of some labour legislation. In particular, there were firstly the Trade Dispute Ordinance (GN 36) of 1954 which provided for the unrestricted right to strike, except for employees in essential services. Then, secondly, the Trade Union Ordinance of 1965 provided for the right to declare a strike if there is a deadlock at the level of negotiations/conciliation.

The enactment of the Industrial Relations Act of 1974 unfortunately turned the clock backwards in terms of certain basic rights of workers, especially the right to strike, when compared to the legislations of 1954 and 1965. Two examples would suffice to illustrate the point. Section 92 rendered the right to strike ineffective, since the Trade Union concerned had to give a notice of 21 days to the Minister of Labour who, in turn, could refer the case to the Permanent Arbitration Tribunal. The latter could take sometimes two years to sort out the matter. Further, Section 102 provided for severe penal measures against those who called for, or who participated in, an 'illegal' strike: fines and terms of imprisonment up to one year.

In its report in 1983, the Select Committee on the Industrial Relations Act wrote:

- i. *"The unanimous opinion of the witnesses before your committee was that the Industrial Relations Act had hindered the development of harmonious industrial*

relations in Mauritius and had been the root-cause of increased antagonism between employers and employees.”³¹⁵ Among the witnesses, there were the main trade union federations.

- ii. *Through the compulsory intervention of third parties, the Industrial Relations Act has discouraged negotiation between social partners and brought about a breakdown of communication.”*
- iii. *“More generally, Your Committee are of the opinion that the Industrial Relations Act is based on fundamentally anti-democratic options, **constraining the basic right of workers to organise themselves as a socio-economic force not only for the achievement of better terms and conditions of employment, but also in the process of the economic development of the country as a whole. Your Committee consider the Industrial Relations Act to be a piece of repressive legislation which creates in the individual worker a feeling of fear - fear of being dismissed, victimised and imprisoned on the sole ground that he has striven for better conditions of life.”***

For an industrial relations system to be fair and reasonable, all disputes should, in the first place, be the subject of negotiation between the Trade Union and the employer; i.e. there must be collective bargaining. The Committee highlighted that “Your Committee feel that the introduction of effective bargaining procedures coupled with expedition and effective conciliatory machinery should result in peaceful settlement of disputes, thereby lessening recourse to strike actions as a method of dispute settlement.”³¹⁶

The Committee considered the right to strike as a fundamental Human Right. Thus it wrote:

*“Your Committee strongly consider that, irrespective of the nature and functions of industrial relations machinery, the right to strike should, as a **fundamental human right**, remain the ultimate weapon of the worker in the furtherance of his rights.”*

The Select Committee made recommendations for a new approach to the industrial relations system and proposed a new legislation to be called ‘Trade Unions and Labour Relations Act’. However, there was no follow up to the Report of the Select Committee. It was only in 2008 that the Industrial Relations Act would no longer be on the Statutes Book, and it was replaced by the Employment Relations Act of 2008.

It is appropriate to note that, in 1975, the Labour Act was passed and dealt with essentially the rights of the labouring classes. In particular, the Termination of Contracts of Service Board (TCSB) was established within the framework of the Labour Act. That board had the power to enquire into any ‘economic’ redundancy and make recommendations. It provided for a safeguard for the workers against arbitrary redundancy; but the most common criticism against the TCSB is that it may take a long time before making a recommendation. The Labour Act was replaced by the Employment Rights Act in 2008 and the TCSB had been done away with altogether.

The Employment Relations Act has brought about some improvements in Industrial Relations Legislation. It no longer imposes compulsory arbitration, as used to be the case with the Industrial Relations Act, and it provides for collective bargaining. It reintroduced in some way the right to strike, and provided for instantaneous strike under certain conditions. Section 76 of Part 7, subsection (2) stipulates:³¹⁷

“Notwithstanding subsection (1), a worker shall have the right to strike where -

- a) *The strike relates to a major health and safety issue that may jeopardise the life and security of any worker, unless the worker has been transferred forthwith to another workplace which is safe and without risks to health; or*
- b) *More than 50% of the workers of an enterprise have not been paid remuneration within the prescribed period,*

and the Minister has been notified and remedial action has not been taken by the employer within a reasonable delay fixed by the Minister.”

This right of instantaneous strike, as defined by Section 76, is obviously most appropriate, especially in the light of recent labour relations crisis in the sector of Business Process Outsourcing.

Overall, the Employment Relations Act provides for the right to negotiate and make provision for conciliation and mediation through the Commission for Conciliation and Mediation. The Employment Rights Act has introduced flexibility, as defined, for example, by normal working hours in Section 14. One feature of this ‘flexibility’ is particularly detrimental to the worker, when it deals with overtime Section 14, Subsection (2) reads as follows,³¹⁸

“A worker other than a part-time worker or a watchperson and an employer may agree that the worker works in excess of the stipulated hours without added remuneration, if the number of hours covered in a fortnight does not exceed 90 hours, or such lesser number of hours as may be specified in an agreement.”

Further, there is the gloomy side to the mediation process; in practice, it happens that no conclusion is reached and there is no decision taken. In the field of work related to information and communication technology, and, in particular, in Business Process Outsourcing, there is an entirely new system of organisation of work, for which no legal framework has been defined yet. And, as revealed in the recent crisis in a company involved in BPO, the basic rights and dignity of the employees were not respected. Many employees did not receive their wages/ salaries for months. The relationship between the employers and employees is such that there have been reports in the press of major abuses by the employers. There are international norms and standards which are not respected. The employees have had to go on hunger strike to have their basic rights respected to a certain extent.

This state of affairs is very disturbing in the year 2011 when the workers’ rights are considered as Human Rights. One is tempted to compare this with the past. Call centres, the main activity of BPO, represent problems linked to Occupational Health and Safety. Some of these problems are:³¹⁹

- i. Occupational stress like visual fatigue and vocal fatigue;
- ii. Working postures; musculo skeletal disorders;
- iii. Noise related problems like hearing/ acoustic shock.

Given the very specific demands on the employees, the work organisation has to take them on board. For example, the intensity of work in call centres requires that regular rest/breaks away from telephone are essential to protect the health of employees. The absence of a legal framework to regulate the working conditions of employees and the absence of fair Industrial Relations is a matter of concern. In this new sector in the age of information and communication technology, by not defining an appropriate legal framework for Industrial Relations and the organisation of work, is the State allowing the companies to yet again accumulate capital at the expense of the employees?

Similarly, in the period 1982/83, the *Code Napoléon* was amended so that when a factory is closed, priority should be given to the payment of wages and salaries to workers. But later, this decision was reversed. The recent case of workers going on a hunger strike to ensure the payment of a few months of wages in the BPO sector is a consequence of that decision-reversal.

Another major issue facing the labouring classes is the retirement gratuity, whenever there is a factory closure. With respect to export-oriented enterprises, factory closure tends to be a major issue for the labouring classes. A worker may find himself/herself having worked for five factories in his/her working-life. Each time, the factory closes down; the worker loses his/her retirement gratuity. The latter is paid only at the time of retirement. But then, at that time, the worker might have worked for a short time at the factory, say five years, and then obtains retirement gratuity only for these five years. The State needs to look into the matter.

1.4 Sugar Cane Land Ownership

An idea of the structure of ownership of sugarcane land can be obtained from the figures published by the Sugar Industry Fund Board. The following data for the years 1990, 2000-01 and 2009 show that the number of planters has been decreasing consistently as from 1990 overall, as well as in all categories of acreage of land.

Figure 24 Distribution of land among planters (1990-2009)

Acreage of Land (Hectares)	Number of Planters		
	1990	2000-2001	2009
Up to 0.49	20,052	15,408	11,489
0.5 to 0.99	7,108	7,058	5,347
1.0 to 1.99	4,210	3,599	2,835
2.0 to 4.99	2,100	1,823	1,440
5 to 9.99	412	364	245
10 to 99.99	221	150	98
100 and above	27	45	38
Millers*	-	14	6
Total	34,130	28,461	21,498

* The SIFB reports do not give the breakdowns for 'millers' for 1990; they are included in 'Above 236.9'. Moreover, for 200-01 and 2009, the extent of land owned by millers is not given.

Note: 1 hectare = 2.474 arpents

4.1.5 Income Distribution

As data on income distribution for the population of Mauritius are not published, the Household Budget Survey carried out by the Central Statistics Office at regular five-year intervals is the best source of information on the issue. The last such survey was carried out in 2006/2007 when a national random sample of 6,720 households was used. The findings should provide a reliable estimate of income distribution for the whole population.

The extent of inequality in income distribution is measured usually by the so-called Gini Coefficient. When there is "perfect equality", the Coefficient would be 0; when it is equal to 1, this indicates the worst possible degree of inequality in income distribution. Thus, for the years 1996/1997, 2001/2002 and 2006/2007, it was 0.387, 0.371 and 0.388 respectively. There was less inequality in 2001/2002 compared to the other two years. By 2006/2007, it was almost 0.4.

The income share of different income groups gives a somewhat more useful picture of the inequalities in income distribution. Thus, for 1996/1997, 2001/2002 and 2006/2007, the shares of the lowest 20% of households and the highest 20% are as follows:-

Figure 25 Income distribution 1996-2007

Percentage of Income giving to:	1996/1997	2001/2002	2006/2007
Lowest 20% of households	5.9	6.4	6.1
Highest 20% of households	46.2	44.6	45.7

Thus the disparity in the income share is evident. In 2006/2007, the lowest earning 20% of households have a share of 6.1% of total income whilst the highest earning 20% of households have a share of 45.7%, which is 7.5 times that of the lowest earning 20% of households. In 1996/1997, that ratio was 7.8, which means there was then greater inequality.

It is also important to note that between 2001/2002 and 2006/2007, there was no "significant change, after adjusting for inflation" in average monthly household income and median monthly household income. For the former, it was respectively Rs 10,709 and Rs 10,703; for the median monthly household income, it was respectively Rs 8,390 and Rs 8,211.

Whenever the inequalities in income distribution become more severe, then this state of affairs may lead to poverty, especially if the less well paid have low income levels, as is the case for Mauritius. In Mauritius, there is no official poverty line; moreover a relative poverty line defined as half the median salary is commonly used. From the Household Budget Survey of 2006/2007, it is

found that the proportion of poor households is 8%, with 26,900 such households. The estimated number of poor persons is 106,100 giving a proportion of 8.7%.

1.6 The Cooperative Movement

1.6.1 The first phase - Pre-independence period

The development of the cooperative movement is of major importance in so far that it represented a genuine attempt to empower the labouring classes. In spite of its failures, that experience is of relevance for the future; moreover, there have been successes as well.

Following the recommendations of the Royal Commission of 1909, the Colonial Government appointed Mr S. Wilberforce, from the Indian Civil Service, equipped with the experience in setting up of Cooperative Credit Societies in India, to “investigate the possibilities of establishing cooperative banks in Mauritius”³²⁰, for the small planters. From the outset, Wilberforce wondered about the interest of the wealthy from among the planters’ community in these cooperative banks. He found that “it is doubtful if any rich Indians - whose interests are mainly opposed to the movement - will assist the banks..... Moreover, few wealthy Indians will become members.”³²¹

There was some concern that, with the social stratification among the Indian immigrant population, a conflict of interest of the wealthy against the poor small planters might jeopardise the emerging cooperative movement. Unfortunately, history would prove this concern to be a very valid one indeed.

In fact, the threats and obstacles facing the Cooperative Credit Societies, as the proposed cooperative banks were known, would soon prevail. As early as in 1914, some money lenders were proposing to lend money at reduced rates in localities with newly-established Cooperative Credit Societies, with the obvious objective of killing the societies as competitors.³²² By 1915, the threat of the wealthy shareholders materialised, as some of them took the maximum allowable number of shares. Then, they got at least double the amount invested by them as loans from the Cooperative Credit Society, thus depriving the poorer shareholders of the chance of taking loans.³²³ The conflict between, on the one hand, the sense of solidarity and cooperation characteristic of Cooperative Societies and on the other hand, the values of selfishness of the capitalist world recurred again and again in the historical development of the cooperative movement.³²⁴

The cooperative movement grew progressively and reached 29 credit societies by the late 1920s, with a total membership of 2,350. However, by 1932, the amount of overdue loans increased substantially. This state of affairs was the result of bad management and malpractices prevailing in some of the credit societies, as well as inefficient legislation. The main defect at the level of management was “the granting of loans by committees to their friends and relatives with excessive liberality and for non-productive purposes and taking inadequate security.”³²⁵

Whilst, in the 1930s, new legislation and improvement in the inspection of the societies brought a consolidation of the cooperative movement, they were facing certain major problems. In his report of 1945, Mr W.K.H. Campbell, Cooperative Adviser to the Government of Mauritius, found that:

“The Societies, so far in existence, are not only confined to credit and to one community but also to one particular occupation only, namely sugar cultivation, and to those who own or occupy land suitably for this purpose.”

Another issue of importance was the exaggerated role of the state in the manning of the Co-operative Credit Societies. Mr W.K.H. Campbell proposed that the cooperative movement should move out of cane cultivation and engage in a wide range of economic activities. Subsequently, in 1945, the Co-operative Societies Ordinance No. 15 was enacted and came into operation on 01 October 1946, whereby registration was extended to all types of cooperative societies. Thereafter, a wide range of Co-operative Credit Societies was set up in the 1950s and 1960s prior to the Independence of Mauritius in 1968.

1.6.2 The Post-independence period

In the first years following independence, there was some progress in the number of Cooperative Societies and their membership. In fact, the number of societies increased from 342 in 1970-1971 to 420 in 1972-1973, representing an increase of 22.8%. Similarly, the membership of the co-operative societies increased by 24.2% from 39,551 to 49,137 in the same period.

Moreover, in June 1983, the Ministry of Information and Co-operatives produced a White Paper on Co-operative Development, which produced a good insight in the movement at that time and made bold proposals. One key proposal was that the cooperative movement should gradually reduce its dependence on Government support and eventually develop a self-reliant people's cooperative movement; it was emphasised that the movement should not be the domain of a privileged few. It found that the movement tended to restrict to single-purpose, small and unviable societies. Instead, it proposed that multi-purpose societies should be developed. Unfortunately, these proposals were not implemented. Yet, during decades, the writing was on the wall: bad management, dependence on government and the prevailing value and belief systems of the leadership were doing harm to the movement.

That state of affairs prevailed, in particular, at the Mauritius cooperative Central Bank Ltd (MCCB) and the MCCB collapsed in the 1990s. In December 1993, a Commission of Enquiry was set up to inquire into the operations and management of the MCCB. The report of the Commission confirmed the prevalence of malpractices, poor management and detrimental influence of certain key members of the Board of Management of the MCCB. By 1995, the Government decided to close the bank.

The collapse of the MCCB had a major impact on the cooperative movement; between 1985 and 2009, the member of planters forming part of the Cooperative Credit Societies has been decreasing from 24,832 or 71.7% of all planters to 9,919 or 46.1% of all planters. It should be noted that the number of sugarcane planters has been decreasing substantially from 34,634 in 1985 to 21,498 in 2009.

Moreover, there has been a revival of the Cooperative Movement. In particular, there are three successful cooperative societies which were included in "The passion of the people: Successful Cooperative Experiences in Africa" (2008). Lately, following a joint initiative involving Ministry of Business, Enterprises and Cooperatives, Ministry of Agro Industry, Mauritius Sugar Syndicate, the Mauritius Sugar Authority and OIM group (The Consultants for Fair Trade), small sugar planters are being encouraged to undergo a Fair Trade Certification process which takes into consideration sound internal management and sustainable development. This would hopefully contribute to the revival of the Cooperative Movement.

The value and belief systems of the old society have survived in the new society to such an extent among the new elite, and the new ruling class that such a potential tool for the empowerment of the labouring classes, as the cooperative movement, has been stifled and used instead to prevent the holistic development of these same labouring classes.

1.7 Concluding Remarks

The economic and social structure of Mauritian society has not fundamentally changed from the point of view of labouring classes: although there is a longer multi-ethnic bourgeoisie, and a larger multi-ethnic middle class, the economic and social structures are such that wealth and, more generally, the ownership of means of production (land, banks, trade/commerce, factories, etc.) has been restricted to a rather small minority involving both the old and new bourgeoisie.

The social stratification, which has evolved since the end of the 19th century, has produced a new middle class, a new elite and a new bourgeoisie. The latter forms part of the ruling class of Mauritius. It controls State Power and has been consolidating its economic power progressively.

2. THE 'UNFINISHED BUSINESS' OF THE BRITISH GOVERNMENT

Why did the ex-slaves not benefit from freedom as they should have, after having worked for free all their lives? Why was he not given a compensation from European governments for they were responsible for legalising and tolerating an unjust, repressive system of labour? The answer to this is also the answer to understanding why up to today, many descendants of ex-slaves and persons with an African phenotype in Mauritius continue to face unnecessary hardships and lead stressful lives. We need to focus attention on a few key developments occurring immediately after the abolition of slavery:

The role of the British Government and the nature of the freedom granted to slaves by the British Government

It was a freedom that came without any preparation, or plan to bring ex-slaves into civil society.

One could even question the sincerity of the British Government in freeing the slaves, when one considers the numerous laws introduced to restrict the freedom of movement of ex-slaves, as well as the efforts to restrict their wish for an autonomous lifestyle. It is possible that it is this planter-conceptualised 'freedom' that drove ex-slaves further and further away from the plantation and out of public view, because they could see that neither the local planter, nor the British Government had any genuine desire to give them real freedom.

Local Colonial Officials, including the Governor and sugar planters, had no wish either to have ex-slaves free to roam around in Mauritius on to market their labour, and laws were enacted to severely curb the mobility of ex-slaves and any children they may have later. A Census was advocated only to obtain data on the working population, with a view to transforming the whole island into a labour force for the sugar plantations. This was the view of Lord Glenelg who disallowed two orders in Council, Ordinance 16, for example, in which the planters sought to define a 'vagabond' as simply someone with 'with no employment'. Thus, anyone found not working could be arrested and imprisoned.

The conclusion of the British Government was that the measures being proposed for Mauritius

"[...] if passed into a law [...] [would] subject the whole labouring population of the island and especially persons who might be introduced there from the eastward, to restraints and penalties of so extremely onerous a nature as nearly to revive, under a new name, the former servile condition of the great body of people."³²⁶

It was no wonder that the ex-slaves sought to live as far away from plantations, since they could be arrested at any time and sent to work on a plantation.

When apprentices were freed prematurely, no preparation was made for their shelter, education and employment : they were forced to leave their homes and plots of land, and families were dispersed. No advice or training programme was established, other than those which tried to lure them back into working for their former owners. This was confirmed by the Special Magistrate for Plaines Wilhems and Moka Districts, Mr. Cunningham, who explained about the lawlessness and drunkenness of apprentices:

"This permission to wander has been most pernicious (never looking to the future when they will be thrown on their own resources, and must depend on their individual industry for the support of themselves and families thereafter)."³²⁷

Unlike the situation in the Caribbean, little provision was made for the education of apprentices or their children. James Backhouse the Quaker missionary, who toured the island in 1836, wrote extensively, on the lack of education of apprentices and the reluctance of owners to send them to school.

Moreover, the Committee, set up to supervise education on the island, the Committee on Public Instruction even proposed to the Government to impose a heavy penalty, with 6 months'

imprisonment upon anyone who taught more than the rudiments of education to 'lower orders'.³²⁸ Fortunately, the British Government did not accept this proposal, and the Committee was requested to confine itself to managing the Royal College. No further Government action was taken, except by private persons to educate apprentices or their children.

This is, therefore, the 'unfinished business' of the British Government.

Compensation

Compensation was given by the British Government to owners, but not to slaves who had lost a lifetime of freedom, worked for free during their entire lives and endured enslavement over generations of their families.

Slave-owners, with substantial numbers of slaves, received hefty compensation, as agricultural labourers and skilled slaves were valued highly. As most of these owned slaves worked in the sugar estates, these fetched the highest compensation:

Overseers, *Commandeurs*, skilled slaves fetched £142 and £137 each while an agricultural labourer, £93 each (listed as *praedial slaves*). Slaves that were not attached to any particular plantation, fetched roughly the same amount. Domestic, who were also crucial to the life of the estate, fetched £119 per head domestic while junior domestics fetched £63. Owners even received compensation for the old and sick slaves, as well as children, £29 was paid for a child, totaling some £88, 132, while the old and sick, numbering some 2,302, fetched £25,752. The total number of slaves for which compensation was paid amounted to 66, 517, including the dependencies. (MNA:BIB 1881)

Not brought into the equation are the thousands of slaves brought illegally, and for whom the slave owners also obtained compensation, instead of being prosecuted. Due to lack of evidence, the RCE was unable to pinpoint particular owners who harboured illegal slaves, although they had a fair idea who these people were. The question of compensation for slave-owners must be also examined. Not only have numerous Mauritians questioned the validity and morality of this action on the part of the British Government, but they have also questioned what was done with this compensation money. Finally, another question was why compensation was given to owners and not to slaves.

In Mauritius, regrettably, the legal profession has never questioned past French or British Laws, when it came to slavery or indenture, or any Law that went against the rights and interests of the common people. Indeed, one is at pains to find one lawyer who defends, in practice and principle, the extension of property rights. Indeed, there are few scholars in the legal profession and, despite an academic institution dispensing legal studies, re-examining the history of the country, through its Laws of slavery, has never aroused much interest.

In neighbouring Réunion island, this has attracted the attention of Law students and scholars alike, and it is worth examining their views on the compensation given to owners in French colonies.

Compensation in French colonies

When compensation was given, it was not stated on what basis this was being given: the Parliament recognised the right of the owner to compensation, but it never stated on what basis this compensation was due. But in France, the issue of compensation was not new. In the 1780s, and during the philosophical debates surrounding slavery, Condorcet had stated:

*« Nous avons montré que le maître n'a aucun droit sur son esclave ; que l'action de le retenir en servitude n'est pas la jouissance d'une propriété, mais un crime ; qu'en affranchissant l'esclave, la loi n'attaque pas la propriété, mais cesse de tolérer une action qu'elle aurait dû punir par une peine capitale. Le souverain ne doit donc aucun dédommagement au maître des esclaves, de même qu'il n'en doit pas à un voleur qu'un jugement a privé de la possession d'une chose volée. La tolérance publique d'un crime absout de la peine, mais ne peut former un véritable droit sur le profit du crime ».*³²⁹

As a result, the Act abolishing slavery in the French colonies in 1794 (the Decree of 16 *pluviose*), *no compensation* was envisaged.

A philosophical/legal question was also posed. Was slavery a right or a status? According to Bleriot, depending on the answer, one would have a right to compensation. Before abolition, slavery was legal; after abolition, it was illegal. Opinions were mixed on the issue. The French colonists in Réunion stated that slavery was founded on a right, i.e., the right to property, and that legally, any privation of that right leads to compensation.³³⁰ Thus, this is what led them to claim compensation. From the French Government's perspective, it was also felt that abolition would be accepted better by the colonists, and so compensation was a necessary corollary to emancipation.

The *colons* (the term used at the time) referred to the *Code Noir* (1723), where it was stipulated that the slave was a *bien meuble* (Art. 39). Thus, they saw abolition of slavery as an expropriation of their property, and not as a humanitarian gesture. The Commission appointed in Réunion to oversee the emancipation process, saw matters rather differently:

1. It did not believe that the notion of property applied to a human being's ownership of another human being.
2. It saw in slavery, not an 'institution de droit', but a social 'disorder': it acknowledged that it was the State that had committed this crime (of allowing the possession of one human being by another).
3. It felt that, as it was the State which had introduced slavery, compensation was payable to those who suffered, as much as to those who enjoyed the labour freely and who had profited. Thus, the State had to pay the country, for the future well-being of the owner and the slave.

Victor Schoelcher had also recognised the need for slaves to obtain compensation. He had gone even further: he had advocated giving a plot of land to every slave and the expropriation of all lands obtained by *colons* from the beginning of colonisation. All of these were rejected, however, by the Provisional Government.

Others in Réunion were of the opinion that no compensation should be paid to owners because slavery was an unjust system. Rather, the French Government should pay the country to re-launch the economy and pay for the education of slaves and improve morality: equal benefits should go to the slave population and the owners. Thus, according to a proposition by Ménard in the National Assembly, the 30 million *francs* should go, not to individual owners, but to a fund to stimulate economic activities, and the other half of 30 million *francs* to a fund for the slaves to improve the condition of the ex-slave population. A semblance of desire for 'reconciliation' seemed to be at heart of this proposition, to ensure future social cohesion. It concerned the future of three types of relationships: the slave/*colon* relationship, the State/slave relationship and the State/*colon* relationship.

The first Decree proposed by the French Government on 23 August 1848 was founded on the principle that there was a droit: (a right), but not strong right to ownership of one human being over another ("pas de droit rigoureux pour une possession de l'homme par l'homme"), but a recognised right to an indemnity. 90 million *francs* was estimated to be the cost of compensation, for the benefits of not only the *colons*, but that of the whole colony and new citizens.

The problem, according to Bleriot, was between the legality (*légalité*) and legitimacy (*légitimité*) of the Act. Before 1848, slavery was legal but unnatural (*illégitime*). Thus in 1845, under Louis Philippe, the status of the slave changed by the Law of 18 July, whereby the slave becomes a subject with limited legal personality: the slave is a non-emancipated minor. He is no longer an 'objet de droit'. Illegally introduced slaves would not be compensated for.

Thus, Réunion Island obtained 2, 055, 200 of the 6 million *francs*. One-eighth was allocated to set up a lending and savings bank. It represented, as in British colonies, 40 % of the total value of slaves.³³¹

According to Blériot, if compensation appeared to be as a transition to a new society, the fact remained that the newly-emancipated population was forgotten in this new Law of 30 April 1849. As Victor Schoelcher so eloquently put it:

*«Commettrions-nous le sacrilège de nous dire, dans le secret de nos coeurs, que c'est assez pour le noir d'être émancipé, que pour les années de souffrance, de servitude, il ne lui est rien dû?.»*³³²

This 'cri de coeur' (cry from the heart) of Schoelcher, according to Bleriot, was never heard. The only compensation given was to the *colons* and the spirit of the Law could be summarised as follows: the right to emancipation for the slaves and the right to compensation for the slave-owners.

For some, slave compensation and pouring this money into a bank, effectively financed the Reunionese transition from slavery to capitalism. There appears to be no difference between the Mauritian case and the Reunionese case. Owners, particularly the big owners, received a compensation which they reinvested in their sugar estates and deposited in the banks and assured their transition to a 'free' society.

By contrast, Mauritian slaves obtained 'nothing but freedom' in 1839.

3. FROM SLAVES TO SQUATTERS: DEMOGRAPHIC HISTORY AND SPATIAL DISTRIBUTION

What was the situation prevailing Mauritius after the abolition of slavery? It is important first to understand clearly who were those living in Mauritius at the time and their relative numbers on the island. Some groups have largely been forgotten and deserve mention. The census categories also deserve mention, as the same term often implies different groups of persons and are misleading for those who do not read the reports and fine print of the censuses enumerators. A thorough demographic history of the Mauritian population deserves to be written and constitutes one of the recommendations of the Commission.

The Apprentices

The apprenticeship system has been researched in some depth in Mauritian Historiography, as well as the opposition to it coming from abolitionists who saw it as not being much different from slavery. The complicity of the local Government in creating a system that was no different from slavery and ensured that labour stayed on estates until contract labour system was established, while owners enjoyed the compensation money and invested in their sugar estates. Apprentices were quick to see they had been duped of their freedom. They expressed this disapproval of this 'new system of slavery' in several forms. Some marooned and were hunted in exactly the same manner as they had been under slavery. When caught they were flogged in the same manner. Others chose to withdraw from plantation labour (but not from agriculture), knowing full well that this is what would strike at the heart of plantation's operation. Others still bought their freedom from apprenticeship, just as, when slaves, they had bought their manumission. They were still advertised as slaves for hire, even though slavery had been abolished. While the stereotype of women is that they were downtrodden people, the number of applications for freedom from apprenticeship are very revealing. These women's history must not be forgotten and deserves further study.

Moreover, those who had wanted to be free before 1839 had to pay. It is to be regretted that the certificates of freedom from apprenticeship have been so badly preserved. These documents testify to the pride of people who did not want to be 'given' freedom, but who wanted to pay for it. It is a highly symbolic action.

The attitudes of the planters also deserve mention: they did not want to reduce their hold over their former slaves and influenced Government to keep slaves in or near estates. They had attempted to bring slaves under their control ideologically and they have never forgiven ex-slaves and descendants for abandoning them: the master-slave relationship still persists according to some today, when people continue to be deferent to the 'bourgeois'.

A discrepancy exists in the Census of 1835 between the numbers freed and those declaring them to be ex-apprentices in the census of 1846. Although there were 61,022 slaves in 1835 in Mauritius, there were only 38,049 who declared themselves to be ex-apprentices in 1846. The discrepancy can be attributed to the fact that many had been freed before the actual end of apprenticeship and many had not wished to declare themselves as ex-apprentices. There had also been an annual mortality rate of 3.2%.

Post-apprenticeship

The 1846 Census gives a fair idea of where ex-apprentices were and what they were doing in 1846, since ex-apprentices are specifically mentioned as a category. Unfortunately, as stated earlier, this does not include those who had bought their freedom earlier, who had marooned or who had been manumitted under slavery. These are merged in the General Population category.

The figures in 1847:

	General Population	Ex-apprentices	Indians	Total
Persons under 15	40%	26%	9%	25%
Persons between 15 and 50	52%	56%	89%	66%
Persons above 50	8%	18%	2%	9%

Their post-emancipation experience is characterized thus by:

1. Decreasing numbers as it was already an ageing population: nearly 40% in 1846 were over the age of 40, and few young people (26%). 40% consisted of males, in the 15-50 age group.
2. High mobility, given the fact they had no particular place of employment.
3. No pension or retirement scheme was put in place for the elderly, no educational programmes for the young and no employment opportunities offered to the ex-slaves who could work at anything other than the plantation activities.
4. Increasingly Creolised population as only ¼ were left as had been African-born
5. Out of 49,365 ex-apprentices, 6,096 mostly male, had been born in Madagascar and an almost equal number in Mozambique, also mostly male, i.e. 6,260. These most probably represent the illegally brought in slaves after 1807. 35,746 were born in Mauritius and 633 in Asia, excluding India. None had been born in India.

Where were the ex-apprentices who agreed to be listed as such in 1846? What were their occupations? While there have been several studies on this, it is worth refreshing our memories as to occupations engaged in by ex-apprentices. For those who had been skilled under slavery, these same occupations were practised. The most common were among the boot-and shoe-makers, blacksmiths, sack-and mat-making, masons, carpenters and brick-layers, tombstone cutters. In transport, a large number were employed as carters, grooms and boatmen. A large number were not skilled and uneducated and untrained and were employed, consequently, as non-agricultural labourers and workers. Few worked on sugar estates, but did work in other sectors of agriculture.

There was some significant regional variations. The number of independent proprietors was significantly low in Port Louis, only 8; and 3 in Flacq. By contrast, in Plaines Wilhems and Grand Port Districts there were 712 and 844, respectively. In Savane and Black River, although there were lower population figures, there were 66 and 101 independent proprietors respectively and in Moka, 205 proprietors. It should be noted that the highest number of independent proprietors are in areas where the Sugar Industry was not yet dominant.

Carpenters and wood working occupations were prevalent in Port Louis and in Savane Districts reflecting the activities on the 'forest' estates and the need for skilled work.

For Port Louis, there is a far greater variety of occupations engaged in by the ex-apprentice population. There are a large number of women employed as seamstresses in skilled work, but twice as many working as domestics.

Black River in particular the Southern part, had the highest proportion of fishermen/ex-apprentices.

The statistics are silent on other sectors: there is no mention of port workers, however, a fact which has not been explained as yet. Although not included in official statistics, because there were no licences, nor strictly legal perhaps, our own research in documents shows other occupations not being listed: a large number engaged in occupations such as charcoal-making, selling wood bundles, midwifery, as traditional healers, and hunting. Large numbers were employed informally by estate owners and worked as guards, domestics and clearing out land. As fishing was

a traditional occupation engaged in by ex-slave population, this sector deserves the attention of scholars.

As has been stated before, it is important to grasp the mindset of the slave population *before* the abolition of slavery in order to understand their actions afterwards, given the *paucity* of information as to their whereabouts, after slavery was abolished. Only, then, can we understand the ex-slave population's movements after slavery: what did they think of 'freedom'? Was it individual liberty? Was it their intention to regroup somewhere? Was it education, and what about employment? Was it their wish to be near the former owners of the sugar plantations? Did women want to continue to labour on sugar estates or in the kitchen of the owners? This is all the more necessary as there have been numerous sweeping statements made in public discourse, concerning their movements which continue to impact on public perceptions and discourse. Some of these sweeping statements and perceptions are:

- Ex-Slaves did not want to work in agriculture;
- Ex-Slaves were chased off the plantations;
- Ex-Slaves went to live on the coast after abolition;
- Ex-slaves were lazy.

More importantly, there is no differentiation made between the slaves. Just as under slavery, a hierarchy existed, there were also as many differences among ex-slaves: their ethnic origins and whether they were Mauritian-born or foreign-born; whether they lived in rural or urban areas; whether they were skilled or manual workers; whether they were males or females. Some were Government slaves, others had been private slaves, some had families who had lived for generations on one estate, while other slaves (termed unattached) had been moved from estate to estate all their lives; some had marooned, others had been manumitted many years before. Their age influenced their movements, as has been seen in the case of VRS today. In other words, each had their own perceptions of what they wanted out of freedom. Thus, a female slave who had been forced to leave her children and forced to work on a plantation during the era of sugar expansion, had no desire to return to work there, but this does not mean that she would not have appreciated a small plot of land to build a house and farm some vegetables after abolition. Similarly, a skilled slave, earning wages, would not necessarily wish to leave the sugar mill: under slavery, he would have been one of the few slaves to have earned a wage, be allowed to marry whoever he wished and have a surname.

The Magistrates, visiting the districts, also confirmed that slaves went for activities that they had been denied under slavery and rejected those activities which they had been forced to do and did not like to do. They wished to wear shoes, eat bread, own a plot of land, be autonomous, live as far away as possible from the sugar plantations.

The evidence, available so far, points to multiple actions undertaken by slaves at the time of abolition and during apprenticeship, and these events need to be studied more closely than has been the case hitherto and juxtaposed with existing Laws and their implementation. So far what can one say for certain?

Maroon apprentices (1835-1839)

The number of maroon apprentices numbering 9,000 is a clear indication of what apprentices felt about the new apprenticeship system that had been introduced. For them, this was the 'new system of slavery' *par excellence* and ex-slaves were fully aware of this.

Apprentices purchased their freedom (1835-1839)

The number of apprentices who bought their freedom must also be acknowledged in Mauritian History. This phenomenon has yet to be analysed by historians. However, the interpretation of the motive of the apprentice is doing so is currently not conclusive. We know that 9,000 did not want to be 'given' freedom; they wanted to buy their freedom. For some observers, it was a matter of

pride to them that they purchased their own freedom. Special Magistrate Fitzpatrick also noted that slaves did not trust the Act of Emancipation as, for them, it was not a 'secure state of liberty' and preferred to buy their freedom. The Commissioner of Police, for his part, noted that among slaves in Port Louis, it was considered a 'dishonour', if they did not effect their own emancipation before the general abolition. This consequently, according to him, was the cause of the rise in thefts in Port Louis. Some, as Therese Batterie, slave of Aristide Labutte, purchased her freedom *one month before* apprenticeship ended.³³³ The registers of these 'liberations from apprenticeship' (the IF series), many of them female, require the attention of historian.³³⁴

Migration and mobility (1840s-1860s)

Reports in 1845 of the whereabouts of the slave population indicate a high rate of mobility between regions: in Black River, for example, 1/3 of the slave population left the district, only to be replaced by others entering it.³³⁵ This too deserves further attention. TJC's research into family histories is a pioneering venture in that it helps to determine the exact location of families and how they moved from one region to another, after abolition of slavery. This has been the most challenging part of the TJC's work: to retrace family genealogies between 1840s and 1860s, which appear to be periods of high mobility among the ex-slave population. Yet, here unfortunately, the records are deficient. Large numbers of Civil Status registers for ex-slaves, in particular, are missing from the institution concerned, making the task of Family History reconstruction extremely difficult.

It was also observed, however, that many did not move at all from the districts after slavery, and stayed in the area. These were evident in the Black River region; in three successive studies, (a) in the context of the Corniche Bay IRS Project; (b) numerous studies, undertaken in the Le Morne area, by a succession of researchers since 1999; and (c) by TJC's archaeological, genealogical and historical work in the Morne village and cemetery. Genealogical research from Cité La Mivoie to Le Morne village shows a family link between all these families settled there today, and their settlement in this region since the days of slavery. However, many of the families are not aware of this.

Port Louis seems also to have been the place where many went to look for work, and settlements all around the capital emerged after abolition of slavery. With sugar expansion, there were numerous opportunities as the 1847 Census shows. Over a quarter of ex-slaves were living in Port Louis after abolition. The fate of the elderly among them, however, was not good as many perished in the epidemics that struck the island in the 1850s and 1860s.

Elsewhere in Mauritius, the ex-slave population, which did not own land, was shifted from camp to camp, depending on the whim of employers who tended to be those owning large estates and needed land for clearing the woods for sugar cultivation. Informal and verbal arrangements were made with owners concerning the length of stay in any particular area, and many considered the camp as 'home'. The detailed study of censuses, combined with Family History research, and Oral History work conducted in the past few years by various institutions and individuals are sufficient evidence of the numerous camps that existed in the 19th century and which have survived up to the 21st century; this indicates constant mobility and shifting of 'home'.

Displacement of persons of African and Malagasy origin, whether as slaves, ex-slaves or descendants appears to be a continuing and apparently constant feature of Mauritian History and custom. The history of the former inhabitants of the original Le Morne Village/Trou Chenille, as well as the History of the Chagossians, are some of the most publicized of cases, but such displacement continues in 'modern' Mauritius.

Land ownership (1839-1846)

The desire for land by ex-slaves has been amply and very ably demonstrated in the work of Richard Allen, and it is not necessary to repeat the details here: in the period of the '*petit morcellement*', large numbers of ex-slaves purchased plots. How and why they had lost much of this by the 20th century is being investigated, but already, it is possible to say that absence of capital to manage the land, greed of neighbouring estates and encroachment during the period of sugar expansion are some of the reasons. The illiteracy of persons across Mauritius in the 19th century, extending well

into the 20th century, is also much in evidence; this was shown by an inability to read and comprehend legal and notarial documents, or even to value written documents and preserve them.

Desire for Autonomy (1839-)

Occupations, preferred by ex-slaves, were those which gave them autonomy and those which procured the basic necessities on the one hand, but also goods that they had been denied under slavery: shoes, jewellery and clothing. It would be wrong for us today to judge these actions. However, what was obvious was the lack of preparation provided to ex-slaves at the time of abolition by the Colonial Government. There was no willingness on the part of the British Government to address the wishes and interests of the slave population, although it must be recognized that a few officials did acknowledge this desire for autonomy.

Relationship with Indian indentured immigrants

There was also a conflictual relationship between newly-arrived immigrants and ex-apprentices as Indians were paid lower than apprentices. Yet, this is not in evidence in the Magistrates reports, nor when considering the fact the ex-apprentices may not have wanted to remain as agricultural labourers on plantations. It was true, however, that cheaper wages prevented any attempt by ex-apprentices to wage bargaining.

What has not been examined is the situation on each estate in order to ascertain the labour needs of each. At the time of emancipation, the effective labour force amounted to only some 25,000, out of the population of 61,022 slaves. Some estates had been desperately short of labour even before abolition, as they had either expanded or had an ageing population or with numerous families and not enough able-bodied men. Only on some estates, did ex-slaves wish to work, as has been pointed out.

Thus, the potential for conflictual relations would only arise when there was open competition for employment on such estates. How many estates were in this situation, at this stage, has not been established by any study. It was employers fighting among themselves, rather than ex-slaves and indentured fighting each other for employment on sugar estates.

Furthermore, it must be noted that a small number of ex-apprentices were employed on sugar estates, not as labourers, but in higher positions. Among clerks, for example, in Pamplemousses, out of a total estate population of 196 clerks in South Pamplemousses, 38 were ex-apprentices; in Flacq, out of a population of 127 clerks, 25 were ex-apprentices; in Grand Port, out of 103 clerks, 24 were ex-apprentices; in Savane out of 100 clerks, 41 were ex-apprentices, while in Plaines Wilhems, out of 161 clerks, 40 were ex-apprentices.

By the beginning of the twentieth century, the number ofn'pure' Africans remaining was estimated by Census Commissioners in 1901 as a few thousand. Many were to be found along the coast (Kuczinski: 803). Intermarriages were prevalent among Creoles and Indians since the 1921 Census reveals 2,419 children were born out of marriages or cohabitation between General Population and Indians.

4. FROM AFRO-MALAGASY TO CREOLE

We find that a scientific study of cultural marginalisation of Afro-Malagasy populations, descended from slavery, is required in the future.

Up to today, there is very little encouragement given to popularisation of African or Malagasy cultures in any public institution or through private initiative. Even among socio-cultural organisations, regrouping descendants of slaves, there is only token acknowledgment of African and Malagasy religions, language and culture. Few have claimed that the Malagasy and African religions, language and philosophy, be taught in schools or universities; yet, these constitute the ancestral cultures of slaves.

This situation needs to be reversed.

1835-1880

Although at the time of abolition, there was some ‘replenishment’ of cultural loss with the introduction of Liberated Africans, Malagasy *Marmittes* and indentured workers from Comores, Madagascar and Mozambique, the culture language and religions of these groups remained not only ignored, but denigrated.

The ‘Scramble for the Souls’ of Africans and Malagasy between the Anglican and Catholic Church did not help the situation. However, in this ‘scramble’, the Protestant approach stands in stark contrast to Catholic attempts at evangelisation. The work of Reverend Lebrun and Père Laval have been compared in studies. In stark contrast to the work of Reverend Lebrun, who taught children of ex-slaves to read and write, Père Laval failed to educate slaves. The results are clear: Lebrun’s ‘children’ rose up to become the first island’s lawyers, doctors and journalists and led the struggle for civil rights in the 19th and 20th centuries.

Numerous studies have pointed out the various cultures, languages and religions, existing in Mauritius after abolition of slavery. French ethnographer, Eugene Froberville, not only observed and talked to Mozambicans in Port Louis, but even drew a linguistic map of Mozambique from his interviews in Mauritius. Baissac documented proverbs and stories he had heard in Mauritius. Similarly and more recently, Larsson has shown, through detailed studies of archival evidence, how in Port Louis, about 30% of the population spoke in Malagasy, in addition to Creole, French and Indian languages, in the 1830s.

1880s

By the end of the 19th century, what had survived of the Malagasy and Mozambican cultures languages and religions? Fortuné, through the oral history of elderly persons of Afro-Malagasy descent in Mauritius, has collected a large number of the surviving practices and rituals. However, as noted, the criminalisation of non-Christian practices led most ritual to be performed surreptitiously, and such is still the case today.

Coincidentally (or perhaps not), this criminalisation of traditional cults (Article 3 in 1843 Ordinance of June 10, 1843) occurred at the same time as Père Laval started his evangelisation mission. Fortuné suggests that criminalizing the activities of people “who actively practice healing and spirits worship” led them, in order to escape prosecution, to adopting South Indian deities. This syncretism could thus be “a response to the prohibition upon Afro-Malagasy forms of worship.”

Many studies have also been conducted on the contribution of Malagasy slaves to our knowledge and use of plants for medicinal purposes. These contributed to treatment of the numerous ailments of slaves, Malagasy and others, during the period of slavery.

The pioneering work of Père Martial, who has conducted much research into the adoption of Christianity by Malagasy ex-slaves of the 19th century, is illuminating. For those Christians of Malagasy origin, he believes that there is no contradiction between their traditional faith and practices and Christianity and that both can coexist and be practised. According to him, most

Malagasy are profoundly religious, as were the ex-slaves in the 19th century. Indeed, as he notes, Père Laval relied on Malagasy ex-slaves to help spread Christianity among ex-slaves. Most of the Malagasy, baptized and married, were in their 40s and 50s. His conclusion is that the European priests were against the '*creolisation*' of Christianity or its '*malgachisation*' at that time (Martial: 170).

Neither was this '*malgachisation*' or '*creolisation*' of Christianity liked by the elite at that time, and many cases of racial discrimination in Church practices were tolerated by the Church hierarchy well into the 20th century.³³⁶

It is time today to finally recognize the Malagasy contribution to the spread of Christianity and to formally acknowledge that Malagasy and African traditional practices have their rightful place in the society and culture of Mauritius. As Fortuné recommends, it is now also necessary to decriminalize practices that may be linked to traditional rituals.

To do justice to the restoration of the culture of slaves and their descendants, the Malagasy and Mozambican languages should be researched and studied, and their contributions to the Creole language and culture scientifically studied. There is no reason why the Malagasy language should not be taught at the same level as other languages at the University, or even in schools.

5. FROM NOTHINGNESS TO PRIDE AND RESILIENCE

Housing and education are fundamental assets; they suppose that equal access is given to all. They suppose also social conditions in which individuals operate, which allow projections, representations of proportionate rewards for self and group. When these conditions are broken *nou perdan touzour*, resignation brings closure.

In fact, housing conditions, poor conditions of living, low access to education and health, precarious jobs and unemployment are structural causes that generate poverty and deprivation. Poverty cycles are reproduced, hindering social and economic integration. Reports stress psychological problems that children encounter, reduced vertical mobility, risks of sexual exploitation and high occurrence of risk behaviour.

According to the report “Poverty in Mauritius, 1998”,

“Poverty, multi-faceted, cuts across all communities. It is an extremely difficult exercise to pin-point what is its exact link with slavery. However, what can be said from studies done on this subject from structural trends and indicators, as well as field studies, mentioned before, is that an aggregate of indicators show more massive marginalisation processes affecting Creole communities”. (Poverty in Mauritius, 1998)

Effectively, centralisation and mechanisation in the Sugar Industry, disappearance of and extractors, decrease of demands on small artisans or employees in the construction sector through the emergence of bigger firms/groups offering the same services, and less recruitment in the EPZ sectors are indicators that the labour market is offering less opportunities to the Creole communities.

Furthermore, the risks of downward social mobility and poverty, though associated with structural reasons mentioned, are also strongly connected with discriminatory practices/measures.

Thus, explicit or unconscious discrimination on the basis of origins starts in the selection of CVs through criteria of family names and colour and results in bias in interviews. Similarly, social discrimination on the basis of residential areas involving stereotypes, concerning *bons quartiers* and “difficult areas” prevails; people locate in “difficult areas” are stigmatised and negative evaluation tends to operate in their recruitment. Hence, there develop the negative attitudes towards education and work; the value of education, already low in the social environment, decreases rapidly since *pas sir gagne travail*. On the other hand, parents who have made the necessary efforts and sacrifices and who are now faced with the changing conditions of entrance on the labour market, feel cheated. With the rising costs of living, such changes give rise to frustration and to a sense of helplessness. There develops a culture of the immediate.

This culture of the immediate leads to a vicious cycle of further deprivation in the long term. More emphasis is laid on life-styles, on options for the present, instead of the future. The whole population is socialised in consumption patterns which are widely publicised through all types of media and through progressively more aggressive marketing; there is increased pressure to look ‘ordinary’. There are increasing risks of falling into poverty and high levels of frustration. And these factors lead to unfortunate predictable patterns of “social misbehaviour”, among the young generations.

History has its part to play in this state of affairs. The History of slavery which has been repressed does not ‘disappear’; it forms part of the subconscious. Absence of a sense of belonging and a sense of personal history induce life-styles and ways of spending which penalise whole families. Living on credit and overspending on occasions of celebrations (weddings and first communion) are ways of positioning self and the family, acquiring respect and dignity, whatever the price to pay.

It is to be noted that strategies implying self-sacrifices, individual as well as collective, as observed among a large sections of Asisan communities are significantly related to a strong notice of self, past, present and future.

Moreover, the relationship to space and time has to be structured since early childhood and is due to many socialisation processes, which are transmitted from generation to generation. But when the past does not form part of History, when “lineage” cannot exist, projection into the future is blocked and the present overwhelms all perceptions. Strategies cannot be set up, specially in the absence of assets, financial and cultural; hope does not exist.

A fragmented social identity scatters inner resources and, instead of favouring resilience, it increases sense of loss and despair. Compensating lack of inner resources may take different forms, including overspending.

From anthropological studies made in Africa and Madagascar, the importance of lineage, ancestors and the dead ones, in the definition of Self, is duly recognised. Such is the case of some Asian societies as well. Self in traditional agrarian societies expresses itself through family roots and, most importantly, from the encounter of two lineages. Social cohesion is pursued and valued in that it fosters self-esteem. In the case of slavery, the ruptures in the succession of generations through the dysfunction of families and absence of reference to ancestry laid the basis for dispossession of Self. It is known that transmission of values across generations foster resilience and help to project oneself in the future.

Identification mechanism through lineage and community, cannot operate, resulting in the deterioration or destruction of identity, loss of reference and dysfunction of Self. Threats and fear are generated, not only from the social system, but also from dislocations of the personality system, resulting in incapacity to think in terms of self-protection.

Under the circumstances, “reversal into the opposite is a well-known defence mechanism”, according to S. Freud. Research in the unconscious foundations of “anti-social behaviour” is somewhat lacking, there is the need to look into this area. Otherwise, various strategies to overcome the vicious situation of poverty and related problems would prove to be insufficient.

Anti-African prejudices and stigmatisation have prevailed for centuries in Mauritius; they still exist across all communities, including the Creole community.

On the one hand, reconstruction of Self demands not only change in the Other’s perception but also change in social norms.

On the other hand, racism had been internalised by the very victims of racism. Studies have found a positive correlation between internalised racism and alcohol consumption, lower self-esteem, lower ego identity, lower emotional intelligence among children; other studies have revealed that the stigma of inferiority can negatively affect one’s self-efficiency and confidence in performing various tasks. These studies show that internalised racism is potentially as harmful as institutionalised racism, due to their profound psychological and mental effects. Without a collective sensitisation and opposition from victims, it is known that individual perceive themselves as responsible to their situation through an internalisation process, giving more value and importance to the causative role of Self instead of situational factors.

According to J. G. Leary (2005), the psycho-social dynamics, generated at the time of slavery, have produced, as with black communities in the West-Indies, Brazil or U.S.A., an ‘implosion’ of Creole communities. Violence against the dominant system is represented and transformed in violence against Self.

In this state of affairs, social competition and social comparison make things worse for such communities. The upward mobile-class tends not to identify itself with the root community. The recurrent fear of being left out with the same dreary life conditions is strongly felt, while the system is reinforced by the recuperation of the brightest among the community. Conflict between loyalty to the community and not having to identify with the powerful is a major source of inner tension.

Leadership

The consequences of the above analysis impact particularly on the leadership which emerges among the communities concerned. It has been observed in Mauritius, among those working with poor

Creole population that, at some point of collective mobilisation for better life conditions, for example, in a community based or mutual aid organisation, solidarity does not last long. Social combat with leaders from the community find its objectives rerouted towards the quest of self rewards, inflation of the ego, narcissism, search for limelight. Simultaneously, grassroots members are disappointed and tend to fall into social reclusion. The fear of informants and traitors to the community from the days of slavery seems to be reactivated. On the other hand, during slavery, slave leaders were eliminated, isolated, killed or ridiculed. Thus, the resulting leader was nothing more than the master's pawn; slaves developed defence mechanisms to survive, but at their own expense. Playing the clown saved slaves from feeling the wrath of their masters. Being entertaining was a coveted status because, from nothingness, slaves could emerge in the master's favour. It appears that this identification process is still ongoing, to a great extent, through comedy or entertainment rather than in the intellectual sphere. However, counter role-models, not confined to the entertaining stereotype and encompassing other skills than athletics are gradually rebuilding aspirations of the younger generations.

Until this rebuilding is complete, at all levels, grass not or at upper echelon of social involvement, in political parties, leadership is very often subject to intra community misinterpretation, rivalry, dissension and constant threat of being illegitimate. Long term objectives are re-oriented according to short-sighted status competition. Empowerment of leaders within Creole communities, therefore, goes hand in hand with empowerment of the whole community. Significant other (leaders, opinion leaders) in the political economic and social spheres use this inherited weakness, and today as in the years of slavery, "congenital inferiority" implicitly underlines many social discourses and actions.

The family and disjointed quality of relationships

Slavery has affected the family institution the most. The selective breeding of the biggest and strongest slaves was a profitable endeavour for the slave-owner but devastated the family structure. It was a method that reinforced the idea that slaves were little more than human livestock, which were to be used and/or abused at their owners' whim. The psychological impact that the practice of selective breeding took on slaves is immeasurable, and a valuable tool with which to wage psychological warfare against slaves. Due to selective breeding, some slaves were deprived of the right to develop monogamous family relationships. Psychologically, selective breeding influenced slaves to believe that family relationships were of little value, and fostered insecurity and anxiety within the slave psyche concerning the stability of a family unit. The destruction of the role of the father during slavery would have a major impact decades and centuries later.

The consequences are expressed in different ways:

Single-parent households and isolation of the males. And for the males, matters are made more difficult by exclusion from the new mainstream Capitalist System and the major segments of the labour market following the abolition of slavery and the arrival of indentured labour.

Conclusions, challenges and Recommendations

In order to achieve control or maintain hegemony, dominant groups construct fictions and homogeneity relating to various intra community group. Myth, legend and history as fictions against others enable the crafting and reinforcement of power. Struggle between the desire to obtain an "essential" identity that makes for political currency among the dominant groups, and the experience of new cultural values, transiting in all ethnic communities, has been and is still a main issue for power relationships.

Recommendations

3. More openness is needed in reflections on History to loosen existing controls over meaning and identity.
4. Political will not to reify ethnic groups on bounded whole, unified and undifferentiated, allowing unsettling recombination of identity and society.

5. Myths of purity and their procedure in the collective unconscious should be deconstructed. Self-referential beliefs and real knowledge systems should be promoted in all fairness within a trans-cultural approach to life and society, fostering real pride and resilience. This a first challenge for the whole of Mauritian society.
6. For descendants of slave origin,
 - (a) There is the need to give recognition of distinctive African and Madagascar references;
 - (b) Setting up of specific historical and cultural programs for a sense of belonging;
 - (c) Setting up of a Trust for Education and Training;
 - (d) To discard fragmented ineffective efforts and to build both political and economic strength from a position of strength, instead of thinking in terms of targeted victimisation and pawns.

6 THE SITUATION OF DESCENDANTS OF INDENTURE

After indenture, many immigrants returned to India. Exact figures still need to be compiled. However, it is believed that about one-third returned to India, while another third did not survive their indenture. Some went elsewhere to British and other colonies.

For those who stayed in Mauritius and who are the focus of this Commission's study, general histories have been written which have become stereotypical: labourer becomes *sirdar* or recruiter, saves money and purchases a plot of land. Children become educated, are employed as civil servants or professionals and are considered a success. This picture of the supposed typical 'experience' of the trajectory of the indentured labourer is reproduced regularly by those of non-indentured ancestry, by those who create the myths of the success story etc.

However, it ignores the other reality: those who never obtained land, those who were never highly educated, those who never became urbanized, and were still working on sugar estates until a decade ago. The Commission has investigated both of these sets of experiences through detailed family histories, life histories and in-depth interviews. Hundreds of descendants have been consulted and the results published in Volumes 3 and 4.

While the trend can be confirmed for many: that of today being satisfied of their achievements and their ameliorated lives, due to Independence, it is clear that their previous lives were far from easy.

Indians were never considered as 'Mauritians', not in the eyes of the elite, who defined the term 'Mauritian' as someone who was Westernised and Christian. The stubbornness to retain their culture and religion was seen as a stumbling block to 'progress and civilization.' The 'Cultural struggle' was just as tough as the economic battles being fought in the 1930s and 1940s to resist wage cuts in the Sugar Industry, as well as other issues. The class divisions appear more stark here than at any other time.

Living Conditions of Descendants on Sugar Estates after Indenture³³⁷

For the average sugar estate worker living in an estate camp in the earlier part of the twentieth century, the day began like most other days, rising at 5-6 a.m. to go to work, after being awakened by the "Lappel", a man charged with waking up all the workers, or even as early as 1-2 a.m., if it was the harvest season. How early they rose depended not only on how far the estate camp was from the field where they had to work, but also on whether the estate provided a lorry to transport them, or if they had to walk there or were lucky enough to hitch a ride on a passing bullock-drawn cart. Most workers took breakfast before they set off for work, usually consisting of tea and bread, and sometimes a little left over curry, and if they had sufficient time, they would offer a prayer for the hard day of work ahead. Women normally woke up somewhat earlier than men did, as they also had to prepare breakfast for their husbands and the other members of the family. After brushing their teeth either with charcoal, or by using either their fingers or a piece of guava stick for this purpose, they would set off for work, came back after midday and ate something prior to commencing their daily chores. Women and children were the ones who were primarily responsible for carrying out these household chores, which normally consisted of fetching water and washing clothes, and collecting wood for cooking and grass for any cows or livestock that they kept.

These chores took up most of their afternoons, as the estate camps often lacked potable water and bathing facilities, thus forcing them to walk several miles in order to collect it from a river or to bathe in.

The camps themselves, or "*langar*", is a Creole term for barracks, were usually made of *ravenal* and had thatch roofs and earthen floors.³³⁸ They might also be made of a combination of materials, consisting, for example, of wood, stone-walls and corrugated iron. Over the course of the twentieth century though, concrete housing and semi-detached dwellings became more common in estate

camps. Camp inhabitants describe “polishing” earthen floors with cow dung every week or once a fortnight, and red clay was particularly sought after with women prepared to walk several miles in order to collect it. It is conceivable that some of the camp inhabitants would have built these structures themselves, and there is also evidence that they kept livestock in close proximity to their dwellings, much like their forefathers had done during the days of indenture. Of course, back in those days, there was no electricity to begin with, so most camp inhabitants relied on candles and kerosene lamps for lighting, and if the camp inhabitants were fortunate enough, a regular supply of water could be accessed through a public tap or a well in the camp. Cooking facilities varied, with some camp inhabitants opting to cook on their verandahs, or even inside their own dwellings over a pile of stones referred to as a “*foyer*” by the informants, sometimes resulting in fires that destroyed dwellings. While others preferred to cook in a makeshift kitchen located outside their dwellings and used either wood or sugarcane for these purposes. The informants also state that toilets and bathing facilities were usually not attached to their dwellings and were at some distance from where they lived and were used by all of the camp’s inhabitants. Some estates had schools, medical dispensaries, crèches, and transported workers to the nearest district hospital if required, or failing, that camp inhabitants were forced to walk to school and the nearest hospital by foot, or gave birth with the help of a midwife in their own dwellings.³³⁹

Complaints are many about crowded living conditions and the filthy state of some estate camps.³⁴⁰ It appears that most estate camps offered very poor toilet provisions as many informants state that they were forced to go in the cane fields while others indicated that they had no choice but to build their own toilets when estates failed to provide them.³⁴¹ Informants also pointed out that roads in estate camps were sometimes unshpalted and muddy and that camp inhabitants went into disputes over having to wait in line in order to collect water from public taps.³⁴² The cramped living conditions that characterised estate camp life also fostered disputes between neighbours, and the best that they could do to create a sense of privacy in their barracks was to erect makeshift barriers with either a sheet of corrugated iron or a partition made out of jute bags or *ravenal*, as the case may have been. Furnishings were usually quite sparse and consisted of little more than wooden beds to sleep on and mattresses made of grass, or people slept on jute bags and used them to cover their bodies to keep warm at night. The only other possessions that estate camp inhabitants seemed to own was the utensils that they used for cooking and, according to one official report (ARLD 1945:3), most estate camp inhabitants kept very few possessions because of the frequency of fires. Others tried to make do with the little that they had and decorated their homes with pages from newspapers that they plastered on their walls.³⁴³ Some estate camps also had football fields and shops run by “Chinese” shopkeepers who offered credit to their clientele; as well as *baitkas*, temples, chapels and madrasses to serve the religious needs of their workers. According to one informant,³⁴⁴ estate camp life was very pleasant, as all the facilities were free, but she also stated that others looked down upon people who lived in estate camps. She pointed out she could not find brides for her sons as they were living in a camp and did not own their own homes.

According to Benedict, the standard of living in estate camps during the 1950s was generally lower than that of most villages and appealed most strongly to the poor. This is because living in estate camps offered the advantages of steady employment, free housing, and possible concessions from estates for planting vegetables and gathering fodder for livestock. He points out that most camps consisted of “rows of small barrack-like cubicles of wattle and daub” and that some camps had “recently constructed semi-detached dwellings of cement”. Benedict draws attention, in particular, to the poor state of housing and lack of amenities, a finding that was still being echoed by ad hoc committees that were commissioned to enquire into estate camp housing conditions 30 years later.³⁴⁵

Except on a very few estates, the housing offered was very poor. The buildings were of poor quality insufficiently ventilated and illuminated. The cubicles were small. Latrines were often very unsatisfactory, built in a row some distance away. Paths were often muddy and drainage was usually poor. Some camps had small shops, but for most of his needs the camp dweller must walk to the nearest village which might be some distance away. Unlike villages, camps were rarely located on bus routes. Cinema and other forms of recreation, as well as schools, were not to be found in camps, but in villages and towns (Benedict 1961:54).

In addition to a number of other drawbacks, such as the lack of privacy, property and tenure, and obligation to work, Benedict states that living in estate camps had come to be associated with low status because it was believed that crowded living conditions promoted promiscuity. Yet, despite noting that these living conditions appealed primarily to the poor who, according to Benedict, were drawn to estate camps because of free housing and steady employment, he also seems to have been under the general impression that “the pattern of moving from the estate camp to the village persists” and that only monthly workers were allowed to live in estate camps (1961:27, 54). As alluded to above, the Annual Reports of the Labour Department indicate there was back and forth movements between villages and estate camps, and hence there is every reason to believe that sizeable numbers of impoverished villagers resettled in estate camps a generation after the first waves of indentured labourers moved off the estates. This is confirmed by the oral testimony of one elderly sugar estate worker,³⁴⁶ who stated it was only poor people, who did not own property, who went to live in estate camps. Nor was it unheard of for some estates to allow daily or casual workers to live in their camps (cf. ARLD 1961:19-20, 50).³⁴⁷

Although the feeling is that life was very difficult in the past, or wracked by “*boukou mizer*”, as many informants described it in creole, that does not mean estate camp life was viewed only negatively. Actually, many of the informants looked back on estate camp life with a certain degree of fondness and described inter-ethnic relations as being harmonious, and everyone was living like a “family”. Holidays were often opportunities for families to get together, and depending on the occasion, a goat would be sacrificed and consumed, or a special meal of canned fish curried with tomatoes was cooked to celebrate the occasion, if finances permitted. During the harvest season, rituals were also performed and offerings made to the goddess Kalimai to ensure a good harvest, and more often than not, it was conducted with the active support and participation of estate managers and was usually led by *sirdars*. Masses and prayers were also organised for Christian and Muslim workers. The informants also described estate managers distributing presents to children at Christmas time and receiving bonuses during harvest season. And parents told their children stories at night in the absence of modern-day forms of entertainment, such as radio and television. Nonetheless, these reminiscences were tempered by the view that “Christians”, or in other words, skilled Creole artisans and their families,³⁴⁸ lived in superior housing and sometimes looked down upon the inhabitants of estate camps. The paucity of reflections on the family life of white managerial staff points to a certain amount of social and possibly racial distance between employers and estate camp inhabitants.

Living Conditions of Descendants in Villages after Indenture

Living conditions in villages were superior to those in estate camps because the quality of housing was generally better. Housing varied, but according to Benedict (1961:55), there were three basic types: the wattle and daub hut with a thatched roof and clay floor; the galvanized sheet iron house built upon a wooden frame and usually with a wooden or cement floor, and the more ambitious wooden, stone or cement house, built on a concrete foundation, with wooden or concrete floors.

The more ‘lavish’ type of housing could be found in some villages as “*lakaz tol vitrinn*”³⁴⁹ and the people who owned it as living like “tourists”. Yet it would also appear there were not all that many differences between most village dwellings and the type of housing found on estate camps prior to the 1960s. As Benedict (1961:55) points out, huts made of wattle and daub were quite common, as were earthen floors laid over stone foundations, and while poor families did their cooking on verandahs, others did it in a “separate hut of sheet iron located in the yard”, and apparently housing in villages was also crowded (cf. Benedict 1961:12).³⁵⁰ Similarly, although most village dwellings had their own yards, something that estate camp inhabitants could not claim to have was pit latrines, and the bucket system were the most common methods of conservancy, and it is likely that in the absence of these, villagers would have used nearby cane fields. Benedict also states that household chores were primarily the responsibility of women and children,³⁵¹ and that these included doing such things as replastering earthen floors with red clay and cow dung, collecting water from the village fountain or nearby rivers and streams, if fountains were lacking (cf. ARLD 1945:3), and walking long distances to collect wood for cooking and fodder for livestock. Rearing cows and selling milk in order to generate additional sources of income also seem to have been quite common in villages and were primarily the responsibility of women,

Living conditions in villages were also superior to those in estate camps because they were less isolated and enjoyed access to social services and recreational facilities funded and maintained by Government and Village Councils. Some of these amenities included public fountains, medical dispensaries, Government schools, agricultural services, public transport, electricity, police and fire protection, shops, cooperative credit societies for small planters, post offices, social welfare centres, football fields, cinemas, and religious organisations and edifices. But as Benedict (1961:56) points out, even in spite of these advantages, the economic fortunes of most villagers in Mauritius were still principally derived from labouring in cane fields

Most of the elderly sugar estate workers interviewed began working as “*chokra*” or child labourers, and like their forefathers before them, they worked as sugar estate workers until they retired. This had two important ramifications. Firstly, it meant that during the inter-crop season, when work was scarcer and wages were lower, labourers had to find other ways to make ends meet. One way of doing this was to find ways of turning agricultural and natural products into cash. Mention has been made of rearing livestock and selling cow’s milk, but arranging concessions from estates to plant vegetables in between lines of sugar cane or collecting *brèdes* from the banks of rivers and streams and ravenal fronds from forests was one way of doing this, as was renting land from other villagers to grow cane and cash crops or planting market gardens in one’s own yard.³⁵² According to Benedict (1961:74-76), however, the proceeds from these efforts were always converted into cash, because the average Mauritian required cash to purchase what would satisfy almost all of his basic needs, thus suggesting to him that there was little evidence of subsistence farming in Mauritius.

The susceptibility of labourers to the seasonal cycles of the sugar estates had another important ramification. It made them reliant on credit to tie them over during the inter-crop season (Benedict 1958; cf. Balogh 1963:60). Some of the most pertinent examples of these credit relations include Sino-Mauritian shopkeepers extending credit to their clientele and the loans that *sirdars* and job-contractors made to labourers to bind them more effectively to them. Benedict states he found no evidence of job-contractors charging high interest rates on these loans. But he (Benedict 1958:217) also points out that “a man who accepts a loan from a job contractor would feel obliged to work for him.” He adds that job-contractors recovered their money by making deductions from the wages of labourers during the crop season, and if the oral testimony of the elderly sugar estate workers quoted earlier is anything to go by, this may have offered another opportunity to make further deductions from the wages of labourers at usurious rates. According to Benedict (1958:217), *sirdars* employed on estates had “much the same relations of borrowing and lending” with monthly workers, and that this arrangement ensured *sirdars* had an interest in employing labourers to whom they loaned money. Thus, some villagers had better housing and enjoyed access to Government-funded social services and recreational facilities.

However, how far sugar estate workers themselves benefited from the post-war boom in sugar production because, as the Balogh Commission (1963:30-31, 53) stressed, real wages rose very little between 1939-1957 and this was one of the main complaints aired by sugar estate workers who testified before the Commissioners. What is more, the Balogh Commission (1963:61, 128-130) raised doubts as to whether funds allocated to help sugar estate workers to build homes, with interest free loans by the Sugar Industry Labour Welfare Fund, reached its designated target.³⁵³ “The picture is [...] that of a poorly-paid, undernourished, sickly population, capable of only such limited output of work that an increase of wages offers little promise of improved performance.” Only two years later, the Director of Labour was issuing further warnings about the sickly state of Mauritian sugar estate workers in the 1945 Annual Report of the Labour Department:

When a group of labourers in the sugar industry is seen, when their appearance is noted, their bare feet, their ragged clothes, their eye-balls yellow with fever, their small stature, their emaciated limbs with outstanding bony joints, their shins often scaly as a result of malnutrition ... it is possible to ask whether the higher cost is paid by the purchaser of the sugar or by the producer of it (ARLD 1945:8-9).

It was only with Major Orde Browne’s 1943 report on labour conditions in Mauritius, that the subject of the malnutrition of the Sugar Industry’s workforce began to receive more sustained attention. According to Major Orde Browne, the diet of Mauritian sugar estate workers was noticeably deficient in protein and showed a marked dependence on rice and carbohydrates. The budget of the average labourer working in the Sugar Industry was the small proportion of their

wages which they spent on protein. Apart from fish, goat's meat was the principal form of animal protein consumed by the average sugar estate worker. The informants stated they mostly ate rice and various types of vegetables, and could only afford to eat meat on special occasions

Andrew Balfour's report on medical and sanitation matters in Mauritius was printed in 1921; he read a report written only one year earlier by a medical expert working for the International Health Board, a philanthropic organisation funded by the Rockefeller Foundation, named J. F. Kendrick. Kendrick discovered that more than two-thirds of the colony's population was suffering from *ankylostomiasis*, or hookworm disease, as it is more commonly known as, and that the highest rates of infections were recorded amongst the labouring classes in the colony's rural areas (cited in Balfour 1921:18). Kendrick urged the Colonial Authorities in Mauritius to cooperate with the International Health Board in trying to eradicate the disease, and it appears that the British did not hesitate in taking up the generous offer of financial support from the Rockefeller Foundation, after being actively encouraged to do so by Balfour.

Hookworm disease seems to have escaped their attention because its symptoms were not as readily discernible as malaria's. The number of deaths attributed to *ankylostomiasis* in Mauritius in the year 1920 was only 16, but Balfour (1921:15) questions the accuracy of these figures in his report. It was probably responsible for raising the island's death rate, due in part to the fact that it weakens "resistance to disease".³⁵⁴ Yet, although hookworm disease may not lead to as many observable deaths as malaria, its effects have been shown to be just as lethal, as it not only leads to a higher incidence of foetal mortality rates, but has also been implicated in stunting growth and impairing cognitive development, as well as increasing susceptibility to other diseases. According to Kendrick's report, one of the primary causes of the spread of hookworm disease was poor sanitary conditions, and, in particular, the inadequate provision of latrine systems, indeed the very type of conditions that were noticeably deficient in estate camps and rural areas (cited in Balfour 1921:18).³⁵⁵

But in his report, Balfour also drew attention to the effect that the use of human manure as a fertilizer in the Sugar Industry, or the *Engrais system* as it was referred to in French, had in broadcasting the disease amongst the Mauritian population.³⁵⁶ Balfour made it quite clear, in his report, that the Mauritian Sugar Industry could no longer continue to use human manure in the cultivation of its cane fields. He even went so far as to say that those who continued to ignore the health of the population, out of pecuniary considerations, would not only be morally culpable, but should also be held legally accountable (Balfour 1921:81-89). It seems the Sugar Industry took Balfour's recommendations seriously, because according to Alfred North-Coombes who wrote a comprehensive account of the Mauritian Sugar Industry in 1937, the *Engrais* system had been discontinued at the time of his writing his account of the industry.³⁵⁷

The newly-appointed Director of Labour, Mr. R.C. Wilkinson, who assumed his duties in 1944, claimed that even if provided with suitable sanitary conveniences, labourers would prefer to use "neighbouring cane fields" (ARLD 1944:4). But as Mr. James Stirling, who replaced Wilkinson as Labour Commissioner in 1951, pointed out in the ARLD of 1954, after sugar estates had built more detached concrete dwellings for families with kitchens, bathrooms and toilets, labourers took a keen interest in their proper maintenance and were making effective use of the bathrooms and camp latrines (ARLD 1954:11). And as alluded to earlier, Benedict also drew attention to the poor conditions of latrines in estate camps in his ethnography, the fieldwork for which, it is important to bear in mind, was conducted at the end of the 1950s, showing that not much had improved in that time.³⁵⁸

Working Conditions of Mauritian Sugar Estate Workers after Indenture

The working conditions of sugar estate workers in Mauritius have changed quite considerably since the end of the indentured labour period. The construction of large factories and, in particular, the mechanization of tasks that used to be done by hand has radically transformed the industry, leading to massive reductions in the size of the workforce.

However, there has been continuity in cultivation and planting techniques for much of the 20th century: descriptions of cultivation and planting techniques summarised in the 1875 Royal Commission (Frere and Williamson 1875:289-292) match with those of the Hooper Commission,

written 60 years later in 1937 (Hooper 1937:113-118), even the tools that labourers used do not appear to have changed very much. Tools, such as the *pioche* (hoe), *pince* (crowbar), and *gratte* (scraper), were still being used in the first half of the twentieth century, to carry out tasks such as removing rocks and weeds that were being performed in the nineteenth century.

Neither Commission mention that labourers were also working in the cane fields bare-footed and without any form of protective clothing

The tasks may be divided into two categories: that of planting and reaping virgin canes in the first place, and that of growing and reaping ratoon canes in the second. The majority of the operations prior to cutting and loading the canes are performed in the inter-crop season.

(a) Virgin canes

Dealing with virgin canes first, we find that the first task is that of *désavannage* and *parement*. The operation of *désavannage*, *parement* and *déchicotage* in the case of land not free from stones, taken together, consists of clearing the land generally, uprooting all ratoons which may be growing in the soil, and arranging the stones in lines. This operation is followed by ‘fossoyage’ or holing. *Désavannage* *parement* and *fossoyage* are tasks making a very heavy demand upon the physical capacity of the worker, *fossoyage* or holing being perhaps the heaviest of the three. All three are sometimes performed as one operation.

‘Épierrage’

The next task is *épierrage* or clearing the land of stones and rocks. This is occasional work and does not always form part of the normal work of a labourer on a sugar estate. This is followed by *pinçage*, which consists of removing the stones from the holes with a *pince* or crowbar.

Planting cane tops

The land having been prepared for planting, the next operation is that of putting the cane tops into the soil. As soon as the labourer is in possession of the tops he makes them ready for planting, that is to say, he pulls off all superfluous leaves from the top and puts it in the hole, arranging it in such a manner that it sprouts easily; at the same time, he puts in manure and then covers the tops with earth.

Weeding

The next operation to be performed is that of weeding. Weeding is the task of removing all necessary grass which has grown up round the cane and is known as *nettoyage*. It is divided into several operations. The first weeding takes place about one month after planting is followed by the operation known as *repiquage* which consists of placing fresh tops in the holes where the top previously planted has not taken root. This work is paid for at rates by the day, according to the amount of work to be done: there is a special rate for each of the operations.

Manuring and subsequent weeding

Then comes the operation of manuring. This consists of spreading pen or artificial manure over the soil according to the needs of the cane. It is considered to be a light task. The task of manuring is then followed by the second weeding, which takes place about two months after the first weeding, though the exact time would depend on seasonal variations of rain and heat, to be followed in turn by as much as five or six weedings and this is followed by a last weeding known as *dépaillage* which consists of removing the straw from the cane. *Dépaillage*, which is sometimes required on two occasions, is generally done some fifteen or twenty days before cutting. The above constitute the number of tasks which are performed during the inter-crop season with reference to virgin canes.

Cutting the cane

The next task is the first task of the crop season, which consists of cutting the cane, which is the principal task of all. It is generally admitted that the cutting of virgin canes is a harder task than the cutting of ratoon canes and higher rates are correspondingly paid for cutting virgin than for ratoon canes. It is estimated that a strong labourer can cut three tons per day, though this would

not apply to B.H.10/12, the limit being two or two and a half tons per day, owing to the fact that the cane is of crooked growth and is tougher than the ordinary cane. This task includes that of carrying the cut canes to the railway line where the truck is standing; or to the path where the cut canes will be loaded onto carts to be taken to the factory, in the absence of a railway line. In the case of most small planters, there is no railway line in existence and the cut canes have to be carried to the pathway in order to be loaded there on to a cart. It should be borne in mind, however, that if the place where the canes are being cut is situated a long way from the place to which the canes have to be carried in order to be loaded on to the cart, the task becomes increasingly difficult of performance and, in all probability, a man who could cut a maximum of three tons per day when the task is situated near to the point to which he has to carry the canes to have them loaded on the railway trucks or cart, could not cut more than a maximum of two and a half tons a day. The task of cutting is frequently paid for at so much per *galette*, or measure of ten French feet.

Loading and transport

The next task is that of loading and transport. This is one single task. The canes are picked up and loaded on to railway trucks standing near by and then taken by stream traction to the factory.

(b) Ratoon canes

The first task to be performed in connection with ratoon canes is that of *revelage*, which consists of arranging the straw in the interlines separating two lines of canes after the crop has been cut. This is a task usually performed by women. It is not regarded as a task making very severe demands upon the physical powers of the workers. This task is followed by that of manuring, which consists of spreading pen or chemical manure, or both, according to the estimated needs of the soil. The spreading of chemical fertilizers is frequently performed by small boys, and is an operation that can be finished at any time.

Buttage* or earthing up; *nettoyage

Manuring is followed by an operation known as *buttage* or earthing up which consists of covering the manure placed on the ground with soil. This is also considered to be an easy task. The next task in connection with ratoons is that of *nettoyage* which may consist of as many as six operations as in the case of virgin canes.

Dépaillage

The operation of *nettoyage* is usually followed by *dépaillage*, which is carried out just before cutting begins. *Dépaillage* consists of removing all superfluous leaves adhering to the cane. 'Dépaillage' completes the number of operations performed during the inter-crop and is followed by the work of cutting and transporting the cane, the conditions of work being the same in respect of ratoons, as in the case of virgin canes, subject to the proviso that rates for cutting ratoons are slightly lower than in the case of virgin canes, as the work is considered to be of a slightly lighter nature. These are the principal operations performed on a large estate, from the clearing of land preparatory to planting, up to the operation of crushing the cane in the factory.

7. WOMEN LABOURERS

The treatment of gender differences must be mentioned as it is an issue that women have felt strongly about but which has been ignored.

The main criterion used to distinguish men's and women's work is the physical strength required to do arduous tasks. Lighter tasks such as manuring, weeding and removing straw from cane was usually performed by women or a third group of workers consisting of women, children and invalids and was used as justification for paying them less than men (cf. Hooper 1937:166). However, in practice (confirmed by oral testimonies), women were required to perform more physically demanding tasks that men normally performed and were perhaps better suited to doing such as cutting cane, loading it, and the removal of stones. Thus although paid less, women have had to work in equally physically demanding tasks: "We had to walk on the 'mardier' [wooden plank] to put the cane in the 'corbeil' [cane barrow]. It was ... very exhausting work for ladies like us. We had to put the cane on our head and walk along the 'mardier', which was very high. We used to fall down too (Sooben 2009:17)."

In Mauritius, since the early days of slavery, the *Grande Bande* and the *Petite Bande* was the way to organise workers into teams who are responsible for performing specific tasks. These groups are still used in the Mauritian Sugar Industry today, the main criterion used is still to distinguish the tasks that each group should perform based on the physical strength required to perform certain tasks. This criterion has been and is used as further justification to determine the wage levels of workers in the two groups, with the obvious ramification that labourers who work in the *Grande Bande* are paid more than those working in the *Petite Bande* (or "granban" and "tiban" in the Creole language).

Yet while it does not appear that women were exempt from doing physically demanding tasks such as cutting and loading cane for instance, tasks often described by both male and female informants, as being the province of men who worked in the *Grande Bande* and which they accordingly rationalized was the reason men were paid more than women. The ALDR of 1945 indicates that women who worked in the *Grande Bande* were being paid less for doing tasks that appear to be little different to that which men who worked in the *Petite Bande* performed (ARLD 1945:24-26). According to the ARLD of 1945 men who work in the *Grande Bande* are "required to perform any sort of unskilled or semi-skilled labour on a sugar estate", while men who work in the *Petite Bande* are "required to perform the same sort of labour [...] but with a reduced task and not bound to do holing". This sounds like the same type of tasks that women who worked in the *Grande Bande* were expected to perform, and indeed if we compare the ARLD of 1956, which reproduces a copy of a collective agreement reached between the Mauritius Amalgamated Labourer's Association and the Mauritius Sugar Producer's Association, it states that women working in this group were not expected to cut or load cane.

Women, Class, I, Grande Bande.-Labourers capable of performing and required to perform any task appertaining to unskilled labour, but not bound to do holing, uprooting, forking, crowbar work, loading, cutting, heaving cleaning, heavy buttage, [and] manuring involving the carrying of a load of more than 18 kilos of manure per basket" (ARLD 1956:21-22).

Thus, it is entirely conceivable that female sugar estate workers who were not covered by this agreement would have been paid less than men were. And by the same token, we should not rule out the possibility that those female sugar estate workers, who were covered by this Agreement, were also paid less than men for doing similar types of tasks if their employers failed to abide by the Collective Agreement.

The Labour Laws that have been enacted over the course of the twentieth century have also affected female sugar estate workers. Until 1973, no law delineated what types of tasks female labourers were expected to perform.³⁵⁹ Although the Minimum Wage Ordinance of 1934 stipulated the rates of pay and types of tasks to be done by both male and female labourers, the amendment the Colonial Government made to the Ordinance in 1944 was principally aimed at ensuring that sugar estates complied with the law and paid labourers the wages they were entitled to, as one of the main conclusions to stem from the 1943 Moody Commission Report was that the failure of the Industry to implement minimum wage rates was one of the chief causes of the 1943 strike.

This neglect of the rights of female labourers, which probably goes some way towards explaining why they were paid less for doing some of the same types of tasks as men, may also reflect their marginal position in the Mauritian Sugar Industry since the days of indenture. Few women were 'indentured' in the 19th century but with the end of indenture, the rate of women's participation rates in the Sugar Industry's workforce gradually increased. The Great Depression, widowed women, poverty are some of the reasons cited but this needs to be more fully researched. Surra epidemics may also have been responsible as many women had previously stayed home to rear cattle.

Whatever be the reasons, by the end of the Second World War, female labourers accounted for almost half of the Mauritian Sugar Industry's workforce, or a maximum of 18,126 female labourers at the height of the crop season in 1945 (ARLD 1945:46). It is important to note, however, that more female labourers tended to be employed during the inter-crop period whereas men made up the bulk of field labourers during both the inter-crop and crop periods. The same logic used to determine how much men and women should be paid for the types of tasks which they performed, also seems to account for the Industry's preference to employ more women to do lighter tasks between crops and for men to do heavier tasks such as harvesting cane when the crop has to be harvested.

The most poignant testimonies have been furnished by the elderly female sugar estate workers. For instance, one informant³⁶⁰ complained that she would hurt herself when she had to remove straw from the sugarcane just prior to it being cut by male labourers (the process described as *dépaillage* in the Hooper Commission's summary above). She also says that she used to wear *linz lakaz*, that is, her everyday clothes to work, and that workers were not provided with uniforms, boots, gloves and masks until after Independence. Similarly, in Pamela Sooben's (2009: 16-17) undergraduate dissertation, the elderly female sugar estate workers she interviewed complained of having to remove straw from sugarcane. In order to protect themselves, they wore long socks over their hands, but that still did not prevent the straw from piercing their old socks and drawing blood from their hands: "When the sirdar asked us to remove 'divet' from sugarcane, especially 'canne coulou', we would run away because these 'divet' pierced our old socks, hands and fingers. We also used to get rashes". These women also complained of finding it difficult to cook for themselves after a day's work because of the injuries they sustained to their hands, while working in the cane fields without gloves (Sooben 2009:8).

After Independence, laws were finally introduced restricting the types of tasks female sugar estate workers were allowed to perform. Sugar estates were also required to provide workers with protective clothing.³⁶¹ This issue demonstrates the callous attitude of the Mauritian Sugar Industry towards its workforce, for it appears that most sugar estates would not have felt compelled to do anything until forced to do so by the intervention of Trade Unions and the subsequent ratification of these demands by the National Government.

We have not understood why protective clothing against injuries were not introduced before, especially as the 1931 Workmen's Compensation Ordinance covered workers who were incapacitated as a result of a work-related injury for a period of more than seven consecutive days. There was also the Factories (Safety of Workers) Ordinance which was enacted in 1939, but this did not cover female plantation workers, only factory workers.

It was only in 1960 that the Labour Department provided a detailed breakdown of the type of injuries which field labourers complained about to labour inspectors. Inspectors had finally decided to broaden their enquiry to include statistics of different industries, "cause of injury", "nature of injury", "location of injury", and "duration of incapacity". As the statistics illustrate, out of a total of 3,152 work-related injuries, recorded for the Sugar Industry in 1960, a majority of these injuries were of short duration, affected the upper and lower extremities, resulted in contusions, abrasions, and punctured wounds, and were caused by stepping on, or striking against, objects and the use of hand tools. In other words, the kind of injuries that field-labourers who are not provided with protective clothing are likely to sustain (ARLD 1960:53-57).³⁶²

8. NON PAYMENT OF WAGES

This long-term pattern of labour exploitation by non-payment of wages can only be ascribed to Mauritian slavery where owners never paid slaves and continued to be reluctant to pay full amount due to workers.

Illegal deductions continued, as under indenture, from the wages of indentured labourers (Hooper 1937:166-167; Balogh 1963:149-151). Complaints pertaining to illegal deductions made from wages primarily apply to job-contractors, but also to field supervisors, *markeurs* (i.e., pay-roll clerks) and estate managers. Despite the laws introduced, the practice of marking labourers as absent when they had done a day's work, or *maron*, in the words of the elderly sugar estate workers themselves, and making illegal deductions from the wages of labourers was not, however, discontinued.

The Labour Department, later renamed the Ministry of Labour in 1962, and the Ministry of Labour and Industrial Relations in 1974, started documenting the complaints of labourers in their annual reports as early as 1938, and complaints pertaining to the non-payment or under-payment of wages are one of the most common complaints that appear in their reports.³⁶³ As can be seen from their reports between the years of 1951-1980/81, which actually document the sums involved, the sums of money are quite significant, but it is also important to bear in mind that not all of these complaints would have applied to the Sugar Industry, and that a large number of the complaints were eventually resolved and, in most cases, labourers were reimbursed for lost wages.³⁶⁴

An informant,³⁶⁵ who rose from being a field labourer to work as a marker himself, also describes *sirdars* engaging in these illegal practices, referring to it in French as *trucages*. Describing his responsibilities as a *sirdar*, another informant³⁶⁶ said that at the sugar estate where he worked, the *kolom* (or field supervisor) would check on the work of *sirdars* and labourers and that if he was not satisfied with the quality of the work, he would mark labourers as *ena sans al maron*³⁶⁷ and that they *pa gagn zot kas*³⁶⁸. Similarly, another informant³⁶⁹ states that the manager of the estate where he worked would order *sirdars* to tell the labourers to redo their work if he was not satisfied with the quality of their work, even if they had done it properly. As the informant points out, *misie-la* (the estate manager) would come and check on the labourer's work after two days, hence by this time some of the weeds could have grown back, making it easier for him to find an excuse to tell the labourers to redo their work and deduct their wages. The informant added that he and his workmates could not contest the orders of the estate manager and they had no choice but to complete the *latas* (or load of work), even if they found it too difficult. Of course, this would have also made it easier to deduct the wages of labourers on the pretext that they had failed to complete the task required of them.

It should be pointed out that a number of informants confirm that there were instances of labourers not doing their work properly and describe *sirdars* and other estate personnel whom they worked under as being very reasonable and pleasant to work with. But that should not detract from the fact that abuses have taken place, and that practices that one would expect to be more characteristic of the indentured labour period, continued after the end of indenture.³⁷⁰ Complaints pertaining to the non-payment of wages, and in particular job-contractors, appear in the reports of various Commissions of Enquiry convened to investigate working conditions in the Mauritian Sugar Industry since the end of indenture, but the problem never appears to have been stamped out.

9. JOB CONTRACTORS

The Mauritian Sugar Planter's Association, the main organisation representing millers and large planters have strenuously denied the allegations and assured the Commissioners that it was inconceivable that these abuses were taking place, as measures had specifically been put in place to "exclude such malpractices" along the lines first recommended by the Hooper Commission. Yet, it is interesting to note that, at least with respect to ensuring that estates and job-contractors kept accurate records of hours and wages earned by labourers after the 1938 Labour Ordinance passed into law, the Labour Department was continually turning up evidence of poor recording keeping practices and for which labour inspectors often fined them.

The protestations of innocence are hard to believe, given the poor track record of honouring legal agreements and which appear to be directly implicated in perpetuating these abuses.

The sugar estates have always had a vested interest in making sure the job-contracting system was not abolished, as it would have put an end to one of their main means of recruiting workers, particularly since the Industry has consistently been moving towards the employment of casual workers and the retrenchment of monthly or full-time workers for the greater part of the twentieth century.

In line with the findings of the Hooper Commission, the Balogh Commission proposed that the best way to eliminate these abuses was for the estates to pay labourers directly. But in contrast to the 1961 Meade Economic Report, it stopped short of calling for the abolition of the job-contracting system, even though the Commissioners stated that they hoped "eventually the job-contracting will be replaced by more conventional methods of labour recruitment" (Balogh 1963:151).

All Commissions recognized the role of the job-contracting system in securing workers for the sugar estates and they all desisted from making any recommendations that would hamper the ability of the Industry to hire workers. Even the 1983 Manrakhan Commission of Enquiry into the Mauritian Sugar Industry, alluded to this complaint very briefly.

CHAPTER FIVE

NEW SOCIO-ECONOMIC COMMUNITIES

INTRODUCTION

Slavery and indenture were primarily economic systems responsible for many ills. Both were also ideological cultural social institutions which created a particular society that many believe to be unique. There may be a case for 'Mauritian exceptionalism'. The particular situation Mauritius was in (geography proximity, existence of local capital, insularity, highly mixed populations, coupled with huge interest of the powers in Mauritius has led to the creation to new communities in the midst of the existing populations. Some of them marked Mauritian history as indelibly as the colonists, slaves and indentured labourers without being any one of these groups or perhaps being a bit of all of these groups. They have been labelled a 'transitional' group or a 'dying' group or even people who did not fit in any category.

In the Commission's attempt to be as inclusive as possible and to cover a wide range of experiences occurring under slavery and indenture, it has focussed some attention on those groups who are neither slaves nor indentured, nor pure ex-slaves nor pure ex-indentured. These are for example the *Gens de Couleur* because they emerged out of the interaction of slaves, indentured and colonists, the fishermen and pig-breeders who refused to bow to plantation labour and become the unidentified mass living and eking out miserable existences in Port Louis, but chose activities that made them autonomous, the *métayers* who did not fit into the category of labourers who rose from 'rags to riches' (the traditional stereotype of indentured labourer history). There are also the Indian Christians, who are still struggling to find a place for themselves and who appear to be both rejected or ignored by both mainstream Hindu and Catholic communities.

1. THE GENS DE COULEUR

The *Gens de Couleur* are part of the intermediate and unique categories that emerged from slavery and indenture but have been forgotten by History because they do not fit into the all-encompassing categories that officials and scholars alike, and Mauritians in general, have created throughout Mauritian History in order to classify Mauritians. As a 'minority within a minority', and because of their higher social position, they have been ignored, if not undermined at times, for their association with the elite. As stated above, however, as a group which emerged directly from slavery and indentured immigration, it was felt they deserved the attention of the Commission.

Several terms have been used throughout Mauritian History to describe this group: 'Coloured Population', 'Libres de Couleur', 'Gens de Couleur', 'Free Population', 'Creoles Ferblan', 'Mulatres' etc. We have chosen the term *Gens de Couleur* as it implies a certain social status whether neither of the other terms do. Their ethnic and social composition was varied: European, Indian, Malagasy, African, Chinese as well as having slave, free and indentured origins. However, not all these origins have been recognized equally by them and the tendency has been to be Westernised and reject the non-European ancestry. In the 18th, 19th and part of the 20th centuries, when relationships between different groups were forbidden or frowned upon, their relationships were not hidden from public view. However, painful this is for the population to admit, it must also be stated that some were the product of sexual exploitation and rape of slave and indentured women on plantations and in urban areas by owners and employers and heads of establishments. They occupied a unique social and economic status which, only in the past few years, is being uncovered, as more and more family histories are brought to light.

Politically, many were also they were victims of repressive measures and injustice during the French occupation (1715-1810) as descendants of slaves and later, in the nineteenth century, of indentured labourers because they were not 'pure white'. After the capture of Isle de France by the British in 1810, there ensued a long, hard fight by the *Gens de Couleur* for their rights, as regards educational rights, the right to political representation and the right to land ownership.

Today, there is no longer the stigma of being 'mixed', and people in Mauritius do talk openly about their mixed origins and no longer feel ashamed of stating they are of Indian or African or Malagasy extraction. However for some, this is still something to be hidden: heads of children are shaven, if the 'curliness' of the hair is too pronounced; 'darker' members of the family are hidden from view, or hands not shaken and endogamy is still practiced in some families. It could be said that the richness of this community is only now being 'exploited' in the world of 'cultural industry': fusion

music, dance, literature are promoted as a 'genre', and being of mixed blood is no longer something to be ashamed of. It is also uniquely Mauritian.

More importantly, among this population, the imagined 'fear' of being 'swamped' by Indian or the 'ti Kreol' no longer exists in the same manner that led to the massive exodus of *Gens de Couleur* in the 1960s, 1970s and 1980s, towards Australia, the U.K., Canada and South Africa, even though social mingling may still be problematical for some. Although a cultural and social void was created, the emerging *Gens de Couleur* today have, according to Rivière, abandoned their former spirit of ghettos, or 'cloisonnement' (erecting barriers), against this imagined invasion by other communities, especially *Ti-Créoles*. The young envision the future with optimism and an openness that augur well for a multicultural and unified nation. Professions are open to all, and the persons interviewed by the Commission were not in dread of 'cultural nepotism' that their ancestors deplored. Women appear more open and more enlightened in respect of inter-communal marriages and socialising with other communities.

No person should have to fight inch by inch for equal rights, equal education, and equal political representation. The waves of emigration of the 1960s and 1970s were, partly at least, caused by the leaders of the Creoles insisting on their 'malaise' and instilling fear into a community. Once the *Gens de couleur* had left to ensure "a better life for their children", Mauritian cultural life suffered a serious blow. Yet, others grew stronger to take the place of our artists, singers, writers, teachers and intellectuals who had emigrated. Today, *Gens de Couleur* today are expecting that in a spirit of reconciliation, Mauritians in Mauritius ensure that those Mauritians who have emigrated, and continue to do so for family and professional reasons, are not branded as 'traitors' - a sad term used during a Diaspora convention a few years ago.

Numbers, especially numbers of votes, should matter less, if we are to evolve as a nation; smaller communities, such as the 'General Population', and the *Gens de Couleur* within it, and Sino-Mauritians, may not have the numbers. However, the Mauritian people must recognise the fact that all communities have made a vital contribution to our history, irrespective of their origins. "History is philosophy teaching by examples," declared Lord Bolingbroke. Educating the young through the teaching of a balanced History of Mauritius is the way forward. Only then, can cultural memory take on its true significance for young Mauritians - seeing the present through the past and envisioning the future through the present. Otherwise, old *clichés* will persist.

Definitions and origins of the *Gens de Couleur*

Chaudenson's definition of the term 'Creole' has influenced a generation of local scholars, but this definition does not have any grounding today as we have more empirical and historical evidence than when he was writing. For Chaudenson, this appellation is reserved for those *métis* or to individuals of the Malagasy or African type, with relatively clear physical features.³⁷¹ The definitions ignores, however, the Asian element which has been part of the Mauritian cultural landscape since the beginning of French colonisation and is an intrinsic part of the Creole. This definition suited well those eager to separate and ignore the Asian part of the ancestry which was also not Christian. And fell into the trap of the plantocracy policy of divide and rule. The Creole of slave ancestry was reserved for the Catholic Church and no Protestant, Hindu or Muslim had a right to it.

But categorising the Creole as of only African phenotype means ignoring that their Indian roots which may be also part of this phenotype. Furthermore, it ignores the official definition given to the term 'créole' by the local authorities, and prefers to refer to a dictionary meaning. The *Conseil Supérieur* in Isle de France provided an official definition when it began to observe the extent of *métissage* occurring on the island and attempted to limit it.

Thus the definition of the term 'Creole' must now be redefined to incorporate more historically and demographically correct information. By denying one part of one's origins in favour of another, is one not deliberately embarking on another type of 'cultural genocide'?

In Mauritius, a distinction was made between 'Creoles' (Europeans born on the island, or individuals of European descent) and *métis* or individuals of mixed blood or 'mulattoes'. The different shades

of *métis* or mulattoes in Mauritius was commented upon by Auguste Billard, during his visit to the island in 1817 in a letter of 27 February of that same year:

“It is easy, up to a point, to distinguish the pure-blooded Europeans from the blood that is mixed with African blood; a brown or olive complexion, especially under the eyes always betrays doubtful origins [...]”

The most accurate profile seems to be that of Brunet in *Voyage à l’Ile-de-France, dans l’Inde et en Angleterre* (1825):

*“I would divide them into three classes: firstly the Whites; secondly, the mulattoes and the freed slaves; thirdly, the mulattoes and the Black slaves [...] The Coloured people may be divided into mulattoes, born of Black people and free Whites; freed slaves; and mulattoes or Coloured people from India [...] The third class, or that of slaves, is very large and more varied than perhaps in any other colony.”*³⁷²

The mixed traits which created beautiful complexions and features were the bane of European women who did not like the way the mixed women enticed their husbands and men away from them. Rose Freycinet wrote about :

*‘those pretty and well-shaped girls are kept by the rich men, young and old, of Mauritius. I shall add, to the great shame of men, even fathers lavish on those wretches luxuries which their own children often go without. Can you believe, dear friend, that one would not find two men here who do not keep one of those girls in fine quarters, fine clothes and served by five or six black servants [...]’...Some men even set up home with these women, have a dozen children by them and have no other house but theirs; these men are not married. By their actions, they are forced to withdraw from society, for these women are never received publicly. They provide a good education for their children, who are almost white; several even send them to England and France [...]*³⁷³

Libertinage and *concubinage* are part of our heritage and should no longer be stigmatised or use in hushed tones. It was a fact of colonial life since the French period, and this perception of *Libertinage* inspired the repression of mixed unions, loose and represented young men from France being lured by easy access to female slaves.

Many French merchants, settling in the Isle de France, cohabited with female slaves or Coloured women. Some married freed slaves - such later on was the case of Benoît Ollier from the Lyon region, who arrived in 1789 and later married Julie, a freed slave born in Mauritius; they gave birth to Rémy Ollier, who was to become one of our greatest journalists, in 1816.³⁷⁴

The *Mésalliances* and *de facto* relationships were also the direct result of an imbalance between settler men and women. In 1778, there were 1,727 white women out of a total white population of 4,417; in 1809, white women numbered 2,671 out of a white population of 6,227. Rampant promiscuity and *mésalliances* led to the emergence of a mulatto and *métis* class. Free Indian contractual workers and Indian free settlers as well as freed Indian slaves contracted liaisons or marriages with *petits blancs* or Coloured individuals.

Many *petits blancs*, who subsisted in poverty, married freed slaves, although this created a gap between the so-called pure Whites and the *petits blancs* and coloured offsprings, a gap which grew wider.³⁷⁵ Thus by the end of the 18th century, this intermediate category, the *Gens de Couleur* was in existence.

Europeans, however, distinguished between ‘mulattoes’ and *métis*. According to this classification, “mulattoes were of mixed blood but the products of Whites’ relationships with African slaves, while the word *métis* designated the mixture of White and Indian bloods.”³⁷⁶ The appellation *mulâtre* [mulatto] or *métis* was, and is still today, hurled as pejorative terms and abuses - at least, it was commonly the case from the 1950s and 1960s, up to recently.

The Chinese must not be forgotten in this rich mosaic of cultures at the source of the *Gens de Couleur*. A number of Chinese artisans, marine carpenters and sailors, had settled in Isle de France before, and during, La Bourdonnais’ governorship.³⁷⁷ No doubt, despite the absence of archival evidence, there were mixed marriages, or various degrees of cohabitation, between the early

Chinese workers or settlers and individual women belonging to the freed slave or Coloured community, but a detailed study is required on this.

Creole or Coloured, thus, has, from the beginning, all cultural origins, and not just African and European origins. Embroiled in this, from mid-nineteenth century, was the struggle to prevent the Asiatification of Mauritius embarked upon by those of European origin. It was felt that as Indian labourers came to Mauritius and settled, the existing religions would be influenced by pagan religions. Evangelisation policy was implemented more fully, first against Malagasy religions, and later against Asian religions. Palmyre's statement that the "professionals of the middle class from towns in colonial Mauritius, were often the descendants of black female slaves and white masters, had pale skin, were free and educated, but did not possess land:" is therefore not correct.

Discrimination

Prejudices survived from the French colonial days during the British period; for example, an Ordinance of 1779 prohibited entry by the Whites into the 'Quartier des Libres' and punished any infringement by fines.³⁷⁸ Yet, Indian women, not deterred by the coloured status of their children, had them baptized, without naming their fathers, according to Jumeer.³⁷⁹ But, this did not secure access into 'good society'; in fact, these children were ostracized both by the Whites and the Indians. A similar story unfolded, when it came to Coloured children with freed slave mothers. Even though their numbers increased, hostility between the White and 'Coloured Population', as Rose de Freycinet noted,³⁸⁰ increased in the early nineteenth century. The causes of this white antagonism was, partly, rivalry between the two groups of women, White and Coloured, but, above all, it can be explained by the abolition of the status description in the Ordinance of 1829.

The most shocking example of racial prejudice and an 'apartheid' policy, was the funereal rites and practices for the White and Coloured or Slave Populations. The Church's discriminatory practice of underlining, through funerals, the inferiority of the Black and 'Coloured' populations right up to the 1830s. Coffins of slaves and free Coloured individuals were placed on two stones, at some distance from the Church and exposed to the gazes of passers-by and to the mercy of the elements. Moreover, the case of M. Betuel, in 1823, who wished to be buried alongside his Coloured son in the 'Coloured' cemetery, is recalled by Noël as having shocked the 'Coloured Population'. The trustee, Mr. Chrétien, followed his instructions but was helpless, when white relatives appealed and had the body exhumed. The *Procureur Général* gave in to their pleas that this burial had brought shame on the family. Thus, even the great leveler, Death, became a pretext for clear 'apartheid' practices, manifestly supported by the Catholic Church.³⁸¹ A few days later, the Appeal Court Judges upheld the decision of the *Procureur Général*.

Evenor Hitié expressed indignation:

*"One can understand that men, imbued with prejudices, could contribute to this Ordinance, but how could members of the Mauritian Clergy sanction it, since it went against the very fundamental principles of a religion which they professed?"*³⁸²

On 30 July, 1830, a petition was presented to Governor Sir Lowry Cole on this occasion, and it dealt with the need for a Central College for Coloured children, but it also touched upon a number of recent cases of interment; for instance, in February 1826, Mlle. Bussac having died, her father had given instructions that she be buried in the Cemetery for Whites. When the *cortège* arrived at the gate, the watchman refused it entry on the grounds that he had orders from the Commissioner of Police *not* to allow the remains of 'Coloured people' to be buried in the 'Cimetière des Blancs', without his authorization. Told of this, the father, a white man, appealed, but to no avail.³⁸³ A second instance of such blatant violation of Human Rights occurred on 4 June, 1826, when Mlle. Boucherat, a Coloured person, passed away. Once more, her father wanted her to be buried in the 'Cimetière des Blancs', but the watchman resisted and declared that he had no official permission from the Police Commissioner: "The parents of the young dead person resisted; the watchman resisted in turn; finally, the parents gave in, out of respect for the sacred grounds where they were."³⁸⁴ The petition concluded in 1830:

"If we have objected to the existence of a separating wall forcefully, it is because we wished to underline the odious nature of this demarcation line that still exists [...] Thus, a thick wall

*separates our mortal remains from those of our fathers, while perhaps a ditch separates a respectable Coloured man from a white criminal whose head fell under the executioner's axe [...]*³⁸⁵

Other prejudices and unfair practices in the Church are objected to in Petitions of 1826 and 1830; a revolting distinction was made between Whites and Black/Coloured people at the time of Communion, when they received the host at different tables. Moreover, the Church persisted in having two separate registers for baptisms, marriages and deaths, despite the Ordinance of 16 December, 1829.

Another example of racial prejudices against *Gens de Couleur* occurred at the Theatre in Port Louis in 1830. Henri Bruils, who was employed as a clerk at the 'Greffe au Tribunal de première instance', worked on the case of several *Gens de Couleur* who had been refused entry to the Theatre's *Café*, owned by M. Coignet. Resigning his job at the *Greffe*, Bruils took up the challenge in court.

However, although *Gens de Couleur* resented these prejudices, they themselves were perhaps guilty of practising it: Remy Ollier was typical of the emerging *Gens de Couleur*, making a distinction between themselves and ex-slaves. He stated that there '30,000 mulattoes and 30,000 Black people' - an indication of the prejudices of the *Gens de Couleur* themselves towards the *Ti-créoles*.³⁸⁶

Religion and Education

What was the impact of Indian immigration, made up of different religion Hindu Muslim onto the *Gens de Couleur*? This has not been studied with much objectivity in Mauritius as yet.

Most Christians, if not all, were Catholic in French Mauritius. These could be classed as: (a) Mauritians of French origin (b) Mauritians of African, Malagasy or Indian origins; (c) of Indian origin (d) 'Hommes de couleur'; (e) Christians of Chinese origin.³⁸⁷ What was the real role of the Père Laval' (1841-1864), and of the religious renewal that occurred with the arrival of Mgr. Collier (Bishop, 1841-1847), both of whom "regenerated Catholicism in depth and in a lasting manner?"³⁸⁸

Despite their numerical majority the *Gens de Couleur* and ex-slaves could not appropriate the Church which remained controlled by the European element and was closely linked to the economic power. As in the 18th century, racial practices pervaded the Catholic Church in the 19th century: "The use of two crucifixes, one in bronze for the blacks, one of silver for the Whites, the administration of communion in order of races, remained the practice even after the legal abolition of racial discrimination in 1829."³⁸⁹

The Catholic religion, however, provided a moral strong anchor for the *Gens de Couleur*. But educational opportunities were still lacking. The first real attempts to open up Education (primary especially) to the *Gens de Couleur* occurred after Reverend Jean Le Brun had arrived in 1814. He was to found the first free primary school in Port Louis and, subsequently, other primary schools for boys and girls across the island. These establishments were initially founded by the London Missionary Society, and later by the Society for the Propagation of the Gospel. But the financial difficulties encountered by Reverend Le Brun were enormous; several of his schools failed, notably in Port Louis, Piton and Camp Yoloff.³⁹⁰ The less than generous Sir Lowry Cole, who never entirely espoused the Coloured cause, does not appear to have acceded to requests for additional funds.³⁹¹³⁹²

As a result of Reverend Le Brun's efforts, a number of primary schools were founded and blossomed by 1851. Le Brun was, at the time, in Hitié's opinion, looked upon by the freed slaves and the 'Coloured Population', as "the architect of their intellectual emancipation."³⁹³ However, the political struggle for access to Education for the disadvantaged Coloured went on alongside Le Brun's endeavours.

In the 1820s, their representatives demanded their 'common rights', since they felt despised and side-lined by the British Government, at least up to 1826. For a total population of 100,000, there were few free schools. On 16 January, 1826, Augustin Icery presented a petition to Sir Lowry Cole that stated strongly the case for greater access to Education: "The limited education, received by

Coloured young people, will not enable them to better themselves in the future and acquire an in-depth knowledge of the abstract sciences.” A Central College for Coloured youths was required, and as soon as the Governor approved this, a Prospectus was to be issued.³⁹⁴ Deprived of any opportunity of educational advancement, leaders of the *Gens de Couleur* came back to the charge in 1830, when the governorship had passed to Sir Charles Colville.

Despite the Ordinance of 1829 stipulating that, in future, there would be only two categories of people, Free and Slaves, the rights of the *Gens de Couleur* continued to be ignored. The two petitions of 1826 and 1830 had been largely ignored by two unsympathetic Governors, Lowry Cole and Colville, who rejected the 1830 address, while showing his personal antipathy to the leaders of the *Gens de Couleur*.³⁹⁵

It was only in 1835 that Michel Severimoutou opened a Colonial Academy for boys and girls in Plaine-Verte.³⁹⁶ From 1818, the ‘so-called’ English scholarships were opened to white boys only and allowed them to become lawyers and doctors at U.K. Universities. The British supported the ‘Coloured people’ against the Franco-Mauritians in the 1830s,³⁹⁷ which led to the admission of *Gens de Couleur* boys to the Royal College, this, in spite of Governor Colville who did not approve of this open policy.

The Political Contribution

The *Gens de Couleur* have played a preponderant role in politics since the French period. For a short period following the abolition of slavery in 1793, the Colonial Assembly of Isles de France and Bourbon relaxed the laws concerning *Gens de Couleur*. In 1791, even before the first Abolition, the *Assemblée Coloniale* of 8 September had declared that: “Coloured people, born of free fathers and mothers, will be admitted to all future parish and colonial assemblies, if they have the required qualifications.”³⁹⁸ The same Assembly affirmed that Municipalities would register as electors “Coloured citizens born of free fathers and mothers, who meet all the criteria stipulated by the Constitution.” It proclaimed: “All Citizens are equal in the eyes of the Law.”³⁹⁹ However, under Napoleonic rule, these rights were removed. Even though many among them were landowners and possessed slaves, they retained an inferior status in French Mauritius.⁴⁰⁰

The British had abolished all discrimination in Ordinance No. 57 of 1829. There would be only two different status: free persons, whether by birth or enfranchisement, and the other, the slave population. But in the Council of Government, established in 1825, there were no nominated *Gens de Couleur* in the 1820s, but only people of European descent - chief landowners and merchants.

Rémy Ollier and Reverend Le Brun left a trail of educated, socially conscious and practically motivated men and women who were to take up battle for liberal reforms. The influence of Rémy Ollier continued long after he had passed away. The first lawyer emerging from this group, significantly, was in post in 1842, Athanase Volcy Hitié, and the first notary, G. Lalandelle, qualified in the same year. By 1852, the Royal College was open to all sections of the population,⁴⁰¹ but very few Indian boys attended. Although in the *Sentinelle* of April 1843, Rémy Ollier pledged to redress injustices borne by whatever class and by people of whatever colour, he was more committed to fighting prejudices that prevailed against the *Gens de Couleur*, in the first instance. *La Sentinelle*, a new ‘political newspaper’, was to ‘signal abuses’ and “call all Mauritians to an intelligent unity.”⁴⁰²

Education remained at the forefront of the political debate, thanks to Rémy Ollier’s preoccupation with it. He himself had opened a school at d’Entrecasteaux St., Port Louis, and another at Plaine-Verte in the 1830s.⁴⁰³ On 3 June, 1843, Ollier published a major article, ‘La Population de couleur’ in *La Sentinelle*, in which he proclaimed: “We are the equals of white men in our hearts and intelligence.”⁴⁰⁴

Rémy Ollier wrote a petition to the British and stated that the *Gens de Couleur* wished to be represented on the Council of Government; they wanted to have access to the Civil Service; they asked for a Municipality to administer Port Louis; and they wished that the Royal College would take in more Coloured boys.⁴⁰⁵ The small number of Coloured electors at the Municipal Elections aroused the indignation of this community. On 4 February, 1859, *La Sentinelle* rallied the *Gens de Couleur* to register and vote.⁴⁰⁶

On 3 June, 1843, Remy Ollier stated: “Our aim is to defend the ignored rights of part of the Mauritian population.”⁴⁰⁷ Though passionate about the *Gens de Couleur*, Ollier was also fighting for what he called “the fusion of all classes”, which he deemed to be vital for the children of a united country. As a result of Ollier’s previous campaigns, Hippolyte Lemièrre had become the first representative of the *Gens de Couleur* to be nominated to the Council, followed by Léchelle.

The participation of the *Gens de Couleur* in political life increased dramatically in the latter half of the 19th century, with the campaign for representative government and for a Constitution. Sir William Newton (1842-1915), was described as the ‘greatest Coloured man in Mauritius’.

The animosity between the whites and the *Gens de Couleur* owes its origin in the early days of the British occupation when Ordinance 57 of 1829 put both communities on the same footing.

The quest for equal treatment in all spheres of activities - entry of children at the Royal College, employment in the civil service were bones of contention throughout the 19th-century. Things further exacerbated with the reform of 1885 which allowed the coloured to be elected at the Legislative Assembly. While for the election of 1886, the coloured community managed to elect Dr. O. Beaugard as the first member for Port Louis, tension continued to rise between the whites and coloured elite. In 1911, the election of Eugène Laurent over William Newton, a candidate of the oligarchy brought fire to the flame.

An incident in Curepipe Road between the followers of Eugène Laurent and Armand Esnouf, elected member for Plaine Wilhems was to trigger into a riot in Port Louis. Things could have ended in dramatic form, had it not been for the prompt intervention of British troops at the Victoria stations in Port Louis, where an angry crowd had assembled and determined to confront white people disembarking from the incoming passenger train.

Surprisingly, after this episode of confrontation between the whites and the coloured creole, these two communities were to bury the hatchet and united their forces in the move for the Retrocession of the colony to France. This move foiled as the sugar barons, in spite of their profound attachment with France feared to lose all their privileges and the guaranteed price which they enjoyed under the British flag.

Education too was progressing among the *Gens de Couleur*. Returns under ‘Education’ in the *Blue Book* (1885) showed that many children from the *Gens de Couleur* won the English Scholarships from 1882 to 1885, alongside their white counterparts.⁴⁰⁸ The years 1885 and 1886, and the 1880s in general, appear to have been a culmination of years of endeavour to put the Coloured community on the political and educational map, and they indeed marked a turning point in its national status as an *élite*, both intellectual and political.

To understand how they became alienated is important. They sought to forge an identity within French culture⁴⁰⁹ and sought for Mauritius to be returned to France (the Retrocession Movement). But the population, who was not so anti-British, voted against them in elections.⁴¹⁰

Further contributors from the *Gens de Couleur* to Mauritian politics are well-known: Emmanuel Anquetil, Eugène Laurent, Dr. Maurice Curé, Guy Rozemont and Raoul Rivet, to name a few. The ‘culmination’ of waves of political action of this community was the arrival upon the scene of the ‘King of Creoles’, Gaëtan Duval, a brilliant lawyer, and Leader of the ‘Parti Mauricien’. However, by falling under the anti-Indian propaganda and projecting themselves against independence of Mauritius and choosing to emigrate in great numbers, the *Gens de Couleur* further marginalised themselves. Gaëtan Duval had spread the fear, wrongly, that they could not envisage a stable and peaceful existence in their homeland. Between 1961 and 1982, some 11,792 individuals left.

Landownership

The *Gens de Couleur* started to have access to land possession in the 1770s. Most of the ‘Coloured’ landowners were then persons with a privileged position within the Colonial Administration. Under the ‘concession’ system, the ‘Libres de couleur’ were allowed to buy their plots of land (while the Whites were granted land for free). Freed slaves could also be granted a plot of land by their former owners. According to Richard Allen, the percentage of concessions granted to ‘Libres de couleur’ between 1770 and 1789 varied from 9 to 23%.⁴¹¹

The limited access of *Gens de Couleur* to the land and the privileged position of buyers contributed to the integration of the *Gens de Couleur* into the land elite during the French period.⁴¹² This integration in the elite was to be embodied in the political sphere during the French Revolution, on the ground of a common interest for the fight against maroonage (as both groups were slave-owners).

As a result of their combined acquisition of land and demographic expansion, the *Gens de Couleur* group became an important economic force island between 1806 and 1830.⁴¹³ In 1822, the *Gens de Couleur* represented 38 to 48% of landowners, while they composed 69% of the free population.

When sugar cultivation became a mono-culture after 1825, there was fierce competition for land between the two groups, the Franco-Mauritians and the 'Libres de couleur'. But gradually the Franco-Mauritians monopolized the sugar economy. In 1831, the Whites owned 92.5% of sugar mills and 82.4% of sugar land, while they represented only 31% of the free population. The *Gens de Couleur* had no choice but to give up the sugar industry and concentrate on 'cultures vivrières' (manioc, grains, coffee, cotton). Though they were more than half of the free population, they possessed less than 15% of land. However, they did manage to increase their share of cane land from 0.4% in 1806 to 7.5% in 1830, and their share of sugar mills from 3.2% in 1806 to 17.6 % of the sugar mills in 1830.

During the rapid subdivision of land that took place from the 1840s to 1880s, recently-freed ex-slaves joined the ranks of the *Gens de Couleur* and purchased land.⁴¹⁴ However, few were able to retain them for various reasons to the point that they barely possess any land today. Unwillingness to labour land themselves, as it was seen as an activity for 'slaves' or unable to procure labour, and little access to capital are cited as some of the reasons. The *Gens de Couleur* became predominant in the factories and the building industry. In 1952, 49.5% of the 'Coloured' and Creole workforce were employed in these two sectors.⁴¹⁵ There was the perception of constant threats from the 'Whites' (Franco-Mauritians), and eventually from the Indo-Mauritians, to properties which belonged to a small number of Coloured families in the 19th and 20th centuries. Thus, it gradually lost its economic position and was forced to sell to either 'Franco-Mauritians' or Indo-Mauritians in the twentieth century. The result is that the 'Coloured people' became employees on sugar estates, rather than owners; to day, only one or two Coloured families are holding on to relatively large areas of land.

The *Gens de Couleur* constituted an intermediary elite within the 'General Population'. Their position was the result of the following main factors: race (the closest position to the Franco-Mauritians within the racial hierarchy) and wealth (which conditioned economic partnerships with the Franco-Mauritians).⁴¹⁶ They shared some ethnic markers with the Whites - the French language and culture - those ethnic markers were mobilized in order to emphasize the cultural continuum between the two groups and justify their political alliances, especially against Indians and Chinese.

2. CREOLE WORKERS AND ENTREPRENEURS 1839-2011

With the focus on Sugar Industry, finding information on ex-slaves in the 20th century, one is faced with a dearth of research materials. While there is an abundance of work on slavery, little has been written on the evolution of ex-slaves in the field of employment over the past 175 years after the abolition of slavery and indenture. In the 20th century, descendants of slaves and Liberated Africans were left to fend for themselves and were forced to 'recycle' themselves continuously in a range of activities. Urban ex-slaves, in 1835, continued to work in the port, in the maintenance of fortifications, in the building industry in road construction and a variety of hard labour and were not necessarily laid off.⁴¹⁷

This is a testimony to their resilience in the face of colonial neglect and adversity and must be fully acknowledged by Mauritian society.

While the descendants of skilled slaves and Liberated Africans continued employment as artisans, skilled and unskilled workers in sugar factories and workshops, others, such as male plantation slaves invented themselves as fishermen, pig-breeders, artisans, craftsman, porkers, loaders etc. By the end of the Second World War (1945), they were omnipresent as carpenters, joiners, blacksmiths, tinsmiths, shoemakers, cobblers, marine carpenters, etc.

In recent years, in the wake of new technologies and innovations, most activities in which they were involved, have undergone drastic changes. Fishing and pig-breeding are examples of two activities which are presently threatened and on which action is required. The term 'Creole' is used here to refer to both descendants of slaves, as well descendants of Liberated Africans who have become merged throughout the 19th century and the earlier part of the twentieth century. Most are also Christian. However, it is difficult to differentiate the population clearly as censuses, over the years, have labeled all ex-slaves, Liberated Africans, baptized Indians, those of French ancestry and *Gens de Couleur* in one category. The only guide rests in the Housing and Population Census of the year 2000 which makes mention of the religious appurtenances of citizens. Among the 413,000 individuals who claim to belong to the Christian faith, according to a study of Alain Romaine in his thesis in theology *Religions Populaire et Pastorale Creole* presented in 2003, this category of individuals mostly Catholics should number around 175,000 including Rodrigues(3).⁴¹⁸

On the eve of the abolition of slavery, there were some 66, 613 slaves in Mauritius, excluding slaves in other islands.

Figure 26: Population of slaves in 1835

Population and estate slaves	26,830
Other plantation slaves	7,504
Workers and servants	22,275
Children and old persons	7,612
Old aged and handicapped	2,302
Total	66,613

Source: *L'économie de l'île Maurice*, Maurice Paturau

Economic Contribution of Creoles to the Sugar Industry

Creoles continued in the 20th century to work in sugar factories. Their presence as skilled workers in sugar factories has remained a tradition to this day. Many places in rural Mauritius still bear the name of *Camp Créole* remind us of the time when this category of workers used to live, or continue to live there, although their services were no longer required as factory workers. Many have since migrated to the Port Louis and Plaines Wilhems Districts.

Figure 27 No. of Factories from 1835 to 2011

Year	No. of factories
1833	167
1838	203
1843	230
1848	244
1853	260
1858	288
1863	303
1868	276
1873	223 *
1892	104
1908	66
1939	40
2011	7

Source: Mauritius Sugar Industry Conference Report & Mauritius Almanach 1939⁴¹⁹

Following the completion of the railway network around the year 1864, the transport of heavy engines, boilers etc. in train-wagons was made possible. This marked the beginning of centralization of sugar factories into larger industrial plants, until, around the year 1911, the number of sugar factories had gone down to 40.⁴²⁰ During this process of centralization, Creole workers were not offered any alternative jobs. Evidence

Through successive generations, the rural Creoles seem to be more successful than Creoles in urban areas whose services were no longer required after the abolition of slavery and who migrated to the sub-urban areas and large villages and led a precarious life.

As a side income, many rural Creoles continued the tradition of pig-and poultry-breeding, and some even started cultivating vegetables. As they were also fervent Catholics, they maintained a close relationship with the Church and took an active part in the activities of the Church and even on the Committee of Management of the different *fabriques*.⁴²¹ Many are home-owners and their children are generally more successful in life than those living in CHA housing estates. A few have successfully climbed the social ladder to become technicians and professionals.

Creoles as artisans and skilled and unskilled workers

Although, the posts of engineers and other technicians continue to be held by Franco-Mauritian and *Gens de Couleur* generally, in spite of the advent of new technologies, Creole workers continue, as a tradition, to be an essential cog in the running of existing factories. Creole workers still perform the heavy manual work and adapt very easily to the work environment. Out of the existing 40 sugar factories in operation at the beginning of the last century, only 7 continue to operate today although sugar production has gone down by only 30%. The skills of a number of mechanics and other artisans of factory workers have made it possible for a few of them to be employed in many African countries where sugar factories have been set up.

1. Infrastructure

The railway network

Many Creoles were involved in the construction of the railway network from 1859 to 1864. The Mauritius Railways constitute one of the greatest infrastructural projects to have been undertaken in the 19th century. The railway system enabled the Sugar Industry to boost its production and economise on transport costs. On the whole, it gave a new spur to the Sugar Industry. Some 234 kms of railway tracks were laid in Mauritius in less than half a decade, mainly by skilled and unskilled Creole workers.⁴²²

The Railway Department, set up in 1859, was the largest Government employer until the first half of last century. All railway workshops were located at Plaine-Lauzan, and this office was in charge of the maintenance of the 232 *miles of railway tracks.

In the wake of the introduction of light railways in the early 20th century, and at the peak in sugar production, artisans and general workers enlisted in Trade Union organizations and wielded considerable bargaining power. Together with stevedores and dockers in the port, they brought the country to a stand-still in 1938, as was the case during the first General Strike of 1938. The grave of Emmanuel Anquetil the founder of the Trade Union Movement of Mauritius was erected from the contributions of workers grouped in the Artisans and General workers Union.⁴²³ (13)

The railways, still in 1962, employed mostly Creole workers. Railway employees were laid off without any compensation in the wake of the closure of the Railway Department in 1962. They all had to be satisfied with a small gratuity for the rest of their life.⁴²⁴ No real study has yet been undertaken to highlight the immense contribution of Creole workers, mostly descendants of ex-slaves, the Sugar Industry and in the Aloe Fibre Industry, nor has any attempt been made to collect oral archives on their history.

OTHER INDUSTRIAL OCCUPATIONS

By 1911, Creoles were still present in industrial occupations as shown by Table 3. Creoles were included in Category 'General Population'.

Table 3: Main areas of economic activity according to population category, 1911

Occupation	General Population	Indo-Mauritians	Chinese
Professionals	3479	1579	-
Domestic servants	5877	5296	1
Commercial	3725	10152	2901
Industrial	16,892	7743	4

Source: Macmillan Illustrated, 1913, pp.11-14

This figure includes artisans and general workers at the level of sugar factories, aloe fibre factories, but also railway employees, and other category of skilled and unskilled workers.

2. Aloe Fibre Industry

The leaves of the *Sisal* plant, which contain an excellent solid fibre was used in the manufacture of all kinds of ropes and strings in Mauritius in the days of sailing vessels, in the construction of thatched houses and in a wide range of other activities. The French period was marked by an expansion of the industry. An Avenue in Port-Louis, Rue de la Corderie, reminds us of an important factory, *Les Corderies du Roi*, operating there. In 1732, another variety of aloe fibre was introduced, the *fourcoya gigantea*.

The Black River District was particularly appropriate for cultivation of aloe. In 1951, the cultivation of aloe plant, in its natural state, covered more than 12,000 *arpents* in the scrubs and forests region, but some 3,087 *arpents* were cultivated for the production of selected leaves.

This industry employed a considerable number of persons, mostly Creoles and mostly women for the cutting of leaves and processing of these into fibre. Men were used at the level of the spinning plants, *filatures d'aloès*. By 1979, there were still some 80 aloe fibre factories in operation, employing quite a considerable number of workers.⁴²⁵

By 1932, an export market was secured for *sisal* and aloe products. Aloe fibre sacks were not necessarily used only in the sugar industry for export of sugar, although Mauritius produced some 700,000 tons* of raw sugar. Instead, jute bags were imported from Bengal as the British wanted to protect their industry in India at the same time.⁴²⁶

In 1932, the Mauritius Hemp and Weaving Factory Ltd. was created to centralize all processing activities. This led to the loss of quite considerable employment in the aloe spinning industry. This industry was estimated to employ, at its peak, some 1,200 workers, although figures are not always available concerning the occupation of cutting leaves and processing of fibre.⁴²⁷

After World War II, the aloe fibre industry was given a new lease of life, when India obtained its Independence. From 1947 to 1979, all sugars produced were henceforth baled in aloe fibre sacks of 50 kg. This marked a new departure, but this surge did not last long as the Bulk Sugar Terminal came into operation in 1980. Sugar from sugar factories were conveyed to the terminal in lorries equipped with special sliding containers.

All employees in the aloe fibre industry, whether on the plantations or at the Central factory, located in Quatre-Bornes, were laid off; with little or no compensation. The closure of the aloe fibre industry has been a great blow to this category of workers, and especially to Creole women.

3. Impact of industrialization and new technologies

With the phasing out of carts and carriages following introduction of light railways and the automobile industry at the beginning of the last century, the traditional blacksmiths simply disappeared. Furthermore, the plastics industry caused the disappearance of the traditional tinsmith. Some crafts, such as carpentry and joinery, needing investment in the form of sophisticated equipment, have also witnessed the phasing out of workers who were mainly Creole. With no collateral, the workers have been unable to obtain equipment due to inaccessibility of term loans. Imported furniture has also contributed to further contraction of Creoles in an industry in which they excelled as craftsmen. This partly caused the migration, around the 1980s, of some skilled Creole workers to France and the UK.

4. Contribution to Construction and Building industry

The rise of the Tourist Industry and the setting up of Export Processing Zones were a boon to the Creole proletariat in late 1970s and 1980s. Many Creole workers, more especially Creole women, found employment in both industries, although their male counterparts were less fortunate in this respect. Illiteracy, which was still prevalent in their *milieu*, however, impeded accessibility to secretarial and administrative jobs.⁴²⁸

There is still an overwhelming presence of Creole workers in the building and construction industry. Unless labour is imported from overseas, as it is a fast expanding industry, this category of workers will remain employed. The early cash incentive in this occupation is one of the reasons for the early drop-outs of Creole children at secondary level. The problem is that when recession occurs, the workers will be unemployed.

There is a need, therefore, to encourage proper schooling for Creole children to pave the way for employment in other economic sectors.⁴²⁹

5. The Civil Service - Absence of Creoles

Enforced illiteracy during slavery and continued neglect of education by Colonial Authorities, has led to the undervaluing of education in the Creole community. Moreover, as has already been shown, economic activities with short-term financial gain has further encouraged this trend away from education, since these activities did not require any basic academic qualifications.

Many poor Creole parents found it hard to ensure the proper schooling of their children, even at primary level. This explains why only a few among them have been able to accede to appointments in Government services,⁴³⁰ even after the massive departure of *Gens de Couleur* to Australia and Canada after Independence (1968). From today, the Government services and parastatals are characterized by a marked absence of Creole persons.⁴³¹

6. The Artisanal Fisheries Sector

In Mauritius today, around 3,000 persons earn a livelihood from fishing. Generally, fishermen are considered to be the most depressed class of workers. A few live a hand to mouth existence during the winter, when fishing activities are few. Over the years, and for various reasons, this artisanal occupation has witnessed a regression and is now characterized by an ageing population. Those who are still active in it constitute the poorest of the poor and may be classified in the following categories:

Table 4: Categories of fishermen

Type	Number
Lagoon and off-lagoon	2303
Semi industrial and St. Brandon	90
Banks Outer islands excluding Rodrigues	500
Other categories	107
Total	3000

Source: Annual Report, Ministry of Fisheries, 2009

Short History

Artisanal fishing has existed since the days of slavery and was practised by all categories of persons. Estates located on the coast used slaves for fishing activities although it is not certain whether the slaves were free to fish for themselves. After slavery, ex-slaves, who wanted autonomy, found in fishing the perfect economic activity. Marooned slaves on the run waited for dusk to install *batatran*, a sort of creeper growing in the coastal region in passages to catch certain varieties of fish, entering the lagoon at night, thus ensuring a diet rich in protein content for those living by the sea.⁴³² Fishing is, thus, is closely associated with the history of slavery and freedom. Trou Chenille in the Le Morne region and many of the coastal fishing villages, Le Morne, Tamarin, La Gaulette on the Black River coast, was one of the reknowned places for fishing and also where ex-slave communities established themselves. This area has great symbolical value for descendants of ex-slaves today.⁴³³ Other coastal settlements, inhabited by Creoles,⁴³⁴ are Mahebourg, Trou d'Eau Douce and Grand Gaube, Grand Baie, Poudre d'Or and Poste de Flacq.

In the not too distant past, these fishermen's villages consisted of some of the poorest in Mauritius. They were left unattended as children of a lesser god during the whole British occupation, as they did not form part of the Sugar Plantation Economy, many have been decimated during the great epidemics which struck the country, namely cholera (1854), malaria (1867 and onwards), the plague (1899) and the influenza epidemic of 1919.

The coastal areas were notorious for the prevalence of acute malaria and were deserted by their residents. It was not before the middle of the last century that the whole coastal area of the island was declared malaria-free; and this paved the way for the surge of the new residents and tourist resorts.⁴³⁵

Illiteracy was also rampant, as most fishermen's villages had no primary schools. The authorities argued, in a report in 1898, that the lack of interest of the parents for schooling of their children, led to their being illiterate. Those persons of French origin, who had catered for the provision of fishing tools, left this artisanal occupation to become more involved in the Sugar Industry and other more lucrative business activities. They were replaced by the *Banians* who acted as middle men for marketing the fish. Under the *Banians*, the fate of fishermen fared even worse.⁴³⁶

The report of James Hornell, Director of Fisheries in 1928, shows this clearly:

on living conditions of fishermen:

- *“Generally, fishermen are spendthrift and given to drink. The results is that a majority among them lives in extreme poverty and are entirely dependant on the middlemen known as Banian for all financial assistance whether during the low fishing season or for the repairs of their fishing vessels, for the renewal of their seine nets and for term advances to run the house hold.”*
- *“This state of dependency on the middlemen results in a state of apathy that destroys in them all spirit of self help, self-reliance and mutual aid. A situation that causes the fishermen to be entirely dependant on the latter for the disposal of their catches. It thus results in these intermediaries being essential elements in this very industry.”⁴³⁷*

Hornel concluded that the setting up of Co-operatives might be a solution to easing the situation of fishermen. Unfortunately, at that time, the Co-operative Societies Ordinance of 1913, governing co-operatives, only provided for the interest of cane growers. It was not until 1945 that the Law was amended to provide for the registration of all other types of Co operatives. The recommendations of James Hornell thus remained unattended to.

Lack of a spirit of self-help, self-reliance and mutual aid has allowed for further exploitation.⁴³⁸ One other characteristic of fishermen villages is the presence of Chinese shops which became essential selling points and vital to the very existence of artisanal fishermen. In times of dire need, it is thanks to the generosity of the Chinese that many fishermen could procure goods on credit to feed their households. Inevitably, however, all sums due had to be paid back during the high fishing season.

Co-operatives

Before the expansion of Tourism and the creation of EPZ factories, the wives of fishermen were very often employed as maids in the bungalows, on the seafront, of their wealthy Franco-Mauritians. Because the hours of work and conditions of service of such employees were unregulated at that time, many remained at work until late at night and left their children unattended. The elder children had to look after the younger ones; this, partly at least, explains the absence of such children at school, even at primary level.

In 1948, however, an attempt was made to organize a group of *seine* net fishermen of Vieux Grand-Port in a large “*seine* net enterprise.” The move was a complete failure through lack of funds; fishermen could not mobilize the necessary capital for the acquisition of fishing gear and tackles.⁴³⁹

It was in the wake of Constitutional Reform in 1958, with universal suffrage, that politicians became conscious of the state of poverty prevalent in the fishing villages. The reality is that, in many ‘maritime’ constituencies, fishermen’s votes might have some impact. In 1958, all registered full-time fishermen were awarded a bad-weather allowance for days when fishing could not take place. Although this allowance was a mere pittance - 68 cents per day - it did assist the worse off among them.

Fishermen in the era of independence

After Independence in 1968, Government became more conscious of the state of absolute poverty in the fishing villages. In the early seventies, in order to extirpate fishermen from the grip of middle men and usurers, the Government agreed to extend its blanket cover on loans granted to *seine* net fishermen grouped in co-operatives. These loans allowed many such enterprises to acquire fishing equipment, namely boats, outboard engines and *seine* nets. Such co-operatives were not, however, equipped to dispose of their catches directly to consumers and could not, therefore, get fishermen's co-operatives to pay back their loans through deduction at source from the proceeds of their catches. The result is that the middle men continued to maintain their grip on such fishermen. 'Trap and line' fishermen fared no better.

In the early 80s however, an integrated project was set up with foreign help in three specific areas, namely in Back River, on the North-West coast and in Grand-Port. In addition to assistance for the purchase of gears and tackles given to *seine* net fishermen enterprises and a number of 'trap and line' off-lagoon fishermen, provision was also made to market all catches direct to consumers. This was made possible by the construction of fishermen centres, better known as *Maison des pêcheurs*, equipped with cold and refrigeration facilities and the provision of refrigerated fish-trucks for the conveyance of fish to market places

To ensure success, an intensive campaign of sensitization was undertaken which led, for the first time, to the registration and operation of genuine co-operatives. The project was a resounding success; a direct link had successfully been established between production and consumption. But this success was short-lived, in that as soon as dedicated Government Officials dropped out of the scheme and left management in the hands of fishermen themselves, the project saw a sharp decline.

The idea was that co-operatives were organizations owned and managed by their members. This concept could not be applied to fishermen in Mauritius for various reasons. Apart from illiteracy, other conditions are absent to ensure the success of business enterprises among fishermen. There is a lack of spirit of self-reliance, self-help and mutual aid. It was clear that, left without proper management support, such fishermen's enterprises were bound to collapse, and this is precisely what happened.

Low performance of children at school

The continued low performance of children in ZEP schools located (*Zone d'Education Prioritaire*) near fishing villages for the Certificate of Primary Education (C.P.E) is revealing (Fig. 25).

Figure 28: CPE results in ZEP Schools, 2010

Location	Name of ZEP school	% C.P.E results
1 Black River	Black River Govt	29.0
2 Grand Gaube	St Leon R.C.A	45.3
3 Baie du Tombeau	Serge Coutet	6.7
4. Pointe-aux-Piments	Pointe- aux-Piments	33.7
5. Pointe aux sables	Pointe aux Sables	26.7
6 Roches Bois	Cité Briqueterie	12. 1

Source: Mauritius Examination Syndicate, 2010

Over exploitation and degradation of the lagoon

An alarming situation faces this category of workers, and their problems need to be addressed by Authorities.

Over the years, the lagoon of Mauritius and its outer reefs have been over-exploited, so much so that, presently, the average catch per fishermen is estimated at 6.4 kg. This represents, on the basis of 180 fishing days, an income of only Rs. 3,000, one of the lowest in the country. The allowance granted to professional fishermen in times of bad weather, and during the close season

for net fishers, is far from sufficient for a decent living. This Sector is thus witnessing desertion by the young generation of fishermen.

Two other factors have also contributed to the further deterioration of the situation. First is the situation of *laissez faire* in the early 1960s in that illegal fishing during the close fishing season was fully practised, and many poachers were not prosecuted. The use of explosives was not uncommon. Irreversible damage was caused to the marine environment. Sadly, these illegal practices continue on a smaller scale up to today.

Secondly the Tourism Industry has caused widespread damage to the fishing industry Initiated in the early 1980's, and while providing employment it has also led to mammoth construction of 4 and 5 star hotels increasing pressure on the lagoon area. Activities, such as surfing, kite surfing, motor surfing, canoeing and incessant traffic in the lagoon by motor engines, have all contributed to damage the marine substrate etc. Furthermore, the creation of marine protected areas and marinas and floaters on bathing grounds have all reduced fishing space in the lagoon. The lagoon has also suffered from effluents emanating from EPZ dyeing factories. The constant vigilance required never materialised to prevent further damage to the environment already polluted by the sugar industry through dumping of chemicals, fertilizers, pesticides and fungicides. All this was carried to the lagoon causing irreversible pollution not conducive to marine life.

Measures taken by the Government

Some laudable initiatives which have, over the past decades, helped to improve the fate of fishermen need to be placed on record:

- 1) The creation of the Fishermen Welfare Fund in 2000, whose main functions was to come to the help of needy fishers, in the event of accidents and disappearance at sea, allocation of scholarships to children and organization of seminars.

- 2) Since 2000 fishermen contribute to the National Pension Scheme, thus ensuring some form of income at retirement. This has been made possible by deductions of allowances paid during unfavorable fishing days.

- 3) A Fishermen Training School (FIP), to initiate fishermen in the art of fishing inside and outside the lagoon, and in deep-sea fishing and on their safety and security at sea. So far, 1,297 fishermen have been trained.

- 4) Provision of safety and security equipment to fishermen whether lagoon, or off shore and in deep-sea fishing.

- 5) Installation of Fishing Aggregative Devices in oceanic depths to attract pelagic fish and lessen pressure both in, and outside, the lagoon area, 22 such FADS have been placed at distances ranging between 2 to 12 nautical miles from the mainland.

These costly sophisticated devices (FAD) have so far met with a mitigated success as the rocketing price of fuel oil makes it, sometimes, uneconomical to venture on such fishing trips in search of pelagic fish, mainly tuna, but also due to the perilous nature of the enterprise.

Presently, this new activity has attracted only 400 fishers. This new mode of fishing may represent a hope for the new generation of young and dynamic fishermen as revenue in the high fishing season can be substantial, the average catch being around 27 kg, as opposed to 6.4, for off lagoon fishers.

6) As matters stand, the very existence of the artisanal fisheries sector depends on Government assistance. In 2009, assistance to fishermen, by way of bad weather allowance and close season allowance, was Rs. 56,000,000.

8. Bank fishermen

The report would be incomplete without a mention of the bank fishermen. These are a class of contractual workers, hard, daring young men who are engaged in hand line fishing on the banks located on the outer island of Mauritius, namely at St. Brandon, Nazareth, Saya de Malha Soudan, Albatross and Chagos, all located between 70 nm. to 1050 nm. from Port Louis. Most of them are Creoles and many originate from Rodrigues.

The Fishing vessels equipped with cold and refrigeration facilities, which can accommodate up to 60 fishers, in addition to the crew, remain at sea for over 2 months in extraneous conditions. The nature of their work is one of the toughest known. In 2009, there were 10 vessels employing 495 fishermen.

Work condition of banks fishermen

On arrival on the banks, teams of four to five fishers get access on small crafts and start fishing. Conditions of work are extremely perilous and accidents, involving disappearances at sea, are not uncommon. Some fishermen cumulate up to 12 hours in the open sea in the blazing tropical sun.

Fishermen are reattributed on the poundage of catches landed. The Fish have, then, to be eviscerated and gutted and stored in deep freezes. Cramped like sardines in their respective alcoves, the fishermen retreat after dinner. Conditions on board are indescribable, especially when the sea is rough, on account of the frail nature of the vessels These fishermen constitute a well knit community of workers who live, for most of the time, cut off from family life and who make the best of a bad situation. Fishing companies find it hard to enlist such a category of workers and tend to have recourse to foreign workers from Madagascar who agree to work for lower wages and thus compete unfairly with their Mauritian counterparts. Any increase of wages for such fishermen is influenced by prices of imported fish, and bank-fishing companies have to remain competitive, if they do not want to contract from the Industry. About 50% of the fish caught in Mauritian waters comes from the banks about 4,462 tons.

Observations

The Fishing Industry in Mauritius, including Rodrigues, contributes to less than 45 % of our requirements in fish and marine produce around 8,900 tons so that an additional 11,000 tons of chilled, frozen and canned fish and marine produce have to be imported to satisfy an ever-increasing demand.

While tuna fishing in, and outside, Mauritian waters is carried out by foreign vessels and offers great employment opportunities, in the field of canning and processing, the local fishermen must remain abreast of developments.

- a. Fresh fish which, at one time, constituted the cheapest source of protein in this country has now become a scarcity. For reasons adduced above, catches landed over the years have gradually decreased. Unless strict measures are taken to stop further degradation of the marine substrate, the very existence of fishermen will be threatened.
- b. The Fisheries Protection Service needs to be reorganized and rendered more efficient and better-equipped to chase defrauders.
- c. Diversification in the field of aquaculture in floating cages, which has proved to be successful, should be further expanded. This sector can offer employment opportunities. The Pointe-aux-Feuilles project in Mahebourg already employs some 100 workers and produces some 500 tons of fish, the majority being exported.

- d. Allowances in times of unfavorable fishing days need to be increased and should be extended to all categories of fishermen. The need to ensure a regular supply of fresh fish to the population and to the Tourism Industry can only be realized if the sector can attract the young generation of fishers to it.
- e. Activities of unregistered fishermen and amateurs should not remain unchecked. Already such people who have other sources of income contribute to strip whatever resources are left in the lagoon and off-shore. Proper legislation should regulate their activities, as is the case in many countries.
- f. When properly managed by professionals, without political interference in their affairs, fishermen's co-operatives have proved that they can be powerful tools to extirpate fishermen from the grip of unscrupulous middlemen and provide fish to consumers at fair and reasonable prices.

7. Pig-breeders

Pig-breeding is one of the oldest farm occupations in Mauritius. During the Dutch occupation, pig meat was one of the main sources of animal protein to the small colony of European and slaves. This activity was further intensified during the French occupation, as the population increased. Slaves were assigned the task of feeding the animals on sweepings, left-overs and root crops such as sweet potatoes, manioc etc. Livestock and goat-keeping were also undertaken by slaves. Pig back-yard rearing continued to be a common feature throughout the island without restriction. With the advent of the indentured labour immigration, Muslims and some Hindus being non-pork eaters, care was taken to restrict pig-breeding near them. Most sugar estates continued, however, to keep large sties, and this occupation was assigned to Creole workers. During the period covered by slavery, the noblest parts of pork carcasses were destined to the masters and the rest of the animal to the slaves who had the right to a diet consisting of meat once a week. Pig production and consumption are a tradition which has stood the test of time. Many slaves were initiated in the art of pig-processing by their French masters; many recipes originating from Brittany, were introduced by the French colons and are still in use to this day, both in Mauritius and Rodrigues.

After the abolition of slavery, pig-rearing was passed on to Creole workers and members of the family as a side occupation. It was a common feature on the outskirts of towns and in big villages where many Creoles lived. Many Creole families relied on pig-breeding as a side income. Many breeders would fatten their animals and dispose of them at the end of the year to pork-traders. Hence, the Creole expression *to in van to cochon* (Eng Trans. you have sold your pig), meaning that he has used the money received from the sale of his farm animals to buy himself a new suit. Pig and pig products were, and continue to be, the main stay in the diet of Creole families during festive occasions.

Restriction on pig-breeding

By the first half of last century, however, with the end of the malaria epidemic, the population both in urban, suburban and in the rural areas, witnessed a spectacular surge. In-built areas were such that back-yard pig-rearing became a problem, causing serious environmental problems. Cyclone *Carol* of 1960 and *Gervaise* in 1975, with their devastating effects, led to the construction of housing estates by the Government, mainly destined to the Creole proletariat. The rehabilitation of the Creole proletariat on such housing estates dealt a further blow to the tradition of pig-breeding.

By the early 1970s, pig-breeding was confined to a few areas such as Roche Bois, the outskirts of Beau-Bassin and Rose-Hill and other regions such as Grand Gaube, Mahébourg, Trou d'Eau Douce and Grand Gaube. Roche Bois, having been annexed to the township of Port Louis, pig-breeding became unlawful. The reaction of pig-breeders against such arbitrary regulations was fierce. In the region of Roche Bois and Pointe aux Sables alone, there were more than 300 heads of household for whom pig-breeding was the main source of income, notwithstanding twice as many such breeders

who depended on pig-breeding as a side income. The protest of such breeders led to the setting-up of the first Pig Credit and Marketing Co-operative Society in Roche Bois in 1971. As protests from residents in sub-urban and rural areas against pig-breeding built up, in view of the unsanitary conditions of pig sties and the pronounced odours emanating from them, the sanitary authorities had no alternative but to serve notices for cessation of breeding activity.

Pig breeding Co-operatives

The initiative of pig-breeders of Roche Bois to set up a Co-operative Society was followed by breeders in a few other localities, and a Federation of Pig-Breeders was set up. As a result of formal registration, the voice of pig-breeders made itself heard. The Port Louis Municipality decided to grant a pork stall to the Federation for the sale of pork meat. This was a great landmark in the history of pig-breeders, a class of producers who had, for generations, been the subject of shameful exploitation by butcher/ traders *bouchersabattant*. For the first time, a direct link between producers at farm gate and consumers had successfully been established. The Port-Louis Market is the main centre for the sale of fresh pork. Every day, a Chinese tradesmen would sell pork at the pork stalls to people in quest of fresh pork. The operation of the co-operative stall came to break the cartel of unscrupulous traders/butchers, and the move was considered as a laudable initiative.

Decrease in number of large pig breeders

To fill the void in the short supply of fresh pork and pork products, a few big entrepreneurs, including sugar estates, decided to go in for pig-breeding on a large scale. Their venture was, however, short-lived in view of the sharp increase in the price of imported feed and fierce competition from imports of pork carcasses and processed pork products. As returns on investment became more and more unattractive, contraction in this farm occupation became inevitable.

Integrated Pig Marketing Project

Encouraged, however, by the success of the Mauritius Pig-Marketing Federation, the Government agreed to put up a processing plant in order to cut down imports and help to maintain a direct link between production at farm gate and consumption, whether fresh or in a processed form.

The plant was put up at Bois Marchand, with the assistance both of technical and managerial people from France under the Fonds d'Aide et de Coopération. The Terre Rouge Meat-Processing plant, thus, became operational in 1982 and started successfully.

At the same time, for the first time in the history of pig-breeding, Government agreed to release a plot of State Land of 25 *arpents* on long-term lease for a small holding pig farm. The lease was granted to the Plaisance Pig Credit and Marketing Co-operative Society in 1984 to be onlet to its *bona fide* pig breeders.

In view of the innovative character of the project, few people, at that time, believed that the project had any chance of success. Surprisingly, it did. By making provision for common roads and alleys and space for a common water tank etc., each breeder received an average 28 perches of land, on which a pig sty, with a feed store and absorption pit, was constructed.

While a few breeders would concentrate on fattening porkers, others would go in both for reproduction and fattening. This project has stood the test of time and would produce, in a good year, around 4,000 heads of pigs for slaughter, around 40% of national requirements.

Management crisis

Like the fishermen, pig-breeders had no ability to manage their enterprise by themselves. So long as the activities of the Mauritius Pig-Marketing Federation remained under the close monitoring of dedicated Government Officials, at the level of the Ministry of Cooperative, things went on smoothly. But based on the understanding that co-operatives were owned and managed by their members, it was decided to allow breeders to manage their affairs. This move proved catastrophic.

It did not take long before both the Terre Rouge Meat-Processing Plant and the pork stall in Port Louis had to close down, after sustaining accumulated losses. Poor management skills, coupled with a conflict of interest between producers at farm gate and management of the plant, witnessed a slow disaffection of breeders, paving the way for private traders to come on their own again. Although vested interests in the importation of pork products and the operation of a private processing plant have contributed to the collapse of the Federation's activities, the interest in pig-breeding has not been destroyed.

The La Ferme St. Martin small holding co-operative farm continues to be the main source of supply of fresh pork to the market. A similar project has also been implemented at Bassin-Requin in Poste de Flacq on a plot of State Land and groups some 15 professional breeders. While the La Ferme St. Martin catered solely for the reinsertion of breeders on the outskirts of the township of Beau-Bassin /Rose-Hill, at long last, a further plot of 10 *arpents* has been released this time to accede to a long-time request of breeders in Roche Bois. This project is ongoing and will, during a first phase, allow the construction of some 30 sties. Further breeders are expected to obtain clearance for the construction of additional sties, as soon as proper infrastructures have been put up for waste disposal. Although the La Ferme St. Martin region is far from human habitations, pig-breeding, on a large scale, was bound to create a problem of waste disposal. Government is conscious of the environmental problems posed and is presently putting up the necessary infrastructures for the disposal of waste.

Present situation of pig-industry and recommendations:

State Land was made available under the small holding scheme for the rehabilitation of pig-breeders, and it is hoped that this age-long farm occupation will be maintained. The prevalence of African swine fever in Mauritius could have witnessed the disappearance of pig-breeding altogether, had not the authorities acted promptly in providing both technical and financial assistance to breeders. Thanks to the operation now in its second phase of the La Ferme St. Martin small holding project and the contribution of a few other breeders, Mauritius can well reach self-sufficiency in pig meat and processed pork products, around 1,500 tons, by 2015. The soaring Tourist Industry is a good omen for an increase in demand of pork products, but the quality of animals at Farm Gate must be good, if imports are to be substituted.

A separate organization must, however, be set up to regulate pig production to avoid a glut and the imports of pork products. The request of breeders for a processing plant, with an *atelier de découpe*, to service chain stores and the hotel and catering industry deserves full consideration. Such an organization, if set up, must, however, not be left in the hands of *amateurs*, but supervised by professionals with the necessary expertise to excise sound management.

3.PORT WORKERS⁴⁴⁰

Port activities today represent a vital economic sector because of the insularity of Mauritius and the fact that all imports and exports transit through Port Louis, making it into a strategic activity. Any disruption in its running undeniably affects the economy of the island. The port is a place of business and all its activities revolve around it; without the port, the city is in peril. In Mauritian History, the contribution of the port workers to the history, political life and economy of Mauritius has not been recognized. They are the builders of Modern Mauritius alongside slaves and indentured labourers. To date only a short history has been produced by the Aapravasi Ghat Trust Fund, extracts of which are reproduced here. The Commission is not aware of any other study on the history of port workers.

Work in the port was, and still is, male-centered. It was not until the 1990s that the port authorities hired women in administration. This section was written based on interviews of port workers and represents their thoughts about their lives.⁴⁴¹ This is as yet the unwritten history of the port.

Working lives

Port workers were divided in different categories:

- the Kouder/Kouser
- the Water lily workers
- the Dockers
- the Zenfan Balye
- the Lumpers
- the Arrimers
- the Shoreworkers
- the Carpenters
- the Ferblantier
- the Gunway

Despite the fact that they were underpaid, either directly or indirectly, they ensured the smooth running of the port. Regardless of their importance, they still had to give a portion of their wages to pay the supervisor/foreman. The port workers were also stereotyped as being drunks, lazy, spendthrift and riotous. This is due to the fact that they went to bars and restaurants on week-days or on Saturdays to socialize, eat and consume alcohol. But the Port workers' version needs to be heard as well. For them, it was necessary to drink and socialise to relieve the 'aches and pains' of the day. However, they were fully conscious of the fact that their contribution to the Mauritian economy far outweighed the drinking on Saturday nights.

Dockers

The Dockers was those who were employed in carrying bags of sugar on their backs, from the wharf to the lorry and back. When the bags were loaded in the warehouse, the Dockers had to unload and stack the merchandise in the warehouse. The docker on the lorry would lift the bag with a large hook and roll it in place. One or two Dockers were posted on the lorry to receive the bags the other docker brought. They worked without protective gear such as goggles, masks and gloves. They carried the bags on their bare backs or sometimes on their heads. They started work at 4 a.m. and carried on till 9 a.m. They could get permission to leave the worksite for a 20-minute break. During the period of the sugar harvest time, the dockerss worked round the clock with the night shift relaying the day shift. Daily pay was especially hard for them; Mr. Perrine stated that his income was so low that he had to undertake other menial jobs such as charcoal-making. Daily wages had

far reaching implications on the Dockers' lives: accumulation of savings was impossible because the wages were barely enough for their daily subsistence. It was a hand-to-mouth existence that was hard to sustain.

At the end of a day's work, Dockers from Albion Docks strolled on the wharf, to the nearest bathroom where they would clean themselves before going home. The interviewees stated that there was not a sufficient number of bathrooms at the Albion Docks for everyone to have a shower. The Dockers especially had to be careful not to show signs of alcohol intoxication at the workplace, because they would be immediately sent home. The rhythm of work was very precise; the men could break for a sip of water also called '*bwar dilo*', break at 9 a.m. They were given 45 minutes at lunch-time and from 3 p.m. to 3.20 p.m. they had tea time ('*ler dite*'). There were no toilet breaks and no toilets close to the wharf; so they relieved themselves in a corner on the site itself.

Zenfan Balye

A *Zenfan Balye* means in Kreol, a 'Child who sweeps'. This occupation was considered as the most lowly in the port area and reserved only for younger men or young boys who did not have much bodily strength to become a *debarder*, stevedore or shoreworker. These young men were engaged in sweeping the quay and gathering the material that fell from the bags into a heap. According to a former *zenfan balye*, this constituted a major saving for the Docks. The *Zenfan Balye* and stevedores could not leave their worksite because they worked on cargo ships moored in the middle of the harbour. The *Zenfan Balye* were polyvalent; they could be working on ships one day, cleaning the hold and, the next day, on the wharf with the Dockers sweeping the floor. In theory, they could go out of the port to buy food and drink. The work of the *Zenfan Balye* was considered as among the most tedious of occupations. They were unskilled workers and were highly mobile in the port. They were generally employed to sweep the wharf, granaries or warehouses, but sometimes they were also asked to clean the cargo space of the ship. They were also used to sweep the 'Red Granary'; they collected the sugar which fell from the bags, and they separated dirt from sugar and filled the bags with it. The *Zenfan Balye* then handed to the *Kouder* who sewed them shut.

Sometimes, they were called upon to *trim* sugar; their status then changed to '*Trimer*', i.e. one who toils. They had to breathe in stuffy, stale air, while working in a hot cargo hold. The temperature in which they worked was very high and they had to shovel the sugar, or else they would be asphyxiated. They could not stop working because they had to create air gaps by shovelling the sugar on the side and at the same time, they would be hot and gasping for fresh air. They did not receive gloves, goggles, or face masks to protect themselves from the fine sugar powder which eventually led to irritations in their lungs and eyes.

Kouder

Kouder or *kouser* means 'one who sews'. The *Kouzer* or *Kouder* were a group of employees whose job was to mend and recycle torn bags. The mended bags were handed back to the *Zenfans Balye* who filled them with the scattered grains from the torn bags.

Stevedores

The Stevedores' task was to 'pour' down the sugar, which landed in conical piles in the hold, while the *Trimers* had to shovel the sugar to the side to flatten the surface. To flatten the surface, the Stevedores continued to pour the sugar; as soon as they saw a gap, they did so again, their objective being to fill the ship as much as possible since it brought them more money. They worked on the board ships anchored in the middle of the harbour.

The Bato Dilo/Water lily worker

This was possibly the most tedious of all occupations. The 'water lily' was a small motorboat equipped with a water tank; its duty was to ply between the larger ships in the harbour, bringing their provision of clean water. The status of the 'water lily worker' was inferior to the *Zenfan Balye* because their salary was lower and their work was supposedly 'lighter', as opposed to Dockers and Stevedores. It is true that working more than the imposed quota was the goal for all the employees, since it was their only way of making a bit more money at the end of the day.

The workers had an informal help system; if a worker was sick or could not come to work for some reasons, the co-workers would clock in for him. This enabled the absent worker to receive his wages for the work he did not do. This enhanced solidarity among them. Teamwork was also important for safety reasons; the *trimers*, for instance, relied heavily on their teammates because the work conditions were so harsh that they could be asphyxiated in the hold; each man watched for his own life as well as for his co-worker's. Even the *Kouder*, *ferblantier* (tinsmith) and carpenters worked in teams because they had a quota to fill.

Work in the port revolved around the arrival of ships; sometimes there were too few ships and too many employees. The workers had a system called '*la monai deluile*', which meant that they gave the foreman a portion of the day's wages so that they would be chosen for work the next day. The bribe appears high: in 1966, for a *zenfan balye*, the foreman took 80 cents from the daily wages of Rs.1.80.

The Employers

The Association of Port Employers regrouped large companies such as the Albion Docks, Mauritius Docks, Desmarais, Blyth, Taylor & Smith, and Scott & Co Ltd., among others. The 1970s witnessed a merger between the Albion Docks and the Mauritius Docks, both of which handled sugar exports exclusively. Blyth, Desmarais and Taylor & Smith merged into one big company, which dealt with the rest of the cargo and some of the sugar. Scott & Co Ltd. imported rice and other consumer goods until the advent of the State Trading Corporation in the 1980s.

The *Vrac* was salutary for the dock companies and the sugar estates; it enabled, among other things, higher productivity, the fulfillment of international quota and employment of a smaller workforce, which translated into huge profits for the companies. However, port workers saw the creation of the *Vrac* in a very different light. The last Dockers from Albion/Mauritius Docks were dismissed in 1981 and shortly after that, in 1982, the Cargo Handling Corporation rose from the ashes of the Blyth, Desmarais and Taylor & Smith conglomerate. This major re-configuration was, in fact, an electoral promise between the MMM and its electorate, which, at the time, consisted mainly of working class families. The 1971 strike and the massive lay-off in 1979, 1980 and 1981 were still fresh in people's memories and the prominence of the MMM in all of the major Trade Unions had most probably a lot to do with the legendary '60 zero' victory in the 1982 elections. Few of the formerly discharged workers were recalled to work for the newly-minted Cargo Handling Corporation.

Political Contribution

The 1938 strike was the first General Strike ever to occur in Mauritius and was started by port workers. Their example was followed by many others: sugar workers in 1938 and 1943 and many successive ones years later. Since the strike of 1938, Unions meet employers to discuss terms and conditions for reforms for the employees.

The strikes of 1971 brought the political presence of port workers to the level of national awareness. The strikes spread from the sugar estates to aloe sack factories and other sectors of the economy. This forced the Labor Government to declare a state of emergency; trade unionists were arrested and imprisoned without trial, and all the GWF activities were suspended. In 1982, the political savviness of port workers was felt even more strongly when the Coalition Government of MMM, MSM and PSM came to power.

As a result of this strike, the decision to create the Bulk Sugar Terminal emerged. In Mauritius, it was commonly called the *VRAC*,⁴⁴² which is another attestation of the many changes incurred in the port and Sugar Industry. With *VRAC*, the sugar was pumped directly into the ship, rendering Dockers and associate port workers obsolete.

The role of Trade Unions must also be highlighted as they have not always worked in the best interests of the port workers. Before 1971, the Trade Union for the Port Workers, *The Port Authority and Other Workers Union (PAOWU)* had signed a contract in 1968, with the Association of the Port Employers that there would not be any litigious relations between them and the Union, which went against the employees' interest. The reluctance of Eliezer Francois, the leader and the

PAOWU, to take any action concerning the employees' complaints led to the creation of the *Port Louis Harbour and General Workers' Union*, founded by the leader of the MMM,⁴⁴³ Paul Berenger, who called for a General Strike in the port in solidarity with the workers in Transport Industry.

The 1971 strike, more than any other event, was crucial for the future of harbour workers. Even if the strike did not start in the port itself, one of the employees' objectives was the readjustment of their pay. This strike demonstrated the political and economic significance of the port and its repercussions on other sectors. This strike was necessary and inevitable because employers were not in favour of demands made by workers.

Although the 1970s are considered as glorious years of Trade Union activity, there is another history yet to be written concerning the emergence of communalism and division among the working classes, which emerges ironically at the same time. According to Fortune, a full historical investigation is required into the political movement of the 1970s and 1980s and whether it was responsible, among other things, for the propaganda concerning race and the supposed 'labour aristocracy' status of port workers. Was it done as a deliberate move to curtail the port workers' political strength in Mauritian society? Fortune questions how a political movement as such which gathered itself under the slogan 'One People, One Nation' and was sustained entirely upon working class efforts would create racially charged dissension as a means of political strategy.

In this propaganda, race and the supposed wealth of Creole port workers, mostly urban dwellers, was pitched against the much documented stark poverty of rural field labourers, rekindling old tension between these two communities. The propaganda worked well, according to Fortune, in the already racially charged atmosphere of Mauritius of late 1970s and early 1980s, with the riots of 1965 and 1968 only a decade or so ago. The racial discourse concerning the riots of 1965 between Hindus and Creoles, and 1968 between Creoles and Muslims, the strikes of 1971 and the elections of 1982 and how the subject of race was addressed or excluded in the political discourse are part of the history of neglect of port workers. This deserves further study. Furthermore, the ethnic composition of the population working in the port was used to justify the supposed racial homogeneity that the Trade Unions of the 1970s and the elections of the 1980s had brought back to the surface. The historical literature available, however, paints a picture of the port as a racially diverse sector since the early days of the Colony. To think therefore, that in the 1970s and 1980s, the port suddenly became racially homogenous is rather hard to believe. The Trade Union leader of the port workers in 1938 was no less than Sandivi, of Indian origin as were many port workers and in his grandson's words, a 'Creole Malbar'.⁴⁴⁴

4. CHINESE IMMIGRATION

The migration pattern of the Chinese can be characterized as tropical, coastal and urban. This is due to economic opportunities available in the Southeast Asia and the Caribbean “because of European exploitation and investment in these areas during the 19th century.”⁴⁴⁵ The proximity of China and Southeast Asia and the climatic similarity of the Tropics to the South China provinces may have contributed to the concentration of Chinese in those areas. Furthermore, the restriction imposed on Chinese immigrants in countries such as Australia, Canada, New Zealand, USA and South Africa, limited the Chinese immigrant’s choice. The tendency for Chinese immigrants to move towards the South may be due to the historical fact that invasion was from the North, and migration towards the South. This was probably natural to some ethnic communities, such as the Hakka people, a group who trekked historically from the North towards the Southeast coast. The North, in the minds of the Chinese, often signified danger and the South prosperity: “The Southeast Asia along the shore of the Gulf of Siam, the west coast of Malaya and the western part of the North coast of Java is the largest concentrations of Chinese. In the Caribbean, they found mostly in Cuba, Jamaica and Trinidad. In Africa, the Chinese population is far more numerous on the islands of Mauritius and Madagascar than on the continent itself.”⁴⁴⁶

First Presence of the Chinese in Mauritius

When the Dutch arrived, labour was brought from Batavia, which at the time was mostly composed of Chinese immigrants, traders and victims of kidnapping.⁴⁴⁷ However “there are no known descendants on the island from this period.”⁴⁴⁸ In the 18th and 19th centuries, colonized by the French and the British, Mauritius became a colony deeply dependent on slave labor for its plantation workforce. The presence of Chinese slaves in the history of the country is specific to a short period of time and a small group of individuals. Only two persons from Macao are listed on the Register of the Government slaves. In 1792, a 60-year old male Chinese slave is recorded as having died in Flacq. “Another, Jean Benoit, born on the Isle de France of Chinese parents, is reported as having died in the same region, in 1791.”⁴⁴⁹ Louis Vigoureux, a slave-owner manumitted two Chinese slaves, Gratia and Pauline from Canton, in 1745.⁴⁵⁰ The manumission of Chinese slaves created a free Chinese community in the Isle de France.⁴⁵¹ “But they became gradually absorbed into the Creole population.”⁴⁵² Some other 300 Chinese slaves were also captured and brought to Mauritius.⁴⁵³

Chinese Coolies

There were several attempts, during the British period, to import Chinese labourers to the island. Unfortunately, many of them were unsuccessful. In July 1811, Governor Farquhar asked the Governor of Java, Sir Stanford Raffles, to send Chinese labourers. When the Chinese arrived in Mauritius, Governor Farquhar found himself faced with a “parcel of vicious and vagabond Chinese artisans and outcasts,”⁴⁵⁴ instead of the hardworking men he expected. They were eventually sent back. Around 1828, another attempt was made to recruit Chinese labourers. The scheme, established by William Gordon, who ascertained that Chinese could be hired without difficulty as indentured agricultural servants, was put into practice. “A number of labourers were recruited from Penang and Singapore, but when they arrived in Mauritius, they were not satisfied with the terms and conditions of their contracts. They eventually abandoned their work and became vagrants.”⁴⁵⁵

An increasing flow of Chinese immigrants occurred from 1840 to 1844, when emigration was temporarily suspended in India, and the Government turned towards the Chinese as a source of labour despite its past negative experiences with the latter. During that period, 8,000 Chinese landed in Mauritius, 3,000 between December 1840 and July 1843 and 5,000 up to 1844. The Chinese were then “seen as the saviours of the sugar economy,”⁴⁵⁶ but cases of bad attitude and/or ill-treatment were still very present. James Ng and Marina Carter (2009) remarked that in a few cases, they found that the Chinese were not seen as ‘victims’ but rather as ‘instigators’ of disorder,⁴⁵⁷ for example, the case of 18 Chinese working on the Queen Victoria Estate. The latter complained of ill-treatment on the part of an Indian *Sirdar* and a Creole overseer, but they were punished with 8 days in prison and a salary deduction for acting in a threatening manner. Other

incidents did take place: in December 1843, “Ajee, a Chinese carpenter employed by Bestel in Plaines Wilhems complained of assault by a group of Indians.”⁴⁵⁸

Chinese Presence in Commerce and Free Chinese immigrants

According to Ly-Tio-Fane-Pineo (1985), the foundations for a permanent Chinese settlement in Western Indian Ocean were laid by Robert Farquhar, the first British Governor of Mauritius. He believed that Chinese immigrants would greatly contribute to the development of the country. In parallel with the importation of Chinese labour, came free Chinese migrants. The arrival of this type of migrant coincided with a boom in the economic expansion of Mauritius for the next century.

It all started, when Hayme, a Chinese who settled in Mauritius petitioned in 1821 to recruit Chinese at his own expenses; he received the full support of the Governor Farquhar. The latter gave him “the assurances that the immigrants he would bring back would be welcomed to the government.”⁴⁵⁹ By 1826, Hayme returned back with 5 associates: Whampoo, Hankee, Nghien, Hakkim and Ahim. The men Hayme brought in Mauritius were clearly merchants and traders.⁴⁶⁰ During the war in the 19th century, the Nanking Treaty 1842, small traders were ruined by the Traid organisation. These traders either had to associate with the “Traid” or move to Canton to work in port activities. Knowing that his men were not coolies, but business men, and that a labourer was the lowest social class, Hayme made sure to restrict community activities to retail trading since working as a labourer would “lower the social placement of the community.”⁴⁶¹ A list of 26 Chinese in the Faubourg de l’Est in the year 1828 shows the activities of the Chinese. Of the 26, 10 of them were “*colporteurs*”, 12 were merchants, 2 dressmakers and one waterman (*batelier*) and carpenter.⁴⁶²

Most immigrants came with the intention of doing commerce. They would request a permit of two to six months, which allowed them enough time to sell their merchandise brought along to Mauritius. James Ng also referred to a category of Chinese immigrants as “*les voyageurs de commerce*”. This category of individuals’ tasks was to make sure that the goods ordered from Asia reached their destination and were in good condition. Once their job was accomplished, they would, most of the time, be employed by merchants, as “*commis*” until the expiring date of their stay in Mauritius. At the end of their residential permit, some would extend their permits, while others would either continue working for big merchants such as Hayme, who employed them, or they would be self-employed.⁴⁶³

Chinese businessmen, such as Hayme and Ahine, were very autonomous and resourceful.⁴⁶⁴ They engaged in activities that were exclusively done by the Whites. They would import goods in large quantities together with some Chinese labour. Their shops were never out of stock and their prices would defy any competition.⁴⁶⁵ Furthermore, the social transformation which occurred in Mauritius from the 1830s, with the liberation of slaves and the arrival of indentured labourers, offered more trade prospects to the Chinese. The Chinese set up their businesses at strategic points and received a type of clientele who “were not readily accepted by the Europeans.” In Port Louis, they settled between “le camp des noirs” and “le camp des Malabar”⁴⁶⁶ and traded between these two local communities.

Their commerce expanded through rural, as well as urban, areas. By the 20th century, the Chinese population was geographically well distributed: “The network of village and estate shops was so extensive that small groups of Chinese were presented in almost every hamlet on Mauritius.”⁴⁶⁷ They would engage in various activities but retail trading remained the most prominent.

The economic rise of the Chinese created a certain phobia and jealousy among the White population. On the 27 October 1843, a petition was signed by most traders of European origins about the suspicious provision of goods by the Chinese. The petition did not get through, as it was said to be unfounded. However, some Chinese entered into other illegal or rather, as a journalist of *Radical* (Newspaper) described them, ingenious activities. The system of retailing introduced by the Chinese demonstrated their ability to do business with other people and adapt themselves to the local way of living.

Success of Chinese Commerce

The success and ability of the Chinese in doing business is believed to lie in their unique family, community and kinship ties. There were different strategies which the Chinese have established to help their fellow countrymen. The “cycle” was a form of credit organization where a group of people would contribute a fixed amount monthly, which would then be lent to the person offering the highest interest or to each person, in turn, according to the participants’ names which had been drawn. The “cycle” was used to help an individual who wanted to open a shop at the beginning of his career.⁴⁶⁸ Furthermore, Chinese shops in Port Louis would help to accommodate a Chinese retailer coming from rural areas who had come to Port Louis to purchase their goods. Having done so, he would stay at a “Kou-on”, a place where he could keep his purchases and spend the night before returning to his shop. People, having the same patronym, would usually stay together and, over time, each clan would have their own “Kou-on.”⁴⁶⁹ The Chief, representing the Chinese community known as the “Kapitan”, was a very important element among the Chinese community. He stood for the community in the presence of the Governor and ensured that his compatriots were being provided with necessary facilities. The contribution of the clans was vital to the construction of the Chinese community.

The Chinese community appeared to be a well-knit and homogenous one. Nevertheless, divisions existed and each group had different customs, spoken languages, and ways of living. The majority of the Chinese came from the Province of Kwangtung, whose capital is Canton; others came from the Province of Fukien and Hainam Island. The people who came from Kwantung were divided into two groups. The Nam-Shun originated from Nam Hoi and Shuntack, and the Hakkas originated from Cahin Chu, also known as Keh-Long: “The Hakkas are considered as people of mixed blood and are called “Macayah.”⁴⁷⁰

Before the arrival of the Hakkas in Mauritius, the Cantonese and the Fukienese were the only ones holding political and cultural power. The death of Afan Tank Wen, the second leader after Hayme in June 1900, provided the opportunity to the Hakkas to challenge the hegemony established by the Cantonese. Each group wanted to fight to gain leadership over Cohan Tai pagoda, the religious and political headquarters of the community. The fight for power and leadership among the different ethnic groups caused great disturbance of the public peace. The conflict required the arbitration of the Supreme Court which issued a decree on the 21st June, 1906. It was decided that 15 members of different ethnic groups would manage the pagoda; 5 of these would always be from the Canton tribe, 5 of the Hakka tribe and 5 of the Fukien tribe. According to Ly-Tio-Fane Pineo (1985), the sharing of power caused a “break with the tradition which vested absolute authority in an elected leader” and “destroyed the delicate mechanism by which unity within the community was maintained; it also curtailed the leader’s prestige in conducting his negotiations with the government.”⁴⁷¹ The fierce division and competition among the community itself led to the gradual loss of the Chinese power in Mauritius.

Success v/s Decline of the Chinese Community

Today, faced with the rapid changes that Mauritius is undergoing, many Chinese, particularly of the older generation, feel nostalgic about their past life in Mauritius. The loss of their “Chineseness” is decried. Furthermore, the division into ethnic groups and competition between different clans for political power marked the beginning of a profound change in the community’s functioning. The change had other consequences for the ways Chinese people live, “causing them to lose more and more their culture”, and adopt a more “European” way of life. These changes are very visible and members of the Chinese community are rather desperate about the situation as their fellow countrymen turn a blind eye on their millennium of culture and traditions and emigrate to other countries for better economic prospects.

The Chinese present an interesting contrast to the situation of the *Gens de Couleur*, discussed earlier. The Chinese did not emigrate massively at Independence (1968) and there appears to be less concern about how others view them. Emigration has occurred in the past few years, as with other communities, due to what is perceived as low salaries. There is also a note of despair among some: “I find that the Chinese are losing their culture, it breaks our hearts.”⁴⁷² Furthermore, they associate their community’s decline with the economical and social development of the community;

"[...] unfortunately today, what do we find, the Chinese community is disappearing. Formally we were 30,000, today it is 18,000. It is because of what? Because of brain drain. There is no meritocracy; they feel that [...] what's the use of investing in Pound Sterling, in Euros, Dollars, US Dollars in university studies and come back with meek salary of Mauritian devalued money. So they prefer to stay abroad. It is said that outside Mauritius, you have more Sino-Mauritians than inside today."⁴⁷³

However, those who remember these sufferings have preserved and transmitted to their children their culture, especially their strong attachment to their ancestors' country of origin: *"Fortunately, we were not cut off from our roots in the Mei Xian. There still exists a tradition which specifies that when a boy is born in Mauritius, he should be also registered in the region of his ancestors. We are also aware of where our parents and grandparents lived and grew up."⁴⁷⁴* These links were at the very heart of the Chinese culture. The recognition and respect of the young for the older generations have not changed: *"They have prolonged the road for us, pouring their sweat and their tears, the least we can do now is to pay tribute to them. They contributed to what made Mauritius what it is today."⁴⁷⁵*

The new generations, born in Mauritius, also bear traces of the colonial influences in their naming pattern. The Chinese, looking for social mobility, needed to be accepted by the rest of the population. They needed to gain access to education and other facilities for that to happen. In almost every facet of their lives, they had to "forget" their ancestral culture and adopt the norms of the Colonial Powers.

"Whenever they had to open a shop, they had to seek the blessing of the oligarchy. This where we found the Chinese, most of them were Christianised. Some of you will not agree with me when I say that most of the Chinese were not converted "à leur propre gré". Indirectly [...] was imposed on them. Because the doors of the Lorettes, the doors of Priest running colleges. If you don't bear the name, the Christian name, you will not gain access to such colleges."⁴⁷⁶

"Many Chinese converted because they had to have access to education; otherwise, they would be condemned to stay in the shop. From generation to generation, they would be the same shopkeepers; there would be no social mobility. That's why, in spite of being converted, they still retain their Chineseness, they still retain their souls."⁴⁷⁷

The willingness to change even their identity was influenced by the need to escape through education the form of "slavish" life they lived. Behind the doors of the lucrative Chinese shops hid unspoken sufferings. In colonial times, anyone other than the Europeans and their descendants was a victim of their domination and the Chinese felt they were prejudiced against in the same way as any member of the other communities. Most of them suffered the dominations of the sugar magnate.

"We suffer the same faith, we suffer the same destiny, we get the same destiny. The liberated slaves, indentured labour and the free immigrants shared the same common destiny. When the wipe of colonialism is slashed, no one was spared. Even the Chinese shopkeeper, he has to bear. Do you know what injustices the Chinese suffered when they run a shop? [...] you can't collect your money at the end of the year, the sugar magnates, you have to provide them with gifts. You must provide them with "cadeau l'année". The contribution of the shopkeepers cannot be underestimated. They have introduced the system of credit, "carnet la boutik", to feed the descendants of slaves and indentured labourers"⁴⁷⁸

"The shopkeeper is a sort of adviser, banker, moral support to them. So they shared the same faith. The Chinese shopkeepers, they work day and night to feed the hungry population. It is not true to say that the Chinese have been privileged. It is not true because, they, too, were looked down upon by the colonial powers [...] today, if we have seen the disappearance of the Chinese shops in the villages, it is because they have considered it a sort/form of slavery. Life in the shop is a sort of slavery; day and night, he has to feed the whole village. He is the first to wake up and the last to go to bed."⁴⁷⁹

These Chinese shops have greatly contributed to the development of rural areas and their contribution cannot be underestimated;

“As a Minority in Mauritius, the contribution of the Chinese Community has often been overlooked. It nevertheless brought enormous changes in terms of knowledge of the land, innovative ideas, leadership and enhanced our local cultural and religious diversity.”⁴⁸⁰

Till now, these shops were among the most visible monuments of the Chinese cultural heritage. Their involvement in the wider community was very important; they provided the basic necessities of poor villages, helped in their development and contributed to a “modern Mauritius”. They were completely integrated in the local context at the risk of losing their own culture and becoming a “true” Mauritian:

« S’il y a une valeur culturelle chinoise qui se perd à Maurice selon lui, c’est la « la langue des ancêtres [...] ce n’est pas négatif à 100% car cela veut dire que les Mauriciens Chinois vivent plus comme des Mauriciens que comme des Chinois »⁴⁸¹

CONCLUSION

The contribution of the Chinese, in the view of more than one, was seen as unsung in the economic development of the country. Their apparent economic success shadows came from labour, callous living conditions and dominations which they had to endure for almost two centuries during their presence in Mauritius. The new generations of Sino-Mauritians have been spared all these sufferings, at the cost of “forgetting” their roots and culture. The contribution of this community lies beyond the field of economic development; they nurtured relationships both within and outside their communities and contributed to the well-being of every Mauritian. They lived within every community of the island, irrespective of ethnic barriers, making their own contribution to the development of the country through innovative ways of helping people and developing business.

However, while looking forward to the younger generations moving up the social ladder, the community has been faced with a loss of memory, relegating its past sufferings and conditions. To some extent, the community preserves only the legendary hardworking capacities of the Chinese people. History itself has played a role in this parody of a depiction of this community which has often been limited to hard labour or to distinctive figure of the Chinese and their astonishing economic development over the last two centuries. These people fled their countries to form new communities all over the world. Most of them would not return to China after the Communist take-over and found no other solution, but to stay, and secure their future, in their adopted countries.

Nowadays, after an incredible economic success, the Chinese seem to witness a decline in their community due to various factors. Many young Sino-Mauritians are looking for better prospects elsewhere in the world; turning a blind eye to what their parents and grandparents had built through will-power and hard work. There is an outcry in the community that they should be given due recognition for their contribution to the overall development of the country; a recognition by all Mauritians for their history and past sufferings in the hope that they may revive the community, by convincing younger generations to stay and build a bright future for this country, to which they now belong.

5. INDIAN CHRISTIANS

Introduction

According to the 1952 census, 9,000 persons were registered as belonging to the group of Indo-Christians, forming around 3½% of the population; Whether this figure has remained constant is difficult to say; since 1982, no mention is made of ethnic denominations in the Census.⁴⁸² The bare fact is that out of 413,000 persons, registered as Christians in the Housing and Population Census of 2000,⁴⁸³ it is clear that a good many among them are of strong Indian descent, when they do not claim ancestry as Chinese or Europeans, the remaining Christians being more akin to people of African and Malagasy descent in varying degrees. According to the Indo-Mauritian Catholic Association (IMCA), an association founded in 1952 which claims to represent persons of the Catholic faith, but who have in no way given up the cultural appartenance proper to the land of their ancestors, these should be around 50,000. This short stay aims to trace the epic story of persons of Indian origin who have, throughout Mauritian history, been converted to Christianity

Presence of Christians in the early years

Dutch period

The presence of Christians of Indian origin can be traced back to the early days of colonization on the island. These were individuals recruited from Dutch outposts in India and converted into Christians, bearing such names as Anna of Bengal, Simon of Ceylon and John of Goa, to quote but a few. The treatment meted out to them did not differ from that suffered by Malagasy slaves. No wonder they were the first among the freedom fighters to rise against their masters during the uprising which occurred in 1695 and 1706 and which led to the evacuation of the island by the Dutch in 1710.⁴⁸⁴

French occupation (1715 - 1810)

Besides the presence of African and Malagasy slaves, the French occupation was characterized by the arrival of both free workers, but also slaves from French outposts in India; they originated from Pondicherry, Karikal, Yanaon and Bengal. J.M. Filliot estimates that some 12% slaves and free workers were brought in from the sub-continent during the French occupation.⁴⁸⁵

Madagascar	36,000	40%
West Africa	2,700	3%
East African coast	40,500	45%
India	<u>10,800</u>	12%
Total	<u>90,000</u>	

(Source: Filiot, 'Traité des esclaves vers les Mascareignes au 18^{ème} siècle').

Some of them were Christians by birth, being given that Christianity had been introduced in India by St. Thomas, one of the apostle of Jesus Christ, as far back as 52 AD; Others were, *de facto*, converted to Christianity and had to abandon their native religions, since Roman Catholicism was the only religion to be practised.⁴⁸⁶ This was in accordance with the *Letters Patents* of 1723, which read as follows (Article 2): "*interdisons tout exercice d'autres religions que catholique romaine.*"⁴⁸⁷ On the other hand, in accordance with Article 1 of the same *Code Noir* enacted in 1724, all slaves had to be converted : « *Tous les esclaves qui se trouvent dans les îles de Bourbon et de l'Isle de France et autres établissements voisins seront instruits dans la religion catholique apostolique et romaine et baptisés.* »

Being slaves they, *de facto*, had no right to their family names, but only first names "*l'esclave au même titre que l'enfant naturel n'a droit qu'au prénom,*"⁴⁸⁸ and these names had invariably to be of European resonance. As slaves, they changed their eating habits and traditional dress and gradually forwent their linguistic heritage. The process of "deculturation" was thus complete.

Indian slaves won fame for their ability to prepare food and were preferred to their African counterparts as domestic servants and often spared from hard labour. Free slaves, recruited since Mahé de Labourdonnais as skilled workers and artisans, proved to be essential in the building and construction sector. Throughout the whole French occupation, slaves of Indian origin were not differently treated to other slaves, and some joined the ranks of the maroons. The history of marooned slaves bears witness to an extract of *Le Nouvelliste*, dated 1st May 1802.

« Un homme Caesar de caste indienne âgé d'environ 30 ans, est absent de l'habitation de madame Gimel depuis environ deux mois on le soupçonne du côté de la grande rivière ; le dit noir se dit quelque fois libre. On prie les personnes qui en auraient connaissance d'en donner avis à la dite dame Gimel ou au cite du port il y aura récompense⁴⁸⁹ »

Although all non-Whites were assimilated as slaves, manumitted and enfranchised slaves could buy land and maintain slaves themselves. Article 53 of the *Code Noir* reads as follows: “Octroyons aux affranchis les memes droits, privilèges et immunités dont jouissent les personnes nées libres”.⁴⁹⁰

(Eng. Trans. “We grant freed slaves the same rights and privileges and freedoms enjoyed by people born free”).

Enfranchised and manumitted slaves were more numerous amongst slaves of Indian origin and their descendants.

In his work on land acquisition by slaves and indentured labour, Richard Allen has highlighted on the ownership of land by the *gens de couleur*, a majority of whom were free Indians from Pondichery. For the period covering 1766 - 1809, 17,460 *arpents* were owned by free Africans and Indians classified as *gens de couleur*.⁴⁹¹ The enactment of the law of Emancipation of 1767 in the code *Delaleu* gives recognition to the presence of a third category of individuals, as opposed to the whites and the slaves. A majority of the people falling in this category were of Indian origin. Due to gender imbalance, many Indian slaves had no alternative but to marry women slaves, both of Malagasy and Mozambican origins.

On the other hand, in view of the privileged position held by female slaves of Indian origin as maid servants, many became concubines of their white masters; their off-springs gave rise to anew class of Indo-Europeans who later joined the ranks of ‘White Creoles’, known as *Gens de Couleur*. No wonder the free people, who in 1767 stood at 587 individuals, had increased to 5,912, in less than 40 years.⁴⁹² During the second and last part of the French occupation, free Indians, mostly originating from Pondichéry, continued to be encouraged to settle in isle de France; These were a special class of workers engaged as artisans in the construction of fortifications and public buildings and other special areas such as boat-building, joiners, craftsmen and soon emerged as a new class of people.

In the main, they settled on the Northern outskirts of Port Louis and developed the pattern of a south Indian village to the extent that it became known as *Camp des Malabars* where a place of worship was built in 1778. The free Christians from Pondichery won the appreciation of the Authorities and were granted concessions, not only in the *Camp des Malabars*, but in other districts as well. Soon, a new elite sprung among the educated and well-off among them. The Nalletamby family had a splendid colonial manor at Bourbon Street, which was requisitioned by Governor Isidore Decaen in 1806 to house the Commander of the French forces, General M. Vandermarsen.

For long, although Christians, the inhabitants of the *Camp de Malabars*, continued to be dressed in their traditional costumes and lived in endogamy, while others contacted marriages with the *petits blancs*, their off-springs emerged as an elite in the class of *Gens de Couleur*. Education was a priority, Marcelin Savrimoutou was the first person of Indian origin to become Laureate in 1896. In 1912, Louis Gyanadicrayen Arlanda was appointed as nominee to sit in the Legislative Assembly, but following protest by representative of Indian immigrants, Dr. Hassen Sakir was appointed in his place.⁴⁹³ Soon also, Dr. Xavier Nalletamby, a descendant of the Catholics of Pondicherry, who studied Medicine at Edinburgh, was appointed as nominee in 1901.⁴⁹⁴

As regards the descendants of slaves who came from India during the whole French occupation, the process of assimilation to their masters’ culture and inter-marriages with slaves of African and

Malagasy origin was such that, according to Hazareesing,⁴⁹⁵ when the first Indian indentured labourers landed, they hardly noticed any trace of Indian culture among them.

Indo-Christians, in the context of indentured labour, 1829-1923

The British occupation, unlike the French, was to witness the surge of massive immigration from India, so much so that in less than three-fourths of a century, Indian immigrants and their descendants formed some 2/3 of the population of the colony. In fact, out of the 452,000 workers and their families, who came under the indentured immigration, only 167,000 left at the end of their contracts of service.⁴⁹⁶

One noticeable characteristic was that only a small minority among them were Christians, for most belonged to the Hindu faith, and some 14 % among them professed the Muslim faith. The fact that a majority of immigrants hailed from North-Eastern Provinces, where Christianity was not generally followed, explains this. According to the 1911 Census, only 3.1% of immigrants were registered as Christians, and most of these originated from Southern India. Although the British had conquered India, unlike the Portuguese, and later on the French, they did not have for set policy to convert the inhabitants to Christianity.⁴⁹⁷ This explains, according to historians, the success of the East India Company whose set objective was trade and commerce.⁴⁹⁸ Officially, in the Colony of Mauritius, the British had the same policy. In 1837, Reverend Dean of the Anglican Church stated in the wake of steady arrival of Indian immigrants:

“Twelve thousand workers have arrived and ten thousand others are awaited; they are adults of different age, but I keep little hope of their conversion into Christians. In any case, any attempt to interfere in their practices, which all interested parties hold in respect, can put fire to the flames.”⁴⁹⁹

However, two decades after the immigration had started, in 1856, the Anglican Diocese was assisted in its task by the appointment of Reverend Stephen Hobbes and Paul Ansorgé to preach the Gospel to Indian immigrants. This marked the beginning of the Church Missionary Society (CMS). The mission of CMS was clearly defined “as to operate for the benefit of the coolie immigrants.”⁵⁰⁰

The mission operated in the Orphan Asylum and Orphanage and other charitable organizations and put strong emphasis on primary education. By 1899, 29 primary schools were being run under the ambit of the CMS. These Anglican schools were later on to be transferred to the Government and became known as Government schools, as opposed to Roman Catholic Schools, RCA. In spite of considerable efforts over half a century, only 1895 persons were converted as Christians by the Anglican Church.⁵⁰¹ The mitigated success of the CMS can partly be explained by the fact that by 1861, the Catholic diocese, under Catholic Bishop W.A.B Collier, set up in its turn a Catholic Indian Mission. The desire for mass conversion of Indian immigrants to Christianity continued to be a pious vow. In 1875, the *Cernéen* wrote: “To introduce Christianity among all these pagans is the surest way to get them civilized, rather than introducing compulsory education. The first objective would illuminate their spirit by revealing the Truth, the second objective might well get them out of the darkness with which their minds are burdened”.⁵⁰²

The *Mission Indienne*, of the Catholic Diocese, succeeded in maintaining its presence in certain areas of the island, more especially among Tamil estate workers in areas such as Mont Roches, Stanley, Flacq, Quartier Militaire, L’Espérance, Poudre d’Or and Souillac.⁵⁰³

In 1872, the Indo-Catholics in the area of Stanley set up a small chapel on a plot of land donated to the Port Louis Diocese by the former Stanley Sugar Estate owner and Manager, Sir Cécilcourt Antelme. It was, according to Amédée Nagapen, a small building (130’ X 100’) with a roof made of thatched grass and a floor and walls plastered with cow dung. The hall was built, as a result of the collective efforts of the older generation of Indo-Christian immigrants from what is today, Tamil Nadu. This hall became a meeting place for Indo-Catholics where Father Puchinelli, who had served in South India, celebrated mass in Tamil and gave religious instruction. By the beginning of the 20th century, a new chapel was built to meet the needs of an ever-increasing number of parishioners. The building was pulled down to make way for the construction of the new Parish Church of St. Anne in 1971.⁵⁰⁴ The Old Chapel, built in 1872, was also renovated to serve as Parish Hall and stands in front of the new Church.

It is also in Stanley that a group of hard core Indo-Christians set up, in 1952, the Indo-Mauritian Catholic Association (IMCA) under the leadership of John Thivy, a former Indian Commissioner. Through the Association, certain rituals, proper to the Orthodox Church of Southern India, are celebrated during certain festivities of the Catholic Church. Tamil Christians all wear the proper traditional dress in Southern India. Certain Indian festivals which are not connected with the Hindu rituals such as Divali are also celebrated.⁵⁰⁵

This association is currently making a plea for the chapel to be declared as a '*lieu de mémoire*' (place of memory) and its rightful place on the National Heritage list.

Recommendation

1. To perpetuate the memory of the first Indo-Christians, who came under Indentured immigration, the Parish Hall, constructed in 1872 and located within the precincts of the St. Anne Catholic Church in Stanley Rose Hill, be proclaimed as a site of memory and be proposed as a National Heritage Site.

6. THE MÉTAYERS AND ORIGINAL RICHE TERRE PLANTERS

The history of the *métayers* (share croppers) was brought to the Commission's attention as a result of representations made by *métayers* in the South of Mauritius. The Commission decided to investigate further for several reasons. First, although they have grown sugar since the days of indenture (1840s), they have never owned the land and can be evicted at any time. They have, like many other groups in Mauritius, been the victims of restructuring of the Sugar Industry. A history of metayage appears in Volume 2 and in Volume 4. In the past, eviction could occur at any time, when their leases ended, when sugar was no longer required, or when the land was required for other more profitable purposes. What is the future of *métayers* in the new economic configuration? What future do they have? Today, the lands which they occupy and have been associated with for generations, considered 'marginal' at the time, have been 're-labelled' 'strategic' zones today, and are worth millions. The sugar estates have played their historic role, as they always have; they have disposed of labour when no longer required, and shifted labour where work was required, intimidated and used all the legal arsenal at their disposal to maintain their property. What is reprehensible is the role of Public Officials who have failed in their commitment to maintain the 'public interest' and even disregarded Privy Council judgements.

A much publicized agreement was signed between the Mauritius Sugar Producers Association and the Government before the elections of 2010. The Commission learnt that the *métayers* in the South had not participated in discussions, nor even seen the Agreement, signed on their behalf, with the exception of the Secretary of the Association who had not informed his members or the President of the Association. A meeting of *métayers* in the South was convened. The *métayers* felt they had been abandoned by the Democratisation Committee and by a Member of Parliament at that time, who had represented them before. According to them, some of their members have been "bought" by the sugar estate to accept less better terms. None were aware of the terms of the Agreement signed on their behalf. They felt that, had it not been for the '*vendeurs*' (traitors), they would have got the land that they wanted. Some have an emotional attachment to the land which they have worked on for generations; they did not want any other land. Some of the lands proposed for swapping were too far away. Other lands were being given on hilly land and on hunting land which was not flat and which makes harvest difficult and impossible to mechanise. They felt very strongly about their land. They had cleared and planted it, made it rich and valuable land for many years. The sugar estates have made much profit from their labour, when selling sugar, but none of this counted in assessing the value of land. The role of Surveyors and Notaries in depriving people of their land was decried.

It is clear that the judgements of the Supreme Court, presided by Judges Lallah and Boolell, as well as that of the Privy Council of 1995, were ignored by those negotiating and signing the new Agreement.

Despite the fact they were advised not to sign the Agreement with the sugar estate, many did so and regret it today. Today the *métayers* want reparations for having performed labour for the sugar industry over many generations; now, they are being asked to '*lev pake ale*' (pick up their bags and go). They also stated they had been victims of intimidation: pigs and deer have been let loose on their land to force them to leave as crops were destroyed, and fire has been set to their canes.

Many are descendants of immigrants from India who arrived in Mauritius during the period of indenture. This particular group included indentured labourers as well as free immigrants. Both were considered together, as the two groups endured the same conditions. Some families have been in *métayage* since the days of indenture. Today, as these families, under *métayage*, face a possible loss of land worked on from the indenture period.

There were three kinds of *métayers* in the area currently: the first are those who have become old and want their compensation; the second category consists of those who want to continue as *métayers*, and a third category are the younger group who wants to become the owners of the land.⁵⁰⁶ In the case of Bel Ombre, according to one deponent, Mr. Ramtohul, out of 14 who had not signed the agreement, 5 or so wanted to buy the land; 3 or 4 others had accepted land swapping. Some, who accepted land swapping, did not get equal amounts: they gave up 25 *arpents* but were

offered 14 *arpents*.⁵⁰⁷ In the case of the *métayers* of Bel Ombre and St. Felix, and unlike *métayers* in other areas, they were not given any option. They were convinced to accept only one offer: that of buying back their rights.

They agreed, however, that the situation had gradually improved. Many years ago, they had to give up their whole crop, while today, they give only up to 14 kilos. Previously, they only obtained part of sugar proceeds and never part of molasses or *bagasse*.⁵⁰⁸

Today, the Control Board regulates, and watches over, this process; so there is no abuse.”⁵⁰⁹

It appears that sugar estates have offered land on lease to *métayers* but have arbitrarily taken land back, without explanation or offering land in return. The case of Sewpal is one of several where 40 *arpents* of land were taken away from his father in an area called *Chazal*, causing huge loss of income to the family, a loss from which the family never recovered. The *métayers* were too poor to be able to afford Lawyers, and were unable to defend themselves.⁵¹⁰ It appears that for several years, despite an Independent State, the situation has not changed much in Mauritius.

On 16 July 2009, the *métayers* were told to go back to the sugar estate and ask to buy the land.⁵¹¹

They were also promised a land valuation. This report has never been circulated. Sugar Authority Officials did go there for a meeting, but *métayers* were encouraged to ‘*signer, signer*’ (‘sign, sign’). Little in the Agreement was explained to them.⁵¹² There was no mention of any valuation being used to calculate compensation. Of those who have signed, many regret it.

According to one deponent,

*“Zotte pa kon zot drwa, zotte inn all signer betman maintnan ena bocoup pre regreter zotte acte ki zotte fin fer. Parski dapres mon guette conditions, li enn chos ki ti binding. Inn mette, full and final.”*⁵¹³

(Eng.trans. ‘They do not know their rights and they have just signed. Now most of them are regretting having signed that document. I think the conditions-it is something that is binding, where it is full and final’).⁵¹⁴

Why Government did not better protect the *métayers* and obtain better compensation for them in this region, is a question that the TJC was unable to answer. It was clear that many *métayers* did not know their full rights and have been unable to negotiate on a sound and equal footing. Years after the Privy Council ruling, *métayers* in Bel Ombre and St. Felix still appear to be the most vulnerable group.

According to Mr. Chauveau, the Officer responsible for small planters and *métayers* in Bel Ombre SE, the terrain was one of the most difficult.⁵¹⁵ He stated that most *métayers* were ready to disappear, due to high costs of labour and transport. To make a profit, according to him, one needed to produce about 30 tons of cane, but most were producing 14, 12, 15 tons, others 20 tons, with great difficulty.⁵¹⁶

While it appears to be true that the future of small planters and *métayers* involved in sugar production is bleak, and especially in Bel Ombre/St. Felix, adequate compensation should have been given to the *métayers* to transfer to another field of work or other crops, at least for those still able to or willing to.⁵¹⁷

The Mauritius Sugar Authority does not appear to have played its role fully in advising the *métayers*. When questioned however, the representative put the blame squarely on his Ministry and the Democratisation Commission. When asked about the role of the MSA in the famous Agreement, he explained that the MSA was one of three institutions represented: the Democratisation Committee, the MSPA and the State Law Office and Ministry of Agro-Industry. It was a Committee set up by the Government. MSA had the task of explaining the three options to the *métayers*.

The Committee had undertaken a preliminary evaluation of the land because the Government was ‘in a hurry’ to complete an agreement before the elections, but the representative did not have a copy of it. He also stated that Mr. Cader Sayed Hossen of the Democratisation Committee had met

with the President of the Mauritius Sugar Producers Association alone, but he was not aware of the contents of their discussion. The Agreement was signed soon after the meeting between the two persons. He also stated that a copy of the Agreement had been sent to one person in each region: Messrs. T. Ujodha, D. Mahadeo, Nuckchady and Jugoo, being members of various associations. But he was not aware whether they had circulated it to other *métayers*. He did not know whether all *métayers* knew the contents of the Agreement signed with Bel Ombre, St. Felix, or even whether they had read the Agreement before signing it. He stated further that a Technical Officer was in charge of the *métayers*, and he did not know whether he had explained all three options to the *métayers*. When asked what would happen to those who did not sign the Agreement with Bel Ombre, he stated that they would keep to the original Agreement.

It has become clear that the *métayers*, as a group, had not been consulted about the Agreement which concerned them, neither were they informed of all three options, but only of one option, option 3, 'buying back of *métayers*' rights' was pursued because it was in the best interest of the sugar estate. It appears also that there is no record of the meeting between Mr. Cader Sayed Hossen and the MSPA representative.

The Ministry of Agro-Industry stated the valuation of the land had been carried out in a transparent manner, and the Agreement was drafted with expert advice of the State Law Office. Moreover, it stated that all complaints received by *métayers* were forwarded to the MSA or Chairperson of the Democratisation Commission for their comments. It also stated that the MSA had received a copy of the valuation report for them to 'work out the figures.'⁵¹⁸

The Agreement, signed between the Government and the MSPA, was an '*accord cadre*', (a general agreement) and this general agreement forms the basis of individual agreements that have been, or are to be, entered between individual sugar estates and their *métayers*.⁵¹⁹ The response of the Ministry, when questioned on whether it was fair that *métayers* were given only two days' notice to come and sign the Agreement, after receiving their compensation payments, the exact amount of which they were not aware, it stated that 'any reasonable person' would consider this 'a bit unfair.'⁵²⁰

However, the Agreement is 'monumentally vague', thus "permitting sugar estates not to make very precise commitments with respect to the historic rights of the *métayers*."⁵²¹

The then Chairman of the Commission for the Democratisation of the Economy stated that his role was also to review the Mauritian 'economic model.' One major activity was to advise on the future of small planters and *métayers*. He felt there was no future in sugar for small planters, and that they should abandon it, but the sugar estates wished them to continue. He defended the position of the Government and stated that had the Government not intervened in favour of *métayers*, they would never have obtained any compensation at all. He stated that he was aware that there had been cases of intimidation and that the situation in Bel Ombre was not the 'best' situation. The *métayers* deserved better conditions and better compensation, he stated. However, he added that as 'institutional memory' existed at the Ministry of Agro-Industry, if Bel Ombre decided to request permission for luxury projects, this may not be favourably viewed.⁵²²

He stated that the three options had been explained and offered to the *métayers* during meetings which he had held at Bel Ombre.⁵²³ He added that this responsibility devolved to the Sugar Authority which was the implementing Agency concerning *métayers*, not the Ministry of Agro-Industry. Despite his categorical statement-"I repeat again, there is nothing which could compel a *métayer* to leave the land he is working upon if he does not wish to" it is clear that some *métayers* have been forced to leave the land without any compensation.⁵²⁴ On the question of the *métayers* of Bel Ombre and St. Felix, he concluded that he was personally not happy with the outcome, and did not think the *métayers* of Bel Ombre had obtained a fair deal.

The Commission believes a fairer form of compensation would have been to take into account the historic rights of the *métayers* and the years of labour spent working the cane fields, clearing, weeding and maintaining it for the owners. The *métayers* deserve an apology from the State, for not having defended them appropriately and for the callous manner in which they were convened. The TJC's recommendations, therefore, go in this direction. Little can be done for those who were forced to leave before the new laws were introduced, and who left without any form of compensation. This history must, however, be documented and enter the History books.

It is regrettable that other groups have also been treated in such a cavalier fashion. The plight of the original Riche Terre planters also comes to mind.⁵²⁵ In this case, they were sold land by a sugar estate which came soon after was compulsorily acquired by the colonial Government. A question could be posed: did the sugar estates know in advance that the land was to be compulsorily acquired? The small planters consider they were given a minimal compensation. They also stated to the Commission that they were verbally informed that they would be returned the land when the Government no longer needed it. Years later, this same plot of land was given to a group of planters and despite all their protests to the Ministry of Housing and Lands, their voices were ignored by the same Ministry. This same land now has been given to a Chinese business group. The new Riche Terre planters who were removed have since attracted much attention and been given land elsewhere, but the original Riche Terre planters have been totally ignored. Since the loss of their land, although some were able to continue on with their lives, others faced extreme financial difficulties. It appears that the 'verbal' commitment given by the Colonial Government was not considered at all by authorities.

RECOMMENDATIONS

1. A fairer and more just compensation be given to *métayers* based on a in-depth study and a full multidisciplinary (including historical, financial and economic) re-evaluation and assessment of their contribution to the Sugar Industry over generations since the arrival of indentured labourers to Mauritius.
2. In the case of Bel Ombre and St. Felix sugar estates, where the *métayers* have undergone severe emotional, psychological stress due to loss of land, to lack of understanding and ability to adapt to rapid and changing economic policies in their locality;
 - a. not been provided with sufficient information, advice and guidance in order that to allow them to make informed decisions and benefit from all the options present in the spirit of the various Sugar Efficiency Acts and Privy Council rulings on the issue, which was to improve the weak position of *métayers* in Mauritian economy and society and to provide greater access to land;
 - b. been left at the mercy of plantation owners who were in a stronger legal, social and economic position to impose their views.

Commission recommends reparation payments by Government and the St. Felix Sugar Estate, for moral damages, loss of historic rights and loss of income on the part of *métayers*.

3. For the original Riche Terre Planters We recommend therefore that land be given to them to set up an agricultural Cooperative as many are still in need of assistance.

3. Justification

- Historic rights have not been considered in the assessment of compensation for loss of land to cultivate.
- There is a strong emotional attachment to the land farmed by forefathers.
- Immense amount of agricultural activities, carried out prior to sugar cane planting and maintenance of land which the same sugar estates are now benefitting from and which have not been included in the compensation calculation.
- Property rights are not the only consideration as *métayage* has immensely benefitted the sugar estate owner: cheap labour, sugar produced on land that he would find difficult to farm (poor soil, sloping or rocky land).
- Calculation of compensation was based only on crop years.

- Absence of transparency on part of both Government, sugar estate and MSPA concerning the Agreement signed before elections between Government and representatives of Sugar producers. Numerous examples can be provided: unwillingness to divulge contents of agreement (docs.), not inviting *métayers* to take part in Agreement discussions (docs.), not sharing the results of Valuation Committee Reports (docs.).
- Unwillingness on the part of Government authorities to pursue all options possible for *métayers* or to inform them all of their rights and choosing a few hand picked 'yes men' as a screen to show that the *métayers* had been informed and contacted.
- Utter disregard for the *métayers* by the sugar estate which has such a prestigious name. The letters to come to receive compensation were sent with no names and not registered. At least one was delivered in a market and not even in an envelope.⁵²⁶

CHAPTER SIX

**RACISM, COMMUNALISM,
CASTEISM AND OTHER DISCRIMINATORY
PRACTICES**

1. RACISM

Introduction

At a time when Mauritius is celebrated for its protection of political and economic liberties, many Mauritians still seek social justice and long for an honest reflection on the past, as well as an honest account of the present. No society can claim to have ‘progressed’, if it has a significant percentage of its population either living in poverty and/or experiencing racial or other marginalisation on a daily basis. The negative legacies of slavery and indenture are still evident in Mauritius and continue to impede social justice and, consequently, undermine political and economic liberty. This, coupled with the historical and contemporary denigration and/or ignorance of slave/indentured labourer contributions to the society, perpetuates stereotyping, racism, underdevelopment, poverty and cultural amnesia.

The Commission has investigated racism in Mauritius. In-depth qualitative primary and secondary documentation research was conducted to find out why a substantial proportion of slave descendants and persons of African and Malagasy origin are still experiencing poverty in Mauritius.

The Construction of Racial Identity

The term ‘discourse’ is used to describe ways of speaking which are commonly practised and specifically situated in a social environment. Identity construction, and especially the construction of racial identity, is very complex in Mauritius. Many racial identity labels have emerged from Colonialism and these continue to be used to the extent that they appear to be natural. Yet, race is a ‘social construct’; it is not something conferred at birth or by religion and is affected by social, political and cultural practices.

Descendants of slaves and persons of African and Malagasy origin continue to experience significant marginalisation and poverty in Mauritius, but these experiences vary. This is partly because Mauritius has experienced significant inter-ethnic mixing since the abolition of slavery, and partly because there were differences, to begin with, between different groups of slaves and indentured labourers. Many can trace their ancestry back to slavery and indenture, and many others cannot. Thus these identities, as well as the experiences that flow from these, are real. The Commission has also studied genealogies of many people and, therefore, can safely state that there are descendants of slaves and descendants of indentured labourers in Mauritius. The experiences of these groups are real, and such people do experience discrimination, marginalisation and poverty on the basis of their historical identity.

The Commission finds that Mauritians are deeply conscious of Culture, and diversity is celebrated. However, this also emphasises cultural difference and separation. Potentially, therefore, the celebration of diversity can divide society because the popular representation of diversity can concretise cultural difference as something that is real. The Commission has also found that there is a tendency to place groupings in a hierarchy. This establishes groups which are more valued and groups which are less valued in the nation. There is a grave danger that those less valued occupy the economic and political margins of society, whereas those most valued are offered benefits in the form of jobs, opportunities and networks usually denied to others. Our recommendations say that fair and equal opportunities in the world of work, amongst others, are pivotal in breaking entrenched racially biased hierarchies in Mauritius.

The Commission believes that the complexity of racial identity must be addressed in redressing racialised inequalities. However, the aim is not to reify⁵²⁷ such categories and further entrench them. Greater care must be taken in the use of particular category names. Race is not fixed among Mauritians although there is agreement that certain phenotype or physical markers clearly indicate an individual’s racial identity. The history of slavery, indenture and Colonialism has been significant in the classification of individuals in Mauritius, creating enduring categories of ‘oppressors’ and ‘victims’, whose connotations have endured in contemporary society, due to enduring social stratification⁵²⁸ based on racial classification. Thus, while our findings show that not all Franco-Mauritians perpetuate racism, it is interesting to note the extent to which racist ideas have permeated the community. Differences between groups are believed to be so substantive that it is

difficult, if not impossible, to socialise or engage with those of a different race. This was especially noted in the discussion of one Franco-Mauritian who felt that they could not really engage someone from the *cit * because their ‘worlds’ were so different. The use of biological/phenotypical⁵²⁹ racism in language must be strongly sanctioned and treated as a form of hate speech. Such language is no longer acceptable in modern society.

There are also groups whose specific cultural identity has been ignored, in particular the *Gens de Couleur*, for example, or Indian Christians who have not had due recognition. In the case of *Gens de Couleur*, who live in a society in which whiteness is privileged and treated as the identity to aspire to, they were caught in a double-bind. They wanted to be with the ‘Whites’, but they could not because they have been identified as ‘black’. They cannot be with the ‘Blacks’ because they are judged there to be *too* white. Moreover, their ambivalence towards blackness makes it difficult for them to associate with darker-skinned Creoles. The language of class (i.e. references to class and social differences), is used to explain why that communication and interaction with darker-skinned Creoles is not possible.

How far are experiences of racism prevalent among the youth?

The Commission finds that racism and the experience of race is especially important to young people in Mauritius and that experiences and practices of racism vary across identifiable ethnic groups. Online blogs, formal interviews, informal conversations and observations have led to the conclusion that the youths are frustrated by the continuation of a ‘pigmentocracy’ (social hierarchy based on the privileging of whiteness) in Mauritius. They are also frustrated by the lack of civil society’s commitment to challenging the continued construction of Mauritius as a racialised space. Experiences of racism vary across different groups, and while many young people reported friendships across ethnic and colour lines, there was definite knowledge of the racial divisions within Mauritian society. Among Creoles and those who openly accepted the designation of being a slave descendant, an important view was that the situation of Creoles was negatively affected by the majority/minority politics in the country. The view articulated was that, as a significant minority, Creoles could never obtain advantages or even basic rights in Mauritian society.

We find that race consciousness begins at a very early age, and schools are one such space where knowledge about race is formulated. The existence of racially/ethnically homogenous schools is an important issue, for it reveals some of the embedded stereotyping that filters through to young people attending such institutions. The policy of regionalisation of education has not helped to improve this situation.

Stereotyping, whether positive or negative, creates an unequal educational climate, which influences learning and experiences of diversity, as well as future vocational opportunities. For instance, we find institutional powers (either religious or civil) promoting the creation of such homogeneous schools in Mauritius. This means that some learners from certain schools being negatively stereotyped because they attend a majority Creole institution. On the other hand, students attending formerly ‘Star Colleges’, with a majority Indo-Mauritian middle-class pupils, have positive stereotyping.

It is common knowledge that the years of negative stereotyping have influenced the negative view of people of African descent in Mauritius. These still exist for many reasons. Self deprecating views of Creole identity persist amongst contemporary youths, because of the invisibility of positive Creole representation in the school curriculum and in society. In other words, Creoles need more positive role models, not only drawn from Mauritian society, but also from among African diaspora people beyond Mauritius. Many pupils, for example, did not know who Martin Luther King was and did not know about the Civil Rights Movement in America, nor had they heard of the historical struggle against apartheid in South Africa. In responding to these perceptions of self, it will be important for Government and Civil Society to create and support programmes that assist in the critical evaluation of schools and the ways in which these might become spaces for the promotion of equality and mutual respect. This is especially important when one considers that the experience of racism does not have to be direct, for the individual to feel that his or her potential is limited or restricted.

The Commission believes that racially-homogeneous schools, areas of residence and leisure activities should be discouraged as they hamper Democracy in Mauritius. At present, these serve to reinforce the racialised socialisation of youth. The stigma associated with residence in majority Creole areas, such as *cités*, means that the Creoles and members of the working class are *confined* to, and expected to participate in, class and 'race' specific leisure activities. Conversely, leisure activities in affluent areas have elite participants who, by association with such materials of mean gain positive stereotyping. Economic barriers (prohibitively expensive sports such as golf, windsurfing and sailing) and class barriers (exclusive sporting and leisure clubs that cater for Whites, under the auspices of exclusive membership requirements) still cause segregation amongst youths in leisure activities. Similarly, sports such as football and boxing are today associated with Creoles. Thus our research showed that race is intimately tied to class and behaviour. Expensive leisure activities, on the one hand and some popular sports attain a racial exclusivity that creates an air of superiority which reinforces racialised notions of a superior sense of taste and habits. Spaces where young people can share in activities based on mutual interest, as opposed to race, can be beneficial in lifting this veneer of superiority of taste and start to create relationships based on mutual interests.

Marriage patterns also reflect this tendency. Across all population groups of Mauritius, preoccupation with marrying the 'right' name, class, religion or race was important in maintaining one's racial identity. In other groups religious and caste identity was also important. One's name and associated pedigree are significant in determining identity, which, in turn, determines access to differently privileged kinds of spaces. And, interestingly, even among those individuals who appear to be 'white' Franco-Mauritians, not all possess the right social and economic connections which help to further validate their whiteness. Parents play an important role in maintaining racial, ethnic, class and caste boundaries. Interestingly, while a young person may not necessarily be denied a friendship with a person of a different religion or 'race', the moment when marriage is being considered, then the young person is pressurised into finding someone of his or her own 'kind'.

Socialisation, from a very young age, plays a major role in determining the experiences of slave descendants and descendants of indentured labourers. Their social lives are also constrained by the expectations of the older generation, the religious authorities, the school context and the places where they reside. Thus, all these factors conspire to foster a relatively restricted existence for the youths of Mauritius. Indeed, in the school context itself, it was found that the youths are able to experience a measure of freedom from these constraints. But once outside the school context, they are expected to conform and perform their assigned 'racial' or ethnic roles. Conflict arises when the individual does not conform according to the expectations of family, friends and religious communities.

Much more substantial work has to be done by the Government and society, in general, to encourage the contribution of the youths in Mauritius to the creation of a unified and mutually respectful society. At present, the social organisations and structures of our society, while seeking to preserve diversity, are in fact emphasising and encouraging segregation. These various social organisations need to be monitored as regards their mode of operation. Government should initiate awareness campaigns to help Mauritians see their society in a more democratic light.

Class, gender and racial experiences

Class mobility can temporarily elevate the status of an individual, otherwise treated as a member of an inferior racial group or caste. However, economic mobility is no guarantee of 'progress'. There is a need for greater equality to exist in Mauritius and for it to challenge racial myths.

There is significant heterogeneity or diversity within the Franco-Mauritian group; yet, it is the *historical* perception of the Franco-Mauritians as a wholly white group which prevails. In this, they are all seen as wealthy and spendthrift members of the elite class of Mauritian society. However, members of this 'community' also see themselves as possessing inherent qualities that enable them to achieve prosperity. This myth of intellectual and ultimately racial superiority pervades the discussion on Franco-Mauritian achievements. There is the stereotyped and racist belief that Whites are better at investing and safeguarding their assets. Some Franco-Mauritians believe that they

obtained their wealth with very ‘little’ support, in the days of slavery and colonisation, and only obtained ‘plots’ of land. The Commission notes that the Franco-Mauritians are diverse and that they are not all wealthy; not all of them are accepted by the very rich. The Government must promote discussion around class diversity in Mauritius and work with the media and with schools and other public entities to dispel racial myths.

Socioeconomic decline among the Franco-Mauritians (the historical socioeconomic elite) and the rise of elites in other ethnic groups have become a reality for Mauritius. Racialised class discourse is most visible in this instance, and we can see how the use of historical privilege continues to have an important effect on Mauritian society, where some Franco-Mauritians still benefit from the positive, and sometimes negative, stereotypes of wealth and elitism. The symbols of a once elite Franco-Mauritian community are changing, and interviewees spoke about some Franco-Mauritian shifting from their inherited mansions to simple bungalows. Further research on the social construction of bungalows would be very interesting, as these are also presented to the public as symbols of elitism. While Whites no longer control political power in Mauritius, they still wield considerable economic and cultural power.

An elite mystique was maintained among Franco-Mauritians and some *Gens de Couleur*. This was an intangible aspect of being white or nearly white that others, despite class mobility, could not achieve. White Franco-Mauritian women also practised a particular kind of racism, one involving association and dissociation. Specifically, the women participate actively in charity and volunteer work with the poor, but often do so as a way of achieving a particular identity, one which valorises charitable acts among women as a sign of morality. Charity is also a way of dissociating from the poor (and ultimately the blacks) because it structures the relationship with them, without allowing them to fully engage with the self (i.e., Whites). Furthermore, it also stereotypes the poor because it publicly constructs them as people in need and as dependents who are unable to help themselves. While not all philanthropic acts are done with such motives, we argue that there is a powerful religious-racial discourse at play in Mauritius, one which socially constructs the white woman as the epitome of physical and moral purity. By participating in such acts of moral purification (charity) and doing this in defined social spaces, the white woman manages to support and perpetuate this discourse of purity and also controls the purity of home space - as she does not ‘recevoir’ or receive blacks as equals into this home space. It would seem to us (as a general trend) that, as far as the white Franco-Mauritian men were concerned, it was important for them to maintain the purity of spaces in the public sphere. Thus, they tend to control access to leisure spaces and to jobs and opportunities, by doing so in various ways, consciously (deliberate barring of access) and unconsciously (through micro-aggressions or in references to the prospective black employee in the company not being suitable for the job).

A strong myth of racial superiority is maintained among some Franco-Mauritians. Not only are they perceived as the elite by others, but they themselves also seek to perpetuate this myth. A closer look at this myth reveals that it includes references to superior intellectual capacity and economic management and class. There is significant heterogeneity within the group, but that there is also diversity in terms of intellectual capabilities and money management. Increasing poverty is degrading racial cohesion within this group. They appear to no longer ‘speak to one another’ and social networks, though still relevant, are falling apart. The last spaces in which racial cohesion can be maintained is in leisure spaces, where symbols of racial power persist and where an individual, regardless of his or her achievements, can be routinely excluded on the basis of his or her dark skin. Nevertheless, class mobility is encouraging racial integration. Friendships develop *via* shared class aspirations and activities.

These friendships are, however, mostly still masculine, as it is men who tend to occupy the public spheres in Mauritius. With regard to the complex issue of gender, racial myths and stereotypes have permeated gendered categories. For Franco-Mauritian women, there is pressure to maintain a high level of propriety and morality. They participate in a range of charity work, not only because they are fully aware of poverty in Mauritius, but also because this validates their position in the social hierarchy as pure, moral beings. In this sense, they are juxtaposed to the Creole or black women, who are deemed to occupy the lowest rung of the society, being stereotyped as drug dealers and sex workers. Assumptions about the nature of Indian descendants are legion. For instance, women of Hindu origin were being employed, and Creole women were not being employed, at one factory because the idea was that there was inevitable ethnic solidarity among Hindu women. This view

does not take into consideration the fact that these women might choose to differentiate between themselves on the basis of age, class, caste, interest or home location.

Amongst Creoles, it has been difficult to achieve cross-cutting ties. There were perceptions of division between poor and wealthy Creoles, the former feeling that the latter were snobs and unhelpful in promoting other Creoles. This is still occurring in a context where nepotism is rife and deemed to be a major offence and a source of social tension amongst Creoles. These cross-cutting identities of race and class make simplistic assertions of 'victims' and 'oppressors' clearly problematic.

The establishment of social networks at a very early age and the role which such networks play in establishing privilege for individuals, are other important factors in understanding race discourse in Mauritius. A point often made by Creole informants is that Creoles are unable to progress in this society because they lack the networks that Indians and Franco-Mauritians benefit from.

Some informants pointed out that, even though slavery has been abolished, the Afro-Creoles are still being treated as slaves, because they are exploited by their employers. Hence, their working conditions are harsh; they are underpaid and work long hours to earn a meagre salary, sufficient for subsistence only. The culture of nepotism or 'backing' enables those with the right networks, be they racial or family links, to progress in areas where those without such networks are excluded, such unconstitutional favouritism means that social mobility remains determined by race.

The Commission finds that black-skinned, young Creole, or slave descendant, women in Mauritius experience the worst form of racism. They are often the ones harassed and harangued. They receive the poorest levels of service. They are most discriminated against in public and Government spaces. They are the targets of racism from family members and in their marriages (from their in-laws). They find it difficult to obtain decently-paid work and are encouraged by a positive discourse on whiteness (the privileging of whiteness) to alter their appearance (straighter hair and light skin) and language (from speaking to Kreol to French) so as to appear more white.

Understanding the Burdens of Racism

It is possible that descendants of slaves may continue to experience post-traumatic slave disorder (PTSS) a variation of the well-known syndrome of Post-Traumatic Stress Disorder (PTSD). No attention has been given to the consequences of slavery in Mauritius previously and so little is known of PTSS. There is a growing number of people who are affected by complex sociopathologies in Mauritius and this is because of racism and differentiation that exist in Mauritius, and many people are finding it very difficult to cope with these. The majority of those affected come from the Creole community or at least, the more impoverished communities on the island.

Inherent in the logic of the concept of democracy is the premise that the more directly people are able to participate in political decision-making about things that affect their lives, the more those decisions will be acceptable to their needs, values, cultures and environmental situation. Thus, implementation of such decisions (having broadly-based support in both majority and minority needs, culture and social values) receives maximum popular support. Many Creoles feel that the notion of democracy in Mauritius seems to be non-existent. Those interviewed referred to a lack of political representation in national government as a contributing factor to Creole marginalization; Creoles do not have a political voice.

The political system is said to favour Indo-Mauritians who are in the majority, and Creoles talked at length about privileges afforded to Indo-Mauritians. These advantages range from greater to easier access to positions of social influence and political power, to the presumption that Indians, when seeking employment or in other social situation, will always have their needs met. Job opportunities in public service were mentioned as one area which should represent the multi-ethnic nature of Mauritian society. Participants indicated that Creoles were underrepresented in both private and public sector positions, and education was not seen as the only issue for their unemployment but also their skin colour and names. Interestingly, the waning political representation of Franco-Mauritians was also found to be an area of contention. However, such experiences of marginalisation in the political sphere is qualitatively different to that of Creoles, due to continued economic supremacy of Franco-Mauritians.

The Commission feels that having a fixed identity and known heritage is very important in Mauritian society and is considered significant in the kind of contribution that an ethnic group can make to the construction of the nation. If Creoles are deemed not to have an identity, then they are generally perceived as unimportant and as having nothing of value to offer in the making of the society in which they live. This can have devastating consequences for an individual or a group because what they do offer is not publicly valued and, in general, they are perceived as not 'useful' to the society. The disregard generates poor self-esteem and self-doubt.

It was found that Creoles, who are currently defined as slave descendants, routinely experienced racist attacks. This experience is cumulative because very few seek assistance or counselling for these incidents. Research into racist events (large-scale ones at least) suggest that victims tend to repress their emotional, and other, responses to such events. They also 'endure' day-to-day micro-aggressions - verbal insults, invalidations and stereotyping.

It is possible to argue that this is because responding to racial discrimination involves the public assertion (and 'owning') of an identity (i.e. black identity) that is not positively valued. Any response could involve additional humiliation. Furthermore, it may be very difficult for the public to empathise with the victims because the negative racial discourse about them and the political clout of the 'racial' majority encourages the favouring of perpetrators' accounts.

Examples of 'racist' events include biased bureaucratic reports, hidden inquests, empty review procedures, the touting of equality policies never enforced, denial of earned recognition, exclusionary socialising, and covert maintenance of housing segregation. In terms of the victims' experience of racist events, living in a modernising society such as Mauritius, where a powerful national discourse is that this is a society with 'no problems', compels victims to repress emotional reactions to many racist events. To be 'emotional' in a democratic, modern state might imply the irrationality and social immaturity of the person expressing their outrage and hurt. There is no universal, so-called cut and dry response to psychological distress. Individual differences in personality, resilience, coping style, unique personal experiences, strength of ethnic self-determination, family closeness may buffer, or mediate, responses to psychologically toxic events.

The problem of racism has not ended with the abolition of slavery, the achievement of Independence from Colonial Rule or even the various amendments to the Mauritian Constitution. The economic legacies of slavery (economic inequality, lack of access to the means of production and ownership), continue today. In fact, a worsening of the situation is occurring as Mauritius becomes a more economically liberal society in which maximum profits are to be made. It is our view that this rather uncontrolled accommodation of capitalism will have disastrous consequences for our country because we have not yet dealt with the legacy of inequality in our society and will be compounding our problems by making the society more hierarchical in class and monetary terms. The Tourism Industry, our third pillar of the economy, has brought many benefits to Mauritius. However, we still feel that this sector needs careful monitoring by Government and civil society because it risks replicating the same structures of inequality present in the era of colonisation.

There appears to be social cohesion in Mauritius, but this is at the surface-level only. At a deeper-level, Mauritius is an openly racist and bigoted country. It was found that there is a discourse of 'comfort zone' and fair discrimination in promoting communalism and ultimately racism under the guise of protecting institutional cohesion. This justified employers in employing Europeans in high positions above qualified Creole counterparts in order to maintain or achieve 'comfort', and such actions were not thus seen as an infringement of the rights safeguarded by the Mauritian Constitution.

The burdens of racism are many. These are highlighted in the report on Race Discourse. The impact of the emotional and psychological burden of racism cannot, in our view, be underestimated. To many people of slave descent and also those of indentured descent, racism imposes continuous experiences of inadequacy, inferiority and marginality on the least privileged in our society. Slave descendants and the least favoured among the indentured descendants need to continually respond to this victimisation in an attempt to salvage their dignity. This victimisation happens, despite the guarantee of basic human rights to dignity and equality in the Mauritian Constitution. We argue

that the Government, together with civil society and international institutions interested in supporting our country to achieve true democracy, need to address, not only issues of structural, but also social inequality in Mauritius.

The Commission has given the opportunity to many Mauritians to express themselves openly and without fear of reprisal. Mauritians need to continue to have such space to express their views. A multi-pronged approach is required in the hope that the issues of continuing poverty, poor self-esteem and marginalisation in our society will be taken seriously. We look forward to a workable set of solutions to the problems and difficulties experienced by Mauritians. Special attention must be paid to the infringement of Constitutional Rights in Mauritius and the necessary action to prevent infringements of the said rights, should be taken.

2. THE CASTE SYSTEM IN MAURITIUS

Introduction

Although the terms ‘caste’ can be found in archival records dating from the 18th century, the term ‘caste’ being referred to in this report relates to the Sanskrit terms, *varna* and *jati*, and most particularly to the second term. The Indian caste system is well-known and needs no introduction here. It is the Mauritian variant that is at issue and its transformation through indenture, to the present day. The relevance of caste in Mauritian society and politics is high, as evidenced by an unnecessary tug-of-war in which the Commission became embroiled: that of access to caste data found in the Indentured Immigration Archives.

It is important to understand the Indian caste system, first in order to understand the Mauritian system, for it still has an enormous impact on the Mauritian system. A fuller discussion of this is to be found in the research report of Claveyrolas *et al.*

In India, belonging to a *jati* is considered a natural fact. Through his birth, each one owns characteristics that are shared by the members of the same *jati*, and not by others. One is born in one's caste (*jati*) and one dies in it.

Within the relations between the *jati*, there is a link between separation (in order to avoid risks of being stained by a caste with lower status) and complementarity (between economic and ritual tasks). Exchanges of food and water transmit the characteristics of the one who gives them, and they are carefully controlled. Each one refuses to accept what comes from people with lower status (but, on the other way, they can give, without risks). In the same way, marriages in India are mostly still arranged by parents today and they carefully avoid all misalliance between *jati*.

In Mauritius, the lines were never so clear-cut, nor were they, in the beginning, at the Emigration or Immigration Depot, on board the ship. In India, caste was and is hereditary and endogamous, not always so in Mauritius. Much intermingling of castes and *jati* has occurred because of the emigration process itself and subsequent mixing on plantations.

Changes in the caste system in India, caused by Sanskritisation and Westernization (Srinivas: Change: Chs 1 & 2) have also occurred in Mauritius. ‘Bourgeoisification’ has also occurred so that, today, names have been changed, habits, diet and clothing transformed in an attempt to upgrade oneself. This is, however, common in all immigrant societies and is not peculiar to the Mauritian Indian immigrants.

The 1950 Constitution in India abolished ‘Untouchability’. There exists also a policy of ‘reservations’ which includes quotas for employment in the public sector, reserved places for Untouchables and Tribal populations in Universities, so that higher castes would not keep highly-qualified jobs for themselves. Today, the ‘caste-certificate’ has become a very useful document for becoming a civil servant. Non-Untouchable low castes also claim quotas, which they get, for an electoral purpose. Thus, instead of disappearing, the castes have crystallized and have become passports for employment in the Public Sector. Some individuals and some castes even get away with declaring themselves more ‘impure’ than they are, hoping to be included in quotas. This is a good example of how a provision, meant to be ‘generous’ like ‘positive discrimination’ in the USA, can be used in another manner altogether. More importantly, the policy of quotas has reinforced the impact of *birth* on the allocation of jobs.

For Mauritius, there are clear dangers: what is not acceptable today is the dissimulation of one's real identity and history and the invention of tradition and castes to obtain promotion, political power and public funds.

What is also not acceptable is the continued downgrading of some castes by others, said to be higher, and the obvious maintenance of inferiority and superiority complexes which are still very prevalent. Moreover, Sanskritisation and copying Indian Hinduism threaten to revive a caste system which Mauritians once prided themselves in having almost abolished.

Notions of purity are also very prevalent in India, as in Mauritius. These have found in Mauritian society which is enamoured with the concept of purity of race; anyone with mixed blood was considered neither pure white, nor pure black, and not accepted.

One of the consequences in India of such a logic of purity is discrimination and/or spatial segregation. Indeed in India, in many villages, 'high' castes, the 'pure', Brahmins or farmers for example, live in the heart of the village. Around them, reside the service castes (craftsmen). Far away from them, reside the 'Untouchables', whose members are not allowed to collect water from the pond or the local well, nor allowed to have tea in the village's common places or to enter the other castes' houses. How far did this exist on ships, on Mauritian estates? And how far does this persist today?

In India the religious territory of a village is divided into several shrines, each of them being patronized and frequented by one or several castes. Even though the Untouchables have long been forbidden to enter the 'high' castes' shrines, their own worshipping habits were necessary to the prosperity and the protection of the whole village. Once again, the Commission enquired whether this existed in Mauritius, and whether it still exists.

In India, Capitalism has added a new dimension, the 'class dimension'. Towards the end of the 19th century, an Indian elite appeared and became the core of the Independence and Nationalist movements. This elite has characteristics other than caste criteria. Education, jobs, and relationships with the Colonial Powers were important criteria required to be met to belong to this elite. Hence, the discourse by this elite that prevailed during Nationalist struggles against the Colonial Powers and then through the destiny of independent India, adopted a great part of the vision of a modern India that would leave behind the structure of castes, thought to be archaic and confined to village life. However, it is difficult to ignore the fact that many of this elite belonged to the higher castes.

Castes and classes thus present different realities, and social handicaps tend to reinforce one another. Lower castes are still the poorest and the most oppressed in Indian society. Whether this is the case in Mauritius remains to be determined.

Historically, 'lower' castes have attempted to break free from the caste system by Sanskritisation, by marrying upwards and by conversion to Christianity, Islam or Buddhism. The end of animal sacrifice during worship, the presence of a Brahmin priest, the transformation to vegetarianism especially, are evidence, one generation later, of practices compatible with claiming a higher caste status. Once this is achieved, it becomes possible to marry off daughters (preferably rich ones) to sons (less rich) from higher castes.

However, this does not change the attitude of other castes towards those upwardly mobile. Consequently, those Untouchables, recently converted to Buddhism, to Islam or to Catholicism, are still considered Untouchables. That they reject the way they are called and replace it with another appellation does not prevent the high castes of the village from refusing to share their meals, for example.

In Mauritius, conversion has continued throughout History, right up to today. Pentecostalism is proving attractive to many Hindus, and it is not known how many are low caste among converts.

Despite all this, it would not be correct to portray the caste system as uniformly harmful and ideologically racist. To start with, as a social structure, it also creates social links and, to a lesser extent, it represents units of solidarity. In India, caste networks are indispensable to the liberal economy, as well as to the growth of most regional political parties.

Until recently in India, the caste logic also rested on a network of relationships called *jajmani*. The village barber worked for the same patron as his father. Hereditary networks, even though they were organized into their own hierarchy, represented vertical solidarities that reached beyond caste antagonism. Revolts, militancy and pressure groups (including those with vote-catching objectives) have long formed such 'factions', i.e. the multi-castes vertical section of the village society that brings together the dominating and the dependent.

It can be said that political circumstances (Colonialism, vote-catching in modern democracy) have partly manipulated caste hierarchies in order to support identity claims or access to privileges. Thus, portraying castes as having a totally negative effect and highlighting their hierarchical function and freezing their inherent stability are proofs that the caste system and its logical tenets are still misunderstood in Western and Westernised circles.

We have to bear in mind that the intrinsic logic of the caste system draws its inspiration from religion. It is the relative purity of individuals and groups that remains the determining criterion. As such, the caste system probably works in the same way as discrimination in the racial sense: you are not allowed to discriminate on the basis of race (or caste), but one is not forbidden to claim one's loyalty to one's ethnic group.

The 'caste system' today in Mauritius

Continuity

The 'caste system' is still present in Mauritius, among descendants of indentured labourers, when it comes to wedding arrangements, commensality, devotional practices (low castes sacrifice pork, high castes sacrifice goat or have stopped animal sacrifices) and politics (for national and local, or even student elections, most of all in vote-catching strategies engineered by candidates).

Where caste has ceased to matter during and after indenture is in friendships and estate working conditions. In Mauritius, as in India, the caste hierarchy is not fossilized. The identification of each caste's place in the overall system is permanently debated and negotiable. Much depends on the context and in definitions of 'caste'. As this flexibility existed in the original Indian system, it is not really possible to state conclusively that fluidity in caste relationships in Mauritius is the result of indenture and/or of a possible slowing down of casteism in the contemporary Mauritian context.

Social mobility

It is fair to say that indentured migration has contributed to social mobility for some castes; those who wished for a higher caste identity were able to achieve this through changing patronymics or caste names. Bhojpuri territory and its traditions of migration offer many such examples, whether this consists in adopting the name of a superior caste or attaching it to the original caste name, or adopting a generic name which is not a caste name. In India, for example, the *Kurmi* asked to be recognized as *Kshatriya Kurmi*. The *Teli* asked to be recognized as *Vaishya* and low-caste *Noniya* want to become *Cauhan* (a *Rajput* - i.e. *Kshatriya* - clan name). Most interestingly, the untouchable *Dusadhs* decided in Lahore in 1923 (during the *Dusadh Mahasabha*) to become *Rajput*. Mauritian *Dusadhs* followed the trend and are also known as *Rajput* (a *Kshatriya* caste) today.

Caste as *Varna*

At first sight, Mauritians seem mainly concerned with caste as '*varna*':

People are then classified as follows:

Maraz, corresponding to the *Brahmin varna*
Babujee, corresponding to the *Kshatriya varna*
Vaish, corresponding to the *Vaishya varna*.

These three categories are better known as '*Grand nation*', while all others are '*Ti nation*'. '*Grand nation*' correspond to the Indian 'twice-born' population. *Maraz and Babujee* are sometimes referred to as 'high castes', and *Vaish* as 'intermediary castes', while others correspond to 'low castes'. Depending on the context, *Vaish* can also be 'high castes'.

Certain terminologies refer to occupational specialization: *Dhobi* are still associated with laundry workers, *Chamar* with leather workers, etc. In Mauritius, many even exclusively associate a caste name with an occupation. The *Brahmin* will then be the priest, even if many priests (in India and in Mauritius) are of a lower caste. Even the funeral specialist, bound to be a lower caste, because dealing with the impurities of death, is called *katha maraz* only because dealing with ritual matters, notwithstanding the fact he is not a Brahmin.

Until a few years ago, high-caste persons would share neither their food, nor drink water, with low-caste persons, if prepared by low castes, or in low-caste houses. During low-caste wedding ceremonies, if a high-caste individual were invited, he would only offer a gift, without drinking or eating. During high-caste marriages, food will be prepared by high-caste members, and if low castes were invited, they would be served last, and eat separately.

In the estate camps, river water was shared by all, even if it seems probable that high-caste people would be served first, and would bathe upstream. All castes were supposed to use the same taps, but certainly not the same containers for water. Certain wells were located close to high-caste houses, and were reserved for them.

Purity

The purity factor was prevalent in Mauritius among indentured laborers and their descendants, leading to a caste hierarchy.

Although, as in India in recent decades, the issue of physical contact with other castes is less important, people still have stories of high-caste individuals bathing soon after they had been touched by a low-caste person. Commensality regulations, based on purity factors, have also been prevalent in Mauritius. High-caste members, for example, certainly bought uncooked food (and food that was probably accepted from low-caste members, but never cooked food. The very Hindu criterion of 'cooking' (transforming the food by incorporating the very nature of the individuals cooking it) prevails in Mauritius too. The *pacca* (cooked)/*kaccha* (raw) duality, which translates this cooking terminology, sometimes appears in Mauritian conversation. But in contemporary Mauritius, very few higher castes refuse to socialize with so-called lower castes in public life. However, in the private space, inter-caste taboos are still alive. High-caste in-laws typically refuse to eat at their lower-caste daughter-in-law's place, or the meal that she prepares, would often create familial tensions.

Visible features of caste belonging

There are few visible markers of caste belonging present today in Mauritius. Tattoos, for example, (known as *godna*) used to be caste-bound; the form and the place of the tattoo strictly depended on one's caste. There is poor knowledge or memories of *godna* in the Mauritian population which indicates that its influence has all but disappeared. In the same way, clothes (length of dhoti, type of turbans) and jewellery which formerly indicated one's caste have all but disappeared. These items, although still worn, have lost their traditional value in categorizing Hindus.

Mauritians have retained some of the stereotypical occupational specializations which categorized Hindus in India, such as the fact that *Chamars* were leatherworkers, or *Ahirs* were cattle-rearers and *Brahmins* were priests. Behind this stereotypical occupational specialization, associated with each caste group, lies the hierarchy of the whole system, according to purity criteria. What underlies it is a type of discrimination: *Dusadhs* rear and sacrifice pigs, and they eat pork meat; high castes rear cattle and sacrifice or eat, chicken or mutton. Pork is intrinsically associated, in India and still more, it seems, in Mauritius, with dirt and impurity. The recurrent reluctance, or even revulsion, of most interviewees, when asked to comment on pig-rearing and pork meat, on sacrificing or consumption habits, or even to pronounce the word 'pig', are linked to their repugnance to evoke lower-caste persons. It is clear that activities considered 'impure' are linked with so-called 'impure' castes. But the logic can be inverted; the low castes are considered 'dirty' and 'impure' *because* they work in activities considered 'impure'.

Patronymics also reflect caste identity. Even when *Dusadhs* call themselves 'Rajputs', if they keep their original patronymics, traditionally associated with the *Dusadh* caste, the identification will remain: they would still be considered 'lower caste' by the upper castes.

Taboo

The taboos remain the most visible and problematic marker of the operation of the caste system in Mauritius. The very first reaction of almost every person approached by the Commission was to deny the existence of castes in Mauritius or to refuse to speak about them. Many expressed fears of speaking freely about the subject and requested anonymity. Others requested that the interview not be recorded or be erased. Upper-caste persons were proud of their identities. A wife will associate herself with her husband's caste, whenever it is superior to the one she was born in. She will proudly retain her birth caste, whenever she married into a lower caste. Conversely, and as expected, most lower-caste persons interviewed claimed not to know their caste belonging.

All, low or high castes, were embarrassed about evoking low castes. Concerning family histories, neighbours were sometimes brought in to 'recall' the history of a family member who had married into a lower-caste family. It is also true, in a general manner, when it comes to recognizing the very existence of castes known as 'low'. The term '*Chamar*' or '*Dusadh*' or the associated occupational or devotional habits such as rearing or sacrificing pork (which is associated with *Dusadh* in India) is expressed in a derogatory manner.

Discrimination

Believing that caste belongingness refers to a hierarchy based on natural criteria seems to be losing ground in contemporary Mauritius. The local, more universal, versions of such conceptions appeared when people stated that the only caste is that of 'God', or that there are only two castes, men and women. As a consequence, the most overt and/or violent forms of discrimination, whether physical (low-caste individuals being slapped for entering a temple) or psychological (in-laws refusing food from lower-caste daughter-in-laws) are cited, but only as examples from the past. However, it is to be noted that temples still bar members of certain castes from entering. This must be condemned. However, castes are still, in Mauritian popular beliefs, associated with a certain type of character, which can be described as discriminatory and derogatory. Thus, the stereotype of *Chamar* is that of an alcoholic and quarrelsome person. When an inter-caste marriage is broken up, one often uses such classifications as a cause. When one criticizes a quarrelsome individual, or when one wants to insult him, one will accuse him of being a '*Chamar*', or a '*Dusadh*'. This, in India, is a punishable offence, but not in Mauritius.

Religious Hindu Authorities in Mauritius are not univocally pro-caste. Public speeches, including in religious spheres, criticize Indian Hinduism for precisely this reason, that it validates casteism. Mauritian Hinduism is often promoted as more modern and liberal, compared with Indian Hinduism described as archaic and degenerate. But, in reality, there appears to be a trend towards reintroducing caste-based social organisations.

Mauritius and Mauritians must, therefore, guard against tendencies to revive the caste system. The replacement of Mauritian ritual structures by an architecture imported from India, conceived and built by architects and artists brought from India, is one example. Mauritian Tamil temples, for instance, are more and more monumental structures reserving a specific space (*garbhagriha*) for the deities. This space is increasingly forbidden to others beside religious specialists, and common devotees cannot touch the divine images any more. The overall logic, justifying this new religious organization of the ritual space, lies in purity, the need to preserve the pure divine image, and the risk which impure individuals represent for the deity.

Although the 'traditional' *kalimaya* were also hierarchized spaces, from which certain individuals, thought impure, were excluded, they were also 'self-service' places where each individual could perform rites according to his personal knowledge, needs and preferences. *Kalimayas* are, slowly but surely, disappearing from the Mauritian landscape, and are being replaced by monumental Indian-style temples. There is a need to protect the original *kalimayas*, and monitor their 'renovation'. Restoration to a style closer to the Mauritian *kalimaya* tradition would help keep Mauritians Hindus away from renewed reinforcement of the caste logic.

Hindu Mauritians need to better respect their local roots, and be proud of their original, Mauritian Hinduism, rather than copy modern Indian Hinduism. Thus, Mauritian Hinduism needs to be promoted as such.

CHAPTER 7

EDUCATION AND HEALTH

1. EDUCATION: A TOOL FOR REPARATION

Consequences and Education as a Tool for Reparation

Among the many questions which the Commission has sought to answer has been that of the consequences of slavery on ex-slaves and their descendants concerning education. It is, however, the *absence* of the provision of education to the slave population and the ex-slave population that has the greatest impact on their lives and that of their children in the post-emancipation period. Furthermore as previous chapters have demonstrated, the need for a docile labour force, tied to the sugar sector, meant that the type of education envisaged for the slaves and ex-slaves was focussed on providing vocational education. The absence of education was deplored, but only because it did not fit the employers' needs. Reverend Lebrun, the apostle of public education, was the only person in Mauritius aiming to teach the children of ex-slaves to read and write thus paving the way for a generation of professionals.

By contrast, the absence of educating ex-slaves in even basic literacy skills pursuits meant that they lived without understanding the value of the written word. The absence of this knowledge meant safeguarding of documents was almost inexistent, leading to many cases of land dispossession due to fraudulent documents, inability to trace one's family tree, because documents were not preserved and so on. Functional illiteracy, enforced by the plantation system, caused irreparable harm to the ex-slave population.

What of the consequences for descendants today? The consequences and continuities of the slave system remain with us in many ways: in the manner we treat persons of African and Malagasy origin, discrimination, negative stereotypes which impact on self-esteem and contribute to failures. The system has not yet incorporated African and Malagasy cultures in the educational field. But rather, it has sought to bring all descendants into the Christian fold.

As far as indentured immigrants are concerned, although there were concerns about the type of education to be dispensed in the early years, by the 20th century, many Indian children were going to school. Parents had overcome their original hostility to Western-type schools and were sending boys to schools. Education was highly sought after and many sacrifices were made by parents to secure a place in school. Oral histories abound with such stories. Education was also seen by many as a way out of the sugar sector and into white collar jobs. Discrimination, however, against Indian children existed in schools as few schools were willing to offer a place to Indian children in the early 20th century. However, many schools, private and public, were later opened and these were made full use of by the descendants.

The impact of slavery on descendants of slaves and persons with an African phenotype is believed to be more strongly felt on descendants of slaves than the impact of indenture on descendants of indentured immigrants as far as the lack of educational provision during those period is concerned. Racism and prejudices against persons of African descent exist in Mauritius and influences perceptions of those in charge of education. Many children endure abuse and denigration of their culture at school at the hands of other children and teachers.

However, the fact that ethnicity is no longer used as a 'category' in the Official Census and data is often not collected along ethnic lines, makes it difficult to collect statistics concerning children with African phenotype. argue in favour of any kind of Affirmative Action for the Creoles.

There is enough evidence collected in numerous surveys, including those conducted by the Commission, which show that Creoles are discriminated against and do not enjoy the same fruits of development to the same extent as others do. As several surveys undertaken by the Commission indicate, discrimination and racial stereotyping also persist. The work of Bunwaree (1997), Eriksen (2007) and Geetanjalee Gill (2010) also highlight this.

Education is usually seen as a means to get people out of poverty, a vector of social mobility, a tool for peace and reconciliation, but when education fails to do the above, social cohesion is threatened and instabilities of diverse kinds are bound to arise. Multicultural Mauritius, whilst peaceful on the surface, has all the ingredients necessary for a social explosion, but only if

managed carefully and if its education system is organised and delivered in a manner that permits and ensures genuine equal and equitable opportunities for the children of the descendants of slaves and indenture. This would go a long way towards the creation of durable peace in the country. Peace, as Martin Luther King notes, is not about the absence of conflicts, but the presence of justice. Can Mauritian education ensure social cohesion and justice? Education in the post-Independence period has no doubt been informed by the history of the country, and this history has had ramifications for the different segments and communities of Mauritian society, including Rodrigues and the Outer Islands. The democratisation of education during the post-colonial period opened up several windows of opportunity, but discriminations and inequities persist. Several legislations marked educational developments both in the colonial and post-colonial period, but legislations are not enough to create equitable outcomes

The Commission proposed to examine the provision of education and how it can be used as a tool for reparation, thereby thus mitigating the tensions and injustices resulting from a history of injustice and oppression.

Whilst post-colonial education has contributed to producing a greater pool of expertise and relevant manpower in the country, several types of injustices, such as curriculum injustice, linguistic injustice, socio-economic injustice have continued to mar the educational system. The greatest aberration of the system is that it makes demands of Mauritian children, are unable to meet - that which they based on, the cultural and linguistic capital, and remnants of a Eurocentric model of education. In short, the Mauritian school does not cater for the heterogeneous cultures, diverse talents and multiple intelligence of the country. The system has, for many years, been failing the disadvantaged children, particularly those of Creole background.

Whilst 'illiteracy' is no longer enforced, as during the slave period, the former still prevails amongst a relatively important section of the population. Enforced illiteracy had several consequences such as: a lack of opportunity to acquire assets, dispossession of land, denial of political rights, and these have impacted on future generations in multiple ways. But illiteracy is the result of a system failing the children. Children fail the Certificate of Primary Education (C.P.E) exams without having mastered the skills of reading and writing. Schooling in Mauritius has not favoured an oral culture, which is generally closely tied to the 'being' of the child. Working-class children, particularly those of slave descent, have experienced multiple forms of identity repression and denial, making it hard for them to connect to schools with middle-class values and ethos.

Failure rates are concentrated in the deprived zones of the country where ZEP (*Zones d'Education Prioritaire*) schools have been set up. The deprived zones have important conglomerations of families of both indentured and slave descent but the latter are more predominant. Given the high failure rates, the State has opened up a number of pre-vocational classes/schools to cater for those who do not make it in the last year of primary schooling. The fact that Pre-vocational Education (PVE) schools capture large numbers of children from both slave and indenture descent, particularly those belonging to the working class, the education team also undertook a survey of the PVE schools to establish the extent to which these schools actually provide a second chance to the more deprived. The reality of the PVE School, however, is a sad one. The way in which education is organised and delivered shows that the emphasis is on access, with little concern, if at all, for equitable outcomes.

The PVE was studied in depth by the Commission through a survey of a selected number of schools. The methodology is outlined in Volume 3 and only the conclusions are presented here.

The Prevocational Sector

The Prevocational Sector, in Mauritius, caters for around 4,000 students left out of the primary cycle, as a result of their inability to meet the established benchmark for promotion to the mainstream in the secondary sector. As there is no other well-organized system or structure to provide for further learning opportunities and equal facilities to this category of students, a new Prevocational Education Scheme was launched in 2001, with a view to providing the necessary environment for the growth and development of these children, and also for developing learnability

to eventually help them live a socially acceptable and economically self-sufficient life-style (Ministry of Education & Human Resources, 2011).

The new scheme was aimed at ensuring equity in educational services. It offered learning opportunities with a view to mastering essential competencies in order to ensure Functional Literacy and Numeracy and basic learning competencies for further achievements.

The Prevocational Education Scheme proposes a shift in the pattern of traditional academic elitist educational goals to a more child-centered and need-based learning. However, the actual praxis is different in educational institutions governed by the State and Private sectors. Prevocational classes in State Secondary Schools tend to be more academic, while in Bureau d'Education Catholique (BEC) schools, much emphasis is laid on an inclusive pedagogy, where students are encouraged to participate in the various activities tailored according to the needs of those students, for example, cookery classes for both b the study attempts to examine the various in-school and out-of-school processes, affecting students attending PVE, so as to understand the scope of their integration into mainstream society.

Whether the PVE Sector provides assistance towards the establishment of a more cohesive society is a question that needs to be posed. In order to answer these broad concerns, a survey of some 35 schools having PVE classes, based in diverse locations, particularly the poverty-stricken zones, were chosen and some 35 focus group discussions (with one in each school) were carried out.

The specific objectives of the study were to examine the extent to which teachers were equipped to teach children from disadvantaged backgrounds, particularly those of slave descent and indentured labour descent attending the PVE; to assess whether in-school and out-of-school processes within the PVE sector were empowering the children and actually providing a second chance; to explore the different avenues available, and which **could** be used in assisting towards ensuring better futures for children attending the PVE sector. Focus Group discussions were carried out with a diverse student population within the PVE Sector in different geographical areas around the island. Questions and topics raised with students were mainly related to their identities, past and current school experiences, daily life experiences, their family life and parent involvement in their studies, and their knowledge of topics such as citizenship, 'Ile durable', patriotism. FGDs and other interviews assisted in obtaining some kind of triangulation.

Main findings

The main findings of the discussions were:

1. On questions of Identity of students and the perceptions of slavery and indentured labour, many students described themselves as 'Creoles' or 'Indians'. Some of the Creole children called themselves Catholic but very few could actually connect with their slave or indentured past. Creole students reported that certain 'pejorative' (sometimes seen as racist) terms were used by other non-Creole groups in describing and/or addressing them.

2. On the experiences of past and current schooling, students could not describe their primary school experiences as a wonderful one. Many of them were labelled as 'good for nothing' and stereotypes of diverse kinds were often used by teachers. They were considered as failures and their seats were often reserved in a far corner and in backrow of the classroom. Some students reported that their teachers used racist terms in class like 'Mazambik', 'Noireau'. Creole students reported that Hindu teachers would 'guet zenfant malbar plis', 'Pas pren nu conte'.

Students also reported the bad treatment that they received from their teachers and this included physical, as well as verbal, abuse. One of the students even reported that her punishment was to kneel down on 'filao' seeds, while others were often beaten with a stick.

Some of the terms used by teachers to describe the students included:

- **Sa bann zanfan la bizin fout zot dan enn kwinn**
- Eng trans. These children should be thrown in a corner
- **Aret vinn lekol. All zet le kor**

- Eng trans. Stop coming to school. Go commit suicide.
-
- **Ale travay dan kamion salte, al netoy twalet parski zot pa konn lir**
- Eng trans. Go to work in garbage collection, go to clean toilets because you dont know how to read

- **Resamble zako**
- Eng trans. You look like a monkey

- **Mazambik, sinois nef**
- Eng trans. Mozambique, new Chinese ??

- **Vinn barr zanfan so plas, vinn sof sez dan lekol, vinn pran dipain al lakaz**
- You have taken someone more deserving's place, you come to warm the seat, take the bread and go home

- **Miss la get nek sa bann indien la, pa get bann kreol dutou**
- The 'Miss' cares only for the Hindu, does not care for the Creole at all

3. On what they feel the '*prevoc*' was doing for them, the students without any hesitation showed a preference for Prevocational classes, as compared to primary schooling. They enjoyed a better treatment by their class teachers and for them, this was a great relief as to what they were compelled to bear in primary schools. In some well-organised schools, students even felt privileged to have activities tailored to their specific needs and this acted as a positive reinforcement to boost their desire to attend school and to dream of a better future. In the other schools, there were one or two activities reserved for the Prevocational students, like swimming and music, **but** those activities were not practised on a regular basis. In general, students were satisfied with the way their time-tables were planned, with a good balance between academic and non-academic subjects.

Their relationship with mainstream students, as well as teachers, was also discussed. The responses varied from one school to another. Some reported being well-treated both by the students as well as teachers from the mainstream, while others described their relationship as being warm with the students, but quite unfriendly with teachers, who had already formed a prejudiced opinion of them. Others described their relationship with their mainstream friends as being hostile, **since** they were looked down upon as being 'zelev prevoc' (prevoc students). Few mentioned joint activities organized for both mainstream and Prevocational students.

4. On their aspirations and expectations of life, students answered 'IVTB'. Some of the well-informed ones even corrected as 'MITD'. They were observed to have low expectations. Most cited their technical courses at IVTB as if from a predefined list, namely mechanic, plumbing, electric, carpentry, while those living in the coastal regions added the broad term 'travay lotel', with a few mentioning the job of waiter. Some students even said that they would prefer to enter the job market immediately after their Prevocational classes, while a handful would like to pass C.P.E and integrate mainstream and later get a good job.

For the girls, the aspirations were somehow different and varied from one school to another. In very few distinct institutions, most of the students wanted to pass C.P.E., integrate mainstream and have a good job. Those aspirations simply reflected the quality of education they are receiving at school. In those same schools, those who preferred to enter the labour market, had very original ideas of what they will be doing in the future. A student mentioned operating a day-care centre, while another said that she would create her own jewelries and sell them. Another one said that she wanted to operate a florist shop. In schools where students do not have great aspirations, 'hairstylist' was on the top list for future jobs.

5. On the question of whether they knew what generally happened to students who leave *prevoc*, only a minority knew about them. They stated that these had gone through Prevocational Education, completed IVTB training successfully and were now in employment. Those students tended to take these people as models, and they tended to choose the same career paths as their models. In some deprived regions of Mauritius, the Team found out that unsuccessful Prevocational students had become drunkards, drug addicts and even delinquents.

6. On the issue of whether students understood the concepts of “Citizenship, Patriotism and Ile Durable”, it was observed that these terms were quite popular. Students acknowledged having heard these words, but failed to explain or give definition of same. Overall, the response to this part of the FGD was poor. However, students, from most of the schools visited, claimed that teachers had never come up with discussions/ explanations around these topics.

7. On the issue of ‘Creole’ as a medium of instructions and as a full-fledged language to be introduced in the school, students were happy with the use of ‘Creole’ as a medium of instruction in class as they were less able or some even failed to understand English and French. They claimed that the use of ‘Creole’ in class enabled them to better understand concepts. However, they also admitted that English and French were also very important to learn, as they would have to deal with a wide range of clients, according to the field of their professions. Almost all students welcomed the idea of introducing ‘Creole’ as a subject, as they feel more at ease with ‘Creole’ and above all it was their mother tongue’. It should be noted that in some private schools, students were taught ‘Creole’ as a fully-fledged language.

8. On the issue of their parents’ involvement in their education, it was observed that most of the students came from broken families, single-parent families, had absent parents. A handful lived in shelters. Very few obtained assistance from their parents at home, while doing homework and other activities. This is due to illiteracy among parents or due to a lack of time, because of overtime at work. Some of them got help from elder siblings. Parents rarely came to enquire about students’ performances at school. Parents even failed to share basic knowledge on sexual reproductive health. Student stated that in the case of any query about their biological growth or any other related issues, they preferred to discuss with friends or opt for self-exploration, as these issues were rarely discussed by teachers and parents. However, girls stated that their mothers used to inform them about their physical and biological changes, but this information was very restricted, as they felt reluctant to discuss such issues. Almost all students were aware of HIV/AIDS, but had little information about how to protect them from such a disease. Most of the schools visited did not have a permanent School Counselor, but from time to time, specialists would intervene on a case to case basis.

9. On their reading and study habits, students said that they liked reading, but unfortunately, they did not know how to read English and French. A handful admitted that they hated reading because it was boring and tedious. They preferred books with colourful pictures which were more appealing to them. Few students said that they did not have access to a school library, as it was meant for mainstream students or they had been banned from entering the library, because of few students who would disrupt the silence and make a mess of the materials in the library. Very few stated that teachers did reading practice in class, but they read the text and explained it in ‘Creole’ to students.

10. On the Curriculum and Subject they were studying, students were more or less happy with the PVE curriculum. They looked forward to obtaining a certificate at the end of their PVE schooling. They saw their subjects as a stepping-stone to their future career. However, they would have preferred more practical classes in subjects such as: Food and Nutrition, Computer, Agriculture, Science, Fashion and Fabrics, Wood-work, Sports, Music and Basic Electricity. Unfortunately, schools did not make space for PVE students to use the specialist rooms.

Our conclusion is that, while the PVE Sector was initiated to provide a second chance to those who have failed the C.P.E, very few of the students actually got this second chance. The learning experiences and the assessment proposed to pupils persisted in not drawing from the personal experiences of the children, nor do they relate to their specific learning styles. In short, what is learnt, how it is taught and how it is assessed has not changed much from the Primary School except in a few of the Prevocational Schools. Resources, especially those relating to practical classes, are often not available for children attending *prevoc*. Many of them complete their three years at PVE without knowing where they will land up; some do end up at NTC Foundation Course, but there is no research available to know what exactly happens to those young people after the few years of post-primary schooling.

Can one speak of Justice under these conditions? If young people are made to internalise their failures and to believe that something is wrong with them, when actually it is the nature of the

curriculum content, the pedagogy and the culture of the school - often with all of those forming part of a dominant culture - there is an urgent need to rethink, revisit and repair all the wrong, much of which has been largely informed by the Colonial History of the island.

2. THE EVOLUTION OF HEALTH CARE IN MAURITIUS

Introduction

In 18th and 19th centuries, ill-health took a heavy toll of lives of slaves and indentured immigrants. High mortality amongst slaves reflected their harsh living and working conditions, and they often did not live longer than middleage. Indentured labourers too were characterised as weak and subject to premature ageing as a result of hard work, poor nutrition and disease. Access to health services was not easily and adequately available. Often denied adequate food and a balanced diet, proper sanitation and shelter and harsh labour conditions caused undue harm to their physical and mental health. Some timid measures to improve living conditions were undertaken by the Colonial Administration in the 19th and 20th centuries, lagging behind on health services development in Britain.

1. Nutrition and Malnutrition

The Committee on Nutrition in the Colonial Empire (1939) noted that malnutrition was one of the main cause of the excessive mortality in most Colonial territories and that the single most striking feature was the absence of milk and animal products from most tropical diets. In post-slavery and post-indenture Mauritius, too, infant mortality rates were very high (although they fell considerably after malaria was brought under control in the 1950s) and the main causes were malnutrition and repeated infectious diseases (including malaria and intestinal worm infestation). Inadequate infant feeding, especially weaning, was a cause of malnutrition and high infant mortality.

Apart from poor diet and the high prevalence of infectious diseases in Mauritius during the colonial period, the underlying causes of malnutrition were, most importantly, the low standard of living followed by lack of awareness, coupled with certain prejudices. The low standard of living of the labourers was the result of inadequate food rations, low wages insufficient to supplement their rations and too little food provisions from family production or gathering in the wild. The economic policy prioritising the production of cash crop (sugar cane) for export further decreased available land for food production.

After the Second World War, improved sanitation as well as maternal and child health care service, coupled with health/nutrition education, primary school and pre-school feeding programmes, and food subsidy (after Independence) were implemented to combat malnutrition among both children and the general population.

There is no evidence, however, of consequences today on the population of the poor health of the slave and indentured. As a result of chronic malnutrition and hard physical labour at a young age, slave children were subjected to severe growth retardation, as evidenced by their short stature by age 18. The heights of Mauritian slaves' children (both boys and girls) (in 1826) were far below the World Health Organisation (WHO) Reference throughout the age range 5 to 18 years, while contemporary Mauritian children (Creoles and Indians) (in 2004) have caught up with the WHO Reference. It is known that stunted growth among children is related to chronic protein-energy deficiency as well as to repeated episodes of infectious diseases.

In 1942, however, primary school children were found to weigh much below European norms at that time and Indian children had lower weight-for-height than Creole children. Newly-arrived Indian adult male immigrants were also less tall than male Creole slaves, although the heights of contemporary adult male Creoles and Indians are nearly the same. That is, early generations of Creole slaves and Indian immigrants were of short stature (an indicator of chronic malnutrition) but the descendants of both groups gained several centimetres by 2004 and both nearly caught up with the WHO norms.

Nutritional deficiency diseases

Studies and hospital records since the Second World War have revealed that the labouring class commonly suffered from iron, thiamine and riboflavin deficiencies and, less commonly, from

vitamin C, niacin and vitamin A deficiencies, thus causing nutritional deficiency diseases such as anaemia, beriberi, pellagra and various other forms of avitaminosis.

Outbreaks of beriberi occurred in the early 20th century in the local population (particularly among Indians) following the importation of refined rice (deficient in B1 vitamin). Subsequently, parboiled rice (richer in B1 vitamin) was imported to control the problem and beriberi virtually disappeared by the 1950s.

Although anaemia was a serious problem during the 1900s until the 1960s, generally affecting the lower-income groups of the population, it was particularly common among the Indian section of the population and affected mostly women of child-bearing age and young children. The disease was generally associated with malaria as well as hookworm infection. With the eradication of malaria, improved sanitation, public health measures (including iron supplementation and free shoes or boots to school children and labourers) and improved nutrition, anaemia ceased to be a major public health problem by the end of the 20th century.

In addition to the overt signs of vitamin and mineral deficiencies, chronic sub-clinical deficiencies of vitamins (A, Bs and C) could also have resulted in fatigue and increased susceptibility to infection. Chronic caloric deficit coupled with B-vitamins and iron deficit caused muscle weakness, loss of appetite and fatigue, leading to low working efficiency of the labouring population.

In the second half of the 20th century, with the eradication of malaria, improvement in primary health care, sanitation and water supply, improvement in the standard of living and continued improvement in food supplies (including food subsidies and supplementary feeding programmes for the vulnerable groups), malnutrition, vitamin deficiency diseases and anaemia gradually declined, so that by end of the century, the country began to face the emerging problem of non-communicable diseases and obesity, although anaemia is still common among adolescent girls and underweight persists among young children. The mostly non-vegetarian diet is high in energy, fat, sugar and salt, and low in fibre contents. Although vegetables and fruit consumption trebled from 1961 to 2007, the present level (of about 300 grams *per caput* per day) is still far below current recommendations. Increasing alcohol intake and decreased level of physical activity further contribute to the development of obesity. This tendency is worsened by the increasing consumption of 'fast-foods' and packaged snacks, and adoption of sedentary leisure activities (mostly television and electronic gadgets) by the younger population.

Therefore, the evolution of the diet and nutritional status of the inhabitants of the Island Mauritius can be summarised as follows:

- a. The slaves of African origin were on a mostly vegetarian high bulk diet having high carbohydrate and low protein content, with occasional consumption of salted fish or meat. Alcohol abuse was a problem among slaves. Their caloric intake barely met their high energy needs for intensive labour resulting in chronic under nutrition of both adults and children as evidenced by stunted height of both adults and children. The diet was monotonous and deficient in various vitamins and minerals. Total mortality was very high and life expectancy very low (hardly reaching middleage).
- b. The Indian indentured labourers were mostly vegetarian with occasional consumption of animal protein and little milk. Their diet was high bulk, high carbohydrate and low to moderate in protein. Vegetable consumption was higher than for slaves. B-vitamins deficiencies and iron deficiency anaemia was prevalent. Their caloric intake barely met minimal needs resulting in chronic under nutrition. Both overall and infant mortalities were high and life expectancy was low. Indian labourers in the 1940s had poor physique and low work performance related to their poor diet and recurrent diseases, and suffered premature ageing. The prevalence of malnutrition coupled with malaria and other infectious diseases (including hookworm infestation) gave rise to a sick and debilitated population.
- c. From 1950s to 1980s, malaria eradication and improvement in water and sanitation and socio-economic measures led to improved health and nutrition status of the descendants of slaves and indentured labourers. Their nutritional status improved with increased protein intake, a more varied diet, free distribution of food supplements to the vulnerable groups and

Government subsidies on staple foods. Prevalence of vitamin deficiencies decreased gradually although anaemia among adolescent girls is still common and prevalence of child underweight (particularly among Indo-Mauritians) remained relatively high. The average diet remained relatively high in refined carbohydrate although the fat content had increased considerably. Infant mortality was rapidly decreasing and life expectancy was increasing as a result of better health and nutrition.

d. After the 1980s the population is faced with the problem of overconsumption and dietary imbalance with increasing per capita caloric supply as well as increasing fat content of the diet; although the carbohydrate content of the diet gradually decreased from 1936 onwards, carbohydrate to energy ratio remained elevated. High consumption of alcoholic beverages and fatty/salty foods, and inadequate consumption of vegetables and fruits is a serious concern, as well as increasing consumption of alcohol and low level of physical activities. Obesity and non-communicable diseases started as a public health problem among adults. The height growth of children below 18 years has reached the World Health Organisation norms and obesity is becoming an emerging problem among children; although underweight still persists among young children. Mauritius is now reaching the level of human development indicators of emerging market economies with low level of infant mortality and relatively high life expectancy with concomitant high prevalence of non-communicable diseases (including diabetes, cardio-vascular diseases and cancer).

2. Disease pattern

Health and illness in a population are associated with factors that relate to the surrounding environment, the climate, the housing and sanitary conditions, the food habits, the quality of water and the working conditions of the people. The disease pattern at a given point in time is not only the biomedical disorders caused by ill-health, but also a reflection of the harm done by the prevailing social, economic and political environments.

2.1 Alcohol Consumption, Production and import

Rum being derived from molasses existed as an industry wherever sugar was made. In Mauritius, prior to 1895, a distillery was attached to almost every sugar estate, and over 100,000 litres were produced per month, bringing a high amount of revenue to the Government. But with decreasing exports to Madagascar and East Africa, the revenue from the sale of rum fell significantly, and most of the distilleries closed their doors, thus greatly decreasing the level of alcohol consumption on the Island (Anderson 1918). In the early 20th century, liquor consumed in the colony was either imported or manufactured locally. Imported liquors included whisky, brandy, gin, vermouth, rum (in very small quantities), liqueurs and cordials, wine of every description, ale beer, porter and cider. The local product was rum, obtained by the distillation of sugar cane molasses. It was generally consumed as it came from the distillery, or after having been artificially coloured or flavoured,

Following the distillation (*Rhum prepare*). Later, large quantities of "prepared rum" on the market were replaced in the form of local "brandy" or "liqueurs" (Balfour 1921). By the mid-20th century, wine or country liquor were manufactured mainly from imported dried raisins and on a small scale from local fruits, such as guavas, prunes and bananas. There were 13 wine factories in Port Louis (MHD 1949). Local production of beer started in 1963, using imported malted barley from Australia and Europe.

Sale of alcohol

Retailers, hotels and inn-keepers, as well as taverns, restaurants, refreshment rooms and public billiard rooms, were authorised to sell alcoholic beverages, but the opening hours and authorisation to consume "on" or "off" premises were strictly regulated for each facility. Chinese shops, scattered all over the Island, supplied their customers, who belonged mostly to the working classes, with liquor, principally rum, in pints (*chopines*), and in small measures, popularly known as *topettes* or *petits baquets*, which are consumed on the premises. The maintenance of control and order over drink shops or drunken men was carried out by the Police (Balfour 1921). The health and social consequences of this overindulgence raised concerns among the authorities. This affected mainly the working-class population (fishermen, artisans, agricultural and dock labourers, and the lower

classes) although it also became noticeable among the younger generation and the Indian population. To address the problem, the authorities decided to strengthen control on sales of liquor, prohibit the giving of liquor as payment for salaries and wages, or as a gratuity, and promote awareness on the dangers of alcoholism (Balfour 1921).

Alcohol Consumption

There was an alarming increase in the consumption of rum from 1909 to 1920. During the period 1909-19, the average annual consumption of rum was 1,022,785 litres. In the year 1919-20, it reached 1,832,589 litres, i.e. exceeding the average of the preceding 10 years by nearly 80%. Therefore, within a period of about 10 years, the per capita annual rum consumption increased from 2.74 to 4.95 litres (Balfour 1921, Kuczynski 1949).

High alcohol consumption had been the cause of sickness and mortality among slaves, apprentices and troops. During the 1825-40 period of sugar expansion, the widespread distribution of liquor to slaves as an incentive to work proved to be detrimental as slaves turned into alcoholics. The amount and frequency of arrack distribution differed on each estate but ranged from as little as once a week to several glasses a day. Liquor became cheap and freely available as slaves began to distil it in their huts and sell it to other slaves. Alcohol consumption increased dramatically during the crop season and affected both men and women. It led to various social ills, including fighting among slaves, general disorderliness, theft, lateness at work, insubordination, accidents and, even sometimes, suicides. There were also many unlicensed liquor shops in the districts (Teelock, 1998).

Alcohol abuse also became the cause of great concern during indenture period, when an increase in drunkenness caused a reluctance to work among Indians. On some estates in the 1840s, rum was even distributed free together with the rations. It was realised that high alcohol consumption was detrimental but the Government was reluctant to increase taxes on arrack production as this would be unpopular among distillers, and it took no measures to decrease consumption as sale of rum-generated important revenue for Government (Teelock 1998, Boodhoo 2010). High-sales of rum and locally-made wine, both almost exclusively consumed by the Coloured population, were regarded, to some extent, as symptomatic of low vitality and limited interests in work (HMSO 1943).

Consumption of alcoholic beverages increased by 50% from 1961 to 2007. Energy supplies from alcoholic beverages increased from 29 kcal *par caput* per day in 1961 to 44 kcal *par caput* per day in 2007, i.e. equivalent to about 4 and 6 grams of alcohol *par caput* per day respectively. While in 1961 alcohol consumption was mostly in the form of spirits followed by beer and wine, in 2007 that pattern has changed to mostly beer, followed by spirits and wine (FAO 1961, 2007).

2.2 Diseases under control

The prevailing diseases in the 18th, 19th and 20th centuries have been controlled, if not eradicated in Mauritius. Some of these are:

Leprosy

In 1924, the 27 Leprosy patients from St. Lazare were transferred to the Powder Mills which became the Leper Hospital. In 1970, it was integrated into the Skin Disease Unit of the Sir Seewoosagur Ramgoolam National Hospital with 40 beds and an average of 34 occupied throughout the year. The responsibility for medical care was taken over by specialist dermatologists. Throughout history, lepers were ostracized by their communities and families. This age-old stigma associated with the disease, was an obstacle to self-reporting and early treatment. The final assault on *Mycobacterium Leprae* was made in 1980s and the multidrug therapy was the key element in the strategy to eliminate leprosy as a public health problem in the Republic of Mauritius. The leper hospital was closed in 2006.

Smallpox

The last indigenous case was reported in 1913. However, vaccination against smallpox was maintained until 1981, when it was stopped after the global eradication was certified by the World Health Organisation and subsequently endorsed by the World Health Assembly in May 1980.

Malaria

Ross' recommendations focussed on Treatment of the sick with anti-Malarial: House protection to exclude Anopheles mosquitoes, through wire netting and other means; Mosquito reduction through destruction of breeding sites and drainage of marches. A Malaria unit was created to coordinate all works connected with Malaria. In 1948, Mauritius launched a three-year project with the view to eradicating Malaria by residual spraying of houses with D.D.T and hexachlorocyclohexane. There was a remarkable decrease in the incidence of the disease but one could not talk of eradication because, Malaria was still present, although at a much reduced rate. The final assault was made in 1960. The last indigenous case was found in 1965. In 1972, a seroepidemiological survey confirmed the absence of local Malaria transmission since 1965. The World Health Organisation (WHO) certified that the eradication of Malaria from Mauritius was an established fact. This was a remarkable public health achievement. However, Malaria came back to Mauritius in 1975, after devastation caused by cyclone Gervaise. Malaria transmission peaked in 1982 with 623 indigenous cases. The last indigenous case of Malaria in Mauritius was detected in 1997. But being in an unstable Malaria zone, the Malaria vector is present in the island. The risks of re-introduction of the disease are real. Hence, very strict measures are taken to prevent a resurgence of Malaria.

Diphtheria

As from 1961, Mauritius is protected against diphtheria, through a vaccination programme that also includes immunization against pertussis, tetanus and poliomyelitis.

Dengue Fever

A second epidemic occurred in June 2009 when around 250 cases were recorded. Once introduced in the country, dengue fever is very difficult to eradicate and tends to recur periodically. Furthermore, there are many high risk environmental pockets in the island, favouring the spread of imported viruses of the disease in the local mosquito population. In addition, Mauritius has extensive trade and travel links to dengue endemic zones. Hence, there is a real need for a plan to prevent and control dengue fever. The disease load in the population is not fully reflected in the official health services reports, because many episodes of illnesses were dealt with at home by traditional healers: the *dais*, the healers, the priests and the sorcerers also called "*Ojhas*".

Pulmonary Tuberculosis (TB)

Tuberculosis was a fatal disease until the late 1940s, when effective anti-tuberculosis treatment was introduced. A World Health Organisation (WHO) assisted tuberculosis project became operational in 1965. Curative, as well as, preventive activities including health education, case finding and B.C.G vaccination were developed.

Poliomyelitis

In February 1945, Mauritius witnessed its first polio epidemic. It was a sudden outbreak of acute Poliomyelitis. Assistance for the rehabilitation of polio cripples was sought from United Kingdom. A hospital was established at Floreal to cater specifically for polio cases. An epidemiological investigation was also carried out. It concluded that the epidemic was an outbreak of an endemic disease. Malnutrition, overcrowding and an increased prevalence of intestinal disease were present all over the Island. A second outbreak of polio epidemic occurred in June 1959. It lasted 14 weeks and left 99 paralysed victims. A Sabin vaccination campaign was launched in August 1959. This marked the beginning of polio eradication programme in Mauritius.

Schistosomiasis

The first case reported in Mauritius was in 1890. In 1933, it was established that schistosoma haematobium, a Trematode worm was the parasite that caused the disease and the snail, *Bulinus Cernicus* was the intermediate host. Five yearly statistics of attendances at dispensaries and hospital outpatients are given below to show the evolution of Schistosomiasis in Mauritius from 1928 to 1962. From 1960s onwards, the prevalence of the disease continued its downward trend. By 1975, Schistosomiasis was limited to 3 districts - Pamplemousses, Port Louis and Grand Port. It was gradually reduced because of outpatient treatment, improvement of water supplies and sanitation, including environmental management initiated with Malaria control activities. By 1986, no patient was admitted to hospital with a primary diagnosis of Schistosomiasis, and Mauritius was heading towards elimination status.

Filariasis

Filariasis was present all over the Island, although the infection was very low in some districts but alarmingly high in the Districts of Black River and Port Louis, where the rate of infection varied between 21% and 28%. The study also confirmed that mosquitoes were the main vectors. The incidence of the disease began to decline after 1950 - 1951, which coincided with spread D.D.T spraying for Malaria control. In fact, filariasis disappeared from Mauritius without any specific intervention.

Typhoid

The discovery of chloramphenicol, a very effective antibiotic in controlling the disease, led to its control. In February 1956 a small epidemic of typhoid broke out in Grand Port District. Health education, sanitation campaign, mass inoculation with TAB vaccine and treatment with Chloromycetin succeeded in controlling the situation within one month. Any programme aimed at preventing the development of typhoid in a population, must include measures to improve sanitation and food hygiene, which are closely linked to socio-economic development.

Scabies

Scabies was a serious problem and a nuisance, causing suffering especially to children and embarrassment to other members of the family because of overcrowding.

Conclusion

In the late 20th century, it is obesity and non-communicable diseases that have become a public health problem among adults. The height growth of children below 18 years has reached the 2007 World Health Organisation norms, and obesity is an emerging problem among children, although underweight still persists among young children. Mauritius is now reaching the level of human development indicators of emerging market economies, with a low level of infant mortality and a relatively high life expectancy, with concomitant high prevalence of non-communicable diseases (including diabetes, cardio-vascular diseases and cancer). Few countries have achieved so much in so short a time.

The main achievements of modern Mauritius can be listed as follows: the eradication of Malaria; the supply of clean pipe water throughout the island; the control of population growth and introduction of Family Planning methods have led to planned families; improvement of health by an integrated approach of control of Hookworm and Amoebiasis, provision of shoes to school children and boots to labourers and supply of school meals and milk to school children; regionalisation of Health Services and distribution of resources equitably to all parts of the island; introduction of specialised care like cardiology services, neurosurgery, dialysis centres and dental care; the increase in the number of doctors and nurses has led to an easily accessible health service and visits of foreign teams in cardiac surgery, neurosurgery and renal transplant have greatly helped in the training of local doctors and nurses. Today, complicated cases are being dealt with by local teams.

An increase in life expectancy leads to a gradual ageing of the population resulting in an insidious development of chronic degenerative diseases. With Independence on 12th March 1968, Health

Services were regionalised, the existing structures improved and new centres built to provide health care to every part of the island. Two new regional hospitals were built, the S.S.R.N Hospital at Pamplémousses in 1968 and the Jawaharlal Nehru Hospital at Rose Belle in 1990. Many Primary Health Care Centres were opened, such as Community Health Centres, Area Health Centres, Dental Clinics, Family Planning Centres, and Mediclinics. Special operation units like the Cardiac Surgery Centre, the Renal Transplant Unit and the Neurosurgery Unit, all based at SSRNH were commissioned. The setting of those centres marked the beginning of the development of high tech medicine in the country.

On the other hand, this change in lifestyle has also led to greater access to cars and machinery. Mauritians started to lead sedentary lifestyles, coupled with more and more day-to-day stress resulting in a dramatic rise in the mortality rate due to Non-Communicable Diseases such as Diabetes, Hypertension, Heart Diseases and Cerebro-vascular diseases. Leading authors like KIRKLIN have described a phenomenon in developing countries and which is verified in Mauritius, that countries with fast growing economies, experience a rise in the prevalence of Non-Communicable diseases coupled with a decrease in the prevalence of infectious diseases.

Mortality rates are no longer due to communicable diseases but to NCDs There is a five-fold increase in deaths caused by Diabetes mellitus. This is caused by an increase in rise in standard of living, consumption of high glycaemic index food, leading a more stressful life and less daily physical activities. There is no relation with the history of slavery, indenture or colonialism. The prevalence of hypertension has also increased from 30.2 % in 1987 to 37.9 % in 2009. This is due partly to modern lifestyle with stress at work and on the road or because financial and social tensions, again little to do with the history of slavery or indenture.

Obesity in adults and children is related to a more sedentary lifestyle than before, consumption of rich food and alcohol and greater access to cars. Cancer has become the third major health threat after diabetes and cardiovascular diseases in the Republic of Mauritius. Human Immunodeficiency Virus or HIV is transmitted in Mauritius mainly through needle exchange among drug users.

Thus in post-Independence Mauritius, there has been a significant improvement in public health measures and services within the welfare state concept, leading to a decline in, and levelling of, morbidity and mortality across all ages and population groups. However, having successfully managed the demographic and epidemiological transitions, Mauritius has missed the opportunity of managing the risk transition in between the two phases, thereby getting trapped in Non-Communicable Diseases. The concept of Primary Health Care (PHC) was applied in Mauritius since Independence (1968). The essential components of PHC are integrated in the health care system and covers health education for the control and prevention of diseases, supply of food and nutrition, safe water and basic sanitation, maternal and child health care, including family planning, immunization against major infectious diseases, prevention and control of endemic diseases, treatment of diseases using appropriate technology, promotion of mental health and provision of essential drugs in relation to the prevailing pathologies. In line with the policy of the Government to improve the health status of the population, Mauritius has achieved most of the Millennium Development Goals ahead of the target date of 2015.

Within a short period of time, the life expectancy of the population increased from 33 years in 1944 to 51 years in 1952 and within the next ten years, it increased by a further 10 years to reach an average of 61 years in 1962. Thereafter, life expectancies of males and females increased more gradually with more gains on the female side. In 2008, the figures for males and females were 69.3 and 76.5 years. The downside of the entrenchment of chronic diseases in the population is an increase in the burden of diseases in later life. Statistics on healthy life expectancy for 2007 show figures of 62.3 and 69.5 years for males and females respectively, indicating a deficit in the quality of life of 7 years.

CHAPTER 8

FAMILY, CULTURE, ETHNICITY, MEMORY AND IDENTITY

1. SEARCHING FOR THE MAURITIAN FAMILY

Introduction

The mission of the Truth and Justice Commission was to uncover the truth about the Mauritian past and its consequences for contemporary Mauritius. Compiling Mauritian family trees has been one of the activities that have emerged as a key and crucial component to understanding the failure of families to connect with one another, unite and make common claims to property. Out of the 300 or landownership cases deposited at the TJC, more than half have highlighted the need for Mauritian families to be more aware of their ancestry and compile their family trees. Retracing one's ancestry is also being used by some to make demands for 'reparations' and to insist on more justice.

Retracing one's family history in Mauritius required, in addition to papers, research using Oral History as knowledge about families has been transmitted orally. The University of Mauritius' oral History Project shows clearly that many more families than those who submitted land claims at the Commission have knowledge of their family's past ownership of land. Today, it is virtually impossible to obtain lost land without a genealogical tree. This section, therefore, provides a survey of how genealogical research has been conducted in Mauritius through the experiences and difficulties encountered by deponents coming to the TJC. For most retracing their family is nothing less than an immense hurdle compounded by inadequate and antiquated laws and bored and petty-minded Officers.

As land speculation has increased and the problems were never addressed, the result has been an absolutely unhealthy atmosphere prevailing in this sector: there is a proliferation of fraudulent affidavits, an increase of '*courtiers*' (people taking money from those needing certificates/ etc.), corruption, multiple errors in data (such as people being declared dead when they are not, or having different names registered at the Civil Status), disappearance of certificates and useless decentralisation, time-and money-consuming procedures. This has led to growing public resentment towards CSO Officers and Archives Officers.

There is thus an urgent need to address these problems, and it does not appear that anybody, public or private, before the Commission's investigations has been able to address these issues. The Commission has attempted to identify the key problem areas and recommend sound and efficient short-term, mid-term and long-term solutions, which can directly and indirectly help to solve many other related issues.

The value of professional genealogical research is to:

- allow one's lineage to be traced for legal issues;
- if structured diminish consequently frauds and dishonest land and property sales and less land will be lost belonging to ordinary Mauritians who cannot afford expensive lawyers;
- provide important information that will be of use to retrace landownership;
- prove lineage and ascertain equality of rights among family members;
- more equity;
- allow family (re)-construction.

2. Summary of discussions held with institutions and individuals

Three two-hour meetings with institutions were held on 17 September, 3 November and 30 November 2010. Intensive discussions were also held with the Civil Status Office during 2010.

1. Purpose of NGC

Access to information and the creation of a Centre would allow families to prepare accurate information for their affidavits, as currently they were certified by a Notary without the information provided being verified at the Civil Status Office or Mauritius National Archives. The NGC would be a kind of 'one-stop shop' for genealogical searches and would be a Centre which would cater for all Mauritians of all cultures, religions and backgrounds.

2. Contribution of Mr. Drack

The TJC was immensely fortunate to obtain the advice and voluntary services of Mr. Patrick Drack, a French National of Mauritian ancestry who, through his personal search for his own family history, has digitized, in France and in Mauritius, many Civil Status documents and assisted Mauritian families abroad in their searches. Mr. Drack has prepared the project for such a Centre which the Commission was happy to endorse whilst respecting his wish that there be no compartmentalisation of the Mauritian population.

3. Digitisation

Extent of digitization was reviewed. Digitisation was in progress at the CSO for the modern period. At the MGI, according to the Head Librarian, 30% documents had been digitized. The National Archives stated that by next year, 5,000 out of its 100,000 documents would be digitized. All the documents would be available online at the Government Online Centre, where it would be more secure. It was agreed that the NGC would have copies of all these documents, but not keep original documents.

4. Conservation of documents

This was considered by all to be a major issue as many documents are not only deteriorating, but are not being handled properly by Officers. Furthermore, institutions in Mauritius were not all financially able to undertake the conservation of documents in a professional manner. Digitisation did not solve the problem as digital records also needed preservation and the value of preserving original documents as part of the Nation's memory could not be measured in quantitative terms or be ignored. It was proposed that a National Conservation School or Institute be also created, perhaps by the UoM, to train staff of all institutions and individuals in conservation, where the latest techniques could be learnt, and also where conservation of documents could take place. The Institute could service the conservation needs of the country. The quality of paper being used also needs to be addressed, as most institutions did not use acid-free paper, and this would mean that most documents would deteriorate with time and could not be conserved. The Civil Status Office, the National Archives and the Diocese all stated they were ready to receive any advice on conservation methods.

In light of urgent recommendation of the Committee concerning conservation, TJC appointed Mr. Stephan Sinclair to undertake a survey of conservation issues in selected institutions to assess the state of documents, their conservation and evaluate the needs of institutions. This survey would provide technical support material for TJC's recommendation for the setting up of a Conservation Institute. The duties of the proposed consultant were recommended as consisting of: a survey of the institutions' holdings and their state of conservation; the nature and type of documents; the dangers facing the documents and long-term and short-term preventative measures. From the assessment, he would devise the functions of a future Conservation Institute. The following institutions were short-listed for the survey: National Archives, Civil Status Office, National Library, Museum Council, Archives of Diocese of Port Louis, Museum Council, Registrar General, Selected government repositories

The wish was also expressed that the Conservation institute could also be a training Institute for all types of conservation: paper, art works, artifacts etc. However, this issue may be considered at a later date by the University of Mauritius and the Museum Council jointly.

5. Common referencing system

It was also observed that the type of referencing of documents differs in all institutions and, consequently, searches are undertaken, according to different criteria. At the Mahatma Gandhi Institute, searches for individuals were made through the number of the immigrant, and not the name of the person. At the CSO and MNA, the search would start when the name, date of event (birth, marriage or death) and district were available. Currently Civil Status are referenced differently at CSO and MNA. It was felt that the future Centre could create its own unique referencing system, regrouping all documents and prepare a guide to the different referencing systems.

6. Size and Location of the future Centre

According to Ag. Deputy Director of Archives, if the National Archives were able to have a purpose-built building; the Centre might be located there. However, as this project had not gotten under way, there was general agreement that NGC should be located under PMO, until it was fully operational.

The surface area required for the proposed centre was of some 1000 m² and considered reasonable for a start as for the facilities proposed to be offered.

7. Modern outlook required

It was agreed that institutional philosophy and laws must keep pace with modern outlook and not maintain archaic attitudes towards one's origins. Thus laws regarding confidentiality of documents must be reviewed as Mauritius had not evolved in this sector. Regulations governing access to Civil Status information, dating from Napoleonic times, were still in force. At the MGI, Mauritians had no access to the historical documents themselves, and information was compiled by an Officer. At the MNA, anyone had access to indexes. It was agreed that documents, less than 100 years old, could not be put on the Internet, but that any material before 1910 could be made public.

8. Database and website

A database, with partial information, should be provided to the public who could search for basic information and then come to the Centre or other institutions for more detailed information. All information should, and could not, be put on the internet. Discussions concerning a website were kept in abeyance, as all issues concerned with access to a web-based information would be resolved when the Genealogy Centre issues and legal framework were finalized.

9. Slave Registers

There was much concern about to the disappearance of all slave Civil Status certificates although Mr. Drack remained convinced, they were still in existence somewhere. Both the Civil Status Office and the National Archives stated that no other store existed in their institutions where these might be found. The search continues. To overcome this absence, several suggestions were made: the documents found at the Diocese, such as baptism, marriage Parish Registers for the period 1822-1836 might be consulted, although they were in a bad state. Slave demographic information was also available in the Slave Registers at the National Archives where mutations in slave population had been recorded. It was, however, acknowledged that collection of this data was a time-consuming exercise which could be carried out at a later stage by the NGC.

10. Courses in Genealogy

Courses in Genealogy should be dispensed to train Mauritians in assisting the public in their searches and in order to have a pool of licensed genealogists.

11. Data Storage

There was agreement on the need for a flexible, portable data storage system, with good back-up facilities and a team to upgrade hardware and software.

12. Budget

The draft estimate for setting up of the NGC was considered reasonable.

13. Private genealogists and access to archives

All agreed that public access to archives must be guaranteed in Law, and the new bill must also guarantee this. There was also concern about private genealogists making a business out of the information collected by NGC. Whether this could be avoided, however, was doubtful. It was decided that registered genealogists would refer to NGC licensed genealogists and no others.

14. Mahatma Gandhi Immigration Registers

Request was also made to the MGI for a copy of their database. As access to these documents is highly restricted for some reason which was not clearly stated, Research Assistants (RAs), Mrs. Pamela Sooben and Miss Pooja Ramchurn, were allowed only to copy part of the archives: lists of immigrants, arrivals with the following details: caste, age, place of birth, port of embarkation, date of arrival, etc. Pamela Sooben digitized part of the marriage certificates of indentured immigrants in Mauritius for the period 1850-60. However, the MGI Archives was closed for renovation from October to February 2011, and this hampered part of the digitization effort. Furthermore, the RAs encountered hostility on the part of the archivist in charge, and this matter was reported to the Prime Minister's Office and to MGI authorities.

3. Reconstructing family trees: problems and possibilities

The Technical Reports found in Volume 3 contains a draft National Genealogy Centre Bill which has incorporated some of the comments made by the Ministries concerned and individuals, as well all the information required for the setting up of a National Genealogy Centre and a Conservation Institute, as well as background papers explaining the process that led to the recommendation and a summary of discussions held in the context of setting up of National Genealogy Centre, the list of civil status documents found in the CDs and digitized by Patrick Drack and Sharon Ng; a Technical Report on current organization and management of Civil Status documents in Mauritius, Rodrigues and Agalega and lists of members of the Genealogy team and of the National Genealogy Centre Committee and notes of meetings. A summary is given here.

The creation of a National Genealogy Centre is strongly and urgently recommended, A draft Bill has been prepared, as well as an organigramme and an estimated budget. Utmost care and consideration were given to the writing up of the draft of National Genealogy Centre Bill and related documents. Consultations were held over a number of four months, from August to December 2010, with key concerned institutions and their top personnel, as well as key individuals capable of driving this project forward. A consensus has been reached on the structure and *modus operandi* of the National Genealogy Centre.

Previous efforts at creating such a Centre, and issues and problems arising out of these previous endeavours were taken into consideration. The Ministry of Arts and Culture, which spearheaded this initiative some years ago, did not follow up with this for reasons unknown to the Commission. It was noted, however, that the Bill, as envisaged by the Ministry, focused essentially on cultural issues of identity and origins of Mauritians. This current Bill has been designed to address these cultural issues but also to give the possibility to the NGC to create legally acceptable documents. The structure and organization of the NGC needs to be flexible, and it must function as a 'public service' in the true sense of the word, rather than as a 'Department' of Government with the bureaucratic mentality that has pervaded so many public institutions. It needs to be driven by trained technical and professional staff as well as individuals with experience in the field.

The Commission, with the help of Mr. Patrick Drack, started the process of digitizing Civil Status documents and to train Civil Status Officers in digitizing documents. To date, 80,000 certificates have been digitized and are enclosed in a CD in Volume 6. A copy has also been given to the Civil Status Office, as this will be of immediate use to them.

Amendments to existing laws will also be necessary to give public access to documents over 75 years old.

Stricter control needs to be exercised over Public Officials working in institutions which hold Civil Status documents, due to several accusations of corrupt practices by a few officials and the presence of '*courtiers*' operating in the vicinity of the CSO who do not hesitate to exploit innocent persons.

Many institutions and individuals, present at meetings, expressed a desire for the creation of a Conservation Institute, as there is an acute need to train Mauritians in the preservation of paper and digital documents to avoid future deterioration and loss of this crucial Civil Status information.

The possibility of undertaking DNA tests to establish family links must be provided, given the absence of documents for many people and the absence of a proper conservation plan up to now, for documents in public and private repositories. This absence has worked in favour of the economically less wealthy sections of society who cannot afford to pay huge sums to persons to undertake document searches for them.

Of particular concern was the disappearance of Civil Status documents relating to the slave population. Our attempts, spearheaded by Patrick Drack, led to only a few volumes being found buried under stacks of others. These have been digitized. But the disappearance of the bulk leaves is a cause for concerns this appears to have taken place in the 1960s. A hearing *in camera* was held where the Commission learnt that most of these documents were stacked in the cells of the old Prison building, open to all the vagaries of nature. We also learnt, but this could not be verified as the persons are now deceased, that a 'factory' producing fake documents existed in Curepipe. Part of the information was verified and found to be correct, such as that, a Mr. Signolet, a former employee of the Railways Department and transferred to the Civil Status Office, was aware of the existence of this 'factory'. A police investigation is required.

4. Current organization and management of Civil Status documents in the Republic of Mauritius

The Central Civil Status Office is the custodian of Civil Status Indexes (Index section) and Civil Status original certificates (Record section). The Record section is further sub-divided into the Old section (1811 to 1920 registers) and the 'New' section (1920 up to today). The registers for both the Index and the Record sections are classified as follows:

1. District-wise (Port-Louis, Plaines Wilhems, etc.);
2. Region-wise (Plaines Wilhems, Rose-Hill) - *For the Record section only*;
3. Type (Birth, death, marriage)- *Often older registers include all three*;
4. Year (there can be many volumes per year).

The registers are then put on compartment shelves, and only authorized staffs have access to these registers. Due to an absence of appropriate policy and resources, these documents are not in the best storage conditions and usage. This vacuum further contributes to damage to these **unique** registers which are almost the only way to prove a person's identity.

On the other hand, indexes have been copied and (incomplete) series of them can be found at the Mauritius National Archives and in various regional Civil Status Offices. Indexes are of the public domain and can be consulted by any members of the public; however, direct access to the index registers is no longer allowed at the Central Civil Status Office because people have torn out pages or/and written on the registers themselves. Request must be made to the Index section officers who then search for the reference, give it to the Record section officers who, in turn, search for the certificate, give it to the computer section to be inputted into their database, then to the photocopying section, which will either make a copy of the certificate or give a computerized version of the certificate.

Concerning the referencing of Civil Status documents, no proper inventory has been undertaken. The last inventory dates back to some 50 years ago and is now obsolete. It is based on the later inventory that registers have been catalogued. For example, in one volume for the year 1886, the register is marked with the year 1886, the district PW, and the volume number if any, i.e., vol.2 and another number relative to the said what said reference (438). The next volume in the shelf, however, will not be volume 3 for 1886/ PW/ vol.3. It may be 1886/PW/490. The gap (438 to 490) was explained as existing because the inventory includes other documents such as legal testimony. Given the advanced state of damage of some documents from the 19th century, and with the full cooperation of the CSO, which is also very concerned by this situation, the Commission proceeded

to photograph the most damaged documents. As stated previously, a copy was given to the CSO in November 2011.

6. Recommendations for National Genealogy Centre

1. **Creation of a National Genealogy Centre;**
2. **Amendment to laws to permit greater access to Civil Status information and documents;**
3. **Stricter control over public officials and ‘courtiers’ in custody of Civil Status documents; and in vicinity of Civil Status Offices.**

Justification for a National Genealogy Centre

- A. To assist Mauritian families, many of whom are descendants of slaves and indentured labourers, to reconstruct their family trees in a more credible manner than hitherto possible. This is in recognition of the numerous difficulties faced by ordinary Mauritians to collect relevant and accurate data concerning their family history due to :
1. Family papers not having been preserved;
 2. Illiteracy of persons and inability to read documents presented to them to verify veracity of documents they may be asked to sign or agree to;
 3. Division within families for various reasons: colour, ethnicity, greed, ignorance etc.;
 4. Unscrupulous persons abusing of the credibility of Mauritians and constructing false or inaccurate affidavits in order to extort money;
 5. Corruption of officials in private and public sector who falsify documents thus, willingly or unwillingly, deprive other members of families of their property;
 6. Unexplained disappearance of bulk of Civil Status certificates relating to slaves;
- B. Many people feel an emotional need to search for their origins and some especially when they see others being able to trace their family origins going far back several generations and even to the original family in Asia or Europe.
- C. For those of slave descent and, to a certain extent, persons of indentured descent arriving in early years of indenture, changes of names have resulted and identification and contact with original home, village etc not possible. The consequence has been ‘cultural’, ‘family and kin’ loss and ‘identity’ loss. However, once in Mauritius, with a new name, it may be possible to trace several generations within Mauritius, and this may help to palliate this sense of loss that exists within families.
- D. DNA testing may in future may even be able to do this.

7. Creation of a Conservation Institute / Cultural Heritage Institute

Creation of a Conservation Institute to train Mauritians in the preservation of paper and digital documents to avoid future deterioration and loss of crucial Civil Status information.

Justifications

The proposal for the creation of a Conservation Institute raised some doubts as to the necessity of one more institution to be created at public expense. It was felt that this should be set up under an existing institution. However, the Commission observed the lack of collaboration between institutions belonging to different Ministries and parastatals, particularly between the Education/Research/Secondary/Tertiary sector on the one hand, and the Culture Sector on the other, despite the fact that much of the subject-matter, the materials and tools used in the research and education sector are found in the Culture section: archives, historical and archaeological sites and so on. It is a highly anomalous situation and has given rise to many problems. It means that staff in institutions falling under two different Ministries have been unable to establish a formalized, continuous and professional relationship and are either unable to, or not willing, to benefit from the services of the other. The TJC’s own efforts to bring institutions together under the Le Morne Cemetery investigations have not been followed up by the Ministry,

and no further collaboration has ensued since the excavations. A proposed MoU in 2010 between two institutions has remained a dead letter.

The Commission, therefore, supports the recommendation of creating a Conservation Institute or a 'Cultural heritage Institute', to be placed under the *aegis* of the University of Mauritius where young persons of all disciplines can be trained in the interdisciplinary framework which is so essential in cultural heritage preservation (Engineering, Computer Science, History, Chemistry and Natural Sciences) rather than at the Ministry of Arts and Culture, heavily staffed by administrators and only a few specialists in cultural fields. Scientific disciplines are represented in even less numbers.

2. STATE OF ARCHIVES

As a result of the investigations conducted by the TJC, it has been observed that:

Generally,

1. The preservation of Mauritian documentary heritage i.e., during the French period, is mediocre but stable.
2. The situation concerning the British and post-Independence periods is extremely disturbing (1810-1980) and has repercussions for the History of Mauritius, as well as for the principle of freedom of information that all Mauritians have a right to.
3. The documentary heritage found in private hands is not well known and this subject to private sales and to being divided up, which is contrary to good archival practice.
4. Attempts by the staff of Archives in the past decade to suggest improvements have fallen on deaf ears, and even the Ministry of Arts has not been able to convince the Ministry of Finance, who controls all funds.

More specifically,

There has been much 'exaggeration' involved in the past concerning Mauritian documentary heritage, and many feel a 'nostalgia' for the good old days when many cultural institutions flourished and an intellectual 'life' existed. However, little was done to train future generations to protect this literary and scientific heritage. Climatic conditions and insects have had their effect but it is also true that modern generations are less interested in the Arts and Literature and have allowed subdivision and sales of the collections (re: recent Leclezio Papers). A few points deserve mention concerning the archives.

1. Dismemberment of the Archives

- Regrettably, many collections have been sold abroad as public institutions did not see the value in keeping them.
- In Public archives, two successive colonisations have led to the archives being dispersed in the countries of the governors: Decaen, in 1810, took back the archives of his administration, while Governor Farquhar, in 1823 did the same. Most of the Irish priests went away with the archives which are today found in their congregations.
- More recently. independent Governments have not kept up the practice of maintaining archives. There is no concern over how succeeding generations will write the History of the 21st century.
- If archives are allowed to be dismembered, there is no policy or clear guidelines on who will control archival policy and access. Contradictory statements were made, for example, by the Deputy Director of Archives, stating that access to MGI Archives was public, while the Director of MGI stated they were confidential!

2. Conservation of documents

The budget allocated for conservation of documents is, to say the least, abysmal and is a shame on modern Mauritius

3. Moving archives

The constant moving of the archives has had a detrimental effect on the archives. More recently, the transfer of the newspapers is one of the worst results of mismanagement by non-technicians in Mauritius: these newspapers are today no longer legible and Mauritius has lost a precious documentary heritage through political pressure being applied on the Ministry to dismember the newspaper collection at the National Archives. This is another example where professionals should have been listened to; instead, administrators and politicians contributed to the transfer and are guilty of its destruction. At the National Library, there exists no professional Archivist. This transfer could be qualified as a national disaster in terms of heritage management.

4. Funds

Despite the lack of funds, huge funds have been spent on expensive equipment and Computer Technology which the staff is unable to use or maintain.

5. Administrative confusion

Confusion reigns in the administrative sections (*Registrar of Civil Status or Registrar General*), where documents of immense historical interest are mixed with modern records. They are rotting and are mishandled every day. There is no concern for these documents which are considered 'old documents'. No personnel there is trained in conservation.

6. Communalism

Communalism: Part of the cause of destruction is the result of some claiming that 'it is not part' of their heritage and, therefore, do not need to feel concerned. Private persons and institutions are thus allowed to dictate archival policies and practices.

7. Long term vision and proactiveness

- There is no long-term plan of acquisitions, conservation and management of the archives (to date).
- There are too many institutions and norms which block the path of dynamism and proactive persons.
- The National Archive Act is obsolete.

The National Archive Act came into operation with a 40-year delay and was modelled from the Archives Act of UK dating from 1958. However, the UK National Archive Act was itself revised in 2000! It is hoped that Mauritians will not have to wait another 40 years for another revision. This has had 2 negative consequences:

- The non-access to documents, covered by a uniform policy of 30 years. This has been revised in UK when today, in the contemporary world, access to information is judged to be primordial and a right of every human being.
- Private and electronic archives are only mentioned in passing.

8. Recommendations for Archives

1. **A NATIONAL EFFORT IS REQUIRED:** Nothing short of a national effort is required to find global and conclusive solution to the preservation of the original documents found in the National Archives. Training of staff and funding for the Archives are absolutely essential components.

The Commission also feels, however, that this has to be accomplished with as little funds as possible. This is entirely possible, given that huge funds have already been spent and achieved little, not according to norms. There has also been a proliferation of institutions entailing huge expenses for the Mauritian taxpayer with little visible benefit.

2. THE CREATION OF A NATIONAL INVENTORY

- This must be also an intrinsic part of the process, even if it means acknowledging finally and formally, that some of this documentary heritage has disappeared or been stolen under the very eyes of people working there. A good example is that photocopies in MGI Library and National Library have replaced original books in the Mauritiana Section and the staff are not even aware of this, nor do they know where and when the originals disappeared. Had there been a National Inventory, this may not have occurred.
- The National Inventory will help set priorities relating to digitisation and conservation. However, this should not be transformed into an expensive venture for the National Archive and become a profitable business venture for companies.
- Some guidelines and issues to be considered for this inventory are proposed in the Technical Report (Vol 4 Part X 25) and are summarised here:

Inventory - conceptualisation phase

1. Define what constitutes Mauritian documentary heritage.
 - Chronological parameters.
2. Medium, nature and origin of documents.
3. Lieu of conservation of documents.
4. Define in detail indexing norms:
 1. [BIB17] easy as there are international norms in this respect and reutilisation of notices taken overseas is guaranteed;
 2. [ARC18] harder because local electronic inventory not well constructed so far
 3. Define how to link digital documents to the list.
5. Conceptualise and demonstrate clearly which information system to be used in the inventory and why
 1. Use free software tried and tested in other archives (such as at UNESCO, ICA, etc.).
 2. Respect technical norms of interchange ability adopted in other countries for inventorying and cataloguing of cultural heritage collections.

3. REVISION OF NATIONAL ARCHIVES ACT CONCERNING :

1. Management of archives: there is a need to include recruitment of trained personnel.
2. Open access to modern documents.
3. Revision of time-frame of making documents accessible: 30-year rule not necessary for all documents.

4. National policy on record management to be devised and included.
5. Introduce concept of 'missions' to recover archives of departments etc.
7. Revise composition of Appraisal Committee so that there is a bigger role for historians and professional archivists.
8. More rigorous law concerning sale of private archives i.e., the creation of a private archive inventory, upon declaration by private custodians.

4. TRAINING IN CONSERVATION OF DOCUMENTS

The creation of a Cultural Heritage Institute or a Conservation Institute at the University of Mauritius (UoM), which will include the preparation of a Master's Degree in Conservation of Mauritian Heritage; this could be part of both History programmes as well as Librarians' courses and even Sciences programme, as a multidisciplinary staff (Sciences Chemistry Entomology Mycology) is also required etc.

- An MA in Heritage Conservation should cover all aspects of Conservation in Mauritius but start with paper Conservation, and then move to other types of Heritage.
- Specialists should be invited, who are recognised in the field, for short intensive courses to boost the work of local full-time lecturers
- The course should aim first at those already in service as well as a few not in service, to ensure continuity of skills
- Provision for *Auditeurs libres* (fee-paying) should be made.
- The Programmes should cater for international and regional students.

5. PROACTIVE POLICY TO BE ADOPTED FOR PROTECTION OF DOCUMENTARY HERITAGE

- Comparison of Auguste Toussaint's inventory and new additions must be identified. The missing items also need to be investigated and the 'borrowers' asked to return them.
- A Police Section to be set up and trained to be in charge of cultural theft.
- Periodic assessment by international consultants to be undertaken, but not in the manner currently being undertaken, which is in an *ad hoc* manner. There should be regular and periodic reporting and permanent communication established with foreign specialists to keep abreast of new developments, as this is currently not done formally, but through personal contacts.
- Review of the project of building a seven-storey building housing both National Archives and Library, and whether the country can afford to fund such an expensive building. If funds exist, they should go towards recruitment and training and adequate equipment.

CHAPTER NINE

THE MAURITIAN ARCHIPELAGO: MAURITIUS, RODRIGUES, AGALEGA, CHAGOS AND ST BRANDON ISLANDS

1.CHAGOS : 500 YEARS OF POWER GAME

For more than five hundred years, various powers have fought for control over the Indian Ocean. During much of this time, the islands have played little part, if any. Formerly, all the territories, including Rodrigues, Saint-Brandon, the Chagos Archipelago, as well as Tromelin, formed part of Mauritius before Independence. Although Mauritius has retained Rodrigues, Agaléga and Saint-Brandon in 1968, Tromelin and the Chagos Archipelago still constitute a bone of contention between Mauritius and two of the former colonial powers, namely France and Great Britain which excised these territories. Today, the Republic of Mauritius has an Exclusive Economic Zone (EEZ) of 1.9 million km². The particular histories of Rodrigues and Agaléga have been discussed in Volume IV (Part IX) of this Report. The Chagos Archipelago, however, is more than a local issue; it is an international issue and is the object of an important power game in this part of the world.

Saint-Brandon, or the Cargados Carajos Group of Islands, situated at approximately 450 kms. to the North of Mauritius, was first chartered by the Portuguese in 1546 who regrouped the islets under the appellation of “*Sao Brandao*” and “*Gados Charades*”. In 1742, Mahé de Labourdonnais sent a ship to explore the islets and Abbé de Rochan mapped out the archipelago in 1769. These islets had been leased to private companies since the colonial days, until 1901, for the exploitation of guano. The lease of 15 of the islets expired in May 1992 and has not been renewed since then, whilst the lease of the other 13 islets has come to an end in October 2000. However, the former lessee, namely Raphael Fishing Company Limited, has been authorized to continue its activities pending further negotiations.

According to the Domain of Register of Crown Properties, Saint-Brandon is made up of 28 islets and some of these islets are mere sandy cays which tend to change their shape and position after tidal waves or during cyclonic conditions. The total area of these islets is about 500 *Arpents* and they spread over an area of approximately 1,000 square kilometres.

There is no permanent population on Saint-Brandon, but only fishermen working there on a temporary basis. These fishermen are based mainly on Ile du Sud, Ile-aux-Cocos and Raphael. The absence of portable water sources on the majority of the islets does not favour the development of human settlement. However, birds are present in the highest numbers during the cool season, with an estimated population of 80,000 birds on Sirène, 40,000 on Poulailier, and some 5,000 on Puits-à-Eaux.

An area of tension between France and Mauritius relates to the Mauritian’s claim to Tromelin Island, some 550 kilometres Northwest of Mauritius, which France retained when Mauritius acceded to Independence. Tromelin had been governed by France from Mauritius during the colonial period, and for a number of years, Mauritius has raised the question of the return of the one-square kilometre island, where France has a meteorological observation station. When French President François Mitterrand visited Mauritius in 1990, the Government raised its claim; despite several subsequent discussions, the matter has not been resolved. In 2010, the issue was once more officially discussed between Prime Minister Navin Ramgoolam and the French President Nicolas Sarkozy. Both Mauritius and France agreed to “*maintain the dialogue over a shared administration till a satisfactory conclusion is reached*” between the two parties.

The Chagos Archipelago, subject to a claim by Mauritius, has been kept as Crown property and is administered from London by a Commissioner. Ignored by the Europeans over more than five centuries, Diego Garcia, the V- shaped area of 44 sq km, with its two arms enclosing a large deep lagoon, which is the main island of the Archipelago, has turned out to be the key base of operations for the latest super power in the region, the United States of America.

Most of the islands - Diego Garcia, Six Islands, Three Brothers, Salomon’s’ Islands, Peros Banhos (22 smaller islands) and Legour Island, which comprise the Chagos Archipelago - only the main island of Diego Garcia and the island of Peros Banhos have had significant permanent settlements. Others have been occupied by smaller number of people, for limited period, or are not large enough to support settlement.

The islands around Mauritius were seen as being of too little importance for any economic development, so much so that both the French and the British tried to turn Rodrigues into a leprosy centre and to use the Chagos as a prison. Diego Garcia was, subsequently, turned into an asylum for leprosy till the British discovered years later in the 1960s that it could be something else.

“One important decision that needs to be noted is that, upon his arrival at Isle de France, General Decaen immediately decided to evacuate the settlers from Rodrigues to counter the British influence. He was convinced and he was right that the British found in Rodrigues a source of supply for their ships on blockade duty around Isle de France. As leprosy was becoming a real threat at Isle de France at the beginning of the 19th century and the Arrêté of 30th July 1800 made provision for segregation in special asylums of persons affected:

“Those amongst the persons affected who shall be found to be incurable, shall, by the first opportunity, be sent to a place that shall be fixed, the colony shall see to their being settled, and to their keeping and maintenance during the period of six months”. (Article VI of the Arrêté).

General Decaen thought that Rodrigues would be ideal place and that would also scare the British away.

For the interest of Isle France and Bourbon, Rodrigues would have been sacrificed and turned into an asylum for the lepers”⁵³⁰.

Thirty-eight years later, under British rule, the fate of the islands was to be once more decided. William Nicolay, through the then Colonial Secretary, Georges Dick, in a letter dated 13th June 1838, sent Special Magistrate Charles Anderson on a special assignment to the islands:

“Independently of your immediate duty as a Special Magistrate, it will be desirable that you should acquire as much general information as possible with regards to the islands themselves - the soil, climate, rains, woods, etc; their capability of cultivation, facility of approach, nature of anchorage and all other such facts connected with them, as may be useful to enable the Government to come to an accurate conclusion as to their value and the future advantages that may be derived from them, this observation applies specifically to Rodrigues.

The Governor would also wish particularly to know which would be likely the most eligible place for a modified Penal Settlement where prisoners could be sent to undergo their sentence of hard labour and confinement instead of in a goal in the Colony... a measure which, both in a moral and political view, His Excellency considers an object of great importance”⁵³¹.

FRENCH AND BRITISH RIVALRY IN THE INDIAN OCEAN

The islands of the Chagos were first chronicled by Portuguese sailors who stumbled across them, while sailing for other destination. For centuries, they were little known and were little more than a navigation hazard. As sailing technology and knowledge improved, the islands became more accessible.

Over the course of the 1600s, the British gained in strength in the Indian Ocean, while the Portuguese and the Dutch were relegated to secondary powers. The British were forging ahead into the Indian Ocean, lured by profits. The struggle amongst the European nations for control of the Indian Ocean had begun in earnest.

This British-French rivalry led to a greater interest in the Diego Garcia and the Chagos Archipelago by the mid-1700s.

The 17th century passed almost as quietly as the 16th in the Chagos Archipelago. Even well into the 1700s, the islands were largely ignored and avoided.

During their crossings from the Isles of France and Bourbon to India, the French had conceived an insuperable dread of the Archipelago which extends from the North to the North-East of Madagascar.

During the 18th century, Portugal was no longer the dominant naval power in the Indian Ocean, nor were the Dutch any longer in contention for the place of preeminence. Instead, the English and the French had expanded both their interests and their rivalry in the Indian Ocean. This rivalry led to a renewed interest in once neglected locations like the Chagos Archipelago. In their reasoning, even if a nation was not interested in owning and exploiting some island, its rival might. Thus, both the French and English began to look upon the Chagos and Diego Garcia, in particular, in a new light. In order to carry out their naval strategies, these nations needed information which was gathered and analyzed.

The British in the Indian Ocean were represented largely by two entities: the Royal Navy and the East India Company (EIC). The East India Company was far more than simply a business. Indeed, it operated a navy of its own. From its foundation in 1600, to its eventual demise in 1874, the EIC played a key role in the British presence in the Indian Ocean. At times, the Company served as the *de facto* government of India and held incredible influence over British Government's policy in the region. Service to the Company offered great opportunities. Even before the British settled in the Americas, and long after its colonies there had rebelled, the East India Company was a cornerstone of British Colonial strength.

The period of escalating British-French rivalry in the Indian Ocean reached its crescendo, with the French Revolution and the subsequent Napoleonic wars. It was during this time that the island of Diego Garcia got its first permanent settlement. While the French and English Governments had decided that the Chagos were not fit to serve as significant military bases, several enterprising French businessmen on the island of Mauritius saw an opportunity to make money by exploiting the island of Diego Garcia. By the late 1780s, the French administration in Mauritius had given "concessions" to two men: Le Normand to harvest coconuts and M. Dauget to fish. In fact, the same Pierre Marie Le Normand and his wife lived in Le Morne in 1769. His domain in Mauritius extended from Cape Brabant to la Prairie, stretching over some 2,155 *Arpents*. By the late 1780s, Le Normand had also set up operations on Diego Garcia, to harvest coconuts on the island.

By 1808, M. Dauget and M. Cayeux had joined M. Lapotaire who had produced coconut oil on the island, for export to Mauritius, since 1794.

At the dawn of the 19th century, oil was a valuable substance; it not only lit lamps, but was being used as lubrication for an increasingly mechanized world. If whale oil was one of the main sources, coconuts were another source of oil. Harvested, shelled, dried, and then pressed, they provided valuable, high quality oil. The key to the economic processing of coconuts was cheap labor, and the French in Mauritius had this in the form of slaves. Lapotaire had more than 100 slaves on Diego Garcia, providing for 12 mills, while Cayeux had an operation half as large.

The coconut oil exploitation soon gave rise to strong business competition, as two other men (one a former Cayeux employee) imported 20 slaves and set up a couple of mills of their own. There were disagreements over precisely who had the legal right to do what. This competition gave rise to a second bigger problem, since the British had begun to show interest in the oil business, while there was concern that the English could be tempted to plunder the island.

Governor Decaen, from Isle de France, subsequently decreed that all established businesses would get a share of the island, but no one could make finished coconut oil on the island. Instead, the island would only produce *copra* (dried coconut) for exportation to Mauritius and refining there. The idea was that if there were no oil on the island, the English would not attack the plantations.

At the same time, Governor Decaen decided that Diego Garcia should become a settlement for all lepers. Thus, the island became a land of exile for lepers who continued to be deported there, even during the British period.

With the rise of Napoleonic wars against the British, the Isle de France's strategic location in the Southwest Indian Ocean made it important once again. An island of considerable size and population, it served as an excellent place from which to terrorize British sea routes from Africa to

India and the Far East. The French Navy was never strong enough to directly challenge the British in the Indian Ocean's so French warships, as well as privateers and corsairs, sailed from Mauritius to attack British shipping and took captured ships and booty back to Mauritius for sale. The island quickly attracted profit-minded merchants from around the world. Among these, were merchants from the new United States of America.

Between 1786 and 1810, some 600 American ships visited Mauritius, and the U.S. established a Consulate on the island in 1794.

In the 1820s and 1830s, the British had set the stage for yet another extension of their worldwide maritime dominance. Slavery officially ended in Mauritius in 1835. At this time, most of the residents of Diego Garcia were indeed former slaves. Many had come from Africa *via* slave-trading centers on Madagascar and in Mozambique.

Diego Garcia continued to exist in relative obscurity. The island's plantations' main export was still coconut oil, although whole coconuts were shipped out as well. The island also exported small amounts of various products: dried and salted fish, turtles and turtle shells, coconut fiber and cordage coir.

The Royal Navy had a marked presence in the Indian Ocean following the slave illegal trade. Moreover, the Navy undertook to survey Diego Garcia for steam navigation. In 1881, the Orient Steam Navigation Company closed its coaling station in Aden and transferred all its operations to Diego Garcia in 1882. At the time, the Orient Company had 12 ships running the England-Australia route *via* the Suez Canal.

In 1888, the Orient Steam Navigation Company ceased its operations on Diego Garcia, after offering the British Government an opportunity to take over. The land which the company had leased reverted to the Government.⁵³²

In 1905, Diego Garcia and the other Chagos islands were again visited by a scientific expedition. It visited various islands in the Chagos, anchoring at Diego Garcia from July 7 to the 13, and it gathered much interesting scientific information about the region.

The period between the World wars was relatively uneventful for Diego Garcia. British authorities on Mauritius noted the difficulties of policing the remote Chagos islands, as well as the fact that sometimes, the people sent to manage the plantations were less than suited for the task.

One continuing problem was that the owners of the plantations resided on Mauritius and saw Diego Garcia and the other Chagos Islands as little more than a source of easy income. There was a perennial shortage of capital for investment, and many ambitious plans for development were wrecked on the shoals of fiscal austerity. Mauritian Colonial Authorities felt that the owners should pay for required services and the upkeep, while the owners, in turn, felt that such costs were the responsibility of the Colonial Authorities. Compounding the geographic isolation of Diego Garcia was the complex social hierarchy of Mauritius.

In 1933, the John Murray Expedition led another expedition to survey of the Archipelago.

In 1936, it was suggested to set up a wireless on the island, as a wireless would allow the islanders to hear emergency broadcasts from Nairobi, Bombay, and Colombo, but neither the owners, nor the Colonial Authorities accepted to foot the bill. The island got a radio only in 1941, when the Royal Air Force began using the island as a base. Suggestions for more significant reforms were shelved, as well. For example, in one message to the Colonial Office, it was suggested that the Chagos should be administered, not from Mauritius, but from the Seychelles islands and that goods for the islands should be shipped to Colombo instead of Mauritius. The British noted, however, that Diego Garcia and the Chagos were a Mauritian "*family business*" and that any attempt to change the status quo would be opposed.

During these decades, the Chagos Islands were only intermittently visited. Perhaps three or four times a year, a large steamer from Mauritius visited Diego Garcia, dropping off supplies for the island and picking up its exports, mainly coconut related.⁵³³

In October 1941, following a reconnaissance by the Indian Army, the Commander-in-Chief of the East Indies commented on the development of the Diego Garcia base.⁵³⁴

In October 1942, following the Japanese attack on Pearl Harbor and the United States' entry into the War, the British War Cabinet issued top level plans for Diego Garcia. The British had no plans to utilize the native plantation workers.

The end of the war saw Diego Garcia once again left to its own devices. Although there were some changes, such as the installation of a permanent radio station and the opening of a school for the children, life returned to normal with coconut harvesting and fishing. The military simply packed up and left, taking whatever could be carried.

In 1953, as the British considered the increasingly tenuous position of their Empire, they decided to investigate the possibility of keeping control of the Indian Ocean from bases on remote and isolated islands, instead of from large nations like India.

In 1957, Admiral Jerauld Wright, Commander-in-Chief of the US Atlantic Fleet, "inspected" Diego Garcia from a U.S. ship.

In May 1960, the Director of the Long Range Objectives Group proposed that the British be asked to "detach" Diego Garcia from Mauritius, when that colony was given Independence.

In early 1959, the Liaison Officer for African Affairs at the U.S. Embassy in London contacted the British with a proposal. The U.S. Navy has started to study the possibility of a U.S. naval task force operating in the Western Indian Ocean. In order to further planning, it was proposed that a team visit and survey the British ports that might function as logistics bases.

The British Foreign Office welcomed the U.S. interest. They noted the importance of protecting the oil routes, as well as the potential benefits of having the U.S. dependant on the British. The political situation in Kenya had started to become "*complicated*," however, and therefore Mombasa was not an ideal choice. Similarly, Mauritius was likely to get self-government in the near future and the British could not make a long-term commitment there.

On June 12, 1959, the Admiralty had sent out a message announcing that Her Majesty's Government had given permission for the U.S. to send a small, low-profile, survey team to the Indian Ocean region.

In 1961, the British prepared a paper for the Chiefs of Staff on the subject of U.S. facilities in the Indian Ocean⁵³⁵.

Prior to 1962, a Mauritian company, Diego Garcia Limited, became the owner of various islands in the Indian Ocean, including the Chagos Archipelago, writes d'Unienville.⁵³⁶ In 1962, the Chagos Agaléga Limited was incorporated in the Seychelles, to acquire the assets of the Mauritian Company Diego Garcia Limited.

Even if it was said that the Chagos were private lands owned by the private company, most probably, it was only on lease, as the atolls and the dependencies of Mauritius were still Crown Land. The Chagos Company Limited was allowed to exploit the coconut plantations and the copra manufactures until 1967, when the British closed all copra exploitations and paid financial compensation of some £ 1,35 millions to the Company.

Fr. Dussercle wrote that the Company directors were only administrators and represented the British Administration on the islands.⁵³⁷ Roger Dussercle was a French priest with a missionary bent. He had served earlier as a chaplain to the French army in Morocco and then, eventually, had been assigned by the Catholic Church to work on Mauritius. The island was already predominately Catholic, and well-served with churches and priests. The outlying islands, however, the "*lesser dependencies*", including Diego Garcia and the Chagos, had no assigned priests and often went for years without religious guidance. Dussercle not only made a point of visiting the islands, but he also wrote books about his adventures.

In late 1963, the Americans began to think about the possibility of the U.S. 7th Fleet operating in the Indian Ocean, as a counter-measure to perceived communist Chinese expansionism.

In January 1964, the U.S. discovered that there was a “*power vacuum*” in the Indian Ocean. In July of that year, as talks with the British intensified, another survey team was sent to Diego Garcia.

THE CHAGOSSIANS VICTIMS OF THE SUPERPOWERS

Few Mauritians knew much about Diego Garcia or the rest of the Chagos Archipelago. Mauritius was more geared, at the time, to the issue of independence.

On 8th November 1965, the British issued the BOIT order, establishing for the first time a political entity known as the British Indian Ocean Territory, comprising of Diego Garcia and the rest of the Chagos, as well as a few other Indian Ocean Islands, mainly the Aldabra and Farquhar Islands and Ile Desroches, excised from the British Crown Colony of the Seychelles. The BIOT order was issued by the Queen of England as an “*Order in Council*”, under the authority of the Colonial Boundaries Act of 1895.

On 10th November 1965, the British publicly announced the creation of the BIOT. The announcement was intentionally low key, as the British were trying to avoid political and legal complications, particularly from the United Nations.

The United States agreed to pay the British, for detaching Diego Garcia, a sum not exceeding \$14 million, as the United States Law requires that spending be approved by Congress, but in this case, no congressional scrutiny was required, so a new method of payment was created.

Visibly, there was a notable lack of consultation, by any party, with the people living on the island of Diego Garcia or the other Chagos islands. The islanders had coexisted with military facilities before, and no one told them that they were all to be evicted from the Chagos in its entirety.

The British Government was intent on satisfying U.S. demands for an unpopulated island, however, and it was not going to be deterred. The British began a quiet policy to reduce the population on the islands. As the Chagos were remote and primitive, many people who lived there travelled to Mauritius and the Seychelles for healthcare, schooling, visiting relatives, marriage, and other sundry reasons. The British began simply denying people, who left the island, passage back, often leaving them stranded away from what they considered their home. The British kept this practice as secret as possible, and would later carry out the final mass expulsion by surprise.⁵³⁸

But the British were caught in a self-inflicted legal and political trap. They had detached the BIOT from Mauritius and then given Mauritius its Independence. The British simply did not “resettle” the *Ilois*. They exiled them. As citizens of a British Colony, there was no legal means to force them to move to what was now another nation. In theory, if they could not remain on the islands, then they should have been allowed to settle elsewhere in Britain. The British Government clearly did not want that, for political as well as fiscal reasons.

On 15th December, 1970, the U.S. Administration announced its intention to go ahead and construct a joint military facility on Diego Garcia.⁵³⁹

In September 1971, the *MV Nordvaer*, the island’s normal supply ship, arrived at Diego Garcia from Mauritius. The remaining *Ilois* and other plantation workers were told that the ship was not going to resupply the island, but would be carrying them off the island.

On 28th September, the last 35 of the 1, 200 people who were in the Chagos carried their own baggage aboard the overcrowded vessel, forced to leave behind their most valuable possessions. The evicted Chagossians had been dumped in Mauritius and most of them headed for life in urban slums.

In October 1972, the U.S. and Britain signed a formal agreement to establish a joint “limited communication facility” on the island.

The resettled *Ilois* languished on Mauritius. Cyclone “*Gervaise*” had left more than 90,000 Mauritians homeless, and unemployment during the period was running at about 20%. Those few remaining *Ilois* on islands other than Diego Garcia were shipped to Mauritius by the end of 1973.

The British Government had agreed to give Mauritius an additional £650,000 for a “*full and final*” settlement of resettlement costs.

By March 1973, the Naval Communications Station opened for business, with about 200 assigned personnel.

MAURITIAN CLAIMS

If the French and British conflict around 1800 helped lead to the island’s settlement, the U.S. and Soviet conflict in the 1960s led to the island’s depopulation. Unfortunately, many of the island’s residents, whose ancestors were slaves, had become attached to what they thought was their island. Unprepared for the termination of their primitive island lifestyle, they found themselves to be an impoverished and unwanted minority. Approximately 1,200 residents of the islands, living as agricultural workers, had been relocated by the British Government to Mauritius and the Seychelles.

Upon Independence from Britain in 1968, Mauritius made immediate claims to the Chagos Archipelago and requested the resettlement of all indigenous populations. Subsequently, Britain transferred a number of the BIOT islands to the Seychelles, when it attained independence in 1976. The BIOT is now made up of the six main island groups comprising the Chagos Archipelago.

Britain had thus leased the island of Diego Garcia to the United States for a 50-year period until 2016, with a 20-year extension available, if both parties agree to continuation. The U.S. controls the total Great Chagos Bank which covers some 22,000 square miles (56,995 square km) of the Indian Ocean.

After its installation on the Chagos, the United States began to transform Diego Garcia into a naval support facility that soon included deep-water docks and an expanded runway.

In the 1980s, the United States increased its presence on Diego Garcia by building new airfield facilities, and an air force satellite detection and tracking station, initiating long-range bomber operations, improving navigational aids, and increasing the port capabilities. The United States still maintains a large amount of ground combat equipment on maritime prepositioning ships (MPSs) stationed in Diego Garcia. The United States has built an extensive military support complex that is operated jointly with the British. The facility and its capabilities are operationally invaluable to the U.S. military doctrine of global force projection and its current military operations in the Middle East, South Asia, and throughout the Indian Ocean.⁵⁴⁰

In the mid-1970s a member of the Chagossian community in Mauritius started legal proceedings against the British Government in the English Courts, claiming, among other things, that he had been wrongfully removed from the islands. Under an agreement reached in 1982, the legal proceedings were withdrawn and the UK made an *ex gratia* payment of £4 million for the benefit of the Chagossian community in Mauritius.

In 1998, another member of the Chagossian community instituted judicial review proceedings challenging the validity of BIOT’s Immigration Ordinance 1971, which prohibited the entry of any person into any part of the Territory, unless he obtained a permit to do so. The judgment in November 2000 held that the 1971 Ordinance was indeed invalid and it was replaced by a new Ordinance that allows the Chagossians to return and reside in any part of the Territory except (for defence reasons) Diego Garcia.

No Chagossians have returned to the islands to live since the new Ordinance was enacted. The islands, other than Diego Garcia, are still uninhabited and have no facilities on them to support a settled population. There are a few remains of buildings from the copra plantation days, but these are unusable. There is no clean water supply, no power and no transport.

In February 2002, the Chagos Refugees Group applied to the UK Courts for further compensation and assisted resettlement on all of the islands, including Diego Garcia. The Court case started in October 2002 and, in October 2003, the Courts found in favour of the UK Government but allowed the Chagossians to appeal on some of the issues.

In June 2004, the British Government passed an Order in Council banning the Chagossians from the Chagos Islands, and the islanders then applied for a Judicial review of the Order in Council.

In May 2006, the British High Court overturned this Order in Council, giving the Chagossians the right to return.

In May 2007, the Court of Appeal upheld the High Court's decision ruling that the methods used in banning the islanders from returning to the islands was unlawful. In November 2007, the UK House of Lords gave the UK Government permission to challenge the Court of Appeal's ruling, with the proviso that the Government should cover the cost of the appeal, whatever the outcome.

In October 2008, the British Law Lords upheld the British Government's Appeal, denying the Chagossians the right to return to the Archipelago.⁵⁴¹

On 1st April 2010, the British declared that a Marine Protected Zone (MPA) around the Chagos Archipelago - where all fishing and extractive activities (oil and gas exploration) are banned - was unlawful.

On 20th December 2010, Mauritius initiated proceedings against the United Kingdom under the dispute settlement provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) The dispute, to be submitted to an Arbitral Tribunal (since both States have opted for different dispute settlement methods under UNCLOS), concerns the creation by the United Kingdom of a Marine Protected Area up to the outer limit of the exclusive economic zone of the Chagos Archipelago. According to the notification and statement of claim, Mauritius requests the Annex VII Arbitral Tribunal to declare, in accordance with the provisions of UNCLOS and the applicable rules of international Law not incompatible with the Convention, that, in respect of the Chagos Archipelago:

- The 'Marine Protected Area' is not compatible with the 1982 Convention, and is without legal effect; and/or
- The United Kingdom is not a 'coastal state' within the meaning of the 1982 Convention and is not competent to establish the 'Marine Protected Area'; and/or
- Only Mauritius is entitled to declare an exclusive economic zone under Part V of the 1982 Convention, within which a marine protected area might be declared.⁵⁴²

In fact, on 15th May 2009, Wikileaks document had already uncovered that an absolute ban on fishing in the area might "*be the most effective long-term way to prevent any of the Chagos Islands' former inhabitants or their descendants from resettling [...]*."⁵⁴³

2. RODRIGUES: SOCIAL CHALLENGES

The Island of Rodrigues faces serious social challenges that require urgent attention of all Rodriguans, and in particular the Rodrigues Regional Assembly. Indeed, as land resources are the major assets of Rodrigues, inappropriate land use contributes to soil erosion and land degradation that affect agricultural productivity and is, therefore, a major factor in food security and poverty. This is a huge responsibility that the RRA cannot downplay, even though the State lands are leased to private individuals for a specific number of years, depending on the purpose of the development project which are approved by the State Lands Committee. Thus, the strategy to be proposed rests heavily on environmental mainstreaming in policy and in key economic sectors. The adoption of a sustainable land resources, solid waste, and coastal zone-management system is viewed as critical in order to successfully transform, in the longrun, the current situation of land degradation, soil loss, and impoverished ecosystems into diverse cultural landscapes of outstanding aesthetic, economic, and ecological value.

Land resources in Rodrigues are affected whenever one or more of the above five components (that is, Agricultural and grazing lands, Forestry & Forest Biodiversity, Management of Caves, Botanical Gardens and Built-up area- settlements etc.) are under threat. Indeed, poor land management has resulted in low economic returns from agriculture. This is due to high soil erosion which is itself a result of bad agricultural and grazing practices; past deforestation; poor building practices (especially the dispersed nature of settlements); steep topography; and high intensity rainfall (rainfall intensities of up to 150 mm per hour is not uncommon). Besides reducing the agricultural potential of the land, soil erosion has affected rivers and dams as well as the lagoons and coral reefs. Soil erosion has also been due to poor building practices. In this respect, Rodrigues has been able to deal with the problems of land squatting with the setting up of a Land Squad under the Environment Unit. However, the problem of scattered housing, due to the dispersed nature of settlements, has led to the loss of agricultural land, as well as a reduction in the aesthetic appeal of the country side.

There is a total lack of an endorsed framework for land planning and land use on the island as the Planning Development Act 2004 is not applicable to Rodrigues and the National Development Strategy is not statutory to Rodrigues. The RRA needs to endorse a national strategy around which all future planning initiatives will revolve in a transparent manner. There is an absence of a database and unsustainable land management; likewise, there is an absence of detailed information regarding land resources. This lack of information makes it difficult for the authorities to come up with proper strategies with regards to the environment.

One of the main problems in infrastructure development and provision lies in the haphazard settlement pattern. Indeed, the very striking feature about the human settlement pattern in Rodrigues is its dispersed nature. Rodriguans have tended to build their houses on agricultural land leased to them, so as to make it easier to look after their crops and cattle which roam freely. Consequently, houses are scattered and isolated, which typify the Rodriguan way of living. Another reason for same is the absence of an appropriate housing policy, of declared zones, delays in approving housing leases and building permits, and lack of enforcement.

Due to the hilly terrain and scattered houses, the Authorities find it difficult to provide services such as water supply, telephone, transport, and so forth, to all isolated settlements. Some people have to walk long distances to get to schools, hospitals and other facilities.

Social Justice

While Rodriguans enjoy a happy social and family life, there are several problems facing the society. Family/female poverty, alcoholism, growing numbers of delinquency, drug abuse and teenage pregnancy, and to a limited extent, the threat of HIV/AIDS propagation, are among the most important and have the most disruptive and permanent consequences for society. There has not been a great decline in the number of teenage pregnancies, although the range of educational facilities, employment opportunities, including opportunities for entrepreneurship has been rising. The problem of alcoholism and teenage pregnancy are related to lifestyles and are very personal,

and tackling these social issues requires the full collaboration of social partners. As in Mauritius, overt and extreme poverty is not in evidence in Rodrigues. However, irrespective of the way it is measured, the issues of poverty and other social ills have to be dealt with immediately in Rodrigues because the process of modernisation and development, as promised by the Authorities, and which is bound to take place, can only accentuate the existing inequalities.

Social Exclusion

The problem of poverty is associated with social exclusion and marginalisation of some sections of the society. In Rodrigues, family poverty among groups, such as single women heads of households and teenage mothers, is accentuated by their lack of association with formal networks in the society. A Qualitative Study on Family Problems in Rodrigues, undertaken by the University of Mauritius, Ministry for Rodrigues and UNICEF in 1993, found that these groups of women, in most cases, do not belong to any associations, movements or community groupings. Some 20 years after that study, it should be noted that an extensive network of associations and organisations exists in Rodrigues and that these actively participate in the development of the island and cooperate in the identification and execution of community-based projects. Single women heads of households and teenage mothers are, however, not widely integrated into this network of organisations. The Study noted that the absence of single women heads of households could partly be attributed to feelings of uneasiness in taking part and a concern with being socially looked down upon by other association members.

Poverty

Poverty was estimated at 37.5% of households by the World Bank. There is a legitimate need to reduce the level of income poverty. The main thrust would be through improving productivity and creating employment, and not by increasing Social Aid which would continue to be targeted for the old, the vulnerable and the neediest. The policy would be to put in place a proper system of assistance in terms of loans, technical advice and support and market outlets for those who are unemployed or underemployed.

Single-headed female households are among the poorest in Rodrigues. Some studies also seem to indicate that external circumstances often result in such households finding themselves in a vicious circle of poverty from one generation to another. Teenage pregnancy also leads to unstable relations and poverty. Once again, it is only through education, sensitisation and direct empowerment that the vicious circle of early pregnancy, lack of education, poverty and unstable family relationships can be broken. It is to be acknowledged that the Commission for Child Development, Family Welfare and Women's Rights is currently implementing its action plan relating to the sensitisation and direct empowerment of vulnerable groups, especially teenage mothers. The action plan addresses the recommendations of the Report on Teenage Pregnancy under three headings, that is, Prevention, Empowerment, and Integration.

The social network system and legal framework has been laid down to cater for the elderly. What is now required is a proper follow-up and monitoring. Improving the quality of life would include better facilities for sports, recreation and self improvement. Much infrastructure already exists. What needs to be done is to improve the utilisation of these facilities and ensuring a wider coverage of the population.

Single female-headed households

When the Rodrigues Council of Social Services carried out a survey of villages in Rodrigues in 1996, the findings indicated that 86% of single female headed households had a monthly income of Rs 2,000 or less, while the equivalent figure for the totality of surveyed households was 49%. This relatively higher income of single female headed households is not specific to Rodrigues, but concerns the whole Republic. As it has been asserted in the study on *'Patterns and Trends in the Feminisation of Poverty in Mauritius'*, there are considerable gender disparities in the incidence of poverty specified by status of households with female headed households more likely to be poor than male headed households. The Qualitative Study paid particular attention to the difficulties of female headed households, but pointed out that not all of them were vulnerable. The Study mentioned that the female heads of households are mainly divorced, separated, widowed or

unmarried women who often face difficulties in obtaining an adequate income. The causes of the women's income poverty were attributed to a lack of employment opportunities for women in Rodrigues, large families, lack of education and problems in accessing land. In addition, single female heads of households are often marginalised in terms of not being involved in the extensive network of associations and movements that exist in Rodrigues.

Social Aid and Safety Nets

The State is the most important provider of social benefits to the population of which more than 90% are non-contributory. The State provided assistance, in 2003/04, to some 4,790 beneficiaries of whom 70% were over 60 years of age and were receiving retirement pensions. The figure of 4,790 is on the high side as it does not take into account the fact that some beneficiaries could be receiving more than one form of assistance. The amount of Rs 1,900 per month received by the majority of old age pensioners represents around 50% of the monthly income as per the Household Budget Survey which has been used as a proxy for a poverty line. The provision of social aid in its various forms is the single main expenditure in the recurrent budget. This form of social transfer is an important source of income for Rodriguans in the lower income groups. While the basic retirement pension has remained universal, some form of means testing and case by case assessment is undertaken for other forms of assistance. As indicated in the Rodrigues Regional Assembly Annual Report 69, the majority of the requests for Social Aid, Book Loans, Basic Retirement Pension or Severely Handicapped (Retirement) have been met. In three particular cases, those of Basic Invalidity Pension, Severely Handicapped Pension and Carer's Pension, around 51%, 63 % and 15.9 % requests for assistance were rejected respectively.

Poverty alleviation programmes

In addition, various poverty alleviation programmes are in place to cater for those who find themselves in need unexpectedly, or are in a semi-permanent state of need. The most important of these are the 'The Trust Fund for the Social Integration of Vulnerable Groups' which has financed 256 projects in Rodrigues between 2001 and 2003 (UNDP, 2003). The programme 'A Nou Diboute Ensam' was implemented jointly by the European Union and the Government of Mauritius in 1999 and has, since 2001, approved 16 projects in Rodrigues in areas such as income generation, social infrastructure and education, vocational training and capacity-building. Also, 'Leve Diboute' is a programme that was set up by UNDP in 1999 with the aim of improving income generating capacity and living standards of Rodriguans with an income of less than Rs 2,000 per month.

Support for the elderly

Apart from financial support, the Government has set up a legal and administrative framework for greater protection and assistance to elderly persons with the passing of the Protection of Elderly Persons Act (Act No 16 of 2005). The Act provides for the setting up of a Rodrigues Committee for the Elderly consisting of the Commissioner responsible for senior citizens,

“who shall be the Chairperson, the departmental head of the Commission responsible for senior citizens, who shall be the Vice-Chairperson and representatives of the relevant departments” such as health, arts and culture, family welfare as well as Chief Officer of Police and the Senior Citizen Welfare Association and other NGOs. Provision has also been made for the *“setting up of an Elderly Persons' Protection Unit which shall organise public awareness and sensitisation campaigns on the rights of elderly persons and the need to provide them with assistance and protection; receive complaints from elderly persons who are in need of protection or assistance and take such measures as may be necessary, apply to the Court for a protection order where it deems it necessary in circumstances where there is a real danger to, or threat on, the life of an elderly person, assist in arranging for the admission of an elderly person to a residential care home, where required, ensure that every Elderly Watch and other appropriate bodies or authorities get a proper feedback on the situation of elderly persons who are, or may be, in need of protection or assistance.”*

The Act empowers an Officer of the Unit to intervene with a legal warrant of a Magistrate to enter any premises to make inspections, if he reasonably believes that an elderly person is being abused. An Elderly Watch will be established in every region designated by the Monitoring Committee to promote the welfare of elderly persons in the region for which it is responsible and report cases of repeated abuse of an elderly person to an officer of the Unit.

The Care of Elderly Persons

In line with the trend for the Republic of Mauritius, the population structure in Rodrigues is gradually changing towards an increasingly larger number of elderly persons. The age structure in the Republic has changed considerably in the past four decades. In Rodrigues, the number of persons aged 60 or above increased by 65% from 1990 to 2004. At the same time, the share of population above the age of 60 grew from 5.9% to 9.1%. The ageing population poses new challenges to the society, particularly in terms of care arrangements. Wider societal changes, such as the abandoning of the extended family system, increasing labour market participation of women and the gradual disappearance of the female care-giver model, all add impetus to the need for society to arrange for care of the elderly. In view of these changes and given the growth in the elderly population, it is important to set up facilities that can accommodate elderly persons who are not able to live with the family or on their own and elderly who are in need of day care services. The population projections, detailed below, indicate that the elderly population in Rodrigues will grow rapidly over the next 40 years and that the elderly population will come to constitute an increasingly larger share of the islands inhabitants.

Support systems for elderly persons

With a growing elderly population, appropriate planning needs to be initiated to ensure that care arrangements can be offered to elderly persons in need of these services. As elderly persons live longer, it is also important to cater for the essential and recreational needs of this age group who will have more spare time. A particular challenge in the care of elderly is to cater for the social and economic needs of elderly women who constitute the majority of elderly persons, but who are often in a disadvantaged position with lower income than their male counterparts.

Alcohol and Substance Abuse

From discussions held with various social organisations, it was noted that alcohol abuse is a major problem across the island and even amongst secondary school students. The HIV/AIDS Strategic Plan for Rodrigues 2004-2007 even confirms this state of affairs. However, little credible statistics exist to provide a precise update on the situation. Alcohol abuse can have several consequences on society, namely, disruption of the family, promotion of delinquency, poor performance at schools and at work, increased rate of accidents on the roads and at work, increased rate of absenteeism at work, poor health status of the population, increased work burden on the health sector and more cases of unsafe sex leading to propagation of Sexually Transmitted Infections, HIV/AIDS and unwanted pregnancies.

Alcohol abuse needs to be considered as a significant problem and not merely as a specificity of the island. Concrete efforts must be made to tackle this problem which can have far-reaching effects on the society at large. The help of the NATReSA needs to be sought so that an Action Plan can be defined. A survey needs to be carried out and the ultimate aim is to develop a National Alcohol Control Policy in which issues, such as the control at sale points, workplaces and schools, education of the population on the negative effects of alcohol over-indulgence, rehabilitation procedures, counseling and treatment. The support of local NGOs like CRAC needs to be taken on board to ensure success of the control programme. Another survey needs to be carried out on alcohol consumption across all segments of the population. This would provide the basic information which will be vital for the formulation of the National Alcohol Control Policy. Reliable data regarding substance abuse must also be obtained from surveys among the workforce. Presently, there are around 14,000 people in employment. The workforce is relatively stable in terms of its size, making it easier to identify cases at an early stage amongst workers, so that intervention strategies can be implemented in a better way in the workplace. Also schools present unique opportunities as the support of teachers and PTAs can easily be available.

Existing Projects

Rehabilitation for alcohol and drug abuse in Rodrigues is set up at NGO level. The organisation CRAC is one of the active organisations concerned with the problem of alcohol and drug abuse. Since 1995, the organisation operates the '*Centre D'Alcoologie Paille En Queue*' which offers inpatient detoxification and relapse prevention programmes to alcohol and drug abusers.

The building of the centre was funded by the European Union and operating costs are provided by the RRA and the '*National Agency for the Treatment and Rehabilitation of Substance Abusers*'. The European Union has also funded, through the programme '*A Nou Diboute Ensam*', the setting up of a number of activities for the persons that are following treatment in the Centre. The activities, which include sewing, embroidery, gardening and vegetable growing, are intended to aid the social integration of the centre's patients by assisting them to obtain the means for earning a living.

Teenage Pregnancy

Teenage pregnancy is a problem frequently noted in reports on social problems in Rodrigues. Although the problem is not specific to Rodrigues, it requires the intervention because of its serious negative consequences. As noted in the Qualitative Study, teenage pregnancy has serious negative health, social and economic consequences, and, in poorer regions where there is a lack of educational and employment opportunities and adequate welfare support systems, the consequences are even more serious.

- For 2004, the marriage rate was 13.5 and the mean age for child-bearing mothers was 26.7 years. However, 20% of the first child-bearing mothers were aged 15-19 years. It is to be noted that 8.2% of all children born in Rodrigues came from unwed mothers. This high rate of teenage pregnancy among Rodriguans is of great concern. It could be one of the main causes for infant deaths.
- Teenage mothers tend to drop out of school and are often unable to find steady jobs or enjoy a secure family life. The Rodriguan Authorities are conscious of the fact that this issue needs to be addressed with all seriousness because in future, the society may be faced with an unbearable burden. The population projections have been based on a reduction of teenage pregnancy from 62.9 per thousand females for the age group 15-19 years in 2005- 2010, to 55.7 in 2025 - a reduction of 11.5%.
- Age-specific fertility rates reveal that the number of live births among mothers aged 15 to 19 is higher in Rodrigues than in the Island of Mauritius. In 2004, there were 77 live births per 1,000 women aged between 15 and 19 in Rodrigues, compared to 36 in the Island of Mauritius (CSO, 2005b). In an international perspective, Rodrigues can be clustered among countries that fall somewhere mid-way in between relatively high and relatively low adolescent fertility rates.

Data from Rodrigues reveal that fertility rates among women aged 15 to 19 gradually decreased between 1990 and 1997 and then reached a low of 47 live births per 1,000 women. The rate has, thereafter, increased to reach 77 in 2004 (CSO, 2005a). In 2002, a Contraceptive Prevalence Survey revealed that one in five teenage girls in Rodrigues aged 15 to 19 are mothers or pregnant with their first child (*Ministry of Health and Quality of Life*). Data such as these provide some information on childbearing among teenagers, but it is important to note that the exact number of teenage pregnancies is difficult to estimate since some teenagers resort to abortion and data are not available on abortion rates.

- The results from the University Of Mauritius Study conducted in 2006 have uncovered a considerable degree of distress and even tragedy in families and young people facing the consequences of teen parenthood. Their findings and recommendations are given hereunder. The Study has thrown up other, deeper, problems of social and economic exclusion, extreme poverty, dysfunctional educational systems, family structures and a disoriented values system. A policy of sustainable development for Rodrigues cannot ignore these issues. The services and programmes, currently available in Rodrigues with regard to sex and relationship education, however commendable, must now be revisited, by taking a client-centred approach. Work must also include a targeted approach to high-risk and

vulnerable groups of young girls. In terms of managing consequences, the State must decisively step in to support pregnant teenagers and teenage parents and help them re-integrate in the economy and society;

- Teenage mothers in Rodrigues are reported to come from varied backgrounds and all parts of the island and have different levels of education ranging from no formal schooling to upper levels of secondary school (*Ministry of Women, Family Welfare and Child Development, 2001*). Interviews carried out as part of the Baseline study conducted on behalf of the Ministry of Women, Family Welfare and Child Development in 2001, however, revealed that the problem of teenage pregnancy is perceived to be more prevalent in the poorest areas, among girls who lack education and job prospects. The participant views from the Baseline Study also suggest that many cases of teenage pregnancy are linked to prostitution and that many teenage pregnancies occur in families where the girl's mother also had a teenage pregnancy. The authors of the Qualitative Study of family problems in Rodrigues judged it difficult to test the validity of a correlation between mother and daughter teenage pregnancy, but report that interviewed teenage mothers, in many cases, came from families where there was instability in terms of the mother not having a steady partner.

The key recommendations for prevention are:

- Mainstreaming citizenship and responsible thinking and conduct into the educational system;
- Improved educational and youth counselling programmes with regard to managing sexual health and relationships;
- Improved monitoring of school attendance;
- Re-orientation of community outreach programmes, tailoring these to the local needs of parents, young boys and young girls separately;
- Targeted approach of services and programmes reaching the most vulnerable groups for longer-term impact.

The key recommendations for managing consequences are:

- An increase in Social Security Pension for the first three years of the child's life, attaching the benefit to the parent's commitment to a course of financial independence;
- State assistance in education, training, medical and nutritional care, child-care, and employment and self-employment;
- Psychological and parental support.

Sexuality and reproduction

Sexual activity among teenagers in Rodrigues is reported to start as early as the age of 12 - 13 for some girls, and 14 - 15 for some boys. Since pre-marital sexual activity is severely condemned by parents and the society at large, it occurs surreptitiously. A notion of sexuality as a taboo subject prevails and the topic is rarely one that parents discuss with their children. The school system also appears to provide insufficient information on reproductive processes, and there is as a result a lack of, or confused, knowledge about procreation among teenagers (*Ministry of Women, Family Welfare and Child Development, 2001*).

Use of contraception

The lack of knowledge of reproduction among teenagers and the prevailing attitudes towards pre-marital sexual activity affect the use of contraception among teenagers in Rodrigues. As such, the non-use of contraception among some sexually active teenagers can be attributed to the absence of information, while, among others who do have some awareness, the non-use is a consequence of not being able to access contraception. Religious beliefs also impact to some extent on the use of contraceptives and the Qualitative Study on family problems in Rodrigues reports that some

teenage mothers and school girls displayed an inner conflict between the practicality of contraceptive use and their religiously formed beliefs of objectionable methods of contraception.

Support systems for teenage mothers

According to the Qualitative Study on family problems in Rodrigues, teenage mothers on the island suffer from significant social isolation as they have left school and are a group that is neither viewed as children, nor as adults and do not belong to any associations or movements. One existing support system, however, is that of Community Health Workers. Teenage mothers are visited in the home by Community Health Workers who provide primary health care advice and services, such as vaccination for the babies.

Disabled Persons

At the 2000 Population Census, there were 1,150 disabled persons in Rodrigues (CSO, 2000). A disabled person was in the census defined as someone 'who experiences any limitation in performing a daily-life activity in a manner considered normal for a person of his age, because of a long-term physical condition, mental condition or health problem' (CSO, 2000:6). The number of reported disabled persons increased drastically from the 1990 Census to the 2000 Census. An increase in the disabled population in the Island of Mauritius can also be noted during the same inter-censal period but the increase in the Island of Mauritius was 46.3%, while the increase in Rodrigues was 52.3%. The CSO estimates that part of the higher prevalence is a result of changes in the age structure of the population between 1990 and 2000, although this does not fully account for the increase (CSO, 2000). In Rodrigues, as well as in the Island of Mauritius, the female disabled population has been growing more rapidly than the corresponding male population. While the number of disabled males increased by 41.5% in Rodrigues, the number of females increased by 63.4%.

The Situation Analysis of Children and Women (1998) and a report on the present socioeconomic status and support services in Rodrigues (Ministry of Women, Family Welfare and Child Development, 2001) point out that, with a few exceptions, there are not many support services and facilities available for disabled persons in Rodrigues. Nationwide, disability is a main area of vulnerability which has not received adequate attention. While developments have taken place in the area in recent years, there is much that remains to be done in terms of support facilities for disabled persons and mechanisms to enhance their employability.

Support systems

Support systems for disabled persons in Rodrigues exist mainly at the level of NGOs with only a few organisations providing services in this field. Craft Aid is one particularly active organisation. Since 1998, Craft Aid has run a school for persons with visual and hearing impairment. The organisation, which receives support from the European Union, also operates as a workshop that refines and packs honey for export and produces craft products. Honey production is very successful and has been recognised internationally, as evidenced by awards obtained. The organisation's artisanal activities provide training and also employment opportunities for disabled persons. Craft Aid has now become a private company limited by guarantee called CARECO (Rodrigues) Co Ltd. The turnover of the company was Rs 2.4 million in February 2004/2005 with the cost of sales being Rs 0.64 million and Management and Administrative expenses Rs 2.05 million leaving a net loss of Rs 0.35 million. However the company had total assets of Rs 7.65 million, more than 90% of which were property, plant and equipment; most of these have been obtained through donations. Since the company had no debts or loan commitments, its finances can be considered to be stable. At present, 28 disabled persons coming from the whole island are finding full time, paid employment with the company at the Workshop and another 115 disabled bee keepers are using the Resource Centre for their activities. Older children are also learning bee keeping. Fund-raising and donations from abroad are important sources of income.

Notwithstanding the above, there are opportunities and challenges that the Authorities, both in Mauritius and Rodrigues, have to reflect upon in order to bring the Rodriguans on the same level

playing field. Rodrigues forms part of Mauritius. Thus, the island should be given the same treatment and support that each citizen expects from the Republic of Mauritius.

Given that there is a lack of support services and facilities available for disabled persons in Rodrigues, there is an urgent need for further provision. The Social Centre that caters for disabled children cannot accommodate other age groups due to lack of space, staff and facilities, and Craft Aid also has a limited capacity to receive disabled persons.

At the same time, however, it is of significant importance to intensify efforts to improve quality and to professionalise the provision of services for disabled persons. In an interview reported in the publication *'Rodrigues et L'Union Européenne: 20 Ans de Coopération (1982-2002)'*, the Head of Craft Aid attributes the organisation's ability to successfully assist disabled persons to the fact that the organisation receives aid to work with experts. He also pointed out that it is necessary for other groups working with disabled persons in Rodrigues to receive aid in order for them to work under the guidance and advice of an expert. He added that better guided training for disabled children helps these young persons to integrate into the society, but without the expertise, organisations are not able to provide the necessary training.

Part of the challenge ahead in terms of improving services and facilities for disabled persons is to **professionalise social work**. Currently, Rodrigues has an impressive set-up of a large number of social and community services organisations, which mainly operate on a voluntary basis, but as the Situation Analysis of Children and Women mentions, the sustainability and viability of organising this work, mainly on a voluntary basis, are questionable.

On the whole, in spite of all these social ills, the vision for Rodrigues is that of an island of happy, contented and energetic people working hard and intelligently for the prosperity of their native land. Apart from what have been discussed above, this calls for empowerment, job creation, widening of the circle of opportunities, and a considerable degree of advocacy and IEC programmes informing the population on different ways about how their lives could become more productive.

The way forward for Gender

The overarching goal is to move towards greater equality by empowering both women and men to reach fully their potential and use their creativity and entrepreneurial spirit through the provision of adequate infrastructure services, opportunities and training, thereby enabling them to move away from low-productivity agriculture and fisheries sectors to other more productive activities thereby raising their incomes.

Two core objectives are:

- Adoption of policies for 'gender mainstreaming.'
- The latter implies, as defined by UNDP as early as in 1997,

"a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of the policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated."

Doing so would imply making significant progress towards ensuring that equality between men and women is fair and right.

- Increasing economic participation and the likelihood that women would find decent and productive jobs so as to increase their economic autonomy, hence allowing them to escape poverty;
- Deliberate promotion of women empowerment so as to enable them to:
 - move up the employment ladder, namely by moving away from the 'unpaid contributing family members' and 'low-income own-account workers' to wage and salaried employment.

One of the proposed strategies is to fight the “discouraged workers” phenomenon by eliminating discrimination, as well as structural, social and cultural barriers;

- develop and enhance their skills and to be re-skilled;
- develop and make use of their creativity and artistic expression by being actively involved in cultural and sports activities.

Safety nets and social ills

The share of the budget allocated to the social sectors and to social welfare is high: 15%. The focus is to move from expansion and increasing financial input in this sector, to increasing efficiency and output from the investment being made in the social sectors, be it education, health or social welfare, mechanisms for target setting, monitoring and evaluation of projects/programmes have to be set up so that all expenditure is fully accounted for and the targets are met.

Sensitisation programmes

The setting up of a Media unit to coordinate all IEC and promotion activities is a prerequisite for bringing about a change in the mindset of the population. The Church and other religious organisations should form an integral part of the system to help sensitise the population to the fact that some lifestyle changes are critical for reducing some of the social ills threatening Rodrigues.

The NGO sector is strong; the main challenge facing the society is to channel the outburst of modernity and youth culture which has penetrated the Rodriguan society to productive uses.

Unless the various partners - including the Church, NGOs, associations of employers, businessmen/women and other social leaders - work together for a common purpose of changing the economy and social structure and making it more productive and resilient to meet the expectations of the youth, the island runs the risk of being totally overwhelmed by external influences. No amount of outside aid - from the central government or outside will help unless these social challenges are dealt with. A highly dynamic Health Education Unit working closely with the Family Planning section of the Department of Health, all social partners and NGOs like the Mauritius Family Welfare and Planning Association and the Action Familiale is required. There is the need to sensitise and empower girls to take the necessary precautions themselves and to bear upon their partners to do so as well. The Church and religious leaders have an important role to play in the sensitisation campaigns.

The majority of the cases of poverty can be viewed as cases of breakdown of the economic system to provide gainful employment; thus poverty can be reduced by pinpointing the economic obstacles to employment creation, employment accessibility or being qualified or trained for employment and taking remedial action. The rest of the cases of poverty are due to old age, disability or personality aberrations. These are cases where outright grants and support can be justified. These numbers especially that of disability and personality aberrations could be kept to the minimum as programmes are put to increase employability of people having disability or personality problems, over a period of time.

Targets for social security benefits should be set and the numbers carefully followed up with the focus being on not allowing situations to arise which can lead to a case of poverty. In short, prevention rather than providing financial support after the person becomes unfit for work should be the strategy. Cases of teenage pregnancy, for example, could have been prevented, kept to the minimum or not allowed to increase if the girls and boys/men were properly informed or motivated to take the necessary precautions. It is understandably more difficult to put targets for the social security sectors but with the improvements in living conditions and more job opportunities is expected to bring down the number of cases requiring direct assistance from the State.

Observations and recommendations

There is an urgent need to revisit the whole social and economic development for Rodrigues from the point of view of future developmental needs. A National Physical, Social and Economic Development plan should take the following into consideration:

Human development

- Citizens claim they are not fully aware of their rights;
- Rodrigues is not adequately represented at regional organisations, such as SADC and COMESA;
- There exist a perception of political interference in public administration;
- There is sub-optimal utilisation of human resources in the public service.
As well as poor building practices leading to soil erosion;

Tourism

- The low tourist arrivals affect the island economy;
 - There is limited air access; and the price of air ticket is too expensive;
 - Handicrafts products are not enough competitive;
 - Associations of tourist operators are not well organised;
 - Inadequate budget for development of the Tourism sector;
 - Lack of cohesion in marketing strategies;
 - Existing entertainment and attraction facilities are not well developed;
 - Lack of norms and regulations regarding '*gîtes*' and '*tables d'hôte*'.
-
- Increase accessibility, visibility and attractiveness of Rodrigues as a tourist destination and improve visitor authentic experience through sustainable destination management;
 - Strategic alignment of Tourism policy, investment, and sustainable development through the implementation of a Tourism Strategic Plan (to increase tourism yield, export revenue, and livelihoods from the industry in a sustainable manner);
 - Regulate Tourism activities in Rodrigues and market/promote Rodrigues world-wide using a powerful brand;
 - Develop capacity, capability, and professionalism of the sector;
 - Develop and maintain competitive partnerships between stakeholders, both in Rodrigues and Mauritius.

Industrial Development

- Rodrigues remains essentially a natural resource intensive economy subject to the vagaries of nature;
- Initial conditions and endowments (physical and human resources), which matter for economic development to take place, have remained unfavourable;
- No major export product or service driving the economy;
- Geographic isolation;

- Frequent natural calamities, relatively poor infrastructures, a relatively insignificant private sector (with no industrial structure);
- Brain drain over the years;
- Production is based on traditional farming systems using little inputs and adds little value;
- The 3 core pillars of the economy (Agriculture, Tourism and Micro-enterprises) are underdeveloped. The Rodriguans face serious constraints as they operate in isolation, with little upstream and downstream linkages.

Fishing

- Over-fishing in lagoons;
- Lack of know-how for sustainable exploitation of resources;
- Weak law enforcement;
- Insufficient conservation and management measures applicable to the Banks fisheries;
- Difficulty in re-orientation of artisanal fishers;
- Poor stock assessment;
- Fragmented administration;
- Project-driven approach rather than a holistic work programme developed on a strategic approach;
- No formal fisheries management plans;
- Lack of training facilities;
- Lack of knowledge of available yields;
- Lack of semi-industrial fishing boats;
- Some regional stocks e.g. yellow fin, big eye and swordfish already heavily exploited.

Water production and resources

- The whole system of water resources management and development is archaic, unsustainable and inefficient and severely inhibits the development of the Island;
- Inappropriateness of the water distribution and management system;
- Inappropriate institutional, regulatory and organisational frameworks for;
- Inadequate capacity that limits knowledge of the water cycle in Rodrigues, prevents the proper monitoring of quantity and quality of water, thus thwarting decision-making by stakeholders; and
- Inadequate cooperation and collaboration of end-users and lack of a proper institutional set up for '*concertation*' on water issues.

3. AGALEGA

AGALEGA: AN ATOLL IN A FORGOTTEN SEA

Nothing is permanent, except change. For long Agaléga has remained an atoll in a forgotten sea. The installation of American naval forces in Diego Garcia, as from 1966, has changed the geo-political and strategic situation of Agaléga. Inevitably, Agalega becomes on the forefront. The Republic of Mauritius is conscious of this new configuration

Agaléga, an atoll situated at about 1,100 Kms North of Mauritius and 563 Kms South of Seychelles, is made up of two small islands, the North and the South, Tamarind and Avocado-shaped respectively. Separated by a narrow stretch of about 2 Kms channel formed by reefs on two sides, it is crossed by foot, with ankle deep of water, and occasionally by a trailer drawn by tractor at low tide; by boat at high tide, and it is impracticable when the sea is rough. Formerly, the channel was crossed by carriage/cart pulled by horses, or by boat equipped with oars or sails.

The remoteness of Agalega, the restricted availability of transport to visit the Islands, the limited accessibility constitutes the main difficulty for those who want to go to the atoll

Agalega is different to Mauritius in many respects. The environment and living conditions are specific. Money does not make a man happy. There is a feeling of dissatisfaction among the small population of 300 inhabitants. Nevertheless, they are passionate about their Islands and leaving it is not easy. An in-depth social study should be carried out to analyse the feelings of the inhabitants, as there is much to be done in the field of social events, and this present study is far from exhaustive. To carry out a more thorough study, one will have to spend at least three months on both islands, the interval between the visits of two ships, using this report as a base.

Ever since its discovery, the bravest of Captains has always feared to approach the coast due to the unpredictable change of the wind and waves. On the other hand, the coral barrier, acting as a close protection belt to the islands, was so feared by sailors, because of the surf and swells that they considered Agaléga a pitfall to avoid. Furthermore, it lies in the region of the Inter Tropical Convergence Zone and is not spared by cyclones.

However, Man likes challenges. Following the wreckage of *SS. Wajao* in 1933, Port Sainte Rita, in the South, was transferred to the North during the same year. This port was blessed by Mgr. James Leen in 1936, and is named Port St. James. The channel, in the coral reef, was enlarged to ferry passengers and for embarkation and disembarkation manoeuvres.

Only privileged witnesses like birds can tell the story of ancient visitors. Nevertheless, they cannot disclose whether the Malays, the Arabs or the Portuguese were lucky enough to set foot on one of the islands before the 16th century.

In spite of some speculations, it is commonly accepted that in 1501, the famous navigator, Juan de Nova, nicknamed Gallego, who was employed by the Portuguese, discovered the islands and dedicated them to his homeland, Galicia (*Galice* in French). This is why Father Dussercle, in his famous book *Agalega Petite Île*, named its inhabitants "*Agaliciens*". The local people accepted it and made reference to this appellation publicly. By a decision, in Parliament, of the late James Burty David, former Minister of Local Government and Outer Islands, the inhabitants of Agalega are now called *Agaléens/ Agaleans*.

Between 2001 and 2005, several attempts have been made to attract foreign investment to develop the atoll. The Mauritian government was in presence of a preliminary project proposal from the South African firm Arcon for Agaléga valued at USD 450 million. The tourism development project included a wind energy plant, a waste water treatment plant, and a waste disposal facility. It also contained administrative block, bungalows, a marina, restaurants, and shops. Arcon planned to produce hydroponic vegetables. It would also upgrade the islands schools, health centers, and sports facilities.

The project was turned down as a plan for the construction of the villa eco-tourism project on the island had been seen as being too fragile to support.

End of 2005, Mauritian newspapers started to be filled with speculation over a report in that negotiations have been initiated between the governments of India and Mauritius for the latter to cede Agaléga islands to India.

In fact, during a State visit to India in October 2005, the Prime Minister, Navin Ramgoolam had asked Prime Minister Singh India's assistance for an assessment of Agaléga. The request was renewed during Indian President Kalam's visit to Mauritius in March 2006. A three-person survey team from India visited the islands in October 2006.

Responding to a Private Notice Question on 5th December 2006, the Prime Minister, Navin Ramgoolam categorically denied any intention to cede the islands to India. He said India's role in Agaléga, if it materialized, would be limited to economic development and infrastructure improvements. The Prime Minister insisted in his answer that the Government of India was willing to develop an economic development plan for the islands focused on coconuts, fisheries, and agricultural diversification. It also might improve the currently unusable landing strip. It was further noted that on its own initiative India carried out a hydrographic survey of the Agaléga region at no cost to Mauritius.

Nevertheless, in spite of denial of any intention of Mauritius to cede Agaléga islands to India, as alleged in an Indian newspaper report. Indian newspaper continued to suspect that India wanted to use Agaléga for strategic purposes, possibly by establishing a military or naval base or an eavesdropping station.

Local newspaper opines that Oil is another possibility of India's interest in Agaléga. One newspaper cited several differing views of Texaco's 1975 exploration of the Saya de Malha zone

A Report on OI DC in January 1996 stipulated that:

“Agaléga has a fragile eco-system that requires a balanced development that would not bear undue stress on the environment. Development should, therefore, be strictly controlled, the more so that in the long term, the two islands would be at risk because of the universal effect of global warming resulting from the depletion of the ozone layer.

The island should be envisaged as an outpost, with activities limited to agriculture, forestry, livestock and fishing. There is, however, some scope for a minimum level of tourism on the islands.”

CHAPTER TEN

TOWARDS LAND REFORM

INTRODUCTION

Under Sections 3 and 4 (c) of the Truth and Justice Commission Act of 2008, the Commission had as a mandate, to, *inter alia*, “enquire into a complaint other than frivolous and vexatious complaint made by any person aggrieved by dispossession or prescription of any land in which he claims he had an interest”. The Commission had, further, the task to submit a comprehensive report on its findings, based on factual and objective information and evidence received by it. A Team was appointed to lead this enquiry into land dispossession and suggest recommendations to the Commission.

This mandate has also been read in conjunction with other clauses in the Act relating to the history of slavery and indenture and its consequences. Hence, it could not adopt a purely technical or legal approach and has considered the land dispossession issue in a more holistic manner than has been attempted so far in Mauritius. However, the time-frame proposed (two years) is much too short to be able to produce a comprehensive report as many documents are not available easily and extensive and in-depth searches were required. Recommendations for additional work on the cases are made towards the setting up of institutions to democratise access to technical persons and professionals, so that the members of the public not in possession of vast reserves of cash can fight, on a more equal basis, the holders of economic power who take them to Court.

The Commission had set for itself the following tasks:

1. create a Database of land purchases and sales;
2. examine policy and laws relating to acquisition of land from 1723 onwards;
3. examine the extent of landownership by freed slaves and ex-slaves, indentured and descendants and misappropriation of land;
4. investigate the reasons for obstacles to landownership;
5. examine land issues brought before the Commission; and
6. advise and assist persons in obtaining documents in order to allow them to recover their land where possible.

1. HEARINGS ON LAND

The first task of the Commission was to invite the public to submit particulars regarding their holdings or possessions which they feel they have been deprived of. In view of the technicalities of each individual case, a Sub-Committee was set up, consisting of professionals in the field to study each case. The Committee was composed of: One Senior Attorney, One Bar-at-Law, Two Land Surveyors, One Land Consultant and several Research Assistants.

From July 2009 to 30th June 2010, 230 applications, containing 300 claims (given that some applicants submitted more than one case to the Commission) were received from people from all walks of life in Mauritius and Rodrigues. Each case brought before the Commission was then subject to an in-depth study, and relevant searches were carried out at the Conservator of Mortgages Office, the National Archives, the Archives of the Ministry of Housing and Lands and at the Registry of the Supreme Court. In most cases, deponents were convened for clarifications on documents.

The Committee perused all the 230 cases received, drew up a comprehensive list of all these cases, received people for interview and undertook research, not only to prepare the *dossiers* for different hearings, but also to look into missing documents, to put the cases into shape.

It was observed that in most cases, the land information data submitted to enable the Committee to make a proper assessment and appraisal was not sufficient. The information given was very sparse and skeletal in nature. In many cases, no title deed, no “concession” plan, no Survey Report, no Constat/ Investigative Report was submitted in support of these claims. The absence of a family tree to justify a deponent’s claim made it more difficult to understand the mechanism of dispossession. In other cases, claimants had difficulty in establishing the origin of the title justifying their claims.

Our recommendation to create a National Genealogy Centre should not fall on deaf ears as this will greatly relieve the population of the unnecessary burden of travelling up and down the country in search of documents.

The first hearing of the Commission was held on Friday 23rd October 2009 and the last hearing on Friday 16th September 2011. The Commission held 212 hearings sessions in all. The purpose was to elicit more information, thus allowing Commissioners to better comprehend a case. The hearings helped to clarify many issues and to encourage those were unwilling to submit documents to do so. All sessions of the Commission in Mauritius were held, either in public, or in camera and the press and other media were invited to attend. Some persons invited before the Commission chose to ignore same and had to be summoned, as provided under Section 5(d) of the Act. The Commission heard people from all walks of life, from Chief Executive Officers of sugar estates, Heads of Ministries, Departments and parastatal bodies as well as private individuals and professionals. It is also to be noted that more than one hearing was necessary to clarify a number of cases brought before the Commission. Some parties were assisted by their legal advisers or Land Surveyors.

By July 2010, after a preliminary assessment in each case, a certain number of complainants were advised to initiate legal action to recover their property. The Commission did not investigate a number of cases which were already pending before the competent Court for a decision. However, the Commission did examine other evidence that were not necessarily made available to Courts. Twenty-two such cases were recorded. One such case examined by the Commission was, thereafter, lodged before the Supreme Court which referred it for mediation.

Out of the 230 cases, brought before the Commission, 46 could not be fully investigated due to a lack of information or a lack of response to pursue the matter further. The rest was categorised for purposes of analysis and to search for trends in the mechanisms by which people had been dispossessed.

It was clear, however, that there was plenty of overlapping between these cases and, this was a stronger reason to treat the cases in a holistic manner. This was attempted for a number of cases by the Commissioners, and numerous persons competent in fields other than Land-related professions, but it was not possible for all cases. The Commission has pointed the way for future searches to be conducted and for dispossession to be better controlled.

Tables showing preliminary categorisation for a number of cases

Sugar Estates	Prescriptions	Métayers	Central Housing Authority	Court Cases
3 Tancrel	28 Begue Ronald	213 Ramtohul	112 Anthonimootoo	5 Frichot
4 Kisorbo	61 La Victoire	217 Tatteea	53 Riacca	14 Marion
9 Lebrasse	109 Medan	218 Sreepaul	67 Madhoo	18 Jolicoeur
47 Ramphul	110 Seetul	220 Ramchurn	79 Gukhool	21 Nanette
15 Harmon	111 Ramsamy	221 Goburdhun	86 Colfir	31 Capiron
20 Dumazel	115 Beeharry	229 Perrine	103 Labonté	39 Ramnauth
46 Webb	125 A. Ujoodha		196 Marceline	63 Soopaul
27 Ram Nauris	138 Chedumbrum		225 Latire	66 Typhis
153 Toulet	144 Aunacha			78 Coonjoobeeharry
158 Laridain	156 Moolchand			114 Rioux
231 Babylone	173 Dhunoo			130 Patron/Prudent
223 Permal	180 Crouche			140 Charmante
227 Romeo	194 Magon			145 Netta
73+80+84+1074	197 Jaddoo			148 Medar
+141 Perticot	201 R. Bago			157 Unjore
	202 Ramkalawon			170 Madeleine
	260 Goodur			172 Evremont
	201 Naraisse			106 Thelva
	212 Rago			186 Castor
				193 Hoybun
				195 D. Philippe
				203 Mandeea
				205 Gubbo
				206 Dooknah

Miscellaneous	State Land	Sale by Levy	Dispossession	Succession	Wills
8 Lemiere 22 Mohun 29 Suhawon 31 Capiron 35 Fortuno 37 Barry 113 Perrine 131 Rebet 132 Gontran 141 Perticot Florila 146 Auchombit 150 Charlot 159 Herry	6 François 123 Besagne	116 Cathan Padayachy 137 Dasani - SICOM 139 Gateaux 174 Poplineau 178 Lotun 51 Fortuno 191 Dalmond	30 Patient 31 Capiron 118 La Butte 121 Suhawon 134 Berthelot 142 Clementine 154 Clementine 171 Goteea 44 Grenade 48 Lamarque 56 La Seringue 88 Velin- Lamarque 188 Franchin 192 Joramun 208 Devanny 215 Seerutun	33 Mosaufee 126 Toolsy 129 Figaro 147 Camangne 149 Balison 161 Preaudet 166 Gimbeau 168 R. Gopaul 169 Ragoonundun 175 Mangalkhan 177 Boodoo 186 Castor 37 Barry 49 Huet 55 Couronne 57 Munogee 76 Matombe 87 Toussaint 90 Rioux 92 Elizabeth 99 Brasse	31 Capiron 120 Verny/Clency 151 Espiegle 155 Gouranna 45 Busawon 82 Olympe

'Frivolous'	
7 Paulin 10 Martial 16 Celine 11 Driba/Jeanot 12 Amoina 13 GoodSir 17 Hoseny 19 Roopsing 23 Isabelle 24 Laviolette 25 Malgache 26 Malgache 32 Romeo 34 Frivolous 36 Bernard 152 Boodeny 160 Batour 162 Arugam 163 Friquin	113 Alex 117 Le Cerf 122 Sookarry 124 Ramsay 136 Ramsay 127 Hannelas 128 Paul Geneviève 133 Agath 143 Taken 164 Pascal 165 Potie 167 Defoix 176 Feliciano 42 Cornet Noel

As will be noted from the preliminary categorisation, for example, a large number of complaints were received, involving large plots of land, alleged to have been prescribed or occupied by Sugar Companies. A majority of the complaints emanated from people who, through ignorance or lack of financial resources, have left their ancestral lands undivided or unoccupied. Most such lands have subsequently been appropriated by other parties, including the sugar estates through prescription, wrapping ups, and so on. Other cases refer to litigation among heirs and family conflicts.

It became apparent to the Commission that a lot of people were ignorant of the basic laws and procedures regarding the preparation of affidavits of succession, acquisition and other procedures to be adopted to safeguard their rights. They thus fell prey to unscrupulous self-appointed 'land experts'.

Most cases brought before the Commission only serve to show that illiterate people have, for successive generations, been exploited and misguided by intermediaries, and even by Law Practitioners and their supporting staff. This practice regrettably still prevails.

The Commission, whose mandate includes Rodrigues, held 30 working sessions on the island. Given that only 1/10th of the land surface in Rodrigues is privately-owned land, being former land grants ("*concessions*"), there is a lure for prescriptive acquisition on the part of the heirs. This has given rise to family conflicts which, sometimes, have led to interested parties being dispossessed.

The Commission has submitted relevant recommendations for necessary amendments to be made to Land Laws, especially concerning procedures for affidavits and prescription.

The Commission has observed that the costs involved for the recovery of land are an impediment to most people who feel they have been dispossessed of their property. In this connection, the Commission has made recommendations for the setting up of a **LAND MONITORING AND RESEARCH UNIT**. This unit will have the responsibility of examining any request for assistance, be it financial or legal. This recommendation is further developed in this Chapter.

The Commission also recommends that, once its Report will have been made public, all complainants be informed of its findings, with regard to their respective representation.

2. LAND REFORM

OBSERVATIONS

After the perusal of various cases heard before the Commission, and after a thorough analysis of the different claims submitted, the Commission reached certain findings, as a result of which the Commission has made certain recommendations. However, at this stage, the Commission wishes to make certain observations:

- The Commission has noted with great concern of cases where ancestors have been able to sell and/or transfer and/ or donate their immovable properties to one child, or some of the children, but not to all of them.
- While most Notaries take the precaution of insisting that all children intervene in the Notarial Deed, a few Notaries have carelessly or purposely ignored to do so. Such variations have given rise to Court action among heirs, thereby creating conflicts in the family.
- The Commission recommends that all Notaries should be reminded of their obligation to ensure the intervention, consent/ authorization of all *ayant droits* the children (*“héritiers présomptifs”*) in the deed of sale/ donation by an ascendant to anyone of his descendants.
- The Commission has come across many cases where the heirs/successors had no knowledge of the existence of any Will and Testament. Some have been made aware of the existence of these documents after the partition of the assets of the deceased had taken place.
- In this context, the Commission recommends that an entry, without giving details, should be made in the Register of the Conservator of Mortgages (*“Case hypothécaire”*) of the person making the Will and Testament, the date and name of the Notary Public. This will help the heirs and successors, Notaries and interested parties to know the existence of the Will and Testament left by the deceased persons.
- The Commission has also arrived at certain findings in relation to landownership and land dispute in Rodrigues. There have been a number of fraudulent practices throughout time. As a result, the Commission has made a number of recommendations by way of amendments to the laws regulating landownership, land dispute and prescription in Rodrigues. These recommendations are more fully laid down in **CHAPTER 3 of volume 2**.
- As regards the collection of relevant information and documents, the Commission has found that there were certain shortcomings at the Office of the Conservator of Mortgages and/or the National Archives Department. To cater for this situation, the Commission recommends that access to documents should be better controlled through camera surveillance.
- Concerning the issue of land administration, the Commission finds that there is a need to change from the Deed Registration System to the parcel-based Deed Registration System. The Land Administration, Valuation and Information System (LAVIMS) Project will go a long way towards streamlining and modernizing land transactions in Mauritius.
- This new system is being implemented by the Ministry of Housing and Lands and, therefore, the Commission recommends harmonization, and makes proposals for other modifications. This is laid down more fully in **CHAPTER 7 of volume 2**.
- On the issue of prescription, the Commission has found that there were a certain number of malpractices and loopholes in our legislations, as a result of which the Commission has made certain recommendations with a view to reinforcing control over the prescription procedures. Further, the Commission has also found that certain areas have a high incidence of prescriptions. The Commission has therefore recommended restricting the procedure of prescription in the said areas. These recommendations are more fully described in the Affidavit of Prescription Legislation in **CHAPTER 6 of volume 2**.
- As a result of various cases heard and claims studied, the Commission finds that there have been a certain number of allegations as regards the ethics and conduct of certain Legal Practitioners, Land Surveyors and land consultants. The Commission has held several hearings with the governing bodies of the above professions. As a result of this, the

Commission has made certain recommendations which are more fully laid down in **CHAPTER 5 of volume 2..**

- As regards the numerous cases of land dispossession and the various obstacles to recovering the same, the Commission wishes to recommend that a **Land Research and Monitoring Unit** be set up to cater for these obstacles. Further, the Commission recommends that a Land Division of the Supreme Court be set up to expedite matters in relation to land matters.

Furthermore, the Commission has also observed some disturbing factors which should be highlighted:

- The demand for more land and the rapid development of real estate has opened the door to a new breed of “*Récupérateurs de terres*”. These individuals open and run modern offices, invest huge sums of money to better attract their clients, establish deals through fake societies (‘*société écrans*’) on the basis of 49%/51% or vice-versa, to retrieve lands with the promise of a better future for those who are in search of their heritage.
- Furthermore, some Land surveyors, seconded by certain Attorneys and Notaries are rapidly prescribing plots of land which are quickly sold, overnight, to new companies set up with the help of foreigners/ investors looking for greener pastures in Mauritius.
- Moreover, persons who have prescribed plots of land and who know that they could be challenged in Court have secured the help of some militia in order to prevent real owners to have access to their properties, (**Christian Grenade** - File TJC/L/0044) and **Goodur Abdool Reshad** - File TJC/L/M/0210). In the case of Grenade, the Commission views with concern that even a request made to the Commissioner of Police to give police protection to the heirs to clean up their land at Le Bouchon has remained unattended.

Concern has been expressed regarding the backlog of cases standing before the Supreme Court. It is to be noted that in the past, the closure of the Land Tribunal and the *Tribunal Terrier* in 1873, during the late 19th century, has contributed to the frustration of all those who could resort to this institution to seek redress.

Fraudulent practices, lack of financial resources, ignorance of the law, as well as the inaccessibility to documents and misapplication of the law, and the lack of information concerning land transactions have largely contributed to depriving people of their property.

In this context, the Commission recommends some measures that could alleviate people’s sufferings and trauma. A LAND MONITORING AND RESEARCH UNIT, is being recommended to conduct enquiries, settle disputes or refer matters to Court. This important Authority will be called upon to monitor all land transactions, to receive complaints from genuine persons who have lost, or have been dispossessed of their property, and to assist the applicant to retrieve all necessary documents, including title deeds, plans and civil status, as well as investigate all Notarial deeds. The Commission has already started the Notarial Acts Database Project, a guideline to decipher and interpret the language in old French, which will help and better serve researchers, Notaries and Attorneys.

Duties of the land monitoring unit

The Land Monitoring and Research Unit will be called upon to carry out an in-depth investigation into any complaint and establish the genealogical tree of the claimants, to advise the applicants after investigation and to offer Mediation to all parties. If an agreement is reached, it should be binding upon all parties, wherever appropriate, to sign the agreement. In case of disagreement, the case will be referred to the Supreme Court.

In this connection, a Land Division of the Supreme Court with additional judges and supporting staff attached to it should be set up in order to expedite matters.

Moreover, as regards the surveying issues, no amendment boundaries are to be accepted unless they are based on a proper survey supported by plans of acceptable standards and the satisfaction to the Land Monitoring and Research Unit

Furthermore, there is a need to regroup all activities, now concerned with land title matters into one central Authority, introduce the principles of title to land and the creation and maintenance of a Cadastral map. There is also a need to make use of the Cadastral map. This will be a map compiled on a sufficient large scale to show clearly each parcel in the territory. This also applies to Rodrigues Island.

The Surveyors' field-notes will be retained. All plans, field-notes and computations should be properly filed and numbered. The use of microfiches and microfilms should be introduced to record existing land registration volumes and other archival documents such as concession plans.

There is a necessity to avoid duplication of staff and work, the land Monitoring and Research Unit should be housed in one building.

The Commission highly recommends that prescriptions be immediately frozen till the setting-up of the Land Monitoring and Research Unit and the introduction of new amendments to the legislation pertaining to the Affidavits of Prescription Act.

3. CREATION OF A LAND BANK

THE COMMISSION FINDS

The control of the use of land is a major problem to Governments. In both developed and developing countries, local and central authorities have tried in a variety of ways to shape the physical layout and contour of their cities and other areas in the realization that how land is used has profound consequences for the well being of their citizens.

As it is, land management is intertwined in a patchwork of overlapping authorities with diverse sources of authority.

The Ministry of Housing and Land Development plays a key role in land development and land use. Any development on State Land requires the approval of the Planning Division which acts on behalf of Government as lessor. Their activity is not restricted to Government owned land since their advice is sought by local and parastatal bodies for development on private owned land as well as "aménagement des territoires".

Under the Town and Country Planning Act, any development requires a permit. The Local Authority must ensure, before issuing a development permit that the proposed development is conformed to an approved Outline Scheme. In complex cases, the local authority refers the file to the Town and Country Board which in turn refers it to the Planning Division for technical advice before giving its own recommendations. In addition to a proposed development, developers need also a building permit under the Building Act or a morcellement permit under the Roads Act. In municipal areas, the local authorities are responsible for the issuing of Building Permits on behalf of District Councils. On morcellement matters, the Ministry of Public Infrastructure advises the developers to obtain clearance from the Central Electricity Board and the Central Water Authority that power and water are available and then consults the Planning Division before issuing the relevant permit.

D. Griggs in "The Harsh Lands-A Study in Agricultural Development" writes:-

"Any plan for agricultural development should be essentially an essay in economic ecology. Agriculture is influenced by interdependent variables of the economic and the ecological environment and no policy that ignores either agronomic or economic problems can possibly succeed".

Available areas by itself will not be sufficient to solve the problems of raising agricultural productivity. The cost of setting new land, of reclaiming land from the onslaught of the sea or of bringing derelict land into productive use is rarely justifiable, however socially desirable it may be. New plans for development should concentrate upon intensifying output criteria for agricultural areas. Due to shortage of funds and the non-availability of recoverable lands, it is wisest to concentrate capital over trained personnel in areas which are likely to give reasonable returns on investment.

It is in the light of these reflections that the creation of a Land Bank is envisaged as a panacea to land management.

The Land Bank is a Central Land Authority which coordinates within a single institution all the functions and powers presently vested in a number of different corporations' authorities, department and ministries relating to the organization and management, especially in the context of land reform and environmental development.

Land being a scarce commodity, every attempt should be made not to endanger the aspirations of future generations by plundering this meager resource.

When contemplated in a context of land scarcity with possible conflicting land use, the Land Bank, if properly formulated by a comprehensive land use policy will ultimately control all forms of land development and will ensure a judicious allocation of lands needed for the island's development.

THE COMMISSION RECOMMENDS

It is in the light of these findings that the creation of a Land Bank be envisaged as a panacea to land management.

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The functions of that agency can *inter-alia* be summarised thus:-

- (1) Buying and selling of agricultural land so as to foster its distribution among small holders and the landless persons;
- (2) Purchasing of land for development for national projects;
- (3) Expediting the purchase and transfer of land so as to avoid administrative delays and allow the steady release of developable land;
- (4) Managing of stock Government-owned land;
- (5) Reducing land speculation and curtailing the increase in land value; and
- (6) Organising and regulating of a real estate market.

4. FOR A BETTER METHOD OF REGISTRATION OF TITLE OF LAND

In many countries, the deed registering system has been abandoned in favour of a new system of registration of title supported by a Cadastral Map. The advantages may be listed as follows:-

1. Better basic records management, including better administration and accounting arrangement.
2. Standardization of forms and procedures to expedite the routine processing of documents.
3. Physical improvements to record keeping and documents storage so that there is easier access.
4. The use of microfilm for both archiving and retrieving of data.
5. Computerisation of the abstracts of Titles to provide quicker access to information.

There are three distinct areas where recent developments in surveying technology have created a need for radical change in outlook:

1. Electronic Magnetic Distance measurements techniques ranging from the short distance infrared devices to the very long base Interferometer (VLBI).
2. Satellite technology both for position fixing and thematic purposes.
3. Digital techniques for both the acquisition of data and its storage and subsequent processing.

The Commission recommends:

1. Grouping together of all activities now concerned with land title matters into one Central Authority.
2. The introduction of the principles of title to land and the creation and maintenance of a Cadastral Map.
3. To avoid duplication of staff and work, the Central Authority should be housed in one building.
4. The Cadastral Map will be a map compiled at a sufficient large scale to show clearly each parcel in the territory. This also applies for Rodrigues Island.
5. Surveyors' field-notes will be retained. All plans, field-notes and computations should be properly filed and numbered.
6. The use of microfiches and microfilms should be introduced to archival existing land registration volumes and other archival documents such as concession plans.

5. CONSTRAINTS FACING SMALL PLANTERS

With the effect of centralisation, many small planters are having transport problems, as they need to send their canes far away to the factory area. They also pay high prices for transport. Over and above what the sugar mills refunds.

Long queuing problems at the sugar mills arises because of the closure of small factories. Invariably the mills take long hours to crush higher tonnages of canes from the entire region. This is a deterrent to the small cane planting community.

Nowadays, the new generation of small planters is not interested in enduring the same hardships as their ancestors. Instead, education is seen a key to a better living and white-collar jobs.

It must be also noted that due to a 36% decrease in sugar prices in 2010, the revenue of planters was also reduced; there was an increase in the price of fertilizers. Thus, many small planters prefer to abandon their lands.

Many small planters now have no time, nor enough resources to manage the irrigation of their fields.

6. DISPOSSESSION

The Commission has observed that affidavits have been sworn by witnesses who do not know the deceased person and the persons who are entitled to apprehend the estate and succession of the deceased person. These persons are called “*professional fake witnesses*” and swear affidavits upon payment of a sum of money. These persons are found lurking near the officers of Attorneys and Notaries and offer their services whenever needed.

The Commission has also observed that some affidavits have been drawn up without verifying the Civil Status Acts. The dates of deaths are inaccurate and the numbers of the Civil Status Acts are fictitious. However, due to the new Rules and Regulations made by the Conservator of Mortgages, the affidavits drawn up, sworn and transcribed nowadays are accurate, well-drafted and contain precise information.

It is a matter of concern that there is no Registry or Record kept for Wills and Testaments. Law Practitioners, heirs and successors and members of the public cannot thus know the existence of any Will and Testament left by a deceased person.

This state of affairs gives rise to doubtful and inaccurate affidavits being drawn up. At times the legal heirs and successors are left out. At other times, the persons who have been bequeathed with properties are discarded in the affidavit.

In such cases the parties are engaged in long and costly legal battles which take several years before the Court pronounces on the subject.

The Commission has come across Wills and Testaments in which the Notary or the party making the Will has failed to mention the reserved portion of his properties, ‘*Quotité disponible*’. The testator has also failed to mention that he has other children. All the properties have been bequeathed to one person, instead of bequeathing the share which he can dispose of according to law.

Representation has also been made to the Commission concerning the sale/donation/transfer of all properties by the father/mother to one/two children only, thus depriving the other children of a share in their parents’ property.

In such cases the heirs / successors who have not received any property or who have been discarded deprived of their rights, have to enter cases before the Supreme Court against their own brothers/sisters in order to get their shares either in cash or in kind.

It has been observed that some Notaries would not draw up such deeds. However, it is a matter of regret that others Notaries still draw up such deeds which eventually leads to animosities between among heirs.

The coming into force of the *Code Napoléon* (Amendment) Act No 8 of 1980 on the 8TH June 1980 has simplified the succession laws and has brought new hopes. Acknowledged natural children and legitimate children have the same shares and rights. It has also given to surviving spouse a share in the deceased property. The surviving spouse has also been attributed a right of *usufruct* on all the movables effects and the house which was used as the main residence of the family.

It is high time that the Authorities find ways and means of keeping a record of all Wills and Testaments. One such way could be to make an entry in the “*Répertoire*” kept by the Conservator of Mortgages of the existence of a Will and Testament. This is possible for the authentic Wills and Testaments which are drawn up by two Notaries in the presence of the two witnesses or by one Notary in the presence of four witnesses.

The registration concerning “*Testament olographe*” and ‘*Testament mystique*’, as provided for in Articles 969 and following of the *Code Civil*, cannot be done and this will give rise to problems in future, unless an amendment is made to the existing laws.

The Notaries should ensure that the conditions laid down in Articles 913 and following of the *Code Civil* are observed fully.

The Commission hopes that new laws should be implemented in order to protect, the spouses, the children, the family, the society and the country.

7. RODRIGUES - LAND ISSUES

PRESCRIPTION

All the applicants - Private and Government Land Surveyors, Attorneys and Notaries, Chief Planner - invited to give their views before the Truth and Justice Commission (*See attachments*) readily admitted that the Law has been respected in all circumstances. Yet, it must be observed that the information contained in the Notice for the Transcription of an Affidavit as per the Second Schedule of the Affidavit of Prescription Act are not precise enough to allow the real owner to know whether the subject-site under prescription is his property or forms part of his property, and would thus allow him to lodge the appropriate objection for transcription of the affidavit. For example, in certain Notices, the description given is so vague. In so many Notices, mention is often made “*On the first side by a public road*”, “*on the second side by an unknown proprietor*”, “*on the third side, proprietor is unknown*”, etc. The law is clear as to the “*precise description*”, “*the exact location*”, “*the precise description of the land surveyed and the exact extent of the land mentioning the nature of the occupation and value of the land.*” *It is very difficult to believe that the person who has been occupying a plot of land since 30 years does not know the name of his neighbours.*

There have been cases where Notices have been published in a Chinese daily.

It has also been observed that the very person who prescribes a plot of land does not have to swear the affidavit. Only the two witnesses take the whole responsibility. He just gives instructions to swear the affidavit but does not participate in the procedure.

It may happen that a person accused of having prescribed a plot of land might later say that he was not aware that this land had been prescribed in his name.

The Commission thus recommends that the Second Schedule of the Affidavit of Prescription Act be amended to include information on the searches, made by the Surveyor, relating to the last known owner of the land being prescribed.

The legal status of land either in Mauritius or Rodrigues falls under three categories:

State Land;

Domaine Public inclusive of Pas Géométriques; and

Private Land

All State Land is imprescriptible under the Law as per Section 35 of the State Land Act.

The *Domaine Public* is a category of land which belongs to the public at large by nature of its use: roads, beaches, sea, rivers and which are imprescriptible and inalienable.

The Private land is lands under private ownership which at a certain point in time either during the French occupation or the British occupation has been conceded/ granted to someone.

There is thus no such thing as ownerless land.

Any professional being a Land Surveyor, Attorney or Notary should be able to trace back the owner of any land in Mauritius or Rodrigues.

It must be made mandatory for any Notice of Affidavit of Prescription to be transcribed to contain the name of the last known owner.

At the same time, any Notice under the Affidavit of Prescription Act should be published with its appropriate location plan that will help in the identification of the land by the former owner.

No Notice of Affidavit of Prescription should be transcribed, if one of the adjoining owners is unknown. Thus, no prejudice could be caused if every endeavour is made to find its owner, or at least, its occupier.

Furthermore, any potential applicant for any prescription should make a formal declaration to the nearest police station to this effect and submit all particulars of his two witnesses, including

names, residential addresses and identity card numbers. And an investigation should be made as to establish the credibility of any witness.

OTHER LAND USE AND SOCIAL ISSUES IN RODRIGUES

THE COMMISSION RECOMMENDS

- Adoption of a Physical Development Plan and of a Land use Plan.
- Finalise the Land Information System
- Ensure that projects are in line with defined strategies for land use development.
- Provide accurate information on state land ownership status and development at any point in time.
- Align and revise rental of land in accordance with market rates.
- Improve legal framework for town & country planning and land use.
- Regularise all eligible occupiers of State lands.
- Respond to the land requirements of all Commissions for timely implementation of public projects.
- Planning clearances for residential and commercial/industrial projects on state land prior and after lease of land.
- A digitalised Cadastre of all State lands in the island of Rodrigues effectively established and updated.
- Review of State land leases effectively for optimising Government revenue.
- Grant of lease to applicants occupying state land.
- Effective vesting of State lands and acquisition of private land for public projects.
- Land Use Planning and management processes in place and promoting improved and sustainable land use
- Effective land administration services in place, accessible to all and protecting the land rights of all citizens.
- Lack of an endorsed framework for land planning and land use, thus encouraging a scattered pattern of settlements.
- An efficient management of land resources with a view to achieving economic prosperity, social equity and preserving the natural beauty of the island.

OBSERVATIONS AND RECOMMENDATIONS

There is an urgent need to revisit the whole social and economic development for Rodrigues from the point of view of future developmental needs. A National Physical, Social and Economic Development Plan should take the following into consideration:

HUMAN DEVELOPMENT

- Citizens claim they are not fully aware of their rights;
- Rodrigues is not adequately represented at regional organisations such as SADC and COMESA;
- There exist a perception of political interference in public administration;
- There is sub-optimal utilisation of human resources in the public service.

As well as Poor building practices leading to soil erosion;

TOURISM

- The low tourist arrivals affect the island economy;
 - There is limited air access; and the price of air ticket is too expensive;
 - Handicrafts products are not enough competitive;
 - Associations of tourist operators are not well organised;
 - Inadequate budget for development of the tourism sector;
 - Lack of cohesion in marketing strategies;
 - Existing entertainment and attraction facilities are not well developed;
 - Lack of norms and regulations regarding '*gîtes*' and '*tables d'hôte*'.
- Increase accessibility, visibility and attractiveness of Rodrigues as a tourist destination and improve visitor authentic experience through sustainable destination management;
 - Strategic alignment of tourism policy, investment, and sustainable development through the implementation of a Tourism Strategic Plan (to increase tourism yield, export revenue, and livelihoods from the industry in a sustainable manner);
 - Regulate tourism activities in Rodrigues and market/promote Rodrigues worldwide using a powerful brand;
 - Develop capacity, capability, and professionalism of the sector;
 - Develop and maintain competitive partnerships between stakeholders, both in Rodrigues and Mauritius.

INDUSTRIAL DEVELOPMENT

- Rodrigues remains essentially a natural resource intensive economy subject to the vagaries of nature;
- Initial conditions and endowments (physical and human resources), which matter for economic development to take place, have remained unfavourable;
- No major export product or service driving the economy;
- Geographic isolation;
- Frequent natural calamities, relatively poor infrastructure, a relatively insignificant private sector (with no industrial structure);
- Brain drain over the years;
- Production is based on traditional farming systems using little inputs and adds little value;
- The 3 core pillars of the economy (Agriculture, Tourism and Micro enterprises) are underdeveloped. The Rodriguans face serious constraints as they operate in isolation, with little upstream and downstream linkages.

FISHING

- Over-fishing in lagoons;
- Lack of know-how for sustainable exploitation of resources;
- Weak law enforcement;
- Insufficient conservation and management measures applicable to the Banks fisheries;
- Difficulty in re-orientation of artisanal fishers;
- Poor stock assessment;
- Fragmented administration;

- Project-driven approach rather than a holistic work programme developed on a strategic approach;
- No formal fisheries management plans;
- Lack of training facilities;
- Lack of knowledge of available yields;
- Lack of semi-industrial fishing boats;
- Some regional stocks e.g. yellow fin, big eye and swordfish already heavily exploited.

WATER PRODUCTION AND RESOURCES

- The whole system of water resources management and development is archaic, unsustainable and inefficient and severely inhibits the development of the Island;
- Inappropriateness of the water distribution and management system;
- Inappropriate institutional, regulatory and organisational frameworks for;
- Inadequate capacity that limits knowledge of the water cycle in Rodrigues, prevents the proper monitoring of quantity and quality of water, thus thwarting decision-making by stakeholders; and
- Inadequate cooperation and collaboration of end-users and lack of a proper institutional set up for '*concertation*' on water issues.

8. PRESCRIPTION IN MAURITIUS

OBSERVATIONS

No deed, whether authentic or under private signatures, witnessing the sale or transfer of, or the constitution of any privilege, mortgage or servitude or right of use over, an immovable property the title to which is derived from acquisition by prescription witnessed by affidavit of prescription, shall be valid unless the affidavit has been transcribed, and a reference to the particulars of such transcription is endorsed on the deed.

The above refer only to the transcription of an affidavit of prescription, be it the requirements or the objection, the substantive law of prescription is to be found in the civil code.

The delay for the objection does not at no time preclude any interested party to contest the validity of the prescription itself before the Supreme Court.

After having reviewed the numerous laws regarding prescriptions, the Commission recommends to do away with the whole procedure of affidavit and to provide for an alternative way to effect the transcription of prescribed plots of land.

It is the opinion of the Commission that the appropriate Protocol would be to exercise more control upon the averments of a person alleging to have prescribed a plot of land. There should be an institution which will ensure the truth of the said averments and which shall have the powers to investigate upon the veracity of these averments. Further, before the same institution, an appropriate memorandum of survey would be required with the possibility of putting questions to the Surveyor.

To summarise, any person who claims to have occupied a plot of land, with all the requisites of acquisitive prescription, shall have the burden of proving same, with at least two witnesses to corroborate the claim. Be it the applicant or the witnesses, they would face a panel who would query them on their averments.

Although this system would not be foolproof, it will minimize the risks of frauds.

Also, it must be borne in mind that the creation of a single institution may result in it being overburdened, which might hamper a quick and efficient process. This is the reason why it has been deemed appropriate to share this role amongst our Local Authorities, although the possibility of one central institution remains.

Below is a proposal for a new system where the affidavit of prescription has been replaced by a prescription permit. To cater for these, the Affidavit of Prescription Act can be amended or simply repealed and the following added to the Local Government Act.

To conclude, the legislator needs add the appropriate penalties for non compliance or frauds.

1. There shall be established in every Local Authority, a committee to be known as the Prescription Committee (hereinafter referred to as “the Committee”), which shall consist of the Chief Executive or his representative as Chairperson, the head of the planning department, the legal adviser of the Local Authority, a government Land Surveyor and a representative of the Ministry of Housing and Lands
2. The Chief Executive shall also designate an officer of the Local Authority to act as Secretary to the Committee.
3. The authority for execution of the Committee shall be the local authority of the respective town or district where the land to be prescribed is situated.
4. The Committee shall disseminate clear and transparent guidelines for the application, processing and issue of prescription permits.
5. The Committee shall examine, process and approve applications for prescription permits without having to refer the matter to the Council and such approval shall be deemed to have been made under the authority of the Chief Executive.

6. The Minister may make regulations to prescribe such other conditions as he deems necessary for the purposes of this Act. Any regulations made under Section (6) may provide that any person who contravenes them shall commit an offence, and shall, on conviction, be liable to a fine not exceeding [...] rupees and to imprisonment for a term not exceeding [...] years.
7. Where any member of the Committee or his spouse or next of kin has any direct or indirect interest in relation to any matter before the Committee, he shall -
 - a. disclose, at or before the meeting convened to discuss that matter, the nature of his interest;
 - b. not take part in any deliberation or any decision-making process in relation to that matter;
 - c. A disclosure of interest made under this Section shall be recorded in the minutes of the committee; and
 - d. Any person who fails to comply with the requirements of this Section shall commit an offence and shall on conviction be liable to a fine not exceeding 10,000 rupees and to a term of imprisonment not exceeding 2 years.
8. All applications for prescription permits shall be forwarded to the Chief Executive who shall refer same to the Committee within a period of fifteen days. The Committee shall hold a hearing within 3 weeks of the end of the period of 6 months as provided by Section 12.
9. The application for a prescription permit shall:
 - a) state the date on which the occupation started and the open market value of the property at the time of completion of the statutory period for prescription;
 - b) be accompanied by a memorandum of survey by a surveyor setting out the situation, description and exact boundaries of the immovable property forming the subject matter of the application and the adjoining properties; and
 - c) in respect of the party alleged to have acquired the immovable property by prescription
 - i. his names in small letters and his surname in capital letters;
 - ii. his date of birth, the Birth Certificate number and the Civil Status Office where the birth was registered, his National Identity Card; and
 - iii. where applicable, his date of marriage, the matrimonial regime governing the marriage, the Marriage Certificate number and the Civil Status Office where the marriage was registered;
10. Notice of the application shall be published once in the Gazette and on 3 consecutive days in 3 daily newspapers in Mauritius, of which two at least shall be approved by the Chief Executive. Further, the notice shall be affixed on the notice board of the relevant Local Authority.
11. The notice shall be in the form specified in the Schedule.
12. Any person claiming to be the owner or part owner of, or to have an interest in, the whole or part of the immovable property in respect of which an application for a prescription permit has been made, may, within 6 months of the last publication of the notice required under Section 10 object to the granting of the application by the Committee by serving upon the Chief

- Executive and upon the applicant a notice setting out the grounds of his objection.
13. In the event of an objection under Section 12, the Committee shall not proceed with the application unless it is ordered to do so under Section 15.
 14. Any interested party may, within 3 months of the date of service on the Chief Executive of a notice of objection under Section 12, apply to a judge in Chambers for an order setting aside the objection.
 15. Where, after hearing the parties and later considering the grounds on which the objection is based, the Judge is of opinion that the objection is frivolous and unjustified, he shall make an order setting aside the objection and refer the application back to the Committee or he shall otherwise refer the parties to the competent Court.
 16. At the hearing of the Committee -
 - a) The applicant shall be accompanied by -
 - i. at least two witnesses; and
 - ii. the land surveyor who has signed the memorandum of survey referred to in Section 9 (b).
 - b) The Committee shall examine the applicant and the witnesses present as to
The date and length of occupation;
 - i. The nature of the occupation; and
 - ii. The knowledge of the witnesses as regards the applicant's contention.
 - c) The Committee may examine the Land Surveyor on his memorandum of survey.
 - d) The Committee shall, if it deems necessary, summon any other witnesses more specifically, the owners of adjoining plots of land.
 17. The Committee shall within 4 weeks of the hearing referred to in Section 16, grant or refuse to grant a prescription permit. In case of refusal, the Committee shall give notice in writing to the applicant setting out the reasons thereof.
 18. Any applicant for a prescription permit under this Act may, within 30 days of the date on which the notice of refusal under Section 17 is given, apply to the Judge in Chambers for a summons calling upon the local authority to show cause why his application should not be granted.
 19. An application to the Judge in Chambers under Section 18 shall be made in the presence of the local authority and the Judge may grant any application on such terms and conditions as he may deem fit or reject it.
 20. The prescription permit shall henceforth be drawn up, on a prescription deed, by an Attorney or a Notary.
 21. No person shall cause a prescription deed to be transcribed nor shall the Conservator of Mortgages transcribe a prescription deed unless -
 - a) he is the holder of a prescription deed issued under this Act authorising him to do so;
 - b) he has an order of the Judge granting the application and has subsequently drawn up the prescription deed; or
 - c) he has a certified copy of the judgment of a competent Court deciding the issue against the objector which has subsequently been drawn up in the prescription deed.
 22. A prescription deed shall be transcribed on production by the applicant to the Conservator of the copies of documents mentioned in Section 21 and on payment of the transcription fees.

23. No deed, whether authentic or under private signatures, witnessing the sale or transfer of, or the constitution of any privilege, mortgage or servitude or right of use over, an immovable property the title to which is derived from acquisition by prescription witnessed by a prescription permit, shall be valid unless the prescription permit has been transcribed, and a reference to the particulars of such transcription is endorsed on the deed.
24. Any person who draws up a deed in contravention of Section 22 shall commit an offence and shall, on conviction, be liable to a fine not exceeding [...] rupees.
25. The transcription of a prescription permit shall not confer on any party any rights on any immovable property which but for this Act such party would not have possessed.

The Commission is of opinion that Notarial deeds witnessing the acquisition by prescription of landed property should bear the same conditions as laid down in the proposed Affidavit of Prescription Act, more fully described above.

As per the Prescription of Landed Property Act 41 of 1969 - November 1969 and amended by RL 4/253 -24 April 1982, someone who is acquiring land by prescription needs not to swear an affidavit of prescription, but has to comply with the other conditions. The procedure remains the same.

The amendments in the Affidavit of Prescription Act, as proposed by the Truth and Justice Commission, would thus apply *de facto* to the Prescription of Landed Property Act.

The Commission recommends that the Prescription of the Landed Property Act be repealed which will thus prevent any confusion as to the procedure of prescription.

9. CASES OF LAND DISPOSSESSION

From the numerous cases heard before the Commission and significant research carried out, the Commission has come to the conclusion that on a general basis, cases of dispossession often arise because claimants are illiterate, without sufficient financial resources and face the uphill task of collecting the required documents.

In order to tackle any case of dispossession, a claimant needs first of all to collect the relevant documents, be it title deeds or establishment of succession rights through affidavits and secondly to bring the matter before the competent Court in order to have a judicial decision that shall validate his claim.

As stated earlier, the whole process requires assistance, be it on a financial basis or competence to find and collect the appropriate and relevant documents.

The Commission thus recommends the creation of a **Land Research and Monitoring Unit** which shall cater for the technical side of the search and an appropriate Tribunal to give legal sanction to a valid claim.

FUNCTIONS AND POWERS OF THE LAND RESEARCH AND MONITORING UNIT

1. To receive legitimate complaints from persons who allege that they, or their family, have lost or have been dispossessed of their property;
2. To carry out an in-depth investigation concerning an alleged complaint or hold an enquiry into land issues, out of its own initiative or at the instance of interested parties;
3. To advise the applicant, after thorough investigation and enquiry, on his claim and any other relevant issues;
4. To assist the applicant to retrieve all necessary documents, including title deeds, plans and Civil Status documents and in collaboration with other appropriate institutions, to draw up genealogical trees;
5. To study plans of *grants*, relevant Notarial Deeds and any other relevant documents related to land movement;
6. To provide, within statutory limits, assistance, financial or otherwise, to claimants as regards land surveys or other necessary actions;
7. To submit or refer the matter to Mediation and to promote amicable settlements which shall be binding upon all the parties; and
8. Where appropriate, to refer the case to a specialized Tribunal.

The Commission wishes to stress that, in its considered opinion, a two-fold approach is recommended, since neither the proposed Unit nor the suggested Tribunal would be effective on its own.

The Commission has purposely refrained from making specific suggestions as to where the Unit should be set up, or its composition, or as to whether the Tribunal should, for example, be a Division of the Supreme Court or an *ad hoc* Tribunal. That is because, on the one hand, the Government may wish to consider including the Unit in an existing framework such as those catered for in the LAVIMS (Project Implementation) Act or the Cadastral Survey Act 2011 and, on the other hand, the Government may prefer to consult the Chief Justice as to how he feels that the Judiciary could best lend its support to the scheme.

10. FOR A NOTARIAL ACTS DATABASE

The Commission recommends that the work initiated by the Notarial Acts Database project initiated by the Commission be continued by the proposed Land Research and Monitoring Unit **as a matter of urgency**. The details of this project are to be found in Volume 2 and the database compiled so far in volume 5. A copy has been given to the Ministry of Housing and Lands as well as to the University of Mauritius where students are trained in French and British palaeography and can therefore read notarial acts and participate in this project.

The Commission further recommends the use of free software rather than the voluminous, non user friendly software and expensive that appears to be popular in some public institutions. For example the server used by the Commission to host the database be the Linux Operating system (Open source) which is reliable, highly performing and resilient. The server should also be configured to allow only authenticated users to connect to and use the system.

Training is recommended for users (research assistants) at each stage of prototype deployment. However those having been trained by the Commission can be used to train others and to continue this database.

CHAPTER ELEVEN

TOWARDS A JUST SOCIETY

INTRODUCTION

In its short 400-year-old history, Mauritius has known one of the worst forms of injustice, marked by the establishment of slavery and a not-so-perfect post-emancipation period where indentured labour was brought in. Today, Mauritius is now considered as one of the most *avant-gardiste* in the field of Social Justice. Yet a Truth and Justice Commission was set up, indicating that all was not well.

Slavery was legalized, following the enactment of the *Lettres Patentés (Code Noir, 1723)*. Studies carried out in both French and British periods show that slavery was far from being ‘mild’. Slaves were chattel in the eyes of the Law, as well as being movables and they could be sold, hired out and transferred at any time in their lifetime. Slaves had no right to property, to a stable family, to a legal personality, or even to a surname. Slavery was also marked by the denigration of African and Malagasy culture and religion. Today, slavery is officially recognized as a “crime against humanity.” When abolition of slavery occurred in 1835 and was replaced by wage labour, mainly from India, this was considered as a major advancement. However, this new immigrant contractual labour was far from being ‘free’, and numerous restrictions were placed on their mobility. Health and sanitary conditions on estates were far from satisfactory and on many sugar estates, there was heavy mortality.

The Commission’s mandate was to look at the consequences, if any, of this history of slavery and indenture and make recommendations to this effect to increase social justice. While the history of slavery and indenture, the post-emancipation period has been examined and continuities and consequences outlined, the question remains: how does one increase social justice? It is important to first examine briefly the philosophical precepts underlying the task before the Commission in order to provide a basis for understanding what needs to be done and, above all, enable the Mauritian public to understand what, and why, particular recommendations are being made.

What concepts of justice existed in colonial Mauritius? How did this conflict, or correlate with, and contradict, concepts of justice elsewhere? Debates among thinkers about the nature and types of justice continue today. The abolition of slavery and its replacement by wage labour, was considered by some political thinkers as a major landmark in advancement of social justice. But what was considered to be ‘just’? Was there any social justice for the ex-slaves and indentured labourers? To answer this would require explanations of what the TJC’s concept of justice is and where it stands in the debate. The following explanation must be based, not only in consideration of public global debate on social justice, but also on the situation existing in Mauritius.

The Commission has thus been faced with acknowledging that the lives of most people living in Mauritius in the 18th, 19th and 20th centuries were ‘nasty, brutish and short’ (Hobbes) and that ‘fairness’ was indeed in ‘short supply’. This evaluation of how Mauritian society can become more just is based on the extent of social justice that existed before and exists today.

The Commission, from the outset of its operations in 2009, has favoured the ‘justice is fairness’ approach, and this principle was maintained throughout among members of the Commission. However, it was clear that this concept is not shared by all those it had to interact with.

Part of the TJC’s Mandate was to look at structural changes that could be brought into play to increase ‘social justice’. A second precept was that of institutional responsibility and, in particular, the role and behaviour of individuals in those institutions. No changes can ever take place unless the people in those institutions change. The examination of Mauritian society from various perspectives: economy, social, historical, psychological, indicated that this is the fundamental problem and indeed the reason for the failure of many attempts to increase social justice. In the words of Amartya Sen, there is a need for a ‘combination of ideal institutions and corresponding ideal behaviour’.⁵⁴⁴

The Legal System, the Judiciary, and other such institutions, though guaranteeing many basic liberties, can also produce or promote specific social and economic structures which may not act for the general good. Sometimes, they are insensitive to the daily realities of life and thus

completely fail to protect people. It also does happen that the institutions produce a particular social structure that does not violate individual liberties, but produce a structure and results that are not just or fair.

It is also important to consider, in any evaluation of programmes aimed at more social justice, the 'capability' of the person to use the opportunities that are available. The TJC's evaluation of whether a particular program works or not should be based, not only on the institutions, but on whether the person can make use of the freedom to choose or not between alternatives. Thus, while the list may be long as far as social justice, measures are concerned in the post-Independence period, the capability of people to make informed choices, as to which direction to choose and how to make use of opportunities presented, are also important to consider. In the evaluation of social justice measures, therefore, already undertaken, this is the analysis that is required.

1. Brief History of Actions and Measures leading to Social Justice, 1880s-1930s

Political reform

In 1885, an important event took place in the democratic field, when free elections were held. But unfortunately, voting rights were restricted to only a few persons, as stringent conditions regarding property, rent and revenue, debarred some 96% of the population from taking part. The result is that only the sugar elite and a few members of the *Gens de Couleur* and Indians could vote. The Constitution of 1885 (Pope Hennessy Reform) continued up to 1948. Needless to say, the great majority of descendants of indentured labourers and ex-slaves were debarred from taking any active part in politics.

Further, the riots of 1911 demonstrated clearly the resentment that existed between the White plutocracy and the Coloured people. This is also another desire to enfranchise part of the population out of the grip of the white plutocracy. In spite of the restrictions imposed by the *vote sensitaire*, a new elite emerged in the Indian community. At the Elections of 1926, 2 Indo-Mauritians, namely Rajcoomar Gujadhur in Flacq and Dunputh Lallah in Savanne, were elected.

Following the cyclone of 1892, the Sugar Industry was seriously hit and in need of capital for reconsolidation and expansion. Requests for assistance from the United Kingdom met with reticence. In 1909, however, the Colonial Office appointed a three-man Commission, headed by Sir Frank Swettenham, to enquire into the financial situation of the country and all problems connected with labour and immigration. The Commission submitted various recommendations and showed its apprehension concerning the idea that, in spite of the overwhelming majority of people of Indian origin in the colony, these were not represented in the legislature. Although the Royal Commission of 1909 recommended the cessation of labour recruitment from India, this did not take place until Maharaj Singh also recommended it years later. This marked a new era in Mauritian History. The First World War (1914-1918) did not slow down the fighting spirit of the emerging class of politicians which, hitherto, comprised part of the Indian elite.

2. Protest by artisans, labourers and small planters and the rise of Trade Unionism

It was not until 1936 that Mauritian society underwent a profound transformation in terms of the rising consciousness of workers. This occurred with the advent of the introduction of trade unions and the foundation of the Labour Party by Dr. Maurice Curé and Emmanuel Anquetil. This came about because of very low wages, and the indifference of the Government of the day more inclined towards the preservation of sugar interests. Several strikes by workers struck the island claiming justice. Protests also came from small planters as it had become difficult to survive with the meager revenue from the cultivation of sugarcane. In the absence of regulations concerning the purchase and sale of cane in different factory areas, a drastic cut of 150% in the price of cane belonging to the *Uba* variety was effected. This added fire to the flames. There was a loss of life as a result of shots being fired from the premises of the sugar estates.

The Labour Party campaign had a tremendous impact on the mind-set of the people, and it was the first time that an open confrontation took place between the sugar elite and the masses, which

culminated into mass protest at l'Union Flacq, where an angry crowd wanted to damage the factory. All the labour disturbances and protests led to the setting up of the Hooper Commission which published its Report in March 1938. Similarly, the Moody Report was published in 1943 to shed light on the reasons for the labour unrest which occurred at Belle Vue Harel in the same year. It was during the confrontation of labourers and police that Anjalay Coopen and 3 other workers were shot dead. The Commission, headed by Moody, recommended legislation governing the purchase and sale of cane, the setting up of an Industrial and Arbitration Tribunal and an increase in wages by 10%. The first half of last century was thus marked by labour consciousness and opened the way for more social reform and better bargaining power accruing the labouring class, including artisans and general workers.

3. Major developments from the 1940s till Independence

This period in the History of Mauritius witnessed a drastic change in the way the British Government viewed its colonies and their inhabitants. Following the publication of the Hooper Report in 1938 and the passing of the Colonial and Development Welfare Act 1940, major changes took place in the fields of education, housing, and healthcare. These decisions also laid down the foundations of the Mauritian Welfare State.

The laying of the Foundation of a more egalitarian society

In their manifesto of 1948, the Labour Party had plans to introduce Social Security, Old Age Pension, compulsory education, low-cost housing and expansion of co-operatives for small planters. Further reforms in education and health services were also advocated.

The beginning of a more humane society was being foreseen by the new political leaders through Constitutional Reforms and the involvement of an intellectual elite dedicated to the cause of workers, artisans and small planters in Mauritius.

For the first time in the history of the island, elections were held in 1959 on the basis of universal suffrage. This marked an era of emancipation of the whole population in its fight for social justice.

In the field of healthcare, malaria had practically been eradicated which was taking a huge toll on the population. There was a marked balance between economic power in the hands of the plutocracy, and political power in the hands of the population at large.

The first breakthrough in the field of education was brought about by the Education Act of 1941, when the administration of schools, primary, secondary, aided and non-aided, was centralized. A common VIth Standard examination was introduced and, under the pressure of the political class, primary education was expanded which paved the way for the enrolment of nearly of all children, although in many areas primary schools were non-existent. The country also witnessed the establishment of the University of Mauritius in 1965. Furthermore, following cyclone *Carole*, a new housing policy for the poor was implemented which provided housing facilities to the most needy. Many of the measures taken to reinforce Social Justice were inspired by reports of economists Meade and Titmuss.

4. Review of post-1968 social measures

Measures taken by the State in the area of health, housing, education, social security and employment, have been great landmarks in Mauritian History. What is remarkable is that all successive Governments, which have been in office since Independence, while striving hard towards economic consolidation and expansion, have at the same time never relegated the poor and the vulnerable to the periphery of society. This philosophy has contributed to Social Justice and improved the overall quality of life of the people.

Overall Achievements

One of the most remarkable features characterizing post-Independence Mauritius is its set philosophical basis of policy-making, inspired by Fabians and the ethical Socialism of today.

However, as from 2005, major structural changes took place in the vision and application of Social Justice in the wake of global changes in the political, social and economic configuration.

Fundamentally, there have been profound structural changes on the level of the economy as well; Mauritius has been able to move from an agricultural economy based solely on sugar, to new areas such as Tourism, export-processing, fish-processing, financial services and Communication Technology.

Keynesian Economics, Fabianism and the Welfare State

The carving of Social Justice in Mauritius was the direct result of the political philosophy of the Founding Fathers of Mauritian Democracy. Major political figures, such as Maurice Curé, founder of the Labour Party, Emmanuel Anquetil, Guy Rozemont and Dr. S. Ramgoolam the country's first Prime Minister, profoundly influenced policies towards Social Justice.

Achievements in the field of Health

Providing a good healthcare is one of the means of preventing poverty through the prevention of sickness. The Government Medical Service has its origins in the provision of medical care under the Poor Law. Prior to Independence, there were 8 general hospitals, with 1642 beds and 46 dispensaries. There also existed 24 sugar estate dispensaries, with a total capacity of 494 beds. Over time, the sugar estate hospitals were phased out and in 1991, the Government Medical Service had four Regional Hospitals, five District Hospitals and four Specialized Hospitals. Private and Public Health Care also exist side by side; the former is serviced by about 50% of the physicians in the country.

Today, Mauritius has a highly developed free health service, modelled mainly on the British system. However, the disease profile has changed, from the diseases of poverty, such as malaria to the diseases of affluence, such as hypertension, diabetes and cardiovascular diseases. Following Independence, high priority was given to preventive health and primary healthcare, including ante-natal and maternal healthcare. Moreover, much attention was also given to supplying clean drinking water and proper disposal of human waste and the collection of refuse in both urban and rural areas.

Government today provides a comprehensive, high-tech health service free of charge to the population. This serves as a basis for giving social wages to the poor and vulnerable since, despite low wages, people are able to maintain an optimal health, as the health service is free and efficient on demand. Amongst others, the Ministry of Health and Quality of Life carries out measures for the promotion of health which include the prevention of diseases; the treatment of diseases; a controlling practice of medicine, dentistry and pharmacy, and providing facilities for the training of paramedical personnel.

Achievements in the field of Housing

Housing is another sector which has greatly contributed to the quality of life of vulnerable groups. Mauritius, being a small tropical island with limited availability of space, is prone to cyclonic weather, and this has had a bearing on the policies of the Government. Following the cyclone 'Carole', the Central Housing Authority was established in November 1960. It has, to this day, built 19,440 low-cost and cyclone-proof houses. The Mauritius Housing Corporation (MHC), which was set up in 1963, catered for the housing of the middle classes. Initially assisted by a loan from the Commonwealth Development Corporation, and loans from local Insurance Companies, it started operating as a Private Limited Company in 1989 to become a major player in the provision of loan facilities in the construction sector.

In 1972, the MHC launched the Exceptional Savings Scheme, and then the *Plan Epargne Logement* (PEL) in 1988, to encourage savings for the purpose of the construction of a house. A new Savings Scheme was launched in 2009 - the Junior PEL Savings Scheme with a unique package of benefits designed for babies and children of up to the age of 18. Since 1986, as part of its programme to help lower-income groups, the MHC has been offering them Government-sponsored loans.

To date, the MHC Ltd. proudly claims to have helped more than 75,000 families in Mauritius and Rodrigues to become house-owners.

The National Housing Development Company (NHDC) was set up in March 1991 to plan and implement a National Social Housing Programme with special consideration given to the most vulnerable groups in Mauritian Society. To date, some 12,000 housing units have already been constructed, with a total investment of about 4 billion Rupees. In addition to the costs of constructing the housing units, Government provides land and all the infrastructural facilities, such as roads, electricity, water supply and sewage facilities. Provision is also made for open space and green areas in these housing complexes, with the possibility of nurseries, schools and community centres. In order to achieve the goal of providing each family with a decent housing unit in Mauritius, the Government intends to build another 10,000 housing units for the poor and the vulnerable.

Achievements in the field of Education

After the country achieved Independence, it is observed that the different National Development Plans of 1971-75; 1975-80; 1980-82; 1984-986; 1988-1990; 1992-1994, all stressed the need for an Education System geared towards the socio-economic needs of the country. The first National Development Plan, which coincided with the implantation of the Export Processing Zone in the country, emphasized the need to move from academic to more Technical and Vocational Orientations. Under the formal recommendation of the UNESCO/UNDP for Curriculum Development, Teacher Education and Research, the Mauritius Institute of Education was established in 1973. Secondary Education was made free in 1976, after which the Private Secondary Schools Authority (PSSA) was established. Tertiary Education became free in 1988.

Three important Commissions on Education need to be mentioned in this review: The Glover Report (1978); the White Paper on Education (1984) and the Ramdoyal Report (1990).

The Glover Report (1978) reviewed the post-primary and secondary sectors. It identified various problems, including infrastructures, overcrowding in schools, lack of equipment, poorly-qualified teachers, the language issue and private tuition. The White Paper (1984) stressed the efficiency of the Education System and underlined the high number of failures at the Primary level and the Certificate of Primary Education (C.P.E). The White Paper also gave clear indications that those C.P.E drop-outs could follow technical and vocational courses. Finally, the Ramdoyal Report (1990) considered issues discussed under previous reports, but also dealt with the problem of private tuition and the pre-primary sector.

Despite several debates, plans and Commissions on Education, two main issues remained unsolved: too much academic orientation and a considerable number of drop-outs from the system.

The 1991 Education Sector Master Plan (ESMP) was a breakthrough in modernising the Education System, making it more adaptable to future needs. The main thrust was on the streamlining of C.P.E failures towards Vocational Training which provided a solution to the high drop-out rate. Unfortunately, one of the most important recommendations of making nine-year schooling compulsory was not put into practice.

The Social Fabric Study¹ observed that, in spite of efforts to expand, outcomes of the System remained modest and were mostly to the benefit of advantageous groups. S. Bunwaree⁵⁴⁵ repeatedly laid stress on the importance of Cultural Capital in scholastic achievements, which includes linguistic competence, literacy in the home, reading habits, availability of reading materials etc. She argues that this is what makes the Education System less equitable, especially for the disadvantaged groups.

In March 1998, another plan for the Education Sector was published: Action Plan on Education (1998) which revealed great similarities with the previous plan published in 1991. However, some positive points were: decentralization, compulsory nine-year schooling and the elimination of exclusion in school.

One of the darkest spots in Primary Education is the 'rat race' to secure admission in 'star Secondary Schools' in Mauritius. However, in 2002, there was a major reform in the primary and

secondary sectors. The ranking system was abolished and a new grading system replaced it. Regionalisation of education was implemented. Education was made compulsory till the age of 16. Many schools were constructed, including in deprived areas. Nevertheless, 'pressure' put on students is indeed very high in seeking admission in a 'good' secondary school.

In an effort to deal with the problem of C.P.E and school drop-outs, the Government came up with the concept of inclusive Education: the ZEP (*Zone Education Prioritaire*) schools where several measures were taken to improve the performance of pupils from poorer sections of Mauritian society. Till now, the results have been rather 'mixed'.

The Education and Human Resources Strategy Plan 2008 - 2020³, published in 2009, is a document stressing the Government's firm intention to bring about fundamental reforms in Education. Two key words are: creativity and innovation as the basis of reforms which are essential for meeting the needs of a growing economy. The plan covers all sectors: Pre-Primary, Primary, Secondary, Technical and Vocational and Tertiary. Focus has also been put on major pillars of a good Education System, namely Increased Access, Improved Quality and Morally-Binding Equity.

Achievements in the field of Income Maintenance and Social Security

Social Security has its origins in the Poor Laws of Colonial Mauritius, all enacted under the guidance and approval of the Colonial Office. It was as a result of pressure from the Labour Party that much legislation came into force in the Colony in this field.

Although many measures were taken at the beginning of the 1950s, with the means-tested Old Age Pension at the age of 60, Family Allowance in 1961, the most important piece of legislation was the National Pensions Act 1976 which introduced Social Insurance for Private Sector employees, through payment of contributions, and the payment of pensions on a universal basis. Other important measures were: the Unemployment Hardship Relief Act 1983, the Employees' Welfare Fund Act, 1991 and the National Savings Fund Act, 1995. Unemployment hardship relief provided assistance to unemployed heads of households. The Employees' Welfare Fund was created for the welfare of all employees from the Private and Public Sectors.

In a spirit of growing concern for vulnerable groups, several measures were taken in favour of the elderly, the disabled and abandoned children.

As at date, the Social Security Scheme under the National Pensions Act of 1976 has the following coverage: Universal (Non-Contributory) Benefits; Social Insurance (Contributory Benefits) and Compensation for injured workers. This Act provided a comprehensive Pension Scheme for the protection of all categories of people.

Universal Benefits comprise Basic Retirement; Basic Widow's Pension; Basic Invalid's Pension; Basic Orphan's Pension; Guardian's Allowance; Child's Allowance; Inmate's Allowance; Carer's Allowance for Beneficiaries of Basic Retirement Pension and Carer's Allowance for Beneficiaries of Basic Invalid's Pension.

Contributory Benefits comprise: Contributory Retirement Pension; Contributory Widow's Pension; Contributory Invalid's Pension and Contributory Orphan's Pension.

Compensation for injured workers (or their dependents) is normally paid to workers who are injured on duty. It is also known as Industrial Injury Benefits. Such compensation comprises Industrial Injury Allowance; Disablement Benefit; Survivor's Pension; Dependent's Pension and Orphan's Industrial Injury Allowance.

Universal Benefits are paid in a spirit of Social Justice, and despite pressure from international Institutions to do away with some of the measures in times of depression, the Government has maintained them. For example, in the case of Basic Retirement Pensions, at one stage of policy-making, it was decided to target it, but subsequently, it was reinstated. Social Security Benefits absorb the biggest chunk of Welfare spending.

Greater Social Justice fostered through the Trade Union Movement

At the very source of employment policy in Mauritius is the pressure put on the Colonial Government by the general working-class consciousness and the growth of Trade Unions, especially after the Second World War.

In 1965, there were about a hundred Unions registered in Mauritius, as opposed to only about 25 in 1948.⁵⁴⁶ The first Law which revolutionized labour / employment relations in Mauritius was the Security of Employment (Sugar Industry) Ordinance which came into force in November 1963. It was a measure against growing unemployment which provided for work by employers in the Sugar Industry and provided for employment during the intercrop season. The Act was further amended in 1966 to consolidate the provision of work during the intercrop season.

The second Law which revolutionized Employment Relations and the protection of workers was the Termination of Contract of Service Ordinance which came into force in November 1963. This Law provided for the payment of a severance allowance to a worker whose employment was terminated by an employer.

Wages Councils for both agricultural and non-agricultural workers were set up to review the *quantum* of wages, and the application of their recommendations did contribute immensely to the increase of wages and the improvement of the standard of living.

Regulations were also made in relation to termination of contract by the Industrial Relations Act (IRA) 1973 and the Labour Act 1975. The Export Processing Zone Act was passed in 1970 for employees in the Export Processing Zone Sector. This Act was replaced by the Industrial Expansion Act (IEA) 1993.

Termination of contract of Public Sector workers was regulated by special regulations for the Public Service and the Constitution and which were enforced by special bodies such as the Civil Service Industrial Relations Commission and the Civil Service Arbitration Board. In all cases, the burden of proof of dismissal rests with the employer.

In 1988, the Employment of Disabled Persons Act came into force. This Act provided for the employment of disabled persons. During the same year, the Occupational Safety, Health and Welfare Act which regulated health, safety and welfare standards in the work environment came into force.

The two most recent pieces of legislation in the field of Employment in Mauritius are the Employment Rights Act, 2008 and the Employment Relations Act, 2008, which replaced the former Labour Act, 1975 and the Industrial Relations Act of 1973, respectively. These Acts came in at a crucial moment in the history of the island in order to respond to the new work environment, as a result of forces of globalization.

However, there have been widespread protests against these two Laws, by Trade Unions since 2008. Recently, Government has agreed to make amendments to the Acts. Nevertheless, many positive results have ensued such as the registration of Trade Unions for Officers of the Fire Services Department and the Prisons Department.

5. Claims of Injustices in the Country: Poverty and Exclusion

The track record of Mauritius in the field of Social Justice is impressive. It has won recognition the world over. Contrary to the opinion of Meade and Titmus, Mauritius has made its Social Justice policies a success.⁵⁴⁷ One of the cornerstones of success is undoubtedly the peaceful coexistence of the various ethnic groups in a vibrant democracy. Fabian Socialism, inspired by the British Labour Party, even prior to Independence, has had a tremendous influence on policy-making, and all Mauritian Governments to date have openly professed economic growth with Social Justice.

However, sadly, as is usually observed in several democracies, there are cries of Injustice, which have become louder during the past two decades. Those cries of Injustice have come mainly from Creoles who feel that they are disproportionately represented in the main seats of power.

6. Major structural Changes in Mauritian Society

Mauritius has been traditionally an agricultural economy based on sugarcane cultivation. When Meade and Titmus painted a very bleak picture of the future of Mauritius, the decision-makers, with the help of international institutions, helped to move the country from a mono-crop economy to one with several pillars, each substantially contributing to the national growth. The implantation of the Export Processing Zone, the Tourism Industry, the Financial Services Sector, the Fish Hub, Information and Communication Technologies Sectors has brought profound changes in the society. In terms of efforts, one must acknowledge the contribution of all Mauritians, irrespective of their ethnic background. Indeed, the review of the Social Policies since Independence bears testimony to this commitment. While many multicultural countries have fallen apart, or are beset by conflicts, Mauritian multiculturalism has been spared from such situations.

In its development, Mauritius has also constantly adapted to the changes in the global economy. While initially, it was the Keynesian ‘demand side management’ of the economy that prevailed, since 1983 there has been a gradual shift towards a ‘supply side management’ of the economy. Market forces have come into play, along with development, in order to encourage investment and earn foreign exchange earnings.

7. Cries of Injustice in the Republic of Mauritius - The Chagos Saga

In the wake of an independent Mauritius, the British, contrary to U.N resolution regarding the dismantling of territories of any future State, decided to separate the Chagos Archipelago as part and parcel of the Colony of Mauritius. The Chagos Archipelago, very much like Rodrigues and Agalega, was inhabited by people of slave descent who laboured in the Coconut and Fishing industry in extremious conditions. The decision of the then Colonial Office to sever connections with the Mauritius mainland is a dark spot in Colonial History of the British Empire. As a consequence of the British decision, in 1970, thousands of Chagossians were deported to Seychelles and to Mauritius. They were uprooted from their motherland, Peros Bahnos and Salomon Islands, in the Chagos Archipelago, Diego Garcia. Following an agreement between USA and UK, shortly afterwards, Diego Garcia was ceded to USA for the establishment of a military base with sophisticated armaments. In 1972, the British Government paid a sum of £ 650,000 to the Mauritian Government destined for the displaced Chagossians. In 1982, the UK Government paid a further sum of Rs. 100 million to the Chagossians.

The exiled Chagossians are today dispersed in Mauritius, Seychelles and the U.K. In 2002, the Chagossians, who are presumed to be *de facto* British citizens, were allowed into the UK. These people, on their own, have fought to return to their native island and are presently awaiting the decision of the European Court of Justice for Human Rights over their right to return in their homeland. The tragedy is that it is nearly after 40 years that the Government of Mauritius has challenged Britain’s decision to excise part of its territory. The argument is that the Chagos Archipelago was ceded to Britain in exchange for the rejection of certain proposals concerning the mode of electoral representation in a matter of long-standing debate.

In Mauritius, most of the Chagossians, who were living in Cité Ilois, Baie du Tombeau, have sold their property and left for the UK. Presently, there are about 150 families left in Mauritius.

8. The ‘Malaise Créole’: The Social Exclusion of the Creole Community

The term ‘Malaise Créole’ was used for the first time by the Creole Catholic priest, Father Roger Cerveau, in the year 1993. He used the term to describe a situation where the Creole community, particularly the Afro-Creoles descendents of slaves, were not able to integrate the mainstream of Mauritian society in terms of education, health services, employment and housing. Their situation, in comparison with other ethnic groups, was relatively bad, and it was felt that something should have been done about it. In the words of Sewlyn Ryan⁵⁴⁸:

“Creoles are the most economically and politically marginalized group in Mauritius. They are the dockers, the fishermen, the lorry’s assistants, home and construction workers and in some cases lower level clerks and factotum in the public and private sector.”

The *Malaise Créole* had also to do with the history of the Creoles: the dispossession and suffering associated with slavery and its aftermath, the consequences of which can be seen in the persistence of poverty, social problems and political marginalization.

Despite the panoply of measures to bring about Social Justice in the country by successive Governments, widespread discontent persists in the Creole milieu. The malaise also had certain physical and spatial characteristics. Social Housing Projects across the State are now better known as the *cités* and over the years of their existence, some of these popular residences have become breeding grounds for all sorts of problems besetting Mauritian Society: unemployment, poverty, delinquency, prostitution, child abuse, criminality etc.

The most violent and open expression of this '*malaise Créole*' occurred in 1999, when violent protests broke out when Kaya, a well-known singer, died in police custody. It was an expression of the inability to integrate into the mainstream of Mauritian Society. Conscious of the wide discontent of the Creole community, the Government decided to adopt further measures to improve the situation: the introduction of *Zone d'Education Prioritaire* (ZEP schools), poverty eradication programmes, such as *Anou Dibout Ensam* and a Trust Fund for the Vulnerable and reinforce measures for housing accessibility. The creation of a separate a Ministry for Social Integration and Economic Development, to look after the poorest of the poorest of Mauritian society, represented undoubtedly also a powerful effort towards the eradication of absolute poverty.

The past affects, and gives shape to, problems manifested in the present and such non-conscious phenomena affect individual functioning and, for many, has become a source of strain, discord and strife. Preliminary studies were undertaken by the Commission to study this phenomenon from a psycho-sociological perspective but further studies are required.

9. New Approaches: Empowerment, Inclusion and Responsible Citizenship

Thus, despite efforts made to initiate and reinforce measures to combat Social Injustice within a socio-democratic environment, poverty, social exclusion and other social ills still persist. Many people continue to live in poverty and in deprived conditions, despite the rising standard of living of the average Mauritian. The Government of the day has not remained insensitive to this situation, and several measures are being initiated to reinforce Social Justice.

Poverty in Mauritius

Following rapid progress on the economic and social fronts in the 1980s and 1990s, there have been visible signs of a better standard of living for the average Mauritian.

Various Ministries were involved directly and indirectly in programmes aiming at reducing social exclusion and alleviating poverty. In addition, several Local Authorities, Co-operative Societies, and NGOs and grassroots organizations made efforts towards poverty alleviation. Despite efforts made between 1985 and 2005, absolute poverty still exists. According to the Central Statistics Office,⁵⁴⁹ Mauritius has about 23,700 poor households, with a population of about 93,200 poor persons. Although there is no official poverty line in Mauritius, there have been several attempts to quantify poverty.

Post February 1999 Poverty Alleviation Programmes

Following the February 1999 riots, the Government adopted a new approach to alleviate poverty. This was a participatory approach where the poor would be empowered with relevant skills to get out of the poverty trap. Various programmes were adopted along these lines.

In 1999, the *Trust Fund for the Social Integration of Vulnerable Groups* (TRSIVG) was set up and operated under the *aegis* of the Ministry of Finance and Economic Development. A sum of Rs. 500 million was earmarked to finance community development projects, micro credit schemes, loans to needy students, and improvement on housing infrastructure.

The *Anou Diboute Ensam* (ANDE) programme, funded by the European Union, to the tune of Rs. 100 million, focused on social infrastructural, income generating and technical assistance projects. This

lasted between 1999 and 2004. However, both projects seem to have yielded mitigated results due to lack of support by social workers.

Similarly, the Rural Diversification Programme (RDP) of the International Fund for Agricultural Development (IFAD) had two components: *Micro Enterprise and Micro-Finance Development and Community Development* which focussed on land irrigation and in the fisheries sector.

In the year 2006, the Government embarked on an Empowerment Programme spread over a period of five years to the tune of Rs. 5 billion. The National Empowerment Foundation (NEF) superseded the Empowerment Programme in 2008. In the same year, the Eradication of Absolute Poverty (EAP) Programme to the tune of Rs. 395 million was voted in the Budget. This aimed at providing outreach facilities in the 229 pockets of poverty identified in the country, in terms of increasing access and equity in education, health, environment etc.

The *La Valette* very low-cost integrated housing project is an example of the new approach in the reduction of absolute poverty and the Foundation intends to go ahead with five similar projects in several parts of the island. However, although the annual payment is very low (less than a thousand rupees) nearly 30% of the beneficiaries do not care to honour their engagement.

Corporate Social Responsibility (CSR) is an established policy whereby companies in Mauritius have a legal obligation to contribute 2% of their profit after tax towards CSR-listed activities. However, there seems to be many weaknesses in the CSR programme.⁵⁵⁰ Indeed, as highlighted in its survey report in April 2011, of the Mauritius Employers' Federation (MEF) argues that the Government's approach to CSR differs from the generally-accepted voluntary definition of CSR by reiterating the fact that "*CSR is voluntary and cannot be governed by legislation*" and by arguing the fact that the "*regulatory requirements are somewhat tedious*". There is also the added criticism that not only have the funds not reached those who deserve them, but they have been used to fund NGOs created and administered by friends and families of the CEOs.

In order to tackle the problem of extreme poverty and seek permanent solutions with a new approach, a separate Ministry has been created. The Ministry for Social Integration and Economic Development is the new organ which is responsible for coordinating and monitoring funds made available by private companies to the tune of 2% of their profit after tax. This will account for quite a substantial amount of funds to be collected for implementation of short-and long-term projects. The new Ministry is encouraged to work in close collaboration with all stake-holders so that there is a judicious use of funds.

10. From compensation to slave owners to reparations for slavery

Introduction

The campaign to abolish colonial slavery started in the same countries that had started it, namely Britain and France. On the 4th of February 1794, the French National Convention set up in the wake of the French revolution (1789) abolished slavery in all French colonies under the sacrosanct republican principle that all men are born free and equal. All slaves were to become free citizens. But the French slave owners in isle de France had no intention of abolishing slavery and the authorities in Paris dispatched a regiment of 1200 soldiers under the command of Vice Admiral de Sercey and appointed two delegates namely Messrs. Baco de la Chapelle et Burnel to see that its resolution be enforced. But they underestimated the power of the French *colons*. The soldiers joined forces with the rebels, while the delegates of the Convention were compelled to quit the island *manu militari*.

The argument was that they were the owners of the slaves and that unless compensation was to be paid for the loss of their “property” they were not prepared to liberate them. The colons further held that slaves constituted the only source of labour on the island. Abolition would thus bring about the ruin of the colony and bring about all activities into a standstill. Hence the term “*Sans esclaves point de colonie*” (Eng. Trans, ‘no slaves, no colony’).

In Britain, the campaign against the slave trade had started in the 18th century and finally culminated in 1807. However in Mauritius, it continued illegally and some 50,000 slaves or so are believed to have continued to be imported in the Mascarenes after 1807. When the British signed the Capitulation Treaty, they also sealed the fate of the slaves by guaranteeing to the slave-owners that their ‘property’ would be ‘safe’. Abolition would not come until 1833 when the House of Commons passed an historic resolution to abolish slavery in all British colonies. The Act for the Abolition of Slavery became effective in Mauritius on the 1st of February 1835. This marked an end to 112 years of uninterrupted slavery regime on the Island (1723 -1835). The 67,500 slaves on the island thus became free citizens of the colony.

As a result of the abolition of slavery in its colonies, the British Government decided to compensate all slave owners in the colonies. A sum of £ 20,000,000 was thus voted. Most of the beneficiaries were British investors in the Caribbean. Mauritius however was the only colony where the most important beneficiaries were the descendants of French colons and owners of sugar estates and businesses. A sum of £ 2,112,642 was received as compensation for the loss of 67,500 slaves in Mauritius. Slaves received nothing for the loss of freedom and for having performed unpaid labour for centuries.

No action plan was put up in order to prepare the newly liberated slaves for their new life nor was there any rehabilitation plan put up. The result was that the ex-slave population was left to fend for itself, without a home, land, money or suitable employment and in some cases, with the family separated. Many families became destitute, were left without medical care. Many however bought or squatted on small plots of land but subsequently lost them.

What really took place after the proclamation of the order of liberation of slaves in Mauritius has not been fully researched. But one tactic of employers becomes clear and that was the need to depress wages as ex-slaves and quite rightly so, expected to be given decent employment and paid a decent wage. Depression of wages occurred by importing thousands of contract labourers from overseas. Ex-slaves continued to be employed however as mechanics, artisans and skilled workers in the sugar factories, a tradition which exists up to this day. In many places in rural Mauritius, certain localities still bear the name of ‘*Camp Creole*’ to remind us that these were the localities formerly inhabited by artisans and skilled and unskilled factory workers. There were also the port workers, many of whom were people of Afro-Malagasy origin. Thus the contribution of ex-slaves and their descendants to the sugar industry did not stop after the abolition of slavery. Despite this, they were stigmatized as being lazy and worthless individuals by employers and colonial officials.

For generations ex- slaves and their descendants continued to suffer from all kinds of prejudices to debar them from acquiring land or be employed in agricultural activity and be granted portions of state lands in small holding schemes sponsored by government in the second half of last century.

They evolved as unwanted citizens or ‘movable subjects’. The death toll as a result of epidemics and other calamities was heavier among the population of ex-apprentices as malnutrition and ill health was a fact of life.

Rodrigues Island provides an interesting contrast to Mauritius as there has never been any cane production in view of the nature of the soil and lack of precipitation. There the post emancipation outcome was different as there was no divorce from the land and liberated slaves did not abandon agricultural activity because they were given land to farm after abolition. Agriculture continues to be the mainstay of the economy on the Island up to this day.

The time of consciousness

Despite the fact that many became educated in the first half of the 20th century, there was an absence of an educated class that was in tune with the needs and interests of mass of descendants of ex-slaves, who make up part of the working classes of Mauritius. A leadership and intellectual elite in tune with the masses only emerged after the 1950s, influenced by the wave of decolonisation sweeping British colonies. This was further strengthened in the 1980s when a wave of consciousness surged in their milieu of the descendants of ex slaves asking for justice and redress. However, the years 1960 to 1980 were marked by the debate about constitutional safeguards for minority groups. In the 1990s, the debate was launched by a new generation of Creole Catholic priests protesting at the ‘marginalization’ of the Creole population of Mauritius. The term *malaise creole* was coined by Roger Cerveaux, a Catholic priest on the occasion of the 157th anniversary of the abolition of slavery at the parish church in Grand Gaube.

For long, the Creole population had not had any pressure group worthy of its name. For too long, their natural aspirations have been assimilated to the whole Christian community or the ‘General Population’ where they were included with descendants of French colons and the Gens de Couleur. However they, (as the Indian Christians), have a specificity inside the General Population and inside the Catholic Church, which was not recognized.

The first lesson learnt was that the Creole community had to fight its own battle to gain respectability. It needed to be economically strong and this gave rise to the emergence of small business enterprises such as co-operatives. These had mitigated success. Group action thus emerged with the creation of the first organization of people of African and Malagasy origin in Mauritius under the leadership of the Michel brothers. The Organisation Fraternelle (OF) was set up in 1968.

The struggle of the Organization Fraternelle (OF) deserves special mention. Although it has been a long battle for the Michel brothers, many of their demands, made since the 1960s and 1970s have today been taken up by Governments and by younger Creole leaders. For the last four decades in spite of their very limited means, they have laboured hard for greater recognition of the Creole specificity as an important component in the Mauritian kaleidoscope. They have shown that the Creoles are not a minority because they represent some 50 % of the Christian population of the country that is around 200,000. They have fought for and succeeded in obtaining the introduction of a daily creole news bulletin in both radio and television, in the official commemoration of the abolition of slavery on the 1st of February; recognition of the Le Morne Brabant as a place of memory and the introduction of the teaching of the Creole language in schools. Their most important claim is for financial compensation for damages caused to the descendants of slaves who suffer the consequences of slavery.

Many other groups have emerged since and submitted representations to the Commission. A summary is given here. Their entire submissions will be found in subsequent volumes of the Commission’s report.

The following organisations submitted representations:

1. Sylvio and Elie Michel for the *Verts Fraternels*
2. The *Comité Diocésain 1^{er} février*
3. Jean Yves Violette for the *Union pour le Progrès*

4. The late Mario Flore for the *Mouvement Malgache et Créole Africain*
5. Gaëtan Jacquette for the *Rassemblement des Organisations Créoles*
6. Jocelyn Minerve, former Minister for Social Security and social worker
7. Jonathan Ravat, social worker and involved in activities of the Catholic Church and at the Institut Cardinal Margeot
8. Jimmy Harmon, Head of Applied Pedagogy of the Institut Cardinal Margeot
9. Lindsay Descombes for the *Association des Descendants d'Esclaves Malgaches et Africains*
10. José Rose for the Rastafari movement
11. Serge Antoine for the *Mouvement National Mauricien*
12. Yola Argot-Nayekoo of Le Morne Village Trou Chenille
13. Ollier Précieux, social worker and member of the FCM
14. Alfred Gino of Agalega, Chairman Island Council assisted by R Soobramanien, former Island Resident Manager

1. Sylvio and Elie Michel for the *Verts Fraternel*s

This was the most elaborate document submitted. The memorandum written in the Creole language in May 2009 by Sylvio Michel, leader of the Verts Fraternel is a well knit plea for reparation for the wrong done to the population of slaves and their descendants in Mauritius and highlights on the need for the payment of adequate financial compensation. A second paper submitted on 6th of November 2009 elaborates further on the whole issue of compensation payable by all stake holders identified.

- i. Given that slavery was practiced during the Dutch, (1538-1710) French (1710-1810) and British occupation (1810-1835) these ex-colonial powers should be made to pay for the crime done to the slaves and their descendants,
- ii. The descendants of slave owners who have inherited considerable fortune through free labour of their slaves and who have treated them most inhumanly. Their contribution to be to the order of 70%
- iii. Government should be a partner in the whole scheme of compensation payable to the descendants of slaves who are in dire need as a mode of positive discrimination in order to strive for a more equitable society. Government contribution: 30%.

Towards that end a fund should be set up by the Government to regulate payment to all *bona fide* beneficiaries. Over and above rehabilitation plans and various laudable actions to create a more egalitarian society, the OF insists on financial compensation to be paid to the more vulnerable segments of the Creole community.

The beneficiaries according to OF should be based on criteria proposed:

- i. Only people of slave descent of age and who are born in Mauritius should qualify, these should not however be owner of any asset worth Rs 2 M or more,
- ii. Cash payment of Rs 1 M,
- iii. A portion of land,
- iv. A Firinga type residence,
- v. Shares in an enterprise,
- vi. Award of scholarship training and for children of beneficiaries

It is to be noted that the memorandum does not indicate on the method to be used to identify of a *bona fide* person of slave descent. There is no estimated cost worked out for the implementation of the proposed scheme and there is no estimated figure as regards the number of beneficiaries either.

2. The Comité 1er février was represented by Father Maurice Labour Dean of the Catholic Church and Dr Daniel Florigny-Palmyre and others. The claim consisted of the following:

1. Better safeguard of archival records and documents pertaining to the history of slavery so that a holistic version of the history of people of creole origin can be undertaken,
2. Preservation of all heritage sites,
3. Introduction of creole tongue as a medium in the school curricula
4. Receive apologies from descendants of slave owners, institutions and ex-colonial powers having practiced slavery
5. Legislate in order to eradicate all forms of invert and overt racism when it comes to employment of people of African and Malagasy origin
6. Change of present appellation of General Population in the Population census and in the Schedule A of the Mauritius Constitution for creole
7. Bring about major changes in the Constitution so that a better representation of Creoles can be ensured in Parliament and in Government institutions
8. Facilitate a more meaningful role of Creoles in the economic affairs of the country under the set policy of Government for greater democratization of the Economic environment, thereby creating a more egalitarian society

Memoranda nos. 3-12 is quite repetitive and only the differences between them are noted here:

3. L'Union pour le Progrès

1. The history of Mauritius should be taught from primary to tertiary level in order to foster better inter- ethnic relations.
2. Ensure that recruitment in the civil service and parastatals be made in full transparency so as to avoid frustration and pave the way for a more conducive atmosphere among the different ethnic groups
3. State lands to be made available to creoles able and willing to go in for agricultural activity
4. Introduce proportional representation to ensure better representation of people of African descent and
5. Under take psycho sociological study to assess damages caused by slavery on people of African and Malagasy origin in Mauritius

4. MMKA by late Mario Flore

The author of the memorandum has passed away and was a strong militant for the Creole cause. The gist of his *exposé* may be summarized as under:-

1. A survey should be carried out to identify areas of extreme poverty in the Creole milieu and bring early remedial action
2. Foster cultural links with counties of origin such as the Republic of Mozambique and Madagascar
3. Make two banking organizations namely Mauritius Commercial Bank and the Barclays Banks participate in the compensation scheme payable to descendants of slaves.

5. ROC by Gaëtan Jacqueline

This was a well-knit memorandum where the author recalls the treatment meted out to the slave population during the whole French and British occupation and the circumstances of their being laid off after the abolition of slavery from the sugar estates. Given the distressed situation of the Creoles, descendants of former slaves, and having suffered all kinds of prejudice from the early days of slavery to the present day, the author recommends:

the creation of a ministry for social integration for the implementation of an over all plan embracing all economic social and cultural aspects

1. Financial compensation should be extended to all people of slave descent.

6. Jocelyne Minerve, Ms. A Laboudeuse, C.J Clair, M. Constant and J.D Pondar

Miss Jocelyne Minerve, the main deponent, is a well know personality in Mauritius. She is a former Member of Parliament, Minister of Social Security and Mayor of the Township of Beau Bassin/ Rose Hill. She is a strong militant devoted to the cause of the down trodden. The Comité Diocesain du Monde Ouvrier is representative of various movements set up by the Catholic Diocese to come to the assistance of the most depressed class of people. Some of these organizations date to the 1960s as in the case of the JOC - Jeunesse Ouvrière de l'Action Catholique, and the LOAC the Ligue Ouvriere de l'Action Catholique (LOAC).

Miss Minerve and other deponents stated that:

1. Many Creoles live in an environment not conducive for promotion in that poverty is rampant due to insecurity of employment. Many live from hand to mouth and housed in ramshackle premises, where illiteracy is rampant. In spite of facilities of free schooling parents do not believe that education will better the lot of their children.
2. The setting up of housing estates while providing a descent lodging to most Creoles have over the years become the haunt of drug addicts and prostitutes.
3. The different deponents have all depicted a society which needs immediate care and no peace meal solutions will ever improve the lot of the poorest among the poorest. So much hope rests on the Truth and Justice Commission for a new deal

7. Collectif Organisation de lutte contre la pauvreté represented by Jonathan Rawat, Ms. P. A. Félicité, J.P de Chazal and Father Fanchette.

The above organization has close links with the Catholic Diocese Mr. J. Rawat, is at the head of the Cardinal Jean Margeot Institute which gives courses to social workers destined to train potential workers in poverty-stricken areas. The target group consists of the poorest of the poorest mainly the Creoles all descendants of the former slave population who for various reasons live very often in absolute poverty.

He provided his views:

1. It is in these pockets of poverty that his group try to bring solace and prepare volunteers to participate in what ever action implemented for the benefit of the most needy
2. The problems to which the Creole population is confronted to be varied and many. Apart from illiteracy which is rampant in the Creole milieu, there is insecurity of employment and very often chronic unemployment due to discrimination and overt racism.
3. Creoles who live in housing estates live in an environment which is not conducive to promotion. They believe that the future will always be bleak and have lost confidence not only in the authorities but in their own ability to improve their lot.
4. Housing estates which have been put up since the past decades and following massive destruction of houses by a series of unprecedented cyclones in the 60'and 70' last century, have turned out to be vicious places where alcoholism, drug trafficking, prostitution and other social ills have become features of everyday life
5. The task set before the authorities and the Truth and Justice Commission is considerable and piece meal solutions will simply be not effective

Ms Félicité and Mr. de Chazal reiterated the same.

Ms. Félicité is a social worker born in one of the suburbs of Port Louis where poverty and all the ills of a society prevail. In spite of the odds, she has managed to emerge as a militant who has had the

opportunity to be trained both inland and overseas in the techniques and strategies adopted to extirpate people in their state of absolute poverty. Her tasks are to empower people and make them conscious of their role in a society and convince them to play a more meaningful role to improve their lot.

Mr. de Chazal is the spokesman of the Justice and Peace Commission, an organ of the Port Louis diocese. Its task is to arouse the attention of the authorities on the problems of Mauritian society. People forming part of the Commission are well known professionals who claim experience in various fields. At election time, the Justice and Peace Commission issues *documents of reflection* which are read and widely commented in all Catholic churches and in the press to make known their opinion on the issues. The documents put up are mainly addressed to the various classes of politicians and all potential leaders of the country

Father P. Fanchette presently Chairman of the Nelson Mandela for African Culture claims a long experience as a militant for the rehabilitation of the Creole community. He stated:

1. Racism and other discriminatory measures are the root causes for the sad situation prevailing in the Creole milieu. The Catholic Church has at the very onset treated Creoles as 'children of a lesser god.' Although the Catholic Diocese has done pioneering work in the field of education, these institutions were not always accessible to the Creole proletariat creating in them a sentiment of inferiority.
2. The use of the French language in the Catholic Church and at school, have contributed to alienate Creole children.
3. Only time and strong determination for an overall change of policy both by the Church and the Government can bring about significant change and pave the way for a new deal.
4. The introduction of Creole in the school curricula will no doubt help for a better take off.

8. Jimmy Harmon

Jimmy Harmon is an academic and claims to be a militant engaged in the promotion of the Creole community. He has indeed devoted his life to the study of the behavioral attitude of Creoles towards education and their relations with the Catholic Church and Government. His interest in the history of Mauritius has enlightened him on the circumstances which have led to the 'marginalization' of the Creole community to which he claims to belong. His struggle in favour of the rehabilitation of the Creoles during his 22-year career as an educationist has led him to conclude that racism and the worst method of discrimination are the root causes for the situation in which the descendants of slaves find themselves today. He is fully conscious that the struggle for restorative justice is not an easy one, but he believes that the Truth and Justice Commission has a sacrosanct task to make major recommendations to bring about a drastic change of policy by government to better the fate of the Creole community in Mauritius. He also stated:

1. The Catholic Church has left out the children of ex-slaves in favour of an elite among the whites and the Coloured. Class and colour prejudices have been the guiding principles which have turned out to the detriment of the descendant of ex-slaves.
2. Overt and covert racism have always characterized the behavior of the authorities towards the descendants of ex-slaves.
3. The language barrier has been a major impediment for Creole children. Like Father P. Fanchette, Mr Jimmy Harmon believes that the use of French at school and in church have served to alienate Creole children. Their low performance even at primary level, the performance of Creole children at the CPE speaks for itself.
4. The introduction of the Creole language at school is a must.
5. Regarding ZEP schools, he believes that these institutions should fall under the umbrella of the Bureau d'Éducation Catholique, as Government primary school teachers are not motivated to care for such children.

6. Underrepresentation of creoles at the level of Government institutions is flagrant. The Equal Opportunity Act must be implemented to ensure more transparency in the selection of employees both in the public and private sectors.
7. Nothing has been done to really promote ancestral culture for Creoles. He quotes the Mahatma Gandhi Institute created in 1963 as an institution to foster Indian and African cultures has done nothing concrete to promote the ancestral culture of ex-slaves and their descendants. A similar institution should be created to promote research on African culture.
8. This can be seen in the field of education whether at pre - primary and secondary level. This policy of exclusion for promotion of the creoles has left deep scars.
9. Even to day in spite of all facilities offered in the field of education, by the government, there are other factors which continue to impede the school career of children coming in this milieu'
10. The root causes are varied and many. At the level of the family there is chronic unemployment and uncertainty of income. Barriers for accessibility of employment both in the private and public sectors do not always rests on lack of academic and technical capabilities
11. There is a definite set policy to prevent some citizens from getting access to specific employment.

9. ADEMA Association des amis descendants d'esclaves Africain Malgaches - Lyndsay Descombes

1. The deponent made a strong plea for the rehabilitation of the Creole community victims of the aftermath of slavery in Mauritius:
2. The various economic and socio cultural problems to which people of African and Malagasy origin are confronted to have now been identified and must be attended to as a matter of national priority.
3. Government must give its full support for the elaboration of a national policy destined to rehabilitate the descendants of slaves who 175 years after the abolition of slavery still constitute the most depressed class of citizens of this country.
4. The problems to which the Creole community is confronted to are historical, economic, social and cultural and must be the subject of a well knit plan involving the former colonial powers, the private sector, the religious authorities and the State
5. Towards that end, the creation of a Trust Fund to tap financial, social and technical support must first and foremost be set up
6. The aftermath of slavery has had damaging effects on the descendants of people of African and Malagasy origin and can hardly be underestimated they uncover a wide field of human behaviour.
7. All stake holders must be fully involved so as to extirpate the Creole community in its present state of poverty and social deprivation
8. No stone should be left unturned to ensure that the young generation be initiated to proper schooling and avoid drop outs. Full support from pre-primary up to tertiary level must be extended. Legislation to stamp out discrimination and overt racism both in the public and private sector is enacted in time. Positive discrimination is implemented to avoid frustration and ensure proper representation in national institutions.
9. Due recognition of Creole identity and cultural heritage
10. A national council should be set up to monitor the various rehabilitation schemes being implemented

10. Jose Rose of the Rastafari movement

The Rastafari movement, constitutes a small group of Afro-Malagasy Mauritians established in Chamarel. They have been victims of racial prejudice in their history, because of their lifestyle. They feel they are not lesser citizens of the country. They have been dispossessed of their ancestral land and claim to be the poorest among the poorest class of descendants of former slaves.

11. Serge Antoine

The author claims to be a strong militant for the rehabilitation of the Creoles victims of racism. He believes that assistance from the countries which have practiced slavery in Mauritius as well as the big landowners and other possessors of wealth should be sought in order to put up a rehabilitation plan. He has to that effect corresponded with various international organizations in order to sensitize authorities concerned on the plight of the descendants of former slaves in Mauritius. Education is the greatest priority and no stone should be left unturned to ensure that Creole children benefit from proper schooling since early childhood up to tertiary level.

12. Yola Argot-Nayekoo of Le Morne Village Trou Chenille

A young University cadre, she claims ancestry from the first liberated slaves in the le Morne region. As a student in sociology/ and social anthropology, she made a strong plea for the recognition of Trou Chenille as a place of memory. The place covers an area of some 25 arpents located between a former concession and the *pas geometriques*. The first slaves settled there after abolition of slavery. Her contention is that this place is unique and has strong symbolic importance in that a colony of liberated slaves had set up a village of their own there and lived almost undisturbed until they were forcibly removed.

13. Alain Precieux - member of the FCM

The author of this memorandum is an active member of the Federation des Organization Creoles (FCM), although he did not claim to be a spokesman of this central organization. He stated that:

1. Creole should gain the status of national language and recognized as such in the Constitution
2. Whatever monies received from various sources in lieu of compensation for damage done to the slaves and their descendants, should be used for improved Education facilities, better housing conditions, improvement of health care and strong campaign against alcoholism and drug addiction.
3. He was not in favour of cash compensation

14. Alfred Gino of Agalega, Chairman Island Council assisted by R Soobramanien, former Island Resident Manager

Mr. Alfred Gino recalled the slave history of Agalega.

Things have improved since the management of the island by the Outer Island Development Cooperation OI DC. But in the view of the deponent much more needed to be done:

1. There is a need to improve the air strip to facilitate the landing of planes while the jetty must be improved to facilitate the loading and unloading of goods,
2. more regular maritime and air traffic to and from the island,
3. improve standard of education at pre-primary, primary and secondary level, and facilities for students who wish to pursue tertiary education
4. better facilities for those Mauritian citizens who wish to visit their ancestral land to pay homage to their ancestors buried on the island,
5. preservation of heritage sites namely the church and cemetery,

6. allocation of plots of land under a small holding scheme, to facilitate cropping and animal farming
7. introduction of Mozambique and Malagasy languages in the school curricula
8. Change of the name of the place called *Village Vingt Cinq* as this name helps to perpetuate the time of slavery on the island where slaves were brought in and administered with 25 lashes for the slightest offence.

General Comments

There is unanimity by all parties concerned for redress to the Commission on the following points:-

1. Reparation to descendants of slaves through financial compensation or otherwise
2. Inclusion of Creole Language in schools and as an official language at par with English and French
3. Change of appellation of General Population in the Constitution for the term Creole
4. Preservation of historical sites and archival records and need of a holistic version of the history of people of slave descent
5. Better educational facilities at pre-primary and primary levels to facilitate access to secondary and tertiary education
6. Improve legislation to prevent overt and covert racism and other forms of discrimination
7. Affirmative action to facilitate better integration of creole population in both private and public institutions
8. Constitutional amendments and review of electoral boundaries to ensure better representation of the Creole population in Parliament and in the affairs of the State.
9. Accessibility to better housing and allocation of state lands for cultivation and for livestock keeping
10. Creation of a Fund for the provision of financial assistance to the most needy in the Creole community with strong accent on education up to tertiary level and award of scholarships.

FINDINGS AND RECOMMENDATIONS

FOR PROMOTING NATIONAL RECONCILIATION BASED ON PRINCIPLES OF EQUITY, FAIRNESS AND JUSTICE

1. Memorialising Slavery
2. A better understanding of, and a more inclusive, Mauritian history and culture
3. A better and increased protection of Mauritian heritage
4. A less racist and elitist society
5. A more democratic public life
6. Empower Mauritians of African and Malagasy origin

FOR INCREASED ECONOMIC AND SOCIAL JUSTICE

7. Increased economic and social equality
8. Economy and social justice
9. Co-operative societies
10. Reconstituting the Mauritian Family

SPECIFIC RECOMMENDATIONS

11. For a more just educational system
12. For our 'cités'
13. Concerning the caste system
14. Le Morne village history and heritage and Southern Mauritius
15. Metayers and Riche Terre Planters
16. Archives

LAND ISSUES

17. A more sustainable, equitable and judicious use of the environment
18. The TJC and *MAURICE ILE DURABLE* project
19. Land Issues

ECONOMY

20. Economics, labour and employment

CHAGOS, RODRIGUES AND AGAEGA

- 21 Rodrigues
22. Agalega

RECONCILIATION

23. For a better representation of minorities and under-represented groups
24. Indian Immigration Archives
25. Reconciliation

1. MEMORIALISING SLAVERY

THE COMMISSION FINDS:

- We cannot in any manner justify today to the innumerable, unquantifiable and unjustifiable harm that has been caused to enslaved populations and their immediate descendants in Mauritius. No amount of reparation, financial or otherwise, can unmake the injustices of the past.
- What we must do is to ensure that their stories are not forgotten by succeeding generations and their economic, social and cultural contribution to Mauritius recognized and publicized in permanent and public spaces and ways by all.
- We must not forget, in the process, that slavery was both about the slaves and the slave owners, for the slave was primarily a ‘possession, good’ owned by another person. Both groups, in different ways, were victims of a system.
- Reconciliation is thus about descendants of slaves, slave owners and the State, jointly and publicly acknowledging that a grave injustice was committed to African and Malagasy populations. Our recommendations on memorialisation of slavery, therefore, need to be openly and firmly supported by all these groups.
- It is impossible to ascertain with exact figures how many endured colonial slavery and the slave trade. It is even more impossible to capture what slaves felt, thought and lived through from 1721 and 1839. No amount of reparations will ever repair the damage done to those who endured slavery and the slave trade.
- What modern society can do is to ensure that such actions never occur again in whatever form and the justifications (philosophical, religious, ideological, economic, biological etc.) that were used to establish colonial slavery and the slave trade are not used to institute new forms of servitude.
- Modern society needs to honour the memory of all slaves destined for Mauritius, including those who never reached Mauritius.
- It needs to pay special attention to those persons descended from slavery as they continue to endure several forms of injustice incompatible with principles of democracy and natural justice in the Republic of Mauritius.

THE COMMISSION RECOMMENDS:

1. Public and private institutions rethink their cultural policies and incorporate the ancestral values of African and Malagasy peoples.
2. Increased funding for memorialisations of slavery and the slave trade in public places, and especially in places where slaves have lived, died and worked.
3. Increased funding for research in all aspects of slavery and the slave trade conducted in a professional and impartial manner and covering all groups who were enslaved
4. Existing works to be continued and fully supported by public institutions both financially and logistically
5. Works started by the Truth and Justice Commission to be continued by competent authorities and empowering young Mauritians through foreign scholarships and training programmes where expertise is lacking: The Slave Trade Voyages database, ethnographic studies of descendants of slaves.
6. Increased and facilitated travel to ancestral countries for descendants and interested Mauritians
7. Actions towards national unity and reconciliation to include joint collaborative events where descendants of slave owners and of slaves can interact and share histories, such as that carried

out on the Ball plantation in the USA. Sites of former slave plantations are ideal for this purpose.

8. Better memorialisation of the economic contribution of slaves to Mauritius.
9. Increased contacts with countries from where slaves were brought from so as to understand ancestral cultures and traditions which could be revived.
10. It is crucial that facts concerning slavery and slave trade are known and acknowledged and that memorialisation in daily and permanent ways is established.
11. It will allow for more targeted historical research and memorialisation policies and for research to be more equitably undertaken covering all sections of the Mauritian population.
12. To assess the quantitative value of the labour by future researchers trained in Economic History and historical statistics.
13. As so many sources that exist are located abroad, these need to be copied and brought to Mauritius and access to these given free of charge.
14. In-depth multidisciplinary studies of micro populations in selected areas to understand their aspirations and world view
15. A review of case of Ratsitanina by the State Law Office.
16. The '*Maurice Ile Durable*' project or National Strategy for Sustainable Development should include protection of the culture of people in the physical landscape of Mauritius and of ensuring access to sites of great emotional and spiritual value to descendants of slaves and to Mauritians generally.
17. A 'Museum of Slavery' to be created in the capital city of Port Louis for greater visibility along the lines outlined in following Museum proposal. Although one 'Interpretation Centre' is projected at Le Morne, this should reflect the Maroonage aspect rather slavery which was a national phenomenon.
18. Online historical data to be freely available on slavery and the slave trade to enable all Mauritians to access their History.
19. The dozens of reports on slavery and Maroonage produced at public expense, containing an even greater number of recommendations to be implemented by the relevant institutions and other public institutions if the trained staff is not available. These include the Maroon Archaeological Investigation Report, the Management Plan of Le Morne Cultural Landscape reports at the National Heritage Fund, the Historical and Anthropological Survey of La Gaulette/Coteau Raffin, to name a few.
20. Recognition of the following sites and histories as National heritage:
 - Memorialisation of the islet where infected slaves were disembarked on the Ilot du Morne/Pointe Marron, forming today part of Hotel Paradis.
 - Trou Chenille - home of ex-slave population forcibly removed. The Le Morne Trust Fund must document and publish this history.
 - Slave Cemetery at Le Morne.
 - Le Morne village should be included in the World Heritage Landscape as the inhabitants are the moral and spiritual guardians of the World Heritage Property. It should also be listed as a heritage village and other heritage villages need to be identified across Mauritius.
 - Trois Cavernes - the only documented Maroon cave with visible signs of occupation needs to be better preserved and the owner requested by Government to establish an

interpretation centre there.

- Bassin des Esclaves in Pamplémousses and a memorial plaque/interpretation centre concerning the slave contribution to Pamplémousses village and Garden to be designed by artists.
- Slave Prison at Belle Mare to be taken over by the State and opened to public and an exhibition space created.
- The National Heritage Fund to locate all sugar estates using slave labour from 1815 to 1835 and a memorial plaque placed outside each of them with all slave names found from the 1826 and 1835 registers.
- Memory to Pedro Coutoupa, maroon leader beheaded and whose head was publicly exhibited near where he was caught.
- The Maroon caves to be identified on public and private properties, and knowledge about them to be disseminated to the public and entrance to be allowed.
- Symbol of the left hand of maroon slave to be used in memorialisations by institutions such as LMHTF and NMCAC.
- A Monument to illegal slave trading on Bel Ombre Sugar Estate at the cost of the sugar estate.
- A monument to be erected in Plaine Verte Garden to be erected to remember the execution of Ratsitanina and many other slaves hung there.
- The prison building and historical buildings in the vicinity, situated next to NPF building, to be fully restored according to international conservation norms and current modern additions (concrete and corrugated iron) to be removed by the Ministry of Arts and Culture.
- Artefacts to be returned to Mauritius: from Réunion, such as the piece of cloth used in slave trade given to the Musée des Arts Décoratifs of La Réunion.
- Committee to study the history of Indians in French period and how to better memorialize their history and heritage in contemporary Mauritius.
- All Village Councils to undertake historical and cultural heritage surveys and restore and protect slave tangible and intangible heritage in their localities.

2. FOR A BETTER UNDERSTANDING OF, AND A MORE INCLUSIVE, MAURITIAN HISTORY AND CULTURE

THE COMMISSION FINDS:

- There is a low level of understanding of Mauritian History exhibited by Mauritians from all walks of life and irrespective of educational background. There is thus a need for research and the promotion of History
- Boards and Trusts appointed by Governments in power are often composed of political nominees and administrative staff of Ministries. Many suffer from a chronic absence of vision and ability to implement decisions speedily and in the spirit and purpose in which decisions were taken.
- There is an absence of intercultural communication, a continuation of compartmentalisation and communalization of culture, despite all efforts made.
- There exists no cultural policy for Mauritius that is agreed to by all sections of society.
- Stereotypical attitudes concerning descendants of slaves and slave owners, Europeans, Africans, indentured labourers, Indians are prevalent among public officials, private companies and the public at large, and especially those in charge of policy-making and decision-taking.
- There is increasing bureaucratisation and politicization of culture and an absence of professionals and community members with sound practical and local knowledge present in decision-making and in executive positions.
- There is an absence of honesty in reporting real cultural or ethnic origins in view of obtaining public funds such as subsidies or to obtain position and political power.

THE COMMISSION RECOMMENDS:

21. Authorities to encourage reflection on 'National History'.
22. Identification of so far neglected groups and further research:
 - For example, Malagasy, Mozambican slaves, Bengali, Gujerati, Christian and Muslim indentured, amongst others.
23. Introduction of Mauritian history at all levels in the School Curriculum and for all categories of Mauritians.
24. Publication of books and dissemination of information gathered, through TV and popular media.
25. A programme of education in civic, humanistic and moral values:
 - aimed at strengthening bonds between communities, should be introduced at all levels, Primary, Secondary and Tertiary. A series of manuals, with gradual and varying contents, should be prepared to this end by teams of educators.
 - A similar public programme of Citizenship should be available to adults at large.
26. In-depth cultural surveys of the whole island
 - To be undertaken by professional staff with appropriate qualifications and experience, and not with poorly-trained and low-paid staff as is the case currently.
27. State funding for further scientific research into slavery and indenture and Mauritian history in general.
28. Programme of training of Mauritians in all fields of cultural resources management.
29. Creation of a Conservation Institute

- to train Mauritians in preservation of paper and digital documents to avoid further deterioration and loss of these crucial Civil Status information.
 - Appointment of trained cultural practitioners in all fields review of policy, staffing and functioning of all cultural institutions
 - Staffing screening: the appointment of political nominees, persons with known racist and communal views or with ethnic, religious biases to cease with immediate effect.
 - Management structure to be reviewed and revised to reflect international professional norms and standards.
 - Management Vision and policy to be in-line with national priorities and with other institutions.
30. Ensure proper technical and professional recruitment in cultural institutions and for such staff to have executive responsibilities
31. No appointments for cultural institutions to be made by ministers
- to ensure autonomy of institutions and acts to be amended to reflect this autonomy.
32. Collaboration between institutions and individuals working in the same field.
- sharing skills and knowledge and creating new opportunities
33. The President, Prime Minister and the Leader of Opposition to set the example to other politicians and pledge to stop using culture and religion as tools for gaining popularity and votes

3. A BETTER AND INCREASED PROTECTION OF MAURITIAN HERITAGE

A. GENERAL RECOMMENDATIONS

34. There is a need for national policies to be formulated that are based on full public and professional consultations and to cover cultural and natural, tangible and intangible. This would set the base for the development of an integrated management of heritage in Mauritius.
35. The population should be consulted to consider their vision of heritage considering Mauritian diversity.
36. The creation of a green paper fostering consultations with all segments of the population
 - would be an initiative enabling to gather views on values invested in heritage by all Mauritians;
 - The policy for heritage would support the reinforcement of the legislation for the protection and promotion of museum collections and heritage;
 - this to allow for an optimal management and also the integration of existing policies for Tourism, environmental and cultural.
37. To privilege the scientific approach for the documentation of heritage and museum collections in order to recreate a link to the past.
 - The scientific approach supports the appropriation of the past by the population at large.
38. Promote history and other disciplines involved in heritage documentation and research to provide the nation with scientific vision of the past thus allowing the dissemination of knowledge.
39. An independent audit of heritage which has disappeared, stolen or entered private domain.
40. The continued destruction and dispersal of Mauritian heritage to cease.
41. No projects to be undertaken without a proper cultural heritage impact assessment and a scientific evaluation.
42. Better supervision and physical protection and policing of sites
 - Of documentary and intangible heritage;
 - Customs Personnel to be trained to detect cultural theft.

B SPECIFIC RECOMMENDATIONS

43. There is an urgent need for trained resources and professional management of Mauritian heritage.
 - The current management of museums and heritage sites shows the necessity to consolidate, if not create, a strong technical pool empowered to preserve, manage and promote heritage.
44. Training of all staff and capacity-building to create a national technical pool of technicians in heritage field and Museum management and conservation.

- The administrative management of heritage institutions should be complemented by strong technical competence to optimize the functioning of the institutions; it would also ensure the sustainability of heritage institutions and an optimal preservation of national heritage.
45. Heritage and museums need to be managed by a scientific and technical personnel having clear knowledge and experience in this field.
 46. Such institutions would benefit from a better development and organisation by empowering the technical and scientific staff to become managers of such institutions instead of the traditional administrative line of authority, not versed in such specialised fields.
 47. Revalorization of the heritage field by providing better conditions to employees:
 48. There should be a valorisation of technical and scientific staff as they are the appropriate resources to manage heritage places or museums, thus leading to an optimal management of resources and a better management of heritage sites and museums.
 49. **To create an integrated management system for heritage** led by a pool of technicians centralizing all heritage data and ensuring the coherence of projects undertaken for effective results and optimize resource management.
 50. **To be in line with international conservation standards** and to provide for regular updating of technical and professional staff skills through attendance at conferences and seminars overseas and organization of such events locally.

C. MUSEUMS

THE COMMISSION FINDS:

There is a need for a National Policy for museums to set out objectives and guidelines for Museum Management, and for museums to be managed according to current international norms and standards.

THE COMMISSION RECOMMENDS:

51. **The creation of a national inventory of all heritage collections** and sites that would be accessible to all, by using latest software technologies adapted to the heritage and museum environment.
52. **The establishment of proper research schemes for the study and documentation of museum collections**; full documentation on museum collections should be established to help their interpretation, their presentation to the public in the perspective of their historical context and allow retracing their provenance for better monitoring and management.
53. **The consolidation of the existing structures for museum and heritage management** by providing professional training leading to internationally recognised certification in the field of heritage management and museology.
54. **Establish a communication policy** to respond to public expectations: regular audience surveys, publications of the catalogue of collections, publication on the museums and their main masterpieces, creation of website.
55. **Establish a communication strategy for all museums** to better promote their collection and also, disseminate knowledge as stated in ICOM definition of museum, as a fundamental role for museums. Since they are established with public funds and present national collections, therefore, they should serve the public interest by having a dynamic public programme and educational activities attracting visitors from all walks of life.
56. **New exhibition spaces to be created** to support the restitution of the national past to the population after conclusions of this reflection. This might be for example a Museum

focusing on Anthropology, including intangible heritage; the creation of a National Museum of Immigration to provide a nationwide sense of belonging, among others.

D. SPECIFIC RECOMMENDATIONS FOR THE IMPROVEMENT OF THE MANAGEMENT OF THE MAURITIUS MUSEUMS COUNCIL

57. The elaboration of a collections policy;
58. The elaboration of a conservation policy including restoration policy;
59. The setting up a professional collections management system;
60. Computerization of catalogues and use of a museum collection management software;
61. The training of staff in collection management must be a priority;
62. The organisation of workshops and training courses in Mauritius with other professionals to foster capacity building;
63. The establishment of a national professional network helping the development of capacity building;
64. The establishment of a detailed documentation on collections including detailed documentation of their acquisition, descriptions and photographs;
65. That research be conducted on collections to expand existing documentation;
66. The publication of a catalogue of collections also available on website.

4. A LESS RACIST AND ELITIST SOCIETY

THE COMMISSION FINDS

- The experience of slavery has had particularly negative effects on people of African descent in Mauritius.
- People with an African phenotype and of African descent experience discrimination at various levels in contemporary Mauritius.
- Funding of socio-cultural organisations fosters social division as no equality of funding allocations can be achieved. Leaders of socio-cultural organisations use their connection Government in order to launch their own political careers.
- In some areas mostly inhabited by persons of African descent, investment is less, as well as in some colleges where the management of schools is an issue.
- Teachers are not giving their best in their classes, reserving the crucial information needed by scholars for the time of private lessons. Poorer members of society are not able to pay for these additional classes. This produces poorer examination results among this cohort. The system of private lessons also infringes on the students' constitutional right to education and ultimately their right to play as children in our society.
- Discrimination prevents access to the wide range of resources presently available in our society. Those perceiving/experiencing discrimination must have access, not only to the Ombudsman but also a secondary reporting officer in their own communities.
- Many descendants of slaves and indentured labourers live below the poverty line.
- There is a continuity in economic system (slave trade, slavery, indenture) which produces exclusion, unemployment and poverty.

THE COMMISSION RECOMMENDS

67. Funding for reparations is sought by the Mauritian government from the historical slave trading nations, namely, the United Kingdom and France, for the rehabilitation and reconstruction of communities and settlements where slave descendants are in the majority.
68. Reparations be provided to poor individual families in terms of social reparations such as housing and education so that this community and its descendants are better able to create a more stable social and economic existence going into the future.
69. That a system and policy of affirmative action be implemented in Mauritius to address the social and economic imbalances created and fostered under Slavery, Indenture and Colonialism.
 - This system and policy of affirmative action must take into account women of slave and indentured descent. While it is acknowledged that it is presently difficult to define who is slave/indentured labour descendant, policy-makers (and Government) should ensure that positive discrimination occurs.
70. Discrimination at any level in our society must be made illegal. This includes any real or perceived discrimination in treatment at hospitals (crucial, especially at general hospitals), government offices, education facilities, workplace interviews, shops, marketplace or place of worship etc.
 - The funding of culturally-based social organisations should be abolished.

71. Creation of an anti-discrimination unit to ensure:

- Hate speech is not tolerated. No one should have the right to publicly offend the other by using racial epithets
- The exact process of reporting and recording of these offences needs to be established. The commission recommends three levels of reporting (local community representative, ADU, then Ombudsman). The exact operational characteristics of this unit can be thought through by a selected group of stakeholders.
- To follow up on complaints from the public and from Government regarding such infringements. The ADU will also be tasked with maintaining a deeper respect for diversity as well as democracy.
- Positive discussion on the contribution of Creoles to the making of Mauritian society to be initiated verbally and financially by Government *via* the proposed Anti-discrimination Unit.
- Together with the relevant Ministries dealing with youth, gender issues and leisure (Tourism), the ADU will offer advice, implement workshops and discussion forums to effect dialogue on parenting, gender relations and equality, the image of Mauritius to the tourist world and issues of discrimination in the leisure space.
- To work closely with social work organisations and entities, Corporate Social Responsibility programmes and units, teachers, recently-qualified therapists, counsellors, community representatives and other individuals working with the broader public, to inform and discuss matters relating to discrimination and marginalisation in our society. The objective of this is to ensure that there is ongoing public dialogue on these matters and that people feel free to express their opinions and to talk about their experiences in our society.
- To also scrutinise social and economic policies emerging from government, advising the latter on sections or parts of policies which may, in fact, promote discriminatory practices.
- To make recommendations to the Government regarding such policies and how to make these more socially inclusive.

72. Institutions must desist from promoting the celebration of difference in our society.

- Especially that which confirms fundamental or primordial difference between Mauritians.
- To this end (while recognising diversity), it needs to pay careful attention to primordial discourse. Any reference to the fundamental qualities of indentured descendants versus slave descendants vs colonial descendants should be avoided. Such primordial 'talk' emphasises racial distinctions and promotes discrimination.

73. Members of our political leadership must set the example by not using hate speech involving racial epithets and/or discussions on the fundamental racial or ethnic qualities of our population. Hate speech must become illegal.

74. **Positive discussion on diversity as well as the commonalities** that Mauritians share should be made available online, in the written and audio-visual media.

5. A MORE DEMOCRATIC PUBLIC LIFE

THE COMMISSION FINDS:

- Many Mauritians often do not feel free to express themselves openly;
- There is a silent majority whose views, interests and life views are rarely considered;
- A top-down approach is mainly used in undertaking policies, surveys and studies;
- The Mauritian population is unaware of laws of Mauritius and needs to understand the importance of respecting fundamental rights;
- The population is not sufficiently empowered with consumer protection knowledge.

THE COMMISSION RECOMMENDS:

75. The 'protection of fundamental rights and freedoms of the individuals', embodied in section 2 of the constitution, should be amended to include economic, social and cultural rights.
76. Aggressive campaigns on the promotion human rights should continue to be carried out
 - through various media, including media and school. Similarly, Consumer Laws should be tightened to provide sufficient protection to consumers, and sensitization campaigns should be carried out.
77. The promotion of interculturalism should be encouraged
 - as it helps to maintain national unity. Such a policy will undoubtedly further help the Mauritian nation to strengthen a common civic culture, based on the values of freedom, belonging, patriotism, and of human rights, while encouraging intercultural exchange.
78. Promotion of multicultural composition of all boards and institutions.
 - Reconciliation to be promoted and all boards, and trusts, parastatal to be multicultural: any board composed of 65 % or more of one ethnic and/or religious group to be reviewed and revised.
79. Public funds should not go to those institutions public or private that practice discrimination.
80. All institutions and private companies seeking funding from government should show evidence of having a multicultural staff at all levels.
81. And if they do not have this, they should show evidence of having a positive discrimination policy to increase multicultural staffing in future
82. The voice of all Mauritians, not only of sociocultural groups, to be listened to and incorporated in cultural policies.
83. The cultural values of population of African and Malagasy ORIGIN to be incorporated in economic and social policies rather than being solely dominated by European and Asian models.
84. Full participatory democracy
 - Democratisation of policy-making process and management or to be introduced at all Ministries and Departments;
 - Listening to Mauritians should be a priority.
85. Recommendations in TJC's Mivoie study to be adopted and used as a blueprint for future

socioeconomic and cultural surveys of other localities

86. Religion and the nation: stressing a vigilant neutrality:

- The Mauritian State must play a less partial role and be neutral on religious issues.

87. The Welfare state should be promoted as this best guards against communalism.

6. TO EMPOWER MAURITIANS OF AFRICAN AND MALAGASY ORIGIN

THE COMMISSION FINDS:

- In Mauritius, there has been a negative stereotypical portrayal of persons of African and Malagasy origins, and this has had a detrimental effect on their psyche. By being constantly bombarded with negative and demeaning images of themselves, it has been historically impossible for these persons to resist the psychological onslaught and many have succumbed to accepting the negative portrayals as truths.
- It has created instability, confusion, self-loathing, low self-esteem and image, feelings of inadequacy and has created, within this community, a climate of envy, distrust, disloyalty and hatred.
- This internalized racism is potentially as harmful as institutionalized racism.
- Shame of one's origins, especially when it remains repressed, is a powerful weapon of destruction - of others and/or self. One can lose powers of judgment and become depersonalized. There is less inner control.
- There is a possible correlation between the above and the high incidence of schizophrenia among members of the General Population found in mental institutions. However, to our knowledge, this has never been studied in Mauritius in any great depth.
- Coping with negative stereotypes has led to several actions and modes of behavior, which is negatively viewed by others and, thus, is seen as 'confirming' existing views of the Creole population.
- Collective sensitization of all Mauritians has therefore to take place.
- There has been a dissonance if not a contradiction, between the development of Mauritian Christianity on the one hand, and popular Creole culture inspired from non-Christian sources.
- The non-recognition of African and Malagasy religions by Mauritian Christianity has had repercussions for the population of African and Malagasy population. This has manifested itself through beliefs and practices being performed in less visible corners of Mauritius and more recently, in adherence to new religious branches or sects which have provided, legitimately or illegitimately, an 'alternative' to the traditional 19th-century Mauritian Christianity. This, however, merits intensive scientific research and should not be easily dismissed by Authorities.
- Rites, pilgrimages, sanctuaries have been ways for the older generations of Creole Christians to cope with fear and threats. However, the younger generation of Creole Christians, are no more empowered than their parents and grandparents. The same pattern of fear, fragility, imagined sense of persecution from unknown threat exists. This fear is being exploited by international organizations/sects, under the cover of charity and using entertainment and dramatization. Creation of new myths has occurred. This merits urgent, intensive, scientific study and should be monitored by the Authorities, as there is a potential anti-national agenda in the making.
- In Mauritius specifically, and not in Rodrigues, Chagos and Agalean communities, there is competition between 'Asian' and 'Creole' perceptions of each other concerning entrepreneurial activity, agriculture and education. Asians are perceived by many Creoles as being more business-minded, money-grabbing and dishonest. Agricultural activities are also looked down by

Creoles due to negative stereotyping of Indian indentured immigrants. These activities are associated with Asian culture and are in a sense rejected by many Creoles. Consumerism is seen as compensation for the bitter life endured and is projected as an anti-model, a way to assert one's difference with Asians' hoarding and sacrificing for the future, for generations to come. This is the same for education.

- These attitudes do not exist in Rodrigues, however, where there is no negative connotation associated with education, entrepreneurial activity or agriculture. Mauritians have thus much to learn from Rodriguans.

THE COMMISSION RECOMMENDS:

88. Official recognition of distinctive African and Malagasy references in all state institutions and that consideration is given:
 - To mass popular culture rather than elite culture in the population of African and Malagasy descent and to use global culture that is inspired by African culture, if necessary to construct a more positive self-image and identity.
 - To open up to larger interpretations and opinions in intellectual, political, economic and social space.
 - To introduce "socio-biography" of groups and life histories of individuals, with particular emphasis on History and the forging of patterns in values, attitudes and behaviours. This is also a form of narrative therapy.
 - To change the feelings of shame and hurt which have been brought about as a result of inherited or internalized negative associations with slavery and other forms of exploitation.
89. The setting up of specific historical and cultural programs to foster a sense of belonging
 - i. Community-based organizations should be identified or created, if they do not exist, and supported by the State to offer parents and youngsters sensitizing sessions on their social, cultural, spiritual, artistic heritage through story-telling sessions, cultural workshops in order to anchor identity;
 - ii. Public and private research institutions and individuals to be asked to study the association between Christianity and Creole identity, with a view to separating social identity from religious identity. This to be undertaken in a scientific and objective manner;
 - iii. Relevant institutions to collaborate and
 - organize talks in educational institutions, involving teachers and students in order to counter images and the sense of being dominated, to challenge inferiority complexes and superiority associated with White / Western culture;
 - To design specific programs on parenting skills and socializing processes which anchor identity on the assertion of values centered on the family as a unit. This, if conducted properly and accompanied by structural changes in the economic future of the family, will reduce the 'mobility' that is so prevalent in the family;
 - To work with children on specific themes related to slavery and resilience;
 - To offer to youngsters identity support programs, adapted to meet their needs and rituals on entering into adulthood. Identity construction and healthier management of identity crisis would be ensured instead of transiting through gangs, delinquency, violence, misbehaviors;

- To develop clear strategies which will facilitate process of cohesion and sense of responsibility within the communities;
- To recognize the importance of the “invisible world” and its impact on coping behaviours.

Relevant institutions to

- Recognize and develop knowledge about conceptions of health, ills and traditional cures in an holistic approach;
- Acknowledge and know better the importance of the body, energy, rhythm and skills;
- Collect and share information on essential questions such as suffering, ills, death, according to popular beliefs.

90. Setting up of a trust for education and training to search for ‘black diamonds’

- To operate cognitive recomposition regarding education and training, changing negative perceptions among children and parents and self-defeating behaviors;
- To work at village and town level for a “designation” process by all parties, including families, re-affirming the importance of formal education and lending meaning to school institutions;
- In order to foster positive role models, not only “funny and entertaining” models and raise aspirations, particular attention should be given to the search for “Black Diamonds” and education. Gifted children could be encouraged within a stable, studious environment to concentrate on their studies and serve as role models for others;
- Grants, sponsorships, scholarships to alleviate extra financial burdens on the family or even temporary shelters when house conditions are not favorable could be set up;
- Mentors on a volunteer basis could monitor progress on a regular basis;
- Teachers could be offered incentives to work with young children of deprived areas on non-traditional ways of learning;
- Kindergartens, as well as specialized schools for the handicapped children, with participation of families, could respond to real needs.

91. The state to work on discriminations, stereotypes, internalization of negative images, building of self and group esteem

- i. To conduct research on explicit or implicit structural discrimination and social stereotypes and prejudices affecting slave descendants;
- ii. To empower institutions financially and, in terms of staffing, to empower persons of African and Malagasy descent requesting assistance in public institutions, such as Citizens Advice Bureaus, to foster self-and group-esteem through cognitive restructuring, deconstruction of stereotypes, restoring self-confidence, pride and resilience through regular focused group meetings with help of social specialists/ therapists;
- iii. To encourage public servants in all public institutions and parastatals to rethink how they approach the public of African descent as some current behaviour is unacceptable in 21st-century Mauritius. Most probably, training and monitoring will be required for both affected person and personnel on the fact that:

- racism emotionally cripples the community and that alleviation of inferiority complexes is required;
 - minds must be freed from cognitive blindness and mental paralysis, through regular focused group meetings with help of social specialists/therapists.
92. To undertake a detailed disaggregation of data for a more objective analysis of social justice and formulation of new social policies by:
- i. Gathering and analyzing statistical data over a long period of time, taking into account criteria of gender and ethnic communities in their disaggregation with detailed historical analysis of social, political and administrative structures;
 - ii. Paying particular attention to the field of Psychiatry, delinquency and crime;
 - iii. Assessing (over time) with more precision, ways of living and equal access of Creoles to
 - land and housing;
 - labour;
 - social and economic networks (from day-to-day survival to powerful lobbies);
 - education from pre-school to tertiary education, rates of failure / success and drop-outs;
 - savings and earnings (from traditional to new);
 - family structures, dynamics and evolutions (evolution of roles, expectations, frustrations, gratifications, inter-generational relationships).

**FOR INCREASED
ECONOMIC AND SOCIAL JUSTICE**

7. FOR INCREASED ECONOMIC AND SOCIAL EQUALITY

THE COMMISSION FINDS:

- The British Government abandoned newly-freed slaves in 1835 to their fate without providing them with a home, plot of land, education and training.
- Had ex-slaves and their families been alive today, a plot of land, a house and a Savings Account, opened for all children living in 1835 would have been recommended to the British Government to be given to all slaves found in the Slave Register of 1826, comprising some 66,000 slaves.
- Slaves' desire for land and autonomy were not considered at the time of emancipation, and this constitutes the most important 'unfinished business' of the British Government regarding slavery and abolition.
- There is a need to satisfy the land hunger of Mauritians, particularly of ex-slaves and their descendants.
- Failing this as the British Government is long since gone and slaves long since dead.

THE COMMISSION RECOMMENDS:

93. **The creation of a Land Bank** with plots of land for farming and other entrepreneurial activities so that anyone who is a **descendant of slave and indentured who has never owned land before** and who wishes to engage in an activity that promotes autonomy be allocated a plot.
94. The creation of a Land Research and Monitoring Centre to monitor all land transactions, fraudulent activities.
95. No more state land to be allocated to those who already have land and non-continuation of hunting and water leases to private persons and companies.
96. **Purchase of private land** and more land to be allocated for public parks, hunting.
97. Strong support and encouragement to be given to co-operative activities, including co-operative factories, as envisaged in the Balogh Report.
98. **A Junior Savings Account** to be opened by every parent for all children under 18 in every *cite* or housing estate or poverty pockets to give them a head start in life when they graduate from college or university.
 - The starting sum to be decided by the Implementation Arm of the Commission and funded by all business enterprises, sugar estate owners, all IRS and ERS owners and from EU money given to Sugar Industry and for gender-related activities.
 - Parents should contribute, and accounts should be frozen until the young person has graduated or until the age of 18.
 - Parents must not be allowed to take money from their children's accounts.

8. FOR INCREASED ECONOMIC AND SOCIAL JUSTICE

EMPLOYMENT

THE COMMISSION FINDS:

- A source of poverty is the unemployment of former Export Processing Zone workers;
- The restructuring of the Sugar Industry at various periods has caused unemployment among certain categories.

THE COMMISSION RECOMMENDS:

99. A thorough revision and amendment of employment policy.
100. The Government of Mauritius has a duty to be seen to, but also to genuinely, erase *nepotism* that leads, for example, to individuals being appointed, or promoted, on the basis of “whom you know”. This approach and attitude are especially divisive and prevalent in the Civil Service and Ministries. Until it is eradicated, no Justice or Truth will prevail, and no Trust will exist in those in power. Nepotism is, in effect, a form of corruption, and a system of appeal procedures, against either a lack of promotion, or not being appointed, should exist in the country’s Civil Service.
101. The equal opportunity act should come into force.
 - Its implementation will go a long way towards guaranteeing equal rights for citizens, irrespective of ethnic, political, sex and religious appurtenances.
102. Employers should be prosecuted
 - if found contravening constitutional rights in relation to the right to employment.
103. Posts to be advertised and selection and recruitment in a more transparent manner and by competent staff
 - For example, when selecting technical and research staff, a senior technical person or researcher in the relevant discipline must be part of selection Team.
104. Creation of Parastatal Appointments and Appeals Tribunal
 - in line with the Civil Service Appeal Tribunal for public officers to review appointments, promotions and improper appointments and ensure that such exercises are solely based on merit and qualifications.
105. A thorough revision of minimum and maximum work hours
 - must also be implemented so as to curtail exploitative work conditions, especially for those who are poor in our society.
106. Introduction of a minimum wage policy
 - so as to ensure that Mauritians are not being exploited
107. An active intensive job creation programme to be initiated by the State
 - in cooperation with the Private Sector.
108. Creation of a National Employment Agency.
109. Introduction of a comprehensive unemployment benefit scheme
 - after a thorough study has been undertaken of all sectors of employment, schemes already in place and existing legislation.
110. The present rate of old age pension should be revised

especially for those reaching the age of 70 or more. The present rate of Rs. 3,200, allocated to people without resources, is a cause of extreme poverty, especially for those who do not enjoy any retirement benefits. This rate should be upgraded to Rs. 4,000.

CIVIL SERVICE

111. Empowerment of technical and professional staff in all institutions
- and executive powers to be vested in them in institutions. Currently Civil Servants, with only low level administrative or clerical skills, are empowered to take decisions. This imbalance must be redressed.

SELF-EMPLOYED WORKERS

112. A special scheme to be devised to make them contribute to their pension scheme.
- Certain categories of workers who are self-employed do not always contribute to the National Pension Scheme, and may in their old age find themselves in a difficult situation.
113. To set up co-operative organizations
- which have proved to be essential tools in spite of their defects, to extirpate small producers, whether in the field of agriculture and livestock.
 - Fishermen, pig-breeders cannot be left to fend for themselves. Many of them fall into the grip of unscrupulous middle men and usurers.
 - Throughout the world, Credit Unions, whether community-based or industry-based, have proved that they can inculcate the habit of saving and provide short-term credit at concessionary rates to their members in times of dire need.
 - Management assistance and recruitment of dedicated social workers, co-operative development officers are essential to see to it that the affairs of such co-operatives are run on a sound basis.
114. To provide assistance to residents of housing estates by the recruitment of a new class of psycho-sociologists and social workers
- and in such other areas where poverty is rampant.
 - A special class of trainers in small business enterprises should be appointed to support an emerging class of small entrepreneurs in the management of their ventures.
115. More efforts should be made to give social work its proper standing, including adequate remuneration, and to recognize voluntary work as worthwhile.
- Often linked with charity work, social work and psychological and sociological support are essential elements to bring about a new mind-set in people living in housing estates and in similar milieux. Voluntary work should be encouraged among Mauritian citizens, and especially among young people.
116. Establishment of programmes aimed at adding value to manual and technical jobs.
- Too much emphasis is laid on white-collar jobs. In addition, entrepreneurship and subsistence farming should be further encouraged.
117. Land settlement schemes for farming, livestock-keeping, including pig-breeding, to be made available.
118. Provision of an 'ethnic sensitive service' in all government services,
- be it in the hospitals, the Police Department and in Government offices. Officers should be trained in better public relations to this effect.

9. CO-OPERATIVE SOCIETIES

119. A great reform is needed in co-operatives to formulate new policies, strategies, rules and regulations along with new trends;
120. Reinforce regular audit control in all co-operatives to avoid fraud and bankruptcy;
121. The Mauritian Co-operative Movement should work with International Co-operative Institutions to acquire skills in good management;
122. Other institutions, besides those set up under Sugar Industry, should help towards the upliftment of the Co-operative Societies in general
123. Multi-purpose Co-operatives: Interesting activities should be performed inside the Co-operatives Societies to attract new generations, especially youngsters;
124. Interco-operative activities should be encouraged to attract a new generation of youngsters.

Fishermen co-operatives

THE COMMISSION FINDS:

- The Fishing Industry in Mauritius, including Rodrigues, contributes to less than 45 % of our requirements in fish and marine produce around 8,900 tons so that an additional 11,000 tons of chilled, frozen and canned fish and marine produce has to be imported to satisfy an ever-increasing demand.
- While tuna-fishing in, and outside, Mauritian waters is carried out by foreign vessels and offers great employment opportunities, in the field of canning and processing, the artisanal fisheries must remain abreast of developments.
- There has been a laissez faire in the artisanal fishing industry by defrauders, with the result that the lagoon substrate has suffered irreversible damage.

THE COMMISSION RECOMMENDS:

125. Unless there is strong reinforcement of the protection service, the situation will deteriorate from bad to worse.
126. Unless strict measures are taken to stop further degradation of the marine substrate, the very existence of fishermen will be threatened.
 - The Fisheries Protection Service needs to be reorganized and rendered more efficient and better-equipped to chase off defrauders.
127. Diversification in the field of aquaculture in floating cages, which has proved to be successful, should be further expanded.
 - This Sector can offer employment opportunities. The Pointe-aux-Feuilles project in Mahébourg already employs some 100 workers and produces some 500 tons of fish, the majority being exported.
128. Allowances in times of unfavorable fishing days need to be increased and should be extended to all categories of fishermen.
 - The need to ensure a regular supply of fresh fish to the population and to the Tourism Industry can only be realized, if the sector can attract the young generation

of fishers to it.

- There should be better control of activities of unregistered fishermen and amateurs should not remain unchecked.
129. Already such people, who have other sources of income, contribute to strip whatever meagre resources are left in the lagoon and offshore. Proper legislation should regulate their activities, as is the case in many countries.
130. When properly managed by professionals, without political interference in their affairs, fishermen's co-operatives have proved that they can be powerful tools to extirpate fishermen from the grip of unscrupulous middlemen and provide fish to consumers at fair and reasonable prices.

Small planters in the sugar sector

131. Small planters should adopt new visions in order to adapt to the new trends in business activity, for example, the setting up of cane distilleries to maximise revenue;
132. The small planters must unite in order to acquire modern agricultural technology, to purchase or lease irrigation equipment etc;
133. The small planters need to regroup themselves into larger groups to obtain capital investments and sponsorship from co-operatives, companies and sugar institutions ;
134. Small co-operative units should merge so as to create more efficient organization and enlist professionals to ensure professional management of their enterprises
135. An alternative cropping system could be implemented in the Sugar Industry or interline vegetable cultivation;
136. With the fall in sugar prices, there is - danger of contraction of small planters by selling off their lands. They have no choice, or they would perish than to adapt to modern trends in group action acquisition of common facilities and equipment, transport, purchase of agricultural implements.

Pig Breeders

137. A separate organization must be set up to regulate pig production.
- This to avoid a glut and the imports of pork products.
138. Government must strongly consider the request of breeders for a processing plant, with an *atelier de découpe*, to service chain stores and the hotel and catering industry.
- Such an organization, if set up, must, however, not be left in the hands of amateurs but supervised by professionals with the necessary expertise to excise sound management.

10. RECONSTITUTING THE MAURITIAN FAMILY

THE COMMISSION FINDS:

- There is a quest for identity on the part of many Mauritians.
- That many Mauritians feel an emotional need to search for their origins and in multicultural Mauritius, this should be possible for all groups in Mauritius. When persons of Afro-Malagasy descent see others being able to trace their family origins going far back several generations and even to the original family in Asia or Europe, and try to reconstruct their own history, this is far less easier.
- It is expensive and time-consuming for the average Mauritian to search for his roots and construct his genealogical tree.
- For those of slave descent and to a certain extent, persons of indentured descent arriving in early years of indenture, change of names has resulted, and the identification and contact with original home, village etc. are not possible. The consequence has been 'cultural', 'family and kin' loss and 'identity' loss. However, once in Mauritius, with a new name, it may be possible to trace several generations within Mauritius, and this may help to palliate this sense of loss of identity that exists within families.

THE COMMISSION RECOMMENDS:

139. Creation of a National Genealogy Centre
- To assist Mauritian families, many of whom are descendants of slaves and indentured labourers, in their quest for identity, to reconstruct their family tree.
 - Provide Mauritians with all the data required, free of charge, to reconstruct this family tree in recognition of the numerous difficulties faced by ordinary Mauritians to collect relevant data

RELATED RECOMMENDED ACTIONS

- i. DNA testing in future should be considered to make the link with the past origins.
- ii. amend laws to permit greater access to civil status information and documents, especially those over 100 years old.
- iii. Introduce strict control over public officials in custody of civil status documents - such as camera surveillance, bag searches.
- iv. introduce strict control over intermediaries and 'courtiers' circulating and operating in vicinity of Civil Status Offices. If evidence is found of wrongdoing, to prevent access to them into offices.
- v. to encourage training of genealogists and licensed genealogists. This could be a niche employment opportunity

11. FOR A MORE JUST EDUCATIONAL SYSTEM

THE COMMISSION FINDS:

- Standards are in reality decreasing, even though numbers of passes are increasing on paper;
- Poor training of educational staff at all levels due to ill-trained trainers;
- Cultural bias against those of African and Malagasy origin;
- Politicisation of educational issues to the detriment of the best interests of the child;
- The two-tier system (teacher undertaking private tuition, as well school teaching) should be abolished outright as it does not help poor children;
- Parents, teachers and students not consulted in any major decisions. Centralised system put in place is not working to the benefit of educational institutions as absence of freedom to innovate and independent activities by schools;
- Regionalisation has not worked in bringing down cultural social and economic barriers between children. It may indirectly have reinforced these barriers;
- Mauritianisation of curriculum has led to absence of general knowledge of world in general, juxtaposing current youth's natural openness to global culture through internet and other media. In other words, the education system and curriculum have not kept pace with medium that youths use.
- Parents are too busy working and do not spend quality time with children.
- The absence of extended family, including grandparents, due to nuclearisation of families lives has not worked for the benefit of children. Valuable family and educational resources are lost as a result or for the local community in general.
- Meritocracy not strictly enforced in appointments, promotions and award of scholarships: nepotism is very much present in appointments, as well as in awarding scholarships: bureaucrats and politicians have first choice of posts and scholarships.

THE COMMISSION RECOMMENDS:

140. **Education system be instituted that caters for people interest and wishes** rather than wishes of employers as there is a clear mis-match between people expectations of work and life and what employers have to offer.
141. **Creation of Technical schools for artisans** as well as other specialized occupations which are currently neglected.

The model of *Certificat d'Aptitude Professionnelle* (CAP) delivered by Technical Schools in countries like France, Australia, etc. should be adopted, thereby ensuring quality work by artisans and other private skilled workers.
142. **Establishment of an intercultural curriculum** including African, Malagasy and Bhojpuri cultures in all publicly-funded institutions
143. **Secular public education** to be promoted and schools to be renamed.
144. **Avoidance of large anonymous centralized educational institutions** and overbearing authorities which do not take into account specificities of localities and to promote more flexible curriculum
145. No subsidies or public funds for any society or organization that promotes exclusivity in

terms of gender, race, caste, religious or sect.

146. **Global education** to be promoted and Mauritius' place in it to be studied.
147. Specific schools in each zone catering for specializations: Art, music, cultural, professional, technical subjects that are recognized overseas,
 - rather than all subjects being Cambridge Examinations Syndicate oriented
148. **Parents support groups** required and employers required by Law to allow parents time off from work to attend school meetings.
149. Activities promoted to bring older and younger generation together.
150. **More activities for youth:** Insufficient number of activities for youth during holidays.
151. **Milk, bread and fruit to be provided to all children of low income parents** at school or nearby facility as part of positive discrimination for 10 years.
152. There should be a thorough and critical survey of resources allocated for education per region.
 - This is apparent in the South of the island.
 - Better selection of teachers and accompanied by a policy of creating incentives for better-qualified teachers to enrol at the schools in the South so that a better level of education can be obtained.
 - A system of teacher re-deployment may be created to partly achieve this goal, as might an additional stipend for teachers in these areas.
153. A thorough interrogation of education in less well-resourced areas is also required.
 - Parents in these regions and communities must be supported in their efforts to educate their children.
 - Where necessary, child support grants must be instituted so as to offer stipends for educational purposes.
 - That a programme of *Affirmative Action or positive discrimination*, in the educational area, be launched in Rodrigues to allow young Rodriguans better access to the latest material and resources. The lack of educational resources in Rodrigues is apparent to all, and a relevant Tertiary College, based on the current urgent needs of Rodriguans, should be set up. Education is the key to progress in Rodrigues but it must be offered on their door-step - not only in Mauritius.

12. FOR OUR CITÉS

THE COMMISSION FINDS:

- That authorities and the private sector need to work harder in line with various international conventions, signed by Mauritian Government, concerning health, housing, education, environmental and human rights;
- Regarding housing estates, put up by the C.H.A where 19,400 householders reside - roughly 125,000 individuals - there exists a serious problem of overcrowding. For instance, a 3-room apartment can sometimes accommodate as many as 12 individuals. Besides, many of the housing estates do not provide amenities such as playgrounds, kindergarten and do not have any community hall. This is not conducive to the welfare of the young generation who tends to be idle and demotivated.
- Certain housing estates (residences) have been constructed with asbestos, a substance known as a serious health hazard. Such houses should be pulled down on a phase by phase basis, and new apartments allocated to such residents.

THE COMMISSION RECOMMENDS:

154. A thorough study of the cités based on the tjc study of mivoie.
 - that the methodology used for the mivoie study be used for the study of other cités.
155. preservation of cultural heritage of mivoie inhabitants
 - The sites identified in the cultural map of Cité Mivoie to be listed as constituting the natural, tangible and intangible local heritage.
 - The stories of these sites, the origins of these place names and of the local traditional knowledge should be inventoried to be passed on to the future generations.
 - These sites should be listed as local heritage sites as they are an integral part of the heritage of the local residents who have lived in this region for generations.
156. family patterns and gender relations
 - There is need to carry an in-depth study on the impact of slavery on the contemporary family and social problems, especially gender relations and family dysfunction.
 - Sex education should be mandatory but should also promote the norm that sex should take place in intimate relationships of mutual respect and gender equality.
157. land settlement
 - Democratising access to property ownership through the construction of low-cost residential developments/*Morcellement* for the working classes. It also implies implementing measures to protect and defend the land rights of the vulnerable groups, such as women and working-class families. The land allocated should contain sufficient space for agricultural activities with the accompanying training.
158. social organisation
 - The State should ensure that every child in the housing estate enjoys the right to a standard of living adequate for his/her physical, mental, spiritual, moral and social development.
 - It is the State's obligation to take appropriate measures to assist parents in the *Cités*

and other responsible parties to implement this right and, in case of need, provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing, in accordance with the set needs of Mauritian citizens.

159. housing conditions

- The Commission recommends a full environmental and medical survey in Cité La Mivoie and other housing estates to ensure that incidences of ill-health and mortality in the *Cités* are not asbestos-related.
- As a solution to the problem of space in the *Cité*, the Government should come up with a long-term affordable housing programme for working classes. These houses should be within the financial means based on the household disposable income of individuals.
- To facilitate access to long-term affordable housing, grants and subsidised loans with monthly mortgage payments and low fixed interest rates can be proposed to working class based on the household disposable income so as to avoid foreclosure.
- However these will only work if accompanied by training and integrated in the long term into educational curriculum in schools
- There is need to develop financial and money management programmes, life-skills and leadership programmes to change the residents' mind-set and develop a culture of money management and saving and new set of attitudes.
- Based on the approach 'Culture as Treatment', instead of designing self-empowerment programmes based on Western models, traditional self-empowerment programmes should be designed for the residents that are culturally sensitive and that take into consideration their social and historical background.

160. land dispossession

In line with the various United Nations treaties, Government should promote 'effective and democratic land, property and natural resources governance, management and practices' including decisions on access to land, natural resources and property; land and property rights, land use, and land and property development.

It is the duty of the Government to support citizens who do not have access to land and adequate shelter. Since market forces will not naturally alleviate the situation, land reforms should be proposed to reduce the structural inequalities and medium- and long-term measures for housing and land rights need to be put in place to support social stability.

161. child protection

- When the case is reported at the Police Station, especially at night, Officers of the Child Development Unit might take approximately 1½ hours to be at the Police Station.
- Some Police Officers already start questioning the victim without prior psychological assessment and support.
- Children, victims of abuse (sexual/physical/gross neglect/ill-treatment) and who are placed at shelters (NGOs) are at times placed at the RYC at a very young age, given their behavioural problems - there is a need for proper assessment and psychological intervention and close follow-up at such cases so that they get the necessary caring and supportive environment to help them grow and deal with their past history.
- At times, assistance is given after many hours and, in cases where sexual abuse took place much earlier, the victim unnecessarily waits at the Police Station. The P.C.P treatment which should be carried out within 72 hours may get delayed.

- Children-abused-parents/other family members who ask for these children - need for more guidance with parenting and coping skills.
- Posting of A TRAINED OFFICER at the Ministry's Shelter DEALING WITH THE PROBLEM OF overcrowded shelter.

13. CONCERNING THE CASTE SYSTEM

THE COMMISSION FINDS:

- That ultra liberal policies harden the competition for social advantages and, consequently, stimulate the tendency of citizens to gather in pressure groups along ethnic and caste lines available in order to secure advantages.
- That the use of caste identity, as well as religious identity, could, at times, work against Mauritians who do not belong to the Hindu caste system.
- Many persons of so-called 'lower castes' suffer from a sense of inferiority but are unable to express this openly, in contrast to those of so-called 'higher castes' who express their sense of superiority openly.
- In the interests of reconciliation, there is a need to break the taboo about discussing the issue of caste in the public sphere in Mauritius.
- Mauritian society is full of pride and pretensions, and this transcends all ethnic and religious groups.
- The Commission believes that the Welfare State is one of the main obstacles to communalism and that combating communalism in Mauritius will have a direct and long-term impact on casteism.
- The Commission is also opposed to any categorization on caste for quota policies.
- The more private and religious dimensions of the caste system should not be interfered with.

THE COMMISSION RECOMMENDS:

162. Monitoring of activities of socio-religious organisations:
 - That the existence, activity and financing (through subsidies) of so-called "socio-religious associations" needs to be more strictly controlled.
163. Penalizing caste discrimination
 - That discrimination based on caste should be penalized. The nation should have the legal means to sue any individual or organization promoting casteism in the official sphere, whether it is in official political discourses, or in the media, or in professional contexts. The use of pejorative, and insulting, caste terminologies should be equally penalized.
 - That the role of political and religious leaders and their potential for reinforcing casteism, should be carefully monitored.
 - That canvassing on the basis of caste appartenance for vote-catching purposes must be closely monitored and sanctioned.
 - That caste discrimination in the selection and promotion of employees be penalised and meritocracy should be promoted in the professional sphere.

164. Education for a shared history, identity and culture in the school system and media
- That long-term education programs be introduced to promote the shared dimension of all Mauritians' history and identity.
 - That the school system (*via* text books and national programs) should be revised to incorporate more recent approaches of the Mauritian History.
 - That research into comparative analysis of slavery and indenture be accompanied by research highlighting their common historical fate in Mauritius, and their shared living and working conditions on the estates that resulted in common representations and practices.
 - That the shared popular culture of indentured and slave descendants be promoted rather than the Sanskritised, elitist and orthodox culture that is currently being promoted and which does not represent the true heritage of the labouring classes.
 - Heritage sites and commemorations should be mobilized to promote this shared concept of identity.
165. Breaking the taboo of caste in the private sphere
- That Government should allow and encourage scientific research on caste system to be pursued and publicized.
 - That a better knowledge of the role of caste in India and its differences with the Mauritian situation is required, and this understanding may lead to better mutual understanding between different castes.
 - A truer and more scientific 'tracing of roots' to show the authentic heterogenous roots of the popular culture of most indentured ancestors, far from any Sanskritic or Brahmanic pretensions.
 - Promotion of the Indentured heritage as a reason for pride: that ancestors and descendants of migrant populations did succeed, despite all the difficulties and contribute to the nation.
 - Castes to be presented as a secondary, residual system that needs to be fought against in modern Mauritius.
 - The promotion of free marriages through a global awareness campaign
166. Promoting a distinctly Mauritian tradition of Hinduism
- That authentic Mauritian Hinduism be promoted as it is more modern and liberal.
 - That official protection of traditional architecture of the *kalimaya* is required as this constitutes Mauritian indentured heritage. These structures need to be documented throughout Mauritius and restored.
 - Other land can be found to construct monumental Indian-style temples.
 - To encourage Hindu Mauritians to study and recognize their local roots and not just blindly follow what exists in India. This will allow them to be proud of their original Mauritian Hinduism.

14. FOR LE MORNE VILLAGE HISTORY AND HERITAGE

THE COMMISSION FINDS:

- The principle of Restorative justice should be applied to the case of Le Morne inhabitants removed forcibly from their homes located in the original Le Morne village.
- There has been intense communalization, politicization and undue influence of developers and local elite on public institutions.
- Recommendations contained in numerous studies undertaken at public expense have not been implemented by the institutions concerned.
- The results of studies have not been made available to the Mauritian public or to inhabitants of the neighbouring villages.
- There is possible collusion between some Civil Servants, some board members with the private commercial concerns operating in the area.
- There exists less than transparent procedures being adopted when decision-making concerning development permits in the Buffer Zone of Le Morne, have been made.
- The village inhabitants are kept in the dark about huge projects occurring in their backyard and about which they have not been consulted.
- Marathi culture in Le Morne has been neglected in the management of Le Morne Cultural heritage, even though they form an important section of the village. This has a divisive effect on village life.
- The Black River Gorges constitute not only a natural site, but also a huge cultural site as maroon activity was intense in this area. These historical links between the Le Morne Brabant, the forests of the Black River Gorges, Baie du Cap etc. have not been publicized enough. Again, the possibility of collusion with private interests, so as to suppress new historical and archaeological discoveries that may harm private commercial projects, cannot be discarded by the Commission.
- The Mauritian public has no access to Le Morne Cultural landscape, unless it pays a small fortune to private tourist operators who secure permission to enter site from the private owners.

THE COMMISSION RECOMMENDS:

As a form of *restorative justice*, reparations to be given in the form of:

167. A formal and written apology from the Government for the prejudice the former inhabitants of former Le Morne village have suffered.
168. The inhabitants of Le Morne and neighbouring areas are given agricultural land jointly held by them to engage in agricultural practices to enable them to increase their daily revenue and be autonomous as they used to be.
169. Implementation of recommendations contained in numerous studies by a pool of trained professionals, irrespective of gender, race, religion or political creed.
170. The communalization, politicization and influence of developers and local elite on public institutions to cease, and not be tolerated at any cost in this region. It does not reflect the culture of the people living there.
171. A full historical and archaeological survey of Le Morne summit and slopes, as well as neighbouring areas and its links with neighbouring villages, to be undertaken by the LMHTF in collaboration with an interdisciplinary team of professionals and to make the results of this researches available to the Mauritian public through books, films, drama, songs dance and curriculum materials for schools.

172. The principle must be adopted that any research and activity, funded by public money, should go back to the public, and not remain in the drawers of officials of those institutions.
173. The inhabitants of Le Morne and neighbouring villages to be brought in on the activities of Le Morne Heritage Fund in managerial, technical and professional posts, and appropriate training given to them to fulfill their duties professionally.
174. That the area known as **Trou Chenille** be officially recognised as a site of former settlement by inhabitants, many of whom are descendants of slaves having lived there for generations (and not as squatters) and that their removal be recognised as ‘forced removal’.
175. Commission recommends they be compensated, accordingly, for the loss of home, revenue and inability to continue their occupations and traditions.
176. The Commission further recommends that their history be written before it is forgotten and the oral testimonies of those who lived there be recorded and made available in a public Oral Archive without any time restrictions.
177. The inhabitants be given full access to their former village and a space where they can remember their former lives, be created there. The model of District Six Museum in Cape Town to be used.
178. **LMHTF BOARD**
- The composition of the LMHTF Board must be amended to reflect both professional and community representatives.
 - They need to be chosen among persons of moral and professional integrity, and not associated with communal or commercial operators operating in the area.
 - There should be a reduction in the number of administrators on this Board.
 - Given the fact that in Mauritius the pool of professional experts is small, there needs to be better interaction between different institutions, where these competencies exist, to ensure public funds are not being used unnecessarily in activities that duplicate those of other institutions.
179. **MINISTRY OF ARTS AND CULTURE**
- Similarly, at the Ministry of Arts and Culture under which, specialists in slavery, indenture and in heritage management, Archaeology, History and Anthropology must be appointed to better monitor these institutions.
 - Connivance of Civil Servants, Board Members and staff with private developers must be expected and, therefore, controlled and closely monitored by the Ministry and transparent procedures adopted concerning approval of permits.
 - The Ministry and Le Morne Heritage Fund to ensure that other heritage found in Le Morne is not neglected, i.e. Marathi culture and a harmonious and sharing relationship between the two cultures is promoted.
180. The links between the Le Morne Brabant, the forests of the Black River Gorges and Baie du Cap, be fully studied and the maroon trails and sites fully protected from developers, coming up with commercial projects

15. METAYERS AND RICHE TERRE PLANTERS

THE COMMISSION FINDS:

- In the case of Bel Ombre and St. Felix sugar estates, the *métayers* have undergone severe emotional, psychological stress due to loss of land, to lack of understanding and ability to adapt to rapid and changing economic policies in their locality;
- They have not been provided with sufficient information, advice and guidance in order that to allow them to make informed decisions and benefit from **all the options** present in the spirit of the various Sugar Efficiency Acts and Privy Council rulings on the issue, which was to improve the weak position of *métayers* in Mauritian economy and society and to provide greater access to land;
- They have been left at the mercy of plantation owners who were in a stronger legal, social and economic position to impose their views.

THE COMMISSION RECOMMENDS:

181. A fairer and more just compensation be given to *métayers* based on an in-depth study and a full multidisciplinary (including historical, financial and economic) re-evaluation and assessment of their contribution to the Sugar Industry over generations since the arrival of indentured labourers to Mauritius.
182. Reparation payments by Government and the St. Felix Sugar Estate, for moral damages, loss of historic rights and loss of income on the part of *métayers*.

For the original Riche Terre Planters

183. Land be given to them to set up an agricultural Cooperative as many are still in need of assistance.

16. ARCHIVES

184. A NATIONAL EFFORT IS REQUIRED.

- Nothing short of a national effort is required to find global and conclusive solutions to the preservation of the original documents found in the National Archives. Training of staff and funding for the Archives are absolutely essential components.
- The Commission also feels that the proposal of a Culture House incorporating the National Library and National Archives should be implemented urgently. However, security concerns lead us to question the appropriateness of locating both institutions in one building.

185. THE CREATION OF A NATIONAL INVENTORY

- This must be also an intrinsic part of the process, even if it means acknowledging, finally and formally, that some of this documentary heritage has disappeared or been stolen under the very eyes of people working there. A good example is that photocopies in MGI Library and National Library have replaced original books in the Mauriana section, and the staff are not even aware of this or know where and when the originals disappeared. Had there been a National Inventory, this may not have occurred.
- The National Inventory will help to set priorities relating to digitisation and conservation. However should not be transformed into an expensive venture for the National Archives and become a profitable business venture for companies.
- Some guidelines and issues to be considered for this inventory are proposed in the Technical Report (Vol. 4, Part X 25) and are summarised here:

Inventory - Conceptualisation phase:

1. (a) Define what constitutes Mauritian documentary heritage.
1. (b) Chronological parameters.
2. Medium, nature and origin of documents.
3. Lieu of conservation of documents.
4. Define in detail indexing norms:
 1. [BIB17] easy as there are international norms in this respect and re-utilisation of notices taken overseas as guaranteed;
 2. [ARC18] harder because local electronic inventory not well constructed so far;
 3. Define how to link digital documents to the list.
5. Conceptualise and demonstrate clearly which information system is to be used in the inventory and why:
 1. Use free software tried and tested in other Archives (such as at UNESCO, ICA, etc.).
 2. Respect technical norms of interchange ability adopted in other countries for inventorying and cataloguing of cultural heritage collections.
6. Revision of National Archives Act concerning:
 1. Management of archives: There is a need to include recruitment of trained personnel.
 2. Open access to modern documents.
 3. Revision of time-frame of making documents accessible: 30 years' rule not necessary for all documents.
 4. National policy on record management to be devised and included.
 5. Introduce concept of 'missions' to recover archives of departments etc.
7. Revise composition of Appraisal Committee so that there is a bigger role for historians and professional archivists.
8. More rigorous law concerning sale of private archives i.e., creation of a private archive inventory, upon declaration by private custodians.

186. TRAINING IN CONSERVATION OF DOCUMENTS

- The creation of a Cultural Heritage Institute or a Conservation Institute at the University of Mauritius (UoM) which will include the preparation of a Master's in Conservation of Mauritian Heritage. This could be part of both History programmes, as well as Librarians' courses and even Sciences programme as a multidisciplinary staff (Sciences, Chemistry, Entomology, Mycology) are also required etc.
- An MA in Heritage Conservation should cover all aspects of conservation in Mauritius, but start with paper conservation, and then move to other types of heritage.
- Specialists should be invited who are recognised in the field for short, intensive courses to boost the work of local full-time lecturers.
- The course should aim first at those already in service, as well as a few not in service to ensure continuity of skills.
- Provision for *Auditeurs libres* (fee-paying) should be made .
- The Programmes should cater for international and regional students.

187. PROACTIVE POLICY TO BE ADOPTED FOR PROTECTION OF DOCUMENTARY HERITAGE

- Comparison of Auguste Toussaint's inventory and new additions to be identified. The missing items also need to be investigated and the 'borrowers' asked to return them.
- A Police Cell to be set up and trained to be in charge of cultural theft.
- Periodic assessment by international consultants to be undertaken but not in the manner currently being undertaken which is in an *ad hoc* manner. There should be regular and periodic reporting and an permanent communication established, with foreign specialists, to keep abreast new developments as this is currently not done formally, but through personal contacts.
- Review of the project of building a seven-storey building housing both National Archives and Library. If funds exist they should go for recruitment and training and adequate equipment. Security equipment to monitor public use of documents is absolutely vital for the Archives.

LAND ISSUES

17. FOR A MORE SUSTAINABLE, EQUITABLE AND JUDICIOUS USE OF ENVIRONMENT

THE COMMISSION FINDS:

- Current environmental policies have failed due to public institutions not being sufficiently strong to withstand the onslaught of private sector, commercial projects, pressure on the environment: Sugar Industry, then Tourism and now IRS and shopping projects.
- Immense damage has been done to the environment and this is unlikely to stop.
- The *Maurice Ile Durable* project or Sustainable Development Project has so far favoured large commercial concerns and mega projects. Many companies and professionals are jumping on the MID bandwagon to obtain funds, while public participation is minimal and local population's interests in the environment and heritage not considered.
- Commercial projects have been disguised as Ecotourism projects and are a farce.
- The notion of public interest, under the label of public interest, has more a nuisance than an intrinsic value in public policy.
- Free public access to the mountains, woods and forests, rivers and streams and beaches, seas of Mauritius needs to be created, with expropriation, if necessary, if Mauritius does not want to face growing social unrest in the country.
- The role of the Co-operative Sector in the preservation of environment has been neglected.

THE COMMISSION RECOMMENDS:

188. A **moratorium** on sales of lands to foreign companies and individuals until land hunger in Mauritius has been satisfied.
189. Complete **independent and transparent review** of all sales, leases and projects and their modes of assessment approved by Ministries of Housing, Environment and Agro-Industry and whether they are really sustainable or not.
190. To establish vegetable gardens and small farms attached to schools to promote respect for manual labour and/or producers of hand made products.
191. Visits by schools to be reintroduced to farms, factories, nature reserves in smaller groups than at present to enhance enjoyment of the site.
192. To fund and encourage small-scale enterprise to produce hand-made products, using natural sustainable products, as far as, is beneficial to health and better environment.
193. The current approach of provision of low-cost social housing should be reviewed.

The cheapest alternative is **not** to be used and architecture is to reflect the climatic factors, as well as social and cultural traditions of Mauritians.

Style that promotes community cohesion and acreage around houses granted that promotes food self-sufficiency, incorporated in architectural styles and land planning.

194. A Cultural Heritage Impact Assessment be undertaken at the cost of promoter for any commercial project in Mauritius that involves change in green spaces or structures over 50 years old.

18. TJC AND SUSTAINABLE DEVELOPMENT (MAURICE ILE DURABLE)

THE COMMISSION FINDS:

- Both the quest for a more Sustainable Mauritius (*Maurice Ile Durable Project*, MID) and more Social Justice (TJC) have the potential to place the islands on a more sustainable trajectory. A National Policy is to be formulated for MID, informed by working groups that were established on the 5 Es, namely Equity, Empowerment, Education, Environment and Energy.
- There is a clear relationship between the work of the TJC and that being done under the MID programme.
- Building of functional linkages between the two processes will help to create powerful synergies that will benefit all Mauritians, the most important being land use and equity.
- For some unknown reason, Culture, which has been widely accepted as an additional pillar of sustainable development, including by UNESCO, has not been accepted as so by MID.
- Equity and sustainability cannot be addressed separately nor without pervasively addressing the land issues. In its opening paragraph, the Final Report of the Working Group on Equity rightly states: *“The move toward a sustainable society needs to be based on environment and social justice. Equity is a crucial element when rethinking development, as economic development without taking into account the views and aspirations of the community to a fairer society will inevitably lead to turmoil in the long run”*. However, there is no mention of **land equity** in its Report. It is not clear why the Equity Working Group Final Report omitted land issues.
- Large sections of the population are squashed into a limited space, while there is available space that is not being used to the best advantage.
- Mauritius is already about 23% built-up and there is a rising need to provide additional land for economic growth, job creation and other uses, and to open up landownership to ex-patriates. The majority of Mauritians are thus gradually being priced-out of the property market.
- Current land uses and ownership are directly derived from our island’s short and turbulent past of slavery and indenture. The TJC Report may come in very useful to add the essential historical perspective to the MID work that it currently lacks, as well as provide input on how people feel about land issues; as a process, MID is very much looking to the future; yet planning for the future can scarcely proceed without a profound understanding of the past, and how it influences the present.
- Land issues, as well as access to natural resources, including inshore marine resources, strongly influence the ability of local communities to sustain themselves and their quality of life in general.
- Though praise-worthy and visionary in its objectives, the current pursuit of a Sustainable Mauritius might fail, if these issues are not considered.

THE COMMISSION RECOMMENDS:

195. FULL CONSULTATIONS DOWN TO COMMUNITY LEVEL.

Ground-level input, meaning society at its broadest, provides the groundswell support and the credibility that will be necessary, when it comes to the implementation of a MID Policy, soon and in the years to come.

More national consultations, particularly at the local community level, are required by MID.

196. MID policy must take the ‘views and aspirations of the community’, cited in the Green Paper phase, as crucial to building a solid foundation for a MID Policy, together with the experts views.

197. The TJC’s work, based on thorough consultation on land issues, can and should inform the MID process.

This would be a step towards the social fabric of Mauritius becoming founded on more equitable grounds. While TJC submissions will soon draw to a close, the MID policy formulation process is still ongoing; therefore, the opportunity still exists to draw land issues into the pursuit of sustainability, without shying away from the difficult ones. Even if answers may not be ready at hand, programmes can be put in place to find solutions, and in so doing, translate the principles of sustainability into action plans.

198. The process of taking the TJC report into account should be formal and systematic.

Policy frameworks, devised without widespread consultation first, can be a dangerous exercise. Therefore, much care should be taken to ensure that the 5Es framework, and the setting of sub-themes under them, do lead to the exclusion of dimensions and perspectives that may be essential in the formulation of a sustainable trajectory for Mauritius.

199. Culture must occupy an essential place in the MID Policy and Action Plan.

Despite the fact that Mauritius boasts two World Heritage Sites, whose outstanding universal values are based on our colonial past, the MID cannot ignore culture and needs to work very closely with the Ministry of Culture and other stakeholders in ensuring the cultural aspects are not forgotten.

200. The people involved in the MID policy process, for which the highly competent Ministry of Environment and Sustainable Development (MoESD), is the lead Ministry, must be further empowered by the multiple studies conducted by the TJC.

19. LAND ISSUES

THE COMMISSION FINDS:

- The Commission recommends some measures that could alleviate people's sufferings and trauma.

THE COMMISSION RECOMMENDS:

201. Setting up of A LAND MONITORING AND RESEARCH UNIT

- A land monitoring and research unit should be set up to conduct enquiries, settle disputes or refer matters to Court. This important Authority will be called upon to monitor all land transactions, to receive complaints from genuine persons who have lost, or have been dispossessed of their property, and to assist the applicant to retrieve all necessary documents, including title deeds, plans and civil status, as well as investigate all Notarial deeds.

202. Continuation of a NOTARIAL ACTS DATABASE PROJECT

- i. The work initiated by the Notarial Acts Database (outline in Volume 2) be continued by the proposed Land Research and Monitoring Unit as a matter of urgency.
- ii. That the server to host the database be the Linux Operating system (Open source) which is reliable, highly performing and resilient. The server has been configured to allow only authenticated users to connect to and use the system.
- iii. Training: Users (research assistants) to be trained at each stage of prototype deployment. However those having been trained by the Commission can be used to train others and to continue this database.

203. Setting up of a LAND DIVISION OF THE SUPREME COURT

Land Division of the Supreme Court should be set up in order to expedite matters.

Moreover, as regards the surveying issues, no amendment boundaries are to be accepted unless they are based on a proper survey supported by plans of acceptable standards and the satisfaction to the Land Monitoring and Research Unit.

- i. Furthermore, there is a need to regroup all activities, now concerned with land title matters into one central Authority, introduce the principles of title to land and the creation and maintenance of a Cadastral map. There is also a need to make use of the Cadastral map. This will be a map compiled on a sufficient large scale to show clearly each parcel in the territory. This also applies to Rodrigues Island.
- ii. The Surveyors' field-notes will be retained. All plans, field-notes and computations should be properly filed and numbered. The use of microfiches and microfilms should be introduced to record existing land registration volumes and other archival documents such as concession plans.
- iii. There is a necessity to avoid duplication of staff and work, the land Monitoring and Research Unit should be housed in one building.

204. Regroup all activities, now concerned with land title matters into one central authority

LAND USE

THE COMMISSION FINDS:

- The control of the use of land is a major problem to Governments. In both developed and developing nations, local and central authorities have tried in a variety of ways to shape the physical layout and contour of their cities and other areas in the realization that how land is used has profound consequences for the well being of their citizens.
- Land being a scarce commodity, every attempt should be made not to endanger the aspirations of future generations by plundering this meagre resource.

THE COMMISSION RECOMMENDS:

205. CREATION OF A LAND BANK

- The Commission recommends the creation of a Land Bank as a panacea to land management. In a context of land scarcity with possible conflicting land use, the Land Bank, if properly formulated by a comprehensive land use policy will ultimately control all forms of land development and will ensure a judicious allocation of lands needed for the island's development.

FOR A BETTER METHOD OF REGISTRATION OF TITLE OF LAND

THE COMMISSION FINDS:

- In many countries, the deed registering system has been abandoned in favour of a new system of registration of title supported by a Cadastral Map. The advantages may be listed as follows:-
- Better basic records management, including better administration and accounting arrangement.
- Standardization of forms and procedures to expedite the routine processing of documents.
- Physical improvements to record keeping and documents storage so that there is easier access.
- The use of microfilm for both archiving and retrieving of data.
- Computerisation of the abstracts of Titles to provide quicker access to information.

There are three distinct areas where recent developments in surveying technology have created a need for radical change in outlook:

- Electronic Magnetic Distance measurements techniques ranging from the short distance infrared devices to the very long base Interferometer (VLBI).
- Satellite technology both for position fixing and thematic purposes.
- Digital techniques for both the acquisition of data and its storage and subsequent processing.

THE COMMISSION RECOMMENDS:

206. Grouping together of all activities now concerned with land title matters into one Central Authority.
207. The introduction of the principles of title to land and the creation and maintenance of a Cadastral Map.
208. To avoid duplication of staff and work, the Central Authority should be housed in one building.

209. The Cadastral Map will be a map compiled at a sufficient large scale to show clearly each parcel in the territory. This also applies for Rodrigues Island.
210. Surveyors' field-notes will be retained. All plans, field-notes and computations should be properly filed and numbered.
211. The use of microfiches and microfilms should be introduced to archival existing land registration volumes and other archival documents such as concession plans.

NEW RULES AND REGULATIONS FOR THE CONSERVATOR OF MORTGAGES AND ARCHIVING

THE COMMISSION FINDS:

- The Commission has observed that affidavits have been sworn by witnesses who do not know the deceased person and the persons who are entitled to apprehend the estate and succession of the deceased person. These persons are called "*professional witnesses*" and swear affidavits upon payment of a sum of money. These persons are found lurking near the offices of Attorneys and Notaries and offer their services whenever needed. It has also been observed that some affidavits have been drawn up without verifying the Civil Status Acts. The dates of deaths are inaccurate and the numbers of the Civil Status Acts are fictitious. However, due to the new Rules and Regulations made by the Conservator of Mortgages, the affidavits drawn up, sworn and transcribed nowadays are accurate, well-drafted and contain precise information.
- It is a matter of concern that there is no Registry or Record kept for Wills and Testaments. Law Practitioners, heirs and successors and members of the public cannot know the existence of any Will and Testament left by a deceased person. This state of affairs gives rise to doubtful and inaccurate affidavits being drawn up. At times the legal heirs and successors are left out. At other times, the persons who have been bequeathed with properties are discarded in the affidavit.

THE COMMISSION RECOMMENDS:

212. It is high time that the Authorities find ways and means of keeping a record of all Wills and Testaments. One such way could be to make an entry in the "*Répertoire*" kept by the Conservator of Mortgages of the existence of a Will and Testament. This is possible for the authentic Wills and Testaments which are drawn up by two Notaries in the presence of the two witnesses or by one Notary in the presence of four witnesses.
213. The registration concerning "*Testament olographe*" and '*Testament mystique*', as provided for in Articles 969 and following of the *Code Civil*, cannot be done and this will give rise to problems in future, unless an amendment is made to the existing laws.
214. The Notaries should ensure that the conditions laid down in Articles 913 and following of the *Code Civil* are observed fully.
215. The Commission hopes that new laws should be implemented in order to protect, the spouses, the children, the family, the society and the country.

PRESCRIPTION IN RODRIGUES

THE COMMISSION FINDS

- The information contained in the Notice for the Transcription of an Affidavit as per the Second Schedule of the Affidavit of Prescription Act are not precise enough to allow the real owner to know whether the subject-site under prescription is his property or forms part of his property, and would thus allow him to lodge the appropriate objection for transcription of the affidavit.
- It has also been observed that the very person who prescribes a plot of land does not have to swear the affidavit. Only the two witnesses take the whole responsibility. He just gives instructions to swear the affidavit but does not participate in the procedure.

- It may happen that a person accused of having prescribed a plot of land might later say that he was not aware that this land had been prescribed in his name.

THE COMMISSION RECOMMENDS:

216. It is urgent that the Second Schedule of the Affidavit of Prescription Act should be amended to include information on the searches, made by the Surveyor, relating to the last known owner of the land being prescribed.
217. Any professional being a Land Surveyor, Attorney or Notary should be able to trace back the owner of any land in Mauritius or Rodrigues.
218. It must be made mandatory for any Notice of Affidavit of Prescription to be transcribed to contain the name of the last known owner.
219. At the same time, any Notice under the Affidavit of Prescription Act should be published with its appropriate location plan that will help in the identification of the land by the former owner.
220. No Notice of Affidavit of Prescription should be transcribed, if one of the adjoining owners is unknown. Thus, no prejudice could be caused if every endeavour is made to find its owner, or at least, its occupier.
221. Furthermore, any potential applicant for any prescription should make a formal declaration to the nearest police station to this effect and submit all particulars of his two witnesses, including names, residential addresses and identity card numbers. And an investigation should be made as to establish the credibility of any witness.

PRESCRIPTION IN MAURITIUS

THE COMMISSION FINDS:

- No deed, whether authentic or under private signatures, witnessing the sale or transfer of, or the constitution of any privilege, mortgage or servitude or right of use over, an immovable property the title to which is derived from acquisition by prescription witnessed by affidavit of prescription, shall be valid unless the affidavit has been transcribed, and a reference to the particulars of such transcription is endorsed on the deed.
- The above refer only to the transcription of an affidavit of prescription, be it the requirements or the objection, the substantive law of prescription is to be found in the civil code.
- The delay for the objection does not at no time preclude any interested party to contest the validity of the prescription itself before the Supreme Court.

THE COMMISSION RECOMMENDS:

222. After having reviewed the numerous laws regarding prescriptions, the Commission recommends to do away with the whole procedure of affidavit and to provide for an alternative way to effect the transcription of prescribed plots of land.
223. It is the opinion of the Commission that the appropriate Protocol would be to exercise more control upon the averments of a person alleging to have prescribed a plot of land. There should be an institution which will ensure the truth of the said averments and which shall have the powers to investigate upon the veracity of these averments. Further, before the same institution, an appropriate memorandum of survey would be required with the possibility of putting questions to the Surveyor.

20. ECONOMICS, LABOUR AND EMPLOYMENT

224. The Colonial Powers, Holland, France and Britain, must be asked by the Government of Mauritius to pay compensation for implementing the slave system, and later the indenture system, and thus bringing underdevelopment for the majority of the people of Mauritius.
225. **The Creation of a Special Fund to be managed independently of the Yearly Budgetary Exercise:** Some of the sources of the Fund would be the revenues obtained by increasing the Corporate Tax from 15% to 20%. Another source of the fund would be a 2% tax on profits of the banks which have benefitted a lot from various policy decisions lately.
226. **Firstly, a decent wage for decent work policy should be adopted.**
227. Discriminatory wage rates against women and generally occupational segregation should be done away with.
228. The Cooperative Sector should be able to co-exist effectively together with the Public and Private Sectors. For this to be possible, there is a need for a new leadership which adheres to cooperative values and principles.
229. **Low-Cost Housing:** More low-cost housing on the model used in Valetta, should be implemented. Four hundred and four hectares (1000 *arpents*) out of the eight hundred and eight hectares (2000 *arpents*) to be provided by MSPA could be used for that purpose. It is understood that, so far, only 162 hectares (400 *arpents*) have been used.
230. In the not too distant past, the Sugar Industry underwent other phases of restructuring, when the railway lines were closed in the 1960s and when exports in bulk sugar were initiated in the late 1970s, then, the employees have had only cash compensation. Additionally, given the poor plight of their descendants and especially among the descendants of dockers, we recommend that the descendants of each employee should be given a plot of land (per employee at that time), in the spirit of the compensation in cash and in kind currently applicable in the Sugar Industry.
231. The **Employment Rights Act** should be amended so that there is not a license to 'hire and fire'.
232. Whenever there are no valid reasons for economic redundancy, the Law should be amended to provide for reinstatement of the redundant workers.
233. The *Code Napoléon* is to be amended so that, whenever there is a factory closure, first priority should be given to the payment of wages and salaries of all employees.
234. Government should introduce a **portable retirement gratuity** by creating a Special Fund. Each time a factory closes, the employer should place in that Special Fund the entire retirement gratuity to which the redundant workers are entitled. Thus, by the time of his/her retirement, the worker would obtain his/her due as gratuity retirement.
235. The right to strike by workers should be considered as a fundamental Human Right. The possibility of incorporating this right in the Constitution should be given serious consideration.
236. Workers should be paid for their overtime work on a daily basis, not after forty-five or ninety hours of work as prevalent in the EPZ and some other sectors.

RODRIGUES, AGALEGA

21. RODRIGUES

LAND AND SOCIAL ISSUES IN RODRIGUES

THE COMMISSION FINDS:

- There is an urgent need to revisit the whole social and economic development for Rodrigues from the point of view of future developmental needs. A National Physical, Social and Economic Development Plan should take the following into consideration:
- Citizens claim they are not fully aware of their rights;
- Rodrigues is not adequately represented at regional organisations such as SADC and COMESA;
- There exist a perception of political interference in public administration;
- There is sub-optimal utilisation of human resources in the public service.
As well as poor building practices leading to soil erosion.

TOURISM

- The low tourist arrivals affect the island economy;
- There is limited air access; and the price of air ticket is too expensive;
- Handicrafts products are not enough competitive;
- Associations of tourist operators are not well organised;
- Inadequate budget for development of the tourism sector;
- Lack of cohesion in marketing strategies;
- Existing entertainment and attraction facilities are not well developed;
- Lack of norms and regulations regarding '*gîtes*' and '*tables d'hôte*'.
- Increase accessibility, visibility and attractiveness of Rodrigues as a tourist destination and improve visitor authentic experience through sustainable destination management;
- Strategic alignment of tourism policy, investment, and sustainable development through the implementation of a Tourism Strategic Plan (to increase tourism yield, export revenue, and livelihoods from the industry in a sustainable manner);
- Regulate tourism activities in Rodrigues and market/promote Rodrigues worldwide using a powerful brand;
- Develop capacity, capability, and professionalism of the sector;
- Develop and maintain competitive partnerships between stakeholders, both in Rodrigues and Mauritius.

INDUSTRIAL DEVELOPMENT

- Rodrigues remains essentially a natural resource intensive economy subject to the vagaries of nature;
- Initial conditions and endowments (physical and human resources), which matter for economic development to take place, have remained unfavourable;
- No major export product or service driving the economy;
- Geographic isolation;
- Frequent natural calamities, relatively poor infrastructure, a relatively insignificant private sector (with no industrial structure);
- Brain drain over the years;
- Production is based on traditional farming systems using little inputs and adds little value;
- The 3 core pillars of the economy (Agriculture, Tourism and Micro enterprises) are underdeveloped. The Rodriguans face serious constraints as they operate in isolation, with little upstream and downstream linkages.

FISHING

- Over-fishing in lagoons;
- Lack of know-how for sustainable exploitation of resources;
- Weak law enforcement;
- Insufficient conservation and management measures applicable to the Banks fisheries;
- Difficulty in re-orientation of artisanal fishers;

- Poor stock assessment;
- Fragmented administration;
- Project-driven approach rather than a holistic work programme developed on a strategic approach;
- No formal fisheries management plans; Lack of training facilities; Lack of knowledge of available yields; Lack of semi-industrial fishing boats;
- Some regional stocks e.g. yellow fin, big eye and swordfish already heavily exploited.

WATER PRODUCTION AND RESOURCES

- The whole system of water resources management and development is archaic, unsustainable and inefficient and severely inhibits the development of the Island;
- Inappropriateness of the water distribution and management system;
- Inappropriate institutional, regulatory and organisational frameworks for;
- Inadequate capacity that limits knowledge of the water cycle in Rodrigues, prevents the proper monitoring of quantity and quality of water, thus thwarting decision-making by stakeholders; and
- Inadequate cooperation and collaboration of end-users and lack of a proper institutional set up for '*concertation*' on water issues.

THE COMMISSION RECOMMENDS

237. Adoption of a Physical Development Plan and of a Land use Plan.
238. Finalise the Land Information System
239. Ensure that projects are in line with defined strategies for land use development.
240. Provide accurate information on state land ownership status and development at any point in time.
241. Align and revise rental of land in accordance with market rates.
242. Improve legal framework for town & country planning and land use.
243. Regularise all eligible occupiers of State lands.
244. Respond to the land requirements of all Commissions for timely implementation of public projects.
245. Planning clearances for residential and commercial/industrial projects on state land prior and after lease of land.
246. A digitalised Cadastre of all State lands in the island of Rodrigues effectively established and updated.
247. Review of State land leases effectively for optimising Government revenue.
248. Grant of lease to applicants occupying state land.
249. Effective vesting of State lands and acquisition of private land for public projects.
250. Land Use Planning and management processes in place and promoting improved and sustainable land use
251. Effective land administration services in place, accessible to all and protecting the land rights of all citizens.
252. Lack of an endorsed framework for land planning and land use, thus encouraging a scattered pattern of settlements.
253. An efficient management of land resources with a view to achieving economic prosperity, social equity and preserving the natural beauty of the island.

22. AGALEGA

THE COMMISSION FINDS:

- Agalega has a bright future ahead. T
- The residents may hold the key to their own success, but alone, they will never succeed.
- A material change has occurred in the life of every family.
- Agalega has a fragile eco-system that requires a balanced development that would not bear undue stress on the environment. Development should, therefore, be strictly controlled, the more so that in the long term, the two islands would be at risk because of the universal effect of global warming resulting from the depletion of the ozone layer
- The threat of foreign powers using Agalega as a base is a possibility as Chagos was in the 1960s.

THE COMMISSION RECOMMENDS

254. Human promotion and community development rehabilitate the individual and his family in his dignity and upgrade the status of the population. To reach this goal, Integral Education, training, communication, information and participation in the development are the Key Concepts.
255. The Ministry of Local Government and Outer Islands, OI DC, Island Council, 'Les Amis d'Agalega' and 'Mouvement Diocésain, 1^{er} février' and/or other interested parties/stakeholders (Civil Aviation, Education, Health, Meteorological Officers, the Police, Telecom Officers and others) should coordinate their efforts for an integrated development in Agalega.

The Resident Manager has a prominent role to play and should be referred to as the Representative of the Government on the Islands. His participation and that of the representative of the inhabitants are important to motivate action. A workshop or a round table thereon, with all stakeholders *in situ*, would help.

256. Incentive for a comeback
- i. Agaleans have never possessed any land or houses on Agalega, so dispossession does not apply. In his statement in front of the TJC, on 18 August 2010, Mr. Soopramanien said that the Agaleans are not in search of money as compensation but of social services as Mauritians (TJC Hearing NO.381 - 396). However, Agalean descendants, who have been deported, and want to come back to be reinstated and recover their rights of earning their living on what they consider their *mother land*, or the land of their ancestors, should be given priority in contractual work according to their competence especially in the field of fishing, construction, agriculture, cultural and social activities etc. (Ref statement of Gino Alfred & Co. on 18/08/10. No.126, 155, 166, 252, 353, 391). An addendum can be made to the note on Article 3.10, p. 8 of Collective Agreement (Document II) as follow: *This is not an agreement to exclude employees residing in the islands of Mauritius and Rodrigues. It should be applied on the basis of priority of consideration to interested and eventually qualified Agaleans and/ or Agalean descent residing outside Agalega.*
 - i. of C.A (Doc. II) will automatically apply:
 - ii. As there is no *Home* for elders in Agalega, housing should be made available, on a humanitarian basis, to old and faithful retired workers of the Corporation, who are not entitled to a lease, to have a residence in Agalega close to their children. One or two are, indeed, in a destitute condition in Mauritius. The Ministry of Social

Security, through their representative in the Legislative Assembly, could attend to this issue.

257. Education and Training

- i. The basis of all development is Education. Pre-Primary, Primary and Secondary Schools exist on the Islands (Ref.8.2.9). A proper screening should be made before sending teachers to Agalega. Even if they receive re-location allowance, as do other Government officers, they should be properly briefed before assuming their duties, equipped and sustained by the Ministry of Education. On the islands, they should meet on a regular basis to support each other in their duties and socially. They are the *artisans* of the progress of Agalega. Much could be done through them. Some are doing very well. Frequent visits of Officials of Parent Ministry would be appreciated. A special case should be made to recruit Teaching Assistants among Agaleans (Doc. II 3.9), with special training in Mauritius, as it was the case in the past for Rodrigues.
- ii. A common Parent Teachers Association of the three institutions combined would be beneficial. As it is actually the case, motivation must come from the schools' administration.
- iii. Scholarships for students in further studies in Mauritius and for upgrading the capacities of the employees in Agalega, should be envisaged. Beneficiaries should be strictly Agaleans or of Agalean descent. A proviso to serve Agalega for a given period should be inserted in an agreement between the provider and the beneficiaries.
 1. The Ministry of Education, the Ministry of Local Government and Outer Islands, OI DC should look into it for the provision of an annual budget.
 - i. Training in related fields should be given to interested candidates to implement recommendations of the C.A. Award 2009 (Art. 3.9, Doc. II):
 - b. Furthermore, training in handicraft, (Home Economics, Leadership and in all other fields aimed at boosting up the progress of the persons and the community, would be of the utmost importance and restore the dignity and confidence of the Agaleans.
- ii. To facilitate visits to both Islands, training in basic Hospitality Management would be an important contribution to the host families and to the island. This will facilitate local visits from one island to another for those who have no family or relatives on the visited island and will provide great support to visitors and officers on official visits to Agalega. At present, the Resident Manager caters for all visiting officials during the hectic time when the ship is in Port. In March /April 2011, the Resident Manager had to cater for some 40 visitors, and provide board and lodging for them, as there is no hotel or hostel on both Islands.
- iii. Training in Hospitality Management is a prelude to *Table d'hôte, Bed and Breakfast Hostels, Restaurants on a small scale basis*.
 - a. An in-depth study must be carried out before introducing Tourism on a large scale, because of the sensitive ecosystem of the islands. A fishing stopover station is preferable. Consultation with the inhabitants, prior to any project, is fundamental.
 - i. In relation to 10.3.4, Organisations such as EWF, NEF, CSR, Women Entrepreneurs, etc. should be tapped. OI DC should be fully involved. The OI DB, the Island Council, 'Les Amis d'Agaléga' and

the 'Comité Diocésain, 1^{er} février' and all stakeholders, should work together for its implementation and monitoring, pending a Master Plan.

- ii. History of Agalega should be taught from Primary level onwards. The book of Father Dussercle *Agaléga Petite Île* is an excellent manual for secondary students.
- iii. A museum, with what is left of the ancient establishment and families, will be a living memory of traditions and culture, and an open book of history.

Ancient buildings should also be repaired and furniture refurbished.

In the near future, Education and Training should introduce a Village Council in each village, elected by the residents for the residents.

258. Health

- i. Modernity is not exempt from difficulties. Not long ago, daily work performed in the coconut fields, as at home, was enough to replace physical exercise. The population was kept healthy. Today, with modern trends, physical exercises is necessary in all lifestyles.
- ii. The sophisticated apparatus for physical exercise, in the Tsunami Centre ('Arche de Noé'. Ref picture 8.2.6) is under-utilised. No qualified physical instructor is available on both islands. An Officer of the Police/ SMF/Coast Guard and or any outstanding staff with a good knowledge in the concerned fields, can certainly help, pending the arrival of an official instructor. It is important to train two Agaleans in this field and later, they can become Physical Instructors at schools during school hours and attend to others in the afternoon, on a roster basis.
- iii. Medical care is an important issue in Agalega and much has been said thereon. It is true that the population on the islands amount to some 300 persons only. Investment in human resources should not be exaggerated. However, where life is concerned, in order to preserve it, all facilities should be available, regardless of money. The question of maternity is a complex one (Ref statement of Mr. Gino Alfred & Co. on 18/08/10. NO.189) An in-depth study is imperative to see to it. An incentive to increase the birth-rate in Agalega is recommended in the Collective Agreement of November 2009 (Doc. II 4.7.4/5) (Ref. 8.3.9).
- iv. Support from the 'Society for Aid to Children Inoperable in Mauritius' (SACIM) could be sought for the three handicapped children (Ref. 8.3.9).
- v. Water tanks, to collect rainwater, have been installed, especially for kitchen purposes. Pigeons soil the roofs of the houses and are sources of streptococci. They should be eradicated, especially where they flocked in the South. In case of drought, water pumped from wells is utilised. Poultry-keeping on large scale should be kept away from this source of water.
 - a. Both islands are infested with mosquitoes and rats (Appendix V 8.4.3). With the help of the Medical Staff, a proper sustainable campaign to keep the environment clean is urgently required. There is a close interaction between Health and the environment.

259. Agriculture

- i. Vegetables must be selected very carefully in Agalega, because of the poor sandy soil and climatic conditions prevailing. Actually, pests have spread all over the islands, and chemicals should not be used because of the fragility of the eco-system.

However, pumpkin, greens, lettuces, creepers etc. can be grown in particular conditions. An Agricultural Officer of AREU is setting up a Food Program in Agalega

An intensive training program, adapted to the island conditions, and starting at school level, could be launched. Very often, experts learn through the experience of local people. The contribution and advice of elders, with their experience of Agalega, should thus be sought, and plots of land, on a symbolic rental basis, could be allocated to interested families, for gardening and/or farming.

- ii. *Bassin Capucin*, the only pool in the North, can be exploited for farming, especially the breeding of ducks. A place in the South called *tranche*, can also be exploited. Training in this connection is needed.
- iii. Seychelles expertise could be sought in farming. Sharing between Agaleans and Seychellois in different fields would be beneficial.

260. Environment

- i. People are usually moody, living with a dull environment, whereas a good environment makes the inhabitants cheerful and enthusiastic. With intense cleaning and planning, Agalega could become a natural garden.
- i. Empty bottles, plastic, rusting iron sheets, old vehicles and thick bushes where mosquitoes and rodents nest can be seen here and there, on both islands, in spite of the goodwill of the administration (Appendix XII A).
- ii. A proper campaign to preserve the environment is imperative.
- iii. A cleaning campaign for a better Agalega may bring the inhabitants together and arouse their sense of civics duty and patriotism.
- iv. An '**Agalega Day/Week**' involving all Departments on the islands, can be organised to clean up Agalega, as a form of social activity. It can culminate with Independence Day and end with a Sports day and a Public performance by local artists.
- v. There are different coconut fields with different names. Their delimitation, with their proper names, will be a practical exercise in pedagogy to teach the History of Agalega to all the population, particularly young students. Names of streets and avenues should also be marked. This measure will reinstate the dignity of the people: from *Camp Noir* to *Avenue*, from *hut* to *bungalow*.
- vi. 10.6.4 Motor cycles, vehicles and the supply of power on the islands are sources of pollution. To reduce the high consumption of FUEL and thus emission of CO₂, wind-powered energy and photovoltaic would help. Coconut oil, as FUEL, helps to reduce the importation of petrol in Agalega, but further studies should be done on how to control pollution.
- vii. 10.6.5 Relatively speaking, Agalega should have the same privileges, in relevant fields, as Mauritius and Rodrigues (Ref. Gino Alfred Statement on 18/08/2010 N0.108 to 115; and Soopramanien No.310 - 313). This is why Gino Alfred in his hearing of 18/08/2011, claimed to name Mauritius as an Archipelago (Ref. Gino Statement on 18/08/2010 N0.697 to 703).

261. Security

- i. A Refugee Centre has been constructed in the North. Another in South island will be constructed soon. The population should be briefed from time to time, on how Management will proceed and what is expected from them, in the event of a tsunami, a cyclone or other calamities. The contribution of the Police and Coast Guard should be guaranteed well in advance.
- ii. Jetty at Port St. James is important. A study should be undertaken to devise safety measures for disembarking and embarking passengers. It is a blood-curdling manoeuvre for new visitors, especially when sea is rough. There must be an alternative disembarking point somewhere in the South, in case of an emergency. Consultation with the locals is essential.
- iii. As there are no traffic signs on the island, all drivers, including motorcyclists, should follow a Code of Conduct. Police should take its role seriously to prevent accidents. With the increasing number of motorcycles, the establishment of this Code of Conduct in the

absence of road signs, is very important. All owners of motorcycles should be obliged to follow these instructions.

262. Sport and Culture

- i. 1 (Ref. 10.3.1-2) Sport is one of the best means to fight anti-social habits. Drinking is on the rise. Boys and girls are prone to early sexuality. Idleness and lack of education are the main causes of this.
- ii. All facilities should be given to outdoor and indoor activities. The Ministry of Sport and Culture should extend its activities on Agalega, a territory of Mauritius. Agaleans could represent Mauritius in some athletic fields and in swimming, if given proper training.
- iii. With the help of the Coast Guard and the elders, regatta should be introduced. This will allow youngsters to develop their skills in canoeing, sailing, rowing, as their elders did. This practice will also help to develop skill in case of shortage of fuel or any breakdown or shortages on the island.
- iv. There are many talented artists in Agalega. Like diamond, they need polishing. Training in all fields is needed.
- v. Musical and sound system instruments are available in the Refugee Centre. Training to operate and maintain these instruments is needed.
- vi. Singing, Slam, sketches, Drama, Theatre are new avenues to exploit. This will contribute to fight against social ills and boost up the personalities and discipline of many young people.
- vii. Police Officers could provide important help in the field of indoor and outdoor games. The fitness apparatus in the Tsunami Centre could be then best utilised under their guidance.

263. Services

- i. During the dry season, bush fire is frequent in Agalega. The local male workers used to control fires in an archaic method, which is dangerous and time-consuming. With the increased storage of gas and fuel on the islands for different services, especially Jet Fuel for Civil Aviation and petrol and gas for Meteorological Station, and the local Management, security measures should be reinforced.
- ii. It is highly recommended that qualified Fire Officers from Mauritius should train young volunteers on Agalega. Discipline, drill and maintenance of equipment, sanctioned by a test, should be included. Successful candidates could wear uniforms. This would not give them the right to neglect or abandon their employment with the OI DC. A roster system and a work arrangement should be established between the OI DC and those concerned (Doc. II 3.9).
- iii. At present, in Agalega, there is only one qualified skipper, trained in Mauritius. With the development of the Islands and the promotion of the self-esteem of the workers, more skilled boatmen/skippers are needed, especially to work on the embarkation and disembarkation exercises. Training is given at Naval School of Mauritius. Interested candidates could be sent there for training. Working arrangements, as indicated above, could be negotiated with Management.
- iv. Facilities should be available, in Polytechnic School, *Ecole hôtelière* etc., to follow courses in fields likely to help Agalega.
- v. More and more visitors from Mauritius are keen to visit this remote Mauritian territory. No hotel, restaurant or *Table d'Hôte* exist because this was thought to be of no avail. With modern communication and access facilities, a system of restaurants or Bed and Breakfast will soon become necessary. This will also be useful for residents on visits to another island or to Officers on duty. Training courses should be made available to interested parties (Ref.10.3.4).

264. Religion and social

- Religion is not only a question of spirituality, but it also helps in the promotion of

Integral Human Development.

- Since the very beginning of the development of Agalega, the Catholic Church was present, and it has helped to introduce religious and moral values to the people (Soopramanien statement of 18/08/2010 N0,579 to 603). The remoteness of the island did not allow the Diocese to send a permanent priest, but Missionaries were sent, as and when possible.
- In 1972, the two schools on Agalega were set upon a permanent basis by the Roman Catholic Education Authority, with the help of the Mauritian Government. The couple of teachers, who were sent, and their successors also catered for upgrading the social life, sporting and cultural activities. Today, the presence of two nuns is vital to family counseling and house-keeping.
- As 100% of the Agaleans are Christians the presence of the Church should play an important roll in the development of the population. As it has a long experience in the field of training and in Human Development, facilities should be given to the Church to assist in the development of the islanders and their islands. On application, the Bishop of Port-Louis can send couples or qualified trainers for a certain period, in agreement with the OI DC to conduct training courses on Leadership and Community Development. All projects should be done in consultation with the residents. The PRO of the OI DC has a prominent role to play in the field of diffusing information about, and in the monitoring of projects.

265. Discipline

- The implementation of a good Code of Conduct is a sign of good Management. A whole detailed chapter (Doc II; N0.5 P. 20-24), referring to Disciplinary Procedures, is inserted in the Collective Agreement signed on 24 November 2009 between the OI DC and the Employees of the OI DC residing at Agalega. But still, the inhabitants would like to have a visiting Magistrate occasionally on Agalega to hear Police Cases, instead of transferring the presumed accused to Mauritius for trial (TJC hearing; Soopramanien No. 354 - 376).

266. Economy

- i. With the sudden and unexpected rise in salaries, due to a long struggle since February 1981 (Ref. *Pétition des habitants d'Agaléga*, Appendix XV), some families have entered into a spiral of uncontrolled consumption. As employees of the Corporation, they are now entitled to obtain loans from the Mutual Aid. Motorcycles, TV and Video sets, Refrigerators, Washing Machines and other domestic appliances, are bought on hire purchase at any cost. Some families have even their own generators, in case of power cuts. A Counselor in Consumer's Protection is needed, to advise the population properly.
- ii. In the event of producing handicrafts with local materials, and other by-products derived from coconut trees, and/or sea shells, a Cooperative Craft Industry could be opened and articles sent to Mauritius for sale. The OI DC can open a shop for Agalega craft products. SMIDO can sustain such projects. A OI DC Public Relations Officer, together with the Purchasing and Marketing Officer, should be put to work.
- iii. Selling cakes, sandwiches and drinks are sold here and there on both islands. The setting up of small businesses is of interest to some families. The shops, run by the OI DC, can later become a cooperative shop run by Agaleans. Training of the whole population in a Credit Union Society is very important.
- iv. Now that currency is present on the island and that modern trends are not a secret through TV, hairdressing, dressmaking, shoemaking courses could be run by resource persons found on the islands. Those interested can also follow courses in Mauritius (Doc. II 3.9; 4.4.7). These issues are important for the construction of a stable society.

- v. Those coming events will certainly bring more students to Mauritius. The OI DC should continue to make provision for them and for those who come on medical grounds. The PRO will have much to do.
- vi. It is the dream of some Agaleans to find, one day, one of theirs occupying a permanent posts in the Office of the OI DC in Port Louis. With proper training and qualifications, it is obvious that this dream will, eventually, become reality. The Collective Agreement of 2009 stipulates:
 - a. *“The Corporation shall set down an employment application list. Any resident interested to work for the OI DC shall submit his application accordingly. This registration unit will serve the purpose of an employment bureau. Recruitment on the OI DC establishment shall be made from that list. Otherwise the names of the applicants may be communicated to other employers” (Doc. II; 2.2.5).*
 - b. The term ‘any resident’ should be extended to ‘any Agaleans or Agalean descendants’.

RECONCILIATION

23. FOR BETTER REPRESENTATION OF MINORITIES AND UNDER-REPRESENTED GROUPS

THE COMMISSION FINDS:

There are many groups, linguistic and cultural who are neglected in official national events and who also deserve to have their history and contribution to Mauritius recognized. These include, for example, the *Gens de Couleur*, tribal groups from India, Indo-Christians, Agaleans, Rodriguans, and so on.

THE COMMISSION RECOMMENDS:

267. That a review of the present electoral boundaries must be undertaken in order to ensure the better representation of ethnic minorities.
268. Under-representation of ethnic minorities at the level of Parliament and Cabinet is a cause of frustration and may lead to political instability.
269. Some functions of the Public Service Commission, the Local Government Service Commission and the Discipline Forces Commission, should be revisited. The practice of delegation of powers through the appointment of minor grade officers to different Ministries continues to give rise to frustration and has resulted in the exclusion of minorities, more particularly for creoles.
270. The abolition of the Best Loser System should only be envisaged in the context of an overall review of the Constitution which would ensure a fair and equal representation of ethnic minorities.
271. Consideration be given to all Mauritians living abroad, in other countries, who emigrated, either at the time of Independence or more recently, be encouraged to return to the motherland to help in the development process.
272. To perpetuate the memory of the first Indo-Christians who came under the Indentured immigration, that the Parish Hall constructed in 1872, and located within the precinct of the St. Anne Catholic Church in Stanley Rose Hill, be proclaimed as a site of memory and be scheduled as a National Heritage Site.

24. INDIAN IMMIGRATION ARCHIVES

THE COMMISSION FINDS:

- The political decision to block public access to caste data has led to the effective closure of this public archive to the public, Mauritian historians and students and those of indentured ancestry
- The Immigration Archives are located in an institution named after Mahatma Gandhi, the apostle of 'Truth' and 'Non-Violence'. The Institute has stated that access to the 'truth' in the archives would cause riots.
- The Creole population is largely made up of people with at least one grandparent of Indian origin but when attempting to trace ancestry are not made welcome at the Mahatma Gandhi Institute
- The State of Mauritius and Ministry of Arts and Culture has abdicated its role and responsibility for the professional management of these Archives yet is applying to UNESCO for Memory of the World Register
- There is no professionally-prepared Management or Conservation plan for these Archives only hurriedly concocted ones.
- There is no professional archivist in charge of the Archives.
- There is insufficient space for researchers and an absence of professional courtesy on the part of the staff.
- The staff belongs to an NGO which also undertakes research and publishes their work privately. There is thus a conflict of interest as the same staff decides on access for other researchers.
- The form given to members of the public concerning their ancestral data does not contain all information on that ancestor that is available in the documents. Moreover this information is often not fully verified by a second person.
- The close relationship between the management with socio-religious associations is a matter of grave concern.
- The Institute has never bothered to undertake an educational campaign to explain the nature of archives, how registration of immigrants was carried out in the 19th century, why peoples' castes may have been listed, and why people have chosen to change castes at registration time and so on. This has led to unnecessary court cases.
- The Institute does not allow names and numbers of indentured immigrants to be published
- The Institute wrongly labels tribal immigrants as 'Hindu' in its database
- Many public funds are going into expensive software without any proper supervision, monitoring and discussion as to how data is selected, collected.
- The Immigration Archives functions currently only as a genealogical centre.
- The diversity of opinions expressed requires an honest and open debate. Some of these include:
 - 'Casteism no longer exists and there is no need to show the caste background of people'
 - 'Casteism exists only in politics, it is not acceptable but it exists. Let the topic remain unresearched, as it only comes up only every 5 years'

- ‘Casteism still exists (marriage, politics, temple entry and rituals) and must be researched and brought out in history books. Cases of discrimination must be brought out’
- ‘All data on caste should be public as any other data concerning ancestors as Hindus are mature enough to accept their origins’
- ‘Only politicians and sociocultural groups want to hide their origins’
- ‘TJC should be allowed to access any data as they are not anarchists intent on destroying Mauritian society’
- ‘Other groups show their real ancestry nowadays, and it is accepted that Mauritians are not what they say they are, why not Hindus?’
- ‘Mahatma Gandhi Institute can deny access on grounds that the truth will cause riots’
- ‘We did not give access because there are many errors in the database and there was a problem of cabling and it will cause social unrest’
- ‘I wrote the letter to SIL not to give access because I do not agree to give access as I acted in good faith the interests of my institution’
- ‘Vaish people want to hide that they were low caste when they came and/or they were not majority at the time of immigration yet are the majority today’
- ‘Rajput (formerly Dosadh) want to hide they were low caste’
- ‘High caste want to hide they gave wrong information in order to be allowed to emigrate and were listed wrongly as low caste’
- ‘Mrs. Teelock has no experience and will cause havoc in this country, Mr. Moutou says some groups don’t have a fair share of the national cake’
- ‘I am ashamed to be Indian’
- ‘Showing real caste will send quite a few Indo Mauritians to Cardiac Unit’

THE COMMISSION RECOMMENDS:

273. That the political decision to block access be reversed as it is now antiquated and has no place in 21st century Mauritius.
274. That a full inventory is carried out and compared to original lists of documents and artifacts compiled during the transfer. The missing registers and artifacts to be officially reported.
275. That the Archives be returned to the National Archives as soon as National Archives are located in an appropriate building.
276. That the computerised data be fully verified and be made accessible online to the public
277. That the management rethinks its access policy and increase space available to researchers pending relocation as this is likely to take time.
278. The genealogical service provided by the Institute be separated from the Archive and be conducted elsewhere as the Archive is a ‘historical’ archive not a ‘civil status’ office
279. That the Apravasi Ghat Trust Fund currently the *only* institution to be legally entrusted with the preservation of the history and heritage of indentured immigrants be consulted concerning the management of the Immigration Archives and access to them.

280. That existing competent graduate staff within the Institute be seconded to manage the Archives rather than appointment of school leavers. It can very easily request the Indian Government for scholarships to send these staff for additional training at the National Archives of India.
281. The Management ceases immediately blocking access to caste data.
282. Urgent measures to conserve the most fragile documents are taken especially the photos which have become unglued from their pages. Here too the technical assistance of the Government of India and China can be sought given the close ties between these countries and Mauritius.

25. RECONCILIATION

THE COMMISSION FINDS:

- Reform of economic, social and ideological structures and creation of new institutions must take place to increase social justice, and for any reconciliation to take place.
- Mauritians have come from different corners of the world to settle, many forcibly. Each wave of migration has been characterised by specific linguistic cultural and religious traditions. All these groups, in one way or another, have serviced the colonial economy and continue to do so in modern Mauritius.
- Fundamental class, ethnic, caste and gender divisions still exist in Mauritian society today.
- The Mauritian economic elite, the intellectual community and the established political class have contributed to this state of affairs.
- The media and the intellectual community have played a negative role in dividing the population, by encouraging compartmentalisation of cultures. They have collectively fostered ignorance of how others live and do not show the real unity that exists in Mauritius and among Mauritians. The Commission has been made acutely aware of this fact through the hundreds of interviews it has collected in the past two years. There is much more interaction at the grassroots level than is projected in the media.
- Dividing the working classes of Mauritius has always been the strategy of the elite, past and present, and characteristics were assigned to different groups who were placed in competition with each other.
- The strategy of 'divide and rule' has not always been successful, and the period leading to Independence provides a good example of this. After independence, the work of division took on a new turn, with division on religious and caste grounds being added to the mix. New parties emerged as a result of this and communal hatred was thus accelerated; the new generations born of this communalism are unaware of the common origins.
- *Métissage* is a fact of life, but little recognized or accepted by most Mauritians. Mauritians have much more in common than they think they have and are much more united than they think they are.
- The Independent State has never had a road map towards nation-building and reconciliation and has, therefore, been weak in efforts to encourage a National Identity and Culture and in securing more economic democracy.
- Little, or not enough, has been done to encourage a national spirit in the minds of the people.
- Despite the proliferation of institutions, such as the Ministry of Education, Culture, Empowerment, Sports and Parastatals, these have failed in their mission to promote a national spirit and the possibility of reconciliation.
- The media has failed lamentably in infusing a sense of national unity and practising an inclusive policy.
- There is an absence of any intellectual debate. Debate in the media is, instead, focused on politicians and their antics.
- Nation-building does not appear to be the priority of the media.
- There is, thus, a difference between what is officially portrayed and what exists at grassroots level.

THE COMMISSION RECOMMENDS:

283. That in the light of injustices suffered by slaves and indentured labourers and their descendants, the Republic of Mauritius and other institutions make an official apology through the President of the Republic, the Prime Minister and private institutions connected with slavery and indenture, such as the Catholic Church, the Chamber of Commerce and the Mauritius Sugar industry
284. That a resolution be made and passed at a Special Session of the National Assembly.

THE COMMISSION FURTHER RECOMMENDS, IN THE INTEREST OF NATIONAL RECONCILIATION:

285. That the media actively promote a better knowledge of the culture of others through high quality programmes ;
286. That the true origins of Mauritians be revealed;
 - That the factors that unite Mauritians be highlighted, rather than their superficial differences;
287. That the Education System, which has promoted division rather than unity, review its agenda and rethink its role in Mauritius;
288. An Institute for Intercultural Affairs be created by the Government;
289. With regard to the relationship between politics and religion, Government and political parties should not associate with religious bodies;
 - In this way, the Government will be protected against undue interference from religious organizations;
290. Freedom of expression should continue to be encouraged and liberalisation of television channels should be considered.

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- ¹⁶⁰ See Megan Vaughan.
- ¹⁶¹ COL-C4-29-48
- ¹⁶² Muslim Jumeer, p. 87.
- ¹⁶³ COL-C4-15-1763-1765 Corr. Gén., Desforges Boucher, Gouverneur, Mémoire sur les travaux Civils, Militaire et de la Marine; Essai d'un projet pour les îles de France et Bourbon, 26 Juin 1764.
- ¹⁶⁴ COL-C4-2, 1733, Maupin to Cossigny and COL-C4-2-005, « Que la compagnie donne 20 soldes à chaque noirs d'habitant qu'on loue pour les travaux de l'Isle de Bourbon parce que le soldat conviendrait mieux parce qu'ils serviront à se défendre en cas d'attaque des ennemis. »
- ¹⁶⁵ COL-C4-2 Conseil Supérieur de l'Isle de France. Règlement. « Il ne sera payé par la compagnie lorsqu'on lui fournira, dans ses besoins des noirs que 15 soldes par jours pour chaque noirs et les habitants qui les loueront les uns aux autres ne pouvant en exiger d'avantage, à peine de concession... ».
- ¹⁶⁶ COL-C4-8-02 Over Lozier Bouvet)
- ¹⁶⁷ COL-C4-8-2 1754 Corr. Gén., Bouvet, Ecrits entre le Conseil et M. Cossigny - Lettres relatives du Conseil à la Compagnie, Lettre du 11 mars 1754.
- ¹⁶⁸ COL-C4-60 Mémoires de Vicomte de Souillac & de M. Chevreau, Tableau général et abrégé de la population de l'Isle de France, suivant les recensements de Janvier 1785, (40) ff. 21 recto à (44) ff. 23 verso.
- ¹⁶⁹ Col-C4-1, 1732, Requête de M. Teinturier de Gennicourt, habitant de l'île de France, 'Fournir aux habitants des noirs en quantité suffisantes au moins au nombre de 12 à 15 maniant haches en égard à la quantité de bois dont l'île est entièrement recouverte »
- ¹⁷⁰ COL- C4 - 15 (56) Memoire sur les noirs
- ¹⁷¹ COL-C4-15-1763-1765 Corr. Gén., Desforges Boucher, Gouverneur, Mémoire sur les travaux Civils, Militaire et de la Marine.
- ¹⁷² COL-C4-15-246-247
- ¹⁷³ COL-C4-3 Corr Gén. Cossigny Ingenieur Projet de conduire l'eau a la Grande Riviere
- ¹⁷⁴ COL -C4-15 1763-1765 Corr. Gén., Desforges Boucher, Mémoire de M. Godeheu, 1763 Mémoire sur les travaux Civils, Militaire et de la Marine.
- ¹⁷⁵ COL-C4-3 1738-1739 Corr. Gén. 1738 M. de Cossigny, ingénieur Concernant le bois.
- ¹⁷⁶ COL-C4-5 1747 Letter to Conseil Supérieur Issue of M. Meygnier, Extrait de la lettre du Conseil du jour, de l'Isle de France du 9 Janvier 1747 Carton 161, No 4 (11 pièces).
- ¹⁷⁷ COL-C4-5 1746-1748 Corr. Gén. M. David, gouverneur. 1747 Affaire de M. Meygnier, chirurgien-major, propriétaire d'un marais à sel à l'Isle de France; Lettre au Conseil Supérieur de l'Isle de France.
- ¹⁷⁸ COL-C4-9 1755-1757 Corr. Gén. 1756 M. de Candos 20 Février 1756- recrutement des noirs de la Compagnie.
- ¹⁷⁹ COL-C4-2 1753 Conseil Superieur, Extraits des ouvrages faits par Cossigny.
- ¹⁸⁰ COL-C4-13 1761 Corr. Gén. M. Desforges Boucher, gouverneur - Extrait de la lettre par apostille du Conseil Supérieur de l'Isle de France du 4 Septembre 1761 répondant à celles de la Compagnie depuis Janvier 1760 jusqu'au 21 Mars 1761.
- ¹⁸¹ COL-C4-14-2 1762 Corr. Gén., M. Desforges Boucher, gouverneur.
- ¹⁸² COL-C4-14-2 1762 Corr. Gén. Frais de régie actuelle, engage d'européens et autres dépenses.
- ¹⁸³ COL-C4-6 1749-1750 Corr. Gén. M. David, 1750 Mémoires divers : Réflexions anonymes pour l'intérêt de la Compagnie des Indes au sujet des Isle de France et de Bourbon.
- ¹⁸⁴ COL-C4-11 - 1759, Reponses de M. Gosse à la letter et mémoire de Magon, 10 June 1759
- ¹⁸⁵ COL -C4-15 1763-1765 Corr. Gén., Boucher, 1764 Mémoires; Renseignements divers.
- ¹⁸⁶ COL-C4-7-2 1751-1753 Corr. Gén. David, de Lozier Bouvet, gouverneurs, Mémoire 31 octobre 1753.
- ¹⁸⁷ COL-C4-17 1767 Corr. Gén. Dumas, Copie du Réquisitoire de M. le Procureur Général à Messieurs du Conseil Supérieur de l'Isle de France, 22 Octobre 1767.
- ¹⁸⁸ COL-C4-4 Corr gen. Article 3.
- ¹⁸⁹ COL-C4-14-1 1762 Corr. Gén. Desforges Boucher, Etat des noirs marron tués et pris tant par les noirs de la Maréchaussée que par les noirs.
- ¹⁹⁰ COL-C4-4 1740-1745 Corr.Gén. Labourdonnais, Gouverneur Délibération du Conseil.
- ¹⁹¹ COL-C4-7-2, 1751-53.31 Octobre 1753 Mémoire, Art. 1.
- ¹⁹² COL-C4-12-2, Journal de Desforges Boucher, Réponse à la lettre de M. le Comte D'Aché au Conseil, 2 Aout 1760.
- ¹⁹³ COL-C4-15 1763-1765 Corr gén, M. Desforges Boucher Mémoire de M. Godeheu, 1763 Mémoire sur la défense des îles de France et de Bourbon, Paris, le 20 Mai 1763.
- ¹⁹⁴ COL-C4-13 1758, Corr. Desforges Boucher, letter of 4.9.1761.
- ¹⁹⁵ COL-C4-10-014 Magon Corr, Gen, Lettre du 21 septembre 1758.
- ¹⁹⁶ Col-C4-5 Letter of M. de Rostaing to Conseil Superieur, 25-3. 1748.
- ¹⁹⁷ C4-7-1, 1751-1753, Corr. David. et au lieu d'aller chercher des noirs bien loin et a grands frais, on en prendrait a Madagascar parce que comme on vient de le dire, la perte et les sentinelles redoubles empêcherait le marronnage
- ¹⁹⁸ COL-C4-11-088 1759 Corr. Gén. Magon, Lettre de M. Cossigny.
- ¹⁹⁹ COL-C4-14-2-223 Mémoires et projets, renseignements divers, Mémoire du Comte d'Estaing : Nottes sur l'Isle de France, 11 Mars 1762.
- ²⁰⁰ COL-C4-12-01 1760 Journal de M. Desforges Boucher, Partage des noirs de la Marine en 3 classes pour servir à la défense de l'île, 'J'ai partagé les noirs de la Marine pour servir a la défense de l'Isle, comme les feront un peu tout ceux les habitants. Ce seront trois corps dont les a composé de noirs fusiliers, c'est-à-dire les noirs les plus surs et les plus

fideles, le second des noirs lanciers auxquels on ne peut accorder qu'une médiocre confiance et le troisième des noirs pionniers ; dont on ne pourrait tirer aucune autre sorte de service, mais qu'il est essentiel d'employer afin de ne laisser personne inutile.'

- ²⁰¹ C4-12-11760 Journal de M. Desforges Boucher, gouverneur, à commencer du 28 mai 1759 jusqu'au 1^{er} octobre inclus.
- ²⁰² Megan Vaughan. The Labours of Slaves in eighteenth century Mauritius, Paper presented at the Truth and Justice Commission International Conference Slave Trade, Slavery and Transition to Indenture in Mauritius and the Mascarenes 1715-1848, 11-13 April 2011.
- ²⁰³ COL-C4-24 -177 Lettre de M.M. Desroches et Poivre du 2 aout 1769
- ²⁰⁴ COL-C4-1 1714-1732 Corr. Gén. MM De Nyon, Dumas, de Maupin, gouverneurs 1732 Requêtes au Roi par M Teinturier de Gennicourt.
- ²⁰⁵ COL-C4-10 1758 Corr. Gén. M. Magon Lettre du 21 septembre 1758.
- ²⁰⁶ COL-C4-3 1738-1739 Corr. Gén. M. de Labourdonnais, gouverneur, Détail de tout ce qui s'est passé dans l'île dans le courant de l'année 1737.
- ²⁰⁷ COL-C4-4 1740-1745 Corr. Gén. M. de la Bourdonnais, gouverneur Etat des esclaves de la Compagnie
- ²⁰⁸ COL-C4-8 2 17 Etat de la fourniture que le Sr Vigoureux a faite à la Compagnie en septembre et octobre 1753, en conséquence du marche accepte par le Conseil le 24^e de la meme annee.
- ²⁰⁹ COL-C4-10 1758 Corr. Gén. M. Magon, Recensement des gens qui prennent leurs vivres dans les magasins de la Compagnie.
- ²¹⁰ COL-C4-12-1 1760 Journal de M. Desforges Boucher 11 novembre 1759.
- ²¹¹ COL-C4-12-1 1760 Journal de M. Desforges Boucher, gouverneur, à commencer du 28 mai 1759 jusqu'au 1^{er} octobre inclus C4-12-17 Juillet 1760 Etat de la consommation par mois par personne, juin 1760
- ²¹² COL-C4-12-2 Lettre de M. Moudion à Mrs Les Syndics et Directeurs de la Compagnie des Indes, 20
- ²¹³ COL-C4-13 Corr. Gén. M. Desforges Boucher, gouverneur Lettre du 4 septembre 1761
- ²¹⁴ COL-C4-13 Corr. Gén. M. Desforges Boucher, gouverneur Extrait de la lettre par apostille du Conseil Supérieur de l'Isle de France du 4 Septembre 1761 répondant à celles de la Compagnie depuis Janvier 1760 jusqu'au 21 Mars 1761 Art. 2
- ²¹⁵ COL-C4-18 1767 Corr. Gén. M. Poivre, intendant 30 Novembre 1767, Prix courant de la compagnie pour un noir.
- ²¹⁶ COL-C4-28 Correspondance générale Chevalier Desroches Gouverneur général 1771-28 3 septembre 1771
- ²¹⁷ COL-C4-28 1771 -93 Etat des dépenses de l'année 1771
- ²¹⁸ COL-C4-29 1771 Corr. Gén. M. Poivre, intendant 4 aout 1771
- ²¹⁹ COL C4-32-20, 31 1772 Corr. Gén. Maillart
- ²²⁰ COL C4-41 suite Corr. Gén. Maillart, Intendant 1776
- ²²¹ COL C4-41-775 1776 9 septembre 1776 Lettre concernant Les dépenses faites
- ²²² COL-C4-47-110,12 janvier 1778 Etat général des esclaves du Roy existant et réflexions a cet égard
- ²²³ COL-C4-52-1 1780 Corr. Gén. le Vte de Souillac 11 Juillet 1780 recensement des esclaves du Roi au 1er Mai 1780
- ²²⁴ Corinne Masson,, "Les esclaves de l'État a L'Île de France 1803-1810 - Le cas des Noirs de la direction d'artillerie. 109
- ²²⁵ Masson, p.102. We need to remember the discrepancies of the data on the slave population between different sources for 1806 ranging from 60,646 to 68,655 for 1806, for 1809 fom 67,310 to 72,610.
- ²²⁶ Masson, R. "The Powder Mills Artefacts: Slave Identification Badges?" Truth and Justice Commission International Conference on Slave Trade, Slavery and Transition to . 2011.
- ²²⁷ Henri Prentout, L'Isle de France sous Decaen, p.131.
- ²²⁸ Amedee Nagpapen, Les Indiens a l'Isle de France, acculturation ou Deculturation.
- ²²⁹ Laurent Sermet, Esclavage et libertés : le Code civil colonial, Truth and Justice Commission, International Conference on Slave Trade , Slavery and and transition to indenture in Mauritius and the Mascarenes 1715-1848,
- ²³⁰ Sermet.
- ²³¹ MNA: E2B no 168.
- ²³² MNA: D/10C.
- ²³³ Jumeer, p.153 onwards.
- ²³⁴ Bonsergent, p.7.
- ²³⁵ Bonsergent, p.22.
- ²³⁶ See Vaughan and Teelock.
- ²³⁷ Census returns, electoral lists.
- ²³⁸ Jean Michel Andre, *Les Engages de la Compagnie des Indes Marins et Ouvriers*, Service Historique de la Marine, p.93.
- ²³⁹ Andre, Engages de la Compagnie, p.129.
- ²⁴⁰ MNA:IB 25/No.59, Letter from Charles Telfair to HM Commissioners of Inquiry, 24th March 1827;List of All Prize Negroes Apprenticed to Mr. Charles Telfair, March 1827.
- ²⁴¹ Letter from the Free Labour Association to the Imam of Muscat, 8 June 1840, MA: IA/26; quoted in H. Ly Tio Fane, 'Aperçu d'une Immigration Forcée', 10.
- ²⁴² Ly Tio Fane, 'Aperçu d'une Immigration Forcée', 11.
- ²⁴³ John Scoble, Hill coolies: a brief exposure of the deplorable condition of the hill coolies in British Guiana and Mauritius, and of the nefarious means by which they were induced to resort to these colonies. Wilson Anti-Slavery Collection, (1840) Electronic resource: URL: <http://www.jstor.org/stable/60227718> Accessed: 05/01/2010 01:02
- ²⁴⁴ House of Commons, BPP online, Report of Thomas Hugon Upon the subject of Indian Emigration, 29 July 1839, encl. 9, no.2 in Sir William Nicolay to Lord John Russell, 13 January 1840, p. 185.
- ²⁴⁵ At the time of writing, TJC has learnt that this volume has just been sent for conservation!
- ²⁴⁶ Report of Hugon, Indian Emigration, p. 188.
- ²⁴⁷ Report of Hugon, Indian Emigration, p. 188-9.
- ²⁴⁸ Proposed despatch of EIC to GG India January 1844, p.362.
- ²⁴⁹ Anderson to GG 27 October 1843, p.364
- ²⁵⁰ Sessional Papers, session 1844, despatch no 16, Governor Gomm to Lord Stanley, 320.
- ²⁵¹ Colonial Secretary to C Anderson Ag Prot of Emigrants, 362.
- ²⁵² Report of Hugon, Indian Emigration, p.191.
- ²⁵³ Minute from GG 2 November 1843, 367.
- ²⁵⁴ Grierson, p. 8.
- ²⁵⁵ Grierson, p. 25.

- ²⁵⁶ Grierson, p. 12.
- ²⁵⁷ Shahabad district was later divided into three areas today known as Bhojpur and Rothas districts.
- ²⁵⁸ Grierson, p.5 of Diary.
- ²⁵⁹ Diary of grierson, p.9.
- ²⁶⁰ George, Grierson. Report on Colonial Emigration from the Bengal Presidency, 1883, p.40.
- ²⁶¹ Grierson, p. 18.
- ²⁶² Grierson, p. 19.
- ²⁶³ Grierson, p. 22.
- ²⁶⁴ Marina, Carter and Crispin Bates, Empire and locality: a global dimension to the 1857 Indian Uprising, *Journal of Global History* (2010) 5, p. 68, doi:10.1017/S1740022809990337.
- ²⁶⁵ Bose Nirmal Kumar, *Tribal life in India* (New Delhi Press, 1971), p.8.
- ²⁶⁶ Grierson, Report on Colonial Emigration.
- ²⁶⁷ A. Devi Nirsimloo-Anenden, *The primordial link Telegu Ethnic identity in Mauritius*, MGI, 1990, pgs. 122 and 126 for diagrammatic representation of northern and southern Indian rituals practised by Telugu-speaking descendants.
- ²⁶⁸ Nirsimloo-Anenden, *The primordial link*, p.135,
- ²⁶⁹ La Rose et le Henne, p. 17
- ²⁷⁰ Yassin Karimullah, Mapping of Migration, Memory and Family History in Port Louis and Vallée-Pitot, MA Dissertaion, Unlversity of Mauritius, 2011.
- ²⁷¹ See for example the preliminary but pioneering undergraduate thesis of Nazia Dilbur on Muslim marriages or MA dissertation of Yassin Karimullah from the University of Mauritius.
- Mapping of Migration, Memory and Family History in Port Louis and Vallée-Pitot
- ²⁷² Frere and Williamson, 1875, p.303-311. Analysis of Leo Coucaud.
- ²⁷³ According to the Royal Commissioners, it actually worked out that labourers were fined two days wages and one-fifth of a third day for every day they were marked as being illegally absent or sick.
- ²⁷⁴ See pages 323-324 of the report for an attempt by the Royal Commissioners to estimate for the year 1871 the amount of money planters allowed themselves to save through the illegal use of the double-cut.
- ²⁷⁵ Frere and Williamson, 1875, p. 310-311.
- ²⁷⁶ Frere and Williamson, 1875, p.310.
- ²⁷⁷ Frere and Williamson, 1875, p.312
- ²⁷⁸ Frere and Williamson, 1875, p.403.
- ²⁷⁹ Frere and Williamson, 1875, p.414
- ²⁸⁰ Frere and Williamson, 1875, p.416, 418
- ²⁸¹ Frere and Williamson, 1875, p.353
- ²⁸² According to the said ordinance planters were required to provide “sufficient and wholesome lodging according to the usage of the colony” which as the Commissioners pointed out could have been interpreted any number of ways.
- ²⁸³ Frere and Williamson, 1875,p.351.
- ²⁸⁴ Frere and Williamson, 1875,p.591.
- ²⁸⁵ These recommendations were legally enshrined in the Labour Ordinance of 1878.
- ²⁸⁶ Cited in Balfour, 1921, p.15.
- ²⁸⁷ In her later work, Carter (1994, 1995 states that a number of female indentured labourers were employed on a temporary basis or verbal contracts that did not appear in the official figures. She also points out that those women who were not officially employed often helped their male partners to complete set tasks or spent their time sowing vacoas bags or rearing livestock for their families.
- ²⁸⁸ PRO: CO 167/283, Gomm to Grey, dt. 11 June 1847.
- ²⁸⁹ OIOC: L/PJ/6/79, File No 1285/1882.
- ²⁹⁰ Report of H.N.D. 7 June 1869 in PP C.151/1870.
- ²⁹¹ Deposition of Manilal Doctor, *Report of Royal Commission 1909*, Pt II, Appendix B, pp.157-165.
- ²⁹² Amit Mishra, Regulating the marriages among the indentured labourers and their descendants in Mauritius, p.32.
- ²⁹³ Ordinance 1908 - The Labour Law Amendment Ordinance
- ²⁹⁴ MNA: B2/IR Report of Mitchell on Wolmar estate/1872.
- ²⁹⁵ MNA: RA 561, letters concerning indenture Dr Steward to George F. Dick 14th Jan. 1837 “... A certain number of coolies on board the Letter from Rowlandson of Feb 28th 1837 to A. Steward.
- ²⁹⁶ MNA:RC series 29, Letters concerning Immigration,re: Immigration Agents, 12 December 1844. Information kindly supplied by Satyendra Peerthum.
- ²⁹⁷ MNA: PB series 14 Letters sent - Superintendent Powder Mills.
- ²⁹⁸ MNA: Blue Book 1864.
- ²⁹⁹ MNA: B2/PIR/1876.
- ³⁰⁰ Bissoondoyal, Uttama, ‘Education and Multicultural Agenda’ in Nirsimloo-Gayan, S., (ed. *Towards the Making of a Multicultural Society*, MGI, Mauritius, 2000, p.149; Kalla, C., ‘A Review of the Schooling of Indian Labouring Class (1850-1900 in Mauritius’ in Bissoondoyal, U., (ed. *Indians Overseas: The Mauritian Experience*, MGI, Mauritius, 1984. p.187.
- ³⁰¹ Statement of Manilal Doctor, Report of Royal Commission, 1909, Pt. II, p.160.
- ³⁰² J.W.P. Muir Mackenzie, Report of the Conditions of Indian Immigrants in Mauritius.1893, p.39.
- ³⁰³ PRO: CO/167/806, File Nos 22-36.
- ³⁰⁴ Statement of J. F. Trotter, Report of Sanderson Committee, 1910, Pt. II, p.356.
- ³⁰⁵ Statement of Manilal Doctor, Report of Royal Committee, Part B, p.160.
- ³⁰⁶ Question posed by Coucaud, Vol 3.
- ³⁰⁷ Daniel North-Coombes, ‘Struggles in the Cane Fields: Small Cane Growers, Millers, and the Colonial State in Mauritius, 1921-1937’ in M.Daniel North=Coombes, Ed.W.M Freund, *Studies in the Colonial Economy of Mauritius* (MGI, Moka, 2000, p.144.
- ³⁰⁸ Analysis of Satyendra Peerthum.
- ³⁰⁹ See Colony of Mauritius: Report of the Commission of Enquiry into the Disturbance which occurred in the North of Mauritius in 1943 (London,1944, p.26-27.

- ³¹⁰ Alfred North-Coombes, *A History of Sugar Production*, p.33.
- ³¹¹ Ali Zafar, *Mauritius: An economic success 2011. Africa Success stories project, World Bank.*
- ³¹² EPZ Act 1970.
- ³¹³ EPZ Act 1970.
- ³¹⁴ Ali Zafar 2011, *op. cit.*
- ³¹⁵ Report of the Select Committee on the Industrial Relations Act, April 1983.
- ³¹⁶ Report of the Select Committee on the IRA, *op. cit.*
- ³¹⁷ *Employment Relations Act, 2008.*
- ³¹⁸ *Employment Rights Act, 2008.*
- ³¹⁹ *Australian Services Union - Good Practice Guide for Occupational Health and Safety in Call Centres.*
- ³²⁰ Report by S. Wilberforce, July 1913
- ³²¹ S. Wilberforce *op. cit.*
- ³²² Report on the working of Cooperative Credit Societies, 1914
- ³²³ Report on the working of Cooperative Credit Societies, 1915
- ³²⁴ Burrenchobay, *Cooperatives in Mauritius, 1957*
- ³²⁵ Burrenchobay, *op.cit.*
- ³²⁶ PRO: CO 167/188, Despatch no 290 of Lord Gelnelg to Governor Nicolay, 25 May 1836, p. 230-234.
- ³²⁷ PRO: CO 167/182, Papers relative to the Abolition of Slavery, Letter of Superintendent Special Justice to Colonial Secretary 22 April 1835, p.213.
- ³²⁸ James Backhouse, pgs. 54-55.
- ³²⁹ Condorcet, sous le nom Schwartz (J.), *Réflexions sur l'esclavage des nègres, 1781*, quoted in Laurent Blériot, quoted in 'La loi d'indemnisation des colons du 30 avril 1849 : aspects juridiques', p.148.
- ³³⁰ Blériot, p. 152.
- ³³¹ Blériot, p. 160
- ³³² Quoted in Bleriot, p. 161.
- ³³³ Karishma Bundhooa, Female apprentices in Mauritius, University of Mauritius BA dissertation, UoM. 2010, 19.
- ³³⁴ Bundhooa, Female apprentices, .
- ³³⁵ MNA: Report of Civil Commissary Lavers to Colonial Secretary, 1 December 1845.
- ³³⁶ Joseph Martial Rasolonjatovo, CENDRES MALGACHES À L'ÎLE MAURICE, unpublished manuscript. TJC is indebted to Pere Martial for allowing us to reproduce some information from his manuscript.
- ³³⁷ For fuller account, see Vol 3 and 4.
- ³³⁸ The informants often describe them as "lakaz lapaille" in their interviews.
- ³³⁹ See interview 09/383/01 for example.
- ³⁴⁰ See interview 09/112/0 for example.
- ³⁴¹ See interview 09/449/01 for example.
- ³⁴² See interview 09/52/01 for example.
- ³⁴³ See interview 09/149/01 for example.
- ³⁴⁴ Interview 09/160/01.
- ³⁴⁵ I am referring to the "ad hoc" committees convened in 1978 and 1982 to investigate the condition of housing and amenities in estate camps (cited in Manrakhan 1983:121-123).
- ³⁴⁶ Interview 09/278/01.
- ³⁴⁷ According to this report the dwellings of casual labourers were "either built by the management at some time in the past or built by the estate habitants, often with estate help. In many cases the management declined responsibility for the upkeep of such dwellings, on the grounds that the inhabitants were non-entitled and could leave if they wished".
- ³⁴⁸ The interviews also indicate that not all skilled artisans were Creoles, as a good many were also Hindu and Muslims.
- ³⁴⁹ This means house made of corrugated iron sheets with windows.
- ³⁵⁰ This is no doubt partly related to the fact that Mauritian families were much larger in early 20th century.
- ³⁵¹ Girls seemed to have shouldered a greater burden in the performance of household chores than boys did. This disparity in rates of school attendance between boys and girls is reflected in the ARLD of 1938, showing that out of 20,078 "Indian" children that went to primary school, only 5,908 were girls.
- ³⁵² Benedict describes the family life of some wealthier small planters living in villages who derived a substantial proportion of their income from growing cane and were not required to sell their labour to make ends meet. According to Daniel North-Coombes (1987:9), however, a majority of small planters were not able to solely rely on this type of livelihood as their main source of income and worked as labourers on sugar estates at different times of the year.
- ³⁵³ According to the Balogh Commission's estimates of the Sugar Industry Labour Welfare Fund's accounts to the end of 1961, although it had amassed Rs 43 million from the annual levy on sugar exports to the United Kingdom and investments and rental fees, it only spent Rs 17 million of that amount on housing and community welfare programmes. Most of the difference, amounting to some Rs 25 million, had been invested in fixed-term deposits for 10 years.
- ³⁵⁴ Evidence of the presence of *ankylostomiasis* was recorded in Mauritius prior to Kendrick's report. But according to Balfour, it was only after advent of the use of microscopes to examine stool samples that it was possible to determine the true extent of infection rates. This raises an important question: was *ankylostomiasis* brought to Mauritius by slaves or indentured labourers? It could not have existed in Mauritius prior to human settlement, as it has evolved in symbiosis with human populations and cannot survive without a host to reproduce itself. And evidence indicates that of the two types of *ankylostomiasis* that exist, that is, *Necator americanus* and *Ancylostoma duodenale*, neither are found in Europe or colder regions of the world, as these parasites can only survive in tropical climates. It is most likely then that African or Indian slaves brought it to Mauritius or that it was brought by indentured labourers from India, Africa or China.
- ³⁵⁵ I was not able to get my hands on Kendrick's report, as it is not available in the National Library or National Archives of Mauritius. I have had to rely on Balfour's account of it instead.
- ³⁵⁶ In one passage of his report, Balfour (1921:88) describes barefooted "Indian" children stranding on top of a manure heap on a sugar estate and watering it, making it very likely they would have contracted hookworm disease if they did not already have it.

- ³⁵⁷ Despite spending several pages describing the history of the use of manure as a fertilizing agent on Mauritian sugar estates over the past one hundred years, North-Coombes (1993:76-82) only writes one line on the *Engrais* system and the use of human manure to cultivate cane plants. “[H]uman excreta”, he says, “has ceased to be employed owing to the dissemination of Hook Worm”. Andrew Balfour’s (1921:87-88) report indicates the practice was very widespread at the time he visited Mauritius, which is why he singled out its discontinuation as one of the most important ways to combat the spread of hookworm disease, also pointing out that these conditions “probably have not their parallel in any other part of the world. The main industry in Mauritius is sugar cane cultivation. The cane requires fertiliser and as Victor Hugo said, possibly with some truth, “the most fertilising and effective of manures is human manure.” Unfortunately in the tropics it is also the most dangerous. This fact was not recognised.”
- ³⁵⁸ The ARLD of 1950 provides a comprehensive summary of living conditions in estate camps in Mauritius confirming many of the assertions made in this report (ARLD 1950:83-85).
- ³⁵⁹ See the amendment to the Regulation of Wages and Conditions of Employment Ordinance 1961, as enshrined in Government Notice No. 134 of 1973. This is despite the fact that the Annual Reports of the Labour Department and Ministry of Labour prior to 1973 indicate that women should be paid “equal wages for doing equal work” in their various labour ordinances.
- ³⁶⁰ Interview 09/234/01.
- ³⁶¹ See amendments made to the Industrial Relations Act of 1973 and the Sugar Industry Regulations 1983. Certain categories of field labourers were in fact provided with protective clothing prior to 1973, but it was only after the ratification of the aforementioned laws that protective clothing was made available to all monthly and casual workers.
- ³⁶² A review of the subsequent Annual Reports of the Labour Department shows that the number of work-related injuries recorded continued to steadily increase over the coming years, with the sugar industry consistently accounting for most of these work-related injuries, and as per usual the majority of injuries were of the sort described above. After 1975 however when employers were finally required by law to provide all monthly workers with protective clothing, one begins to discern a noticeable decrease in the number of work-related injuries of field labourers recorded in the Annual Reports of the Ministry of Labour and Industrial Relations as it had then become known by.
- ³⁶³ The informants’ claims are lent further support by the other contraventions listed in the Annual Reports of the Labour Department and Ministry of Labour which include not only “[i]rregular keeping of account books”, “[f]alse entries in books of accounts”, “[j]ob contractors failing to provide weekly pay sheets”, “[j]ob contractors failing to make entries in book”, but also “[a]sking [workers] to do work over again after many days”, “[u]sing false gaulette [or method of measurement]”, “[d]educting fine from wages due for work”, “[f]ailing to credit labourers with full amount of work done”, and “[f]ailing to credit labourers with full amount of wages due”.
- ³⁶⁴ After 1981, the Ministry of Labour stopped compiling and releasing annual reports so it is not possible to determine if these abuses have continued.
- ³⁶⁵ Interview 09/449/01.
- ³⁶⁶ Interview 09/104/01.
- ³⁶⁷ In creole this means they might be put absent.
- ³⁶⁸ In creole this means they would not receive their salary.
- ³⁶⁹ Interview 09/77/01.
- ³⁷⁰ The complaints listed above only constitute a small fraction of what is in fact a much larger number of complaints made by sugar estate workers pertaining to the non-payment or under-payment of wages in the interviews. Names of sugar estates have been removed.
- ³⁷¹ R. Chaudenson, *Des Hommes, des îles, des langues* (1992), p. 9.
- ³⁷² Paris: 1825, pt. II, pp. 26-27 - our translation.
- ³⁷³ M.S. Rivière, *A Woman of Courage*, p. 34.
- ³⁷⁴ Dictionary of Mauritian Biography [hereafter D.M.B.], p. 894.
- ³⁷⁵ De l’Estrac, op.cit., vol. 1, pp. 113-115.
- ³⁷⁶ De l’Estrac, op.cit., Vol. 2, p. 172.
- ³⁷⁷ De l’Estrac, op.cit., Vol. 2, p. 213.
- ³⁷⁸ De l’Estrac, op.cit., Vol. 1, p. 191.
- ³⁷⁹ *Ibid.*, Vol. 1, p. 192.
- ³⁸⁰ See above.
- ³⁸¹ K. Noël, *L’Esclavage*, Paris: Two Cities, p. 69.
- ³⁸² *Ibid.*, p. 200.
- ³⁸³ Mauritius Archives: H.A 80, folio 1.
- ³⁸⁴ *Ibid.*
- ³⁸⁵ *Ibid.*
- ³⁸⁶ *Ibid.*, p. 232.
- ³⁸⁷ *Ibid.*, p. 37.
- ³⁸⁸ *Ibid.*, p. 105 - our translation.
- ³⁸⁹ Chan Low and Reddi, op.cit., p. 231.
- ³⁹⁰ Hitié, op.cit., p. 91.
- ³⁹¹ MNA: HA 16.
- ³⁹² *Ibid.*
- ³⁹³ Hitié, op.cit., p. 92 our translation.
- ³⁹⁴ *Ibid.*
- ³⁹⁵ Hitié, op.cit., p. 88.
- ³⁹⁶ Nagapen, *Histoire de la Colonie*, p. 75.
- ³⁹⁷ De Sornay, p. 104.
- ³⁹⁸ Le Cernéen, No. 115 (22 February, 1833) - our translation.
- ³⁹⁹ *Ibid.* - our translation.
- ⁴⁰⁰ Hitié, op.cit., p. 91.
- ⁴⁰¹ De Sornay, pp. 445-446.
- ⁴⁰² O.J. Bijoux, *Rémy Ollier. Sa vie et son œuvre*, Port Louis p. 153.

- ⁴⁰³ D.M.B., p. 895.
- ⁴⁰⁴ Bijoux, op.cit., p. 262 - our translation.
- ⁴⁰⁵ B. Moutou, *Ile Maurice*, p. 56.
- ⁴⁰⁶ La Sentinelle, 4 February, 1850, No. 1001.
- ⁴⁰⁷ Bijoux, op.cit., p 170 - our translation.
- ⁴⁰⁸ There were only 2 scholarships awarded annually.
- ⁴⁰⁹ Chan Low and Reddi, op.cit., p. 232.
- ⁴¹⁰ D.M.B., p. 434.
- ⁴¹¹ R.B. Allen, *Creoles, Indian Immigrants and the Restructuring of Society and Economy in Mauritius, 1767-1885*, 293, 1983, pp. 111-113.
- ⁴¹² C. Boudet, *Les Franco-Mauriciens entre Maurice et l'Afrique du Sud : identité, stratégies migratoires et processus de recommunaurisation*, Ph. D. Bordeaux, France), 2004, p. 59.
- ⁴¹³ J.F. Dupon, *Contraintes insulaires et fait colonial aux Mascareignes et aux Seychelles : étude de géographie humaine*, Ph. D. Thesis, University of Lille III, 1977, p. 546.
- ⁴¹⁴ R. Allen, op. cit., p. 170-176.
- ⁴¹⁵ H.C. Brookfield, 'Pluralism and geography in Mauritius', *Geographical Studies*, vol. V, N° 1, pp. 10-11.
- ⁴¹⁶ C. Boudet, op. cit., p. 79.
- ⁴¹⁷ Philippe Hein, *L'économie des entreprises de la zone franche*, p.32.
- ⁴¹⁸ Dr Moal R.A., *Problèmes posés par le développement et l'organisation des pêches Mauricienne 1975*.
- ⁴¹⁹ Arthur Jessop., *A history of the Mauritius Government railways 1864-1964*, p.18.
- ⁴²⁰ Kuczinsky, *Demographic History*, Mauritius, 1.
- ⁴²¹ Moutou Benjamin., *Les co-opératives d'éleveur de porc à Maurice au regard de l'expérience française*, 41-46
- ⁴²² R. Longridge., *Report on the Mauritius Railways 1859*, p.10.
- ⁴²³ Benjamin Moutou., *Mémoire de fin de stage*, Université de Lempdes Clermont Ferrand, p.47.
- ⁴²⁴ Benjamin Moutou., *Rivière Noire : 400 ans d'histoire 2006*, p.15-17.
- ⁴²⁵ Benjamin Moutou., *Ile Maurice : Récit de son histoire contemporaine*, 2000.
- ⁴²⁶ Benjamin Moutou., *Ile Maurice : 25 leçons d'Histoire*, 1998, p.27.
- ⁴²⁷ Benjamin Moutou., *La situation de la pêche artisanal à l'île Maurice et a l'île Rodrigues au regard d'un système coopératif intégré*. Thèse de maîtrise. Ecole de haute étude en science sociale, pgs.24-29.
- ⁴²⁸ Maurice Paturau., *L'histoire économique de l'île Maurice*, 1988, pgs. 4,8.
- ⁴²⁹ Rivalentz Quenette., *Emmanuel Anquetil*, 1985, p. 13.
- ⁴³⁰ Alain Romaine., *Religion populaire et pastorale Creole*, thesis in theology 33
- ⁴³¹ Rouillard Guy et Géoho : *Les Plantes de l'île Maurice et leur histoire*.
- ⁴³² Auguste Toussaint., *Port Louis 2 siècles d'histoire*, p. 5.
- ⁴³³ *Agricultural Digest Central Statistics Office 2010*.
- ⁴³⁴ *Annuaire du diocèse de Port Louis*. 12
- ⁴³⁵ *Annual report: Ministry of Fisheries 2008 and 2009*. 23 36, 37, 40
- ⁴³⁶ Correspondence chief officer of police Finnis to secretary of state for the colonies.
- ⁴³⁷ *Housing and population census 2000*. 2, 9
- ⁴³⁸ *Housing and population census 2000*. 2, 9
- ⁴³⁹ *Ministry of Co-operatives: An evaluation of fishermen co-operatives 2010*.
- ⁴⁴⁰ This section is extracted from Joyce Fortune's work for the Aapravasi Ghat Trust Fund, report produced in 2005.
- ⁴⁴¹ Interviews were carried out by Ms Joyce Fortune (from 5th generation port worker family) for the Aapravasi Ghat Trust Fund in 2005 with Benoit Perrine, Mr. Dorval, Mr. Vurdien. Mr Amirthasawmy Pather, Mr Philippe Clémentine, Joseph Fortune. To our knowledge no other major interviews have taken place of port workers.
- ⁴⁴² VRAC: Kreol word meaning to lay out on a large surface without a wrapper.
- ⁴⁴³ MMM: Mouvement Militant Mauricien, a 'Neo-Marxist' political party founded by a group of young university graduates. The MMM has now renounced to its Marxist ideal and instead tends towards conservatism.
- ⁴⁴⁴ TJC Interview with the grandson of Sandivi, Mario Joseph Sandivi.
- ⁴⁴⁵ Sen-Dou Chang, *The Distribution and Occupations of Overseas Chinese*, pp. 97-100.
- ⁴⁴⁶ Ibid.
- ⁴⁴⁷ Ibid., M 20-21.
- ⁴⁴⁸ Carter & Ng Foong Kwong. *Abacus and Mah Jong*, p.20-21.
- ⁴⁴⁹ Ibid., p. 25.
- ⁴⁵⁰ Ly-Tio-Fane Pineo. H, *Chinese Diaspora in Western Indian Ocean* (Editions de l'Océan Indien and Chinese Catholic Mission, 1985) p.. 78
- ⁴⁵¹ Carter & Ng Foong Kwong. *Abacus and Mah Jong*, p.. 25.
- ⁴⁵² Ibid., p. 27.
- ⁴⁵³ Wong Kee Ham. E, *La Diasporas Chinoise aux Mascareignes: Le Cas de la Réunion*, p.21.
- ⁴⁵⁴ Carter.M & Ng Foong Kwong. J, *Abacus and Mah Jong*, pp. 29 - 33.
- ⁴⁵⁵ Ibid.
- ⁴⁵⁶ Ibid., pp. 38 - 39.
- ⁴⁵⁷ Ibid.
- ⁴⁵⁸ Ibid.
- ⁴⁵⁹ Ly-Tio-Fane-Pineo. H, *Chinese Diaspora in Western Indian Ocean*, p. 69.
- ⁴⁶⁰ Ibid.
- ⁴⁶¹ Ibid., p. 74.
- ⁴⁶² Ibid.
- ⁴⁶³ Ng Foong Kwong. J, *Mutations sociales et développement du commerce chinois au XIXe siècle*, *Journal of Mauritian Studies* (New series) Vol. 1 No.1, (MGI, Mauritius, 2001), pp. 32-54.
- ⁴⁶⁴ Ahine is well- known to have successfully established many shops in the capital.
- ⁴⁶⁵ Ng Foong Kwong. J, *Mutations*, p. 38.
- ⁴⁶⁶ Ly-Tio-Fane Pineo. H, *Chinese Diaspora in Western Indian Ocean*, pp. 76-77

- ⁴⁶⁷ Carter & Ng Foong Kwong. *Abacus and Mah Jong: Sino-Mauritian Settlement and Economic Consolidation*, p. 88.
- ⁴⁶⁸ Carter & Ng., J, *Abacus and Mah Jong*, p. 115.
- ⁴⁶⁹ *Ibid.*
- ⁴⁷⁰ Ly-Tio-Fane Pineo. H, *Chinese Diaspora in Western Indian Ocean*, p. 94.
- ⁴⁷¹ *Ibid.*, p. 96.
- ⁴⁷² TJC/H/Philippe L.C.H./18.08.10/Mc line213
- ⁴⁷³ *Ibid.*, line 261 to 267
- ⁴⁷⁴ *News on Sunday*, Feb; 22, 2007, Mr Chan Kam Lon.
- ⁴⁷⁵ *Ibid.*, Mr. Philip Li Ching Hum.
- ⁴⁷⁶ *Ibid.*, line 108 to 112.
- ⁴⁷⁷ *Ibid.*, Line 201 to 205.
- ⁴⁷⁸ *Ibid.*, lines 124 to 239.
- ⁴⁷⁹ *Ibid.*, 147 to 136.
- ⁴⁸⁰ Feb 23 March 2007, *Yannick Rivet*.
- ⁴⁸¹ *Le Mauricien- samedi 28 Janvier 2006*, La Fête du Printemps a Maurice, Percy Yip Tong.
- ⁴⁸² Report of the Trustam /Eve Commission of 1958.
- ⁴⁸³ Housing and Population Census 2000.
- ⁴⁸⁴ P. J. Moree, *Dutch Mauritius*, 2000.
- ⁴⁸⁵ J.M. Filliot, *La traite des Esclaves vers les Mascareignes au 18ème siècle*, 1974.
- ⁴⁸⁶ B. Moutou, *Les Chrétiens de l'île Maurice*, 1956.
- ⁴⁸⁷ Code Noir et Lettres Patentes, Septembre 1724.
- ⁴⁸⁸ Code Noir 1724.
- ⁴⁸⁹ Quoted by Nagapen, *Le Marronnage*
- ⁴⁹⁰ Code Noir 1724.
- ⁴⁹¹ Relevé du cadastre général de l'Isle de France fait pour l'année 1809.
- ⁴⁹² B. Moutou, *Les Chrétiens de l'île Maurice*.
- ⁴⁹³ K. Hazareesing, *L'histoire des Indiens à l'île Maurice*, 1982.
- ⁴⁹⁴ *Annuaire du Diocèse Catholique*, 2000.
- ⁴⁹⁵ K. Hazareesing, *L'histoire des Indiens à l'île Maurice*, 1982.
- ⁴⁹⁶ *Annuaire du Diocèse Catholique*, 2000.
- ⁴⁹⁷ Correspondence to Governor General of India in 1897.
- ⁴⁹⁸ Choudary, *The wonder that was India*.
- ⁴⁹⁹ Rev Gislain Emmanuel, *The Anglican Church*, 1972.
- ⁵⁰⁰ Uttama Bissondoyal (ed) *Indians Overseas: The Mauritian experience*, MGI, 1985.
- ⁵⁰¹ *Indian overseas*.
- ⁵⁰² Rev Gislain Emmanuel, *The Anglican Church*,
- ⁵⁰³ A. Nagapen, *La Paroisse de St Anne*.
- ⁵⁰⁴ A. Nagapen, *La Paroisse de St Anne*.
- ⁵⁰⁵ B. Moutou, *Les Chrétiens de l'île Maurice*.
- ⁵⁰⁶ Hearing of Mr. K Sreepaul, 30 June 2010, TJC/H/Sreepaul/300610/MC, line1132-1134.
- ⁵⁰⁷ Hearing of Ramtohol, TJC/H/Sreepaul/300610/MC, line1353-1365.
- ⁵⁰⁸ Hearing of Mr.Sewpal, TJC/H/Sreepaul/300610/MC, line986-987.
- ⁵⁰⁹ Hearing of Sewpal, TJC/H/Sreepaul/300610/MC, line 999-1001.
- ⁵¹⁰ Hearing of Mr.K Sreepaul, TJC/H/Sreepaul/300610/MC, line 52-75.
- ⁵¹¹ Hearing of Mr.K Sreepaul, TJC/H/Sreepaul/300610/MC, line 52-75.
- ⁵¹² Sewpal, TJC/H/Sreepaul/300610/MC, line 607.
- ⁵¹³ Hearing of Mr. Ramtohol, TJC/H/Sreepaul/300610/MC, line 1385-1387.
- ⁵¹⁴ Official translation, hearing of Ramtohol, TJC/H/Sreepaul/300610/Me, line1102-1106.
- ⁵¹⁵ Chauveau hearing, TJC/H/Chauveau./14.07.10/Af, line 24.
- ⁵¹⁶ Chauveau hearing, line 35-41.
- ⁵¹⁷ Chauveau hearing, line 83-85.
- ⁵¹⁸ Tacouri hearing, TJC/H/Tacouri D./14/07.10/Ae, line127-128; Ramsamy hearing, TJC/H/Ramsamy VL/040810Ae, line 79-80.
- ⁵¹⁹ Ramsamy hearing, line 101-103.
- ⁵²⁰ Ramsamy hearing, line 176-177.
- ⁵²¹ Ramsamy hearing, line 288-291.
- ⁵²² Cader Sayed Hossen hearing, TJC/H/MrHossenC.S/010910, line 418-422.
- ⁵²³ Cader Sayed Hossen hearing, line 211-215.
- ⁵²⁴ Cader Sayed Hossen hearing, line 330-331.
- ⁵²⁵ Hearing of Riche Terre planters represented by Mr V. Jhurry, 24th November 2010.
- ⁵²⁶ Hearing of Sreepaul, line 330-332.
- ⁵²⁷ Reify: to make (something abstract) more concrete or real
- ⁵²⁸ Social stratification: arranging the members of a society into a pattern of superior and inferior ranks
- ⁵²⁹ A phenotype is any observable characteristic or trait of an organism.
- ⁵³⁰ Part IX, *Rodrigues, Agaléga and the Outer Islands*, pages 528, 529.
- ⁵³¹ The Anderson Papers - Dispatch No.105, of 23rd October 1838.
- ⁵³² British Public Records Office CO 167/638, 1888.
- ⁵³³ British Public Records Office CO 167/861/10, 167/867/13, 167/893/4, 167/896/16.
- ⁵³⁴ British Public Records Office CO 167/861/10, 167/867/13, 167/893/4, 167/896/16.
- ⁵³⁵ British Public Records Office CO 167/861/10, 167/867/13, 167/893/4, 167/896/16.
- ⁵³⁶ R.M. D'Unienville, 2002, *Legal opinion in Re. The Chagos Islanders*, Port- Louis.
- ⁵³⁷ Dussercle, 1934, page 26.
- ⁵³⁸ British Public Records Office CO 167/861/10, 167/867/13, 167/893/4, 167/896/16

⁵³⁹ CIA Website

⁵⁴⁰ British Public Records Office CO 167/38

⁵⁴¹ <http://www.un.org/documents/>

⁵⁴² <http://chagosrefugeegroup.net>

⁵⁴³ Wikileaks, accessed on 15th May 2009.

⁵⁴⁴ Amartya Sen, The Idea of Justice, inspired by John Rawls' Theory of Justice (1971) and 'Justice is Fairness' Philosophical Review (1958).

⁵⁴⁵ Bunwaree S. (1994) *Mauritian Education in a Global Economy*. Edition de L'Océan Indien.

⁵⁴⁶ Varma M.N. (1976) *The Road to Independence*, p. 28.

⁵⁴⁷ Meade, James. (1961) *The Economic and Social Structure of Mauritius*. London Macmillan (1968, Frank Cass); Titmus R & Abel Smith B (1961) *Social Policies and Economic Growth in Mauritius*. London. Macmillan. (1968, Frank Cass).

⁵⁴⁸ Ryan Sewlyn(1994) Blacks out in the cold, in *5 Plus* Newspaper, 8 June 1994.

⁵⁴⁹ Central Statistics Office (2006). *Poverty Analysis*. Ministry of Finance and Economic Development

⁵⁵⁰ Survey Report on the Practical Implementation of CSR under the New Legislation, Mauritius Employers' Federation (MEF), April 2011.

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APPENDIX ONE GUIDELINES ON MANAGEMENT AND STORAGE OF TJC RESEARCH DATA

INTRODUCTION

The Truth and Justice Commission came into operation since 20th March 2009. It aimed at assessing the consequences of slavery and indentured labour during the colonial period up to the present to make recommendations to the President of the Republic of Mauritius on measures to be taken to achieve social justice and national unity.

To achieve its objectives, the Commission conducted various researches. It has the responsibility and obligation regarding the retention and access to research materials gathered during its mandate.

Hence, the imperative for guidelines that address the ownership of, storage of and access to research data after the mandate of the Commission. This document is divided into three sections: **Section 1** introduces the research conducted by the Commission to justify the need for a guideline on the management of research data and secondary materials compiled during the mandate of the Commission. In addition, the main concepts set out in this document are interpreted for a better reading of the document. **Section 2** Justifies the need for Truth and Justice Commission guidelines for ethical and good management of the research material. Sub-Section 2.02 presents the various types of data collected and Sub-section 2.03 describes the various data categories and the criteria used to categorise the data. Sub-section 2.04 presents the special data collected during the Commission mandate and Sub-section 2.05 make recommendations regarding access priority and ownership rights respectively. **Section 3** Ends with a list of repository institutions and reasons why they were chosen.

During the mandate of the Truth and Justice Commission various investigations were undertaken and collection of data conducted with and about people using collecting oral testimonies and documentary information. The Commission gathered primary and secondary evidences enabling inquiries into slavery and indentured labour in Mauritius.

A responsible conduct of research includes ethical considerations specific to the scope of the research, research methods including fieldwork, research/data subjects, project governance, dissemination of research findings and proper management and retention of research data.

Primary and secondary data compiled might be all that will remain of the research at the end of the mandate of the Truth and Justice Commission and hence, this document is about the management and retention of secondary research data that is an important stage in research work.

1.01 JUSTIFICATION FOR GUIDELINE

Each institution should have a policy on the management and storage of secondary materials and research data that should be consistent with existing legislations, codes and guidelines. Data retention and management constitute good research practice and thus institutions should provide archival facilities for the safe and secure storage and maintenance of research data.

Consequently, these guidelines on ownership of and access to secondary materials and research data was drafted in line with the existing archival requirements, legislation, privacy rules and other guidelines is necessary to ensure the ethical and lawful processing of the research materials gathered by the Commission.

1.02 DEFINITION OF MAIN TERMS

For a better reading and comprehension of this document, a definition of the main terms is given in this chapter. The definitions are in line with the Data Protection Act 2004 and the Copy Right Act 1997.

Adverse Action: means any action that may adversely affect the person's rights, benefits, privileges, obligations or interests.

Commission: refers to the Truth and Justice Commission

Consent: refers to freely given specific and informed indication of the wishes of the data subject by which he signifies his agreement to process the information he/she provided to the researcher

Copyright: means an economic right subsisting in a work

Data: means recorded information, regardless of the form or medium on which it information is recorded. It includes writings, films, sound recordings, pictorial reproductions, graphic representations, statistical records, and other research data."

Data Subject: refers to a person that has consented to participate in the research. He/she is also referred to as a research participant.

Human Research: means research conducted with or about people, or their data or tissue. Human participation in research is therefore to be understood broadly, to include the involvement of human beings through: (i) taking part in surveys, interviews or focus groups; (ii) undergoing psychological, physiological or medical testing or treatment; (iii) being observed by researchers; (iv) researchers having access to their personal documents or other materials; (v) the collection and use of their body organs, tissues or fluids (e.g. skin, blood, urine, saliva, hair, bones, tumour and other biopsy specimens) or their exhaled breath; (vi) access to their information (in individually identifiable, re-identifiable or non-identifiable form) as part of an existing published or unpublished source or database.¹

Processing: means any operation or set of operations performed on the data including (i) collecting, organising or altering data, (ii) retrieving, consulting, using, storing or adapting the data, (iii) disclosing the data by transmitting, disseminating or otherwise making it available and (iv) aligning, combining, blocking, erasing or destroying the data.

Research: refers to 'work of direct relevance to the needs of commerce, industry, and to the public and voluntary sectors; scholarship; the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction. It excludes routine testing and routine analysis of materials, components and processes such as for the maintenance of national standards, as distinct from the development of new analytical techniques. It also excludes the development of teaching materials that do not embody original research.'²

Relevant filing system: means a structured set of information relating to individuals that, although it is not in a form capable of being processed, is structured either by reference to any individual or by reference to criteria relating to the individual in such a way that the structure allows ready accessibility to information relating to that individual.

¹National Health and Medical Research Council, Australian Research Council & Australian Vice-Chancellors' Committee 2007.

²British Research Assessment Exercise cited in National Health and Medical Research Council, Australian Research Council & Australian Vice-Chancellors' Committee 2007

2.01 JUSTIFICATION FOR TJC ARCHIVE

Written documents (transcripts, questionnaires, census recording and other written sources), audio-visual recordings (oral interviews and hearings) and other research materials should be retained and made accessible not only for legal reasons but for future research purposes as well.

Firstly, sufficient materials and data should be retained to justify the outcomes of the research and to defend them if they are challenged. Secondly, the public and scholarly community should be given access to research data collected for research purposes and to avoid duplication of data collection. Thirdly, the Commission has an implicit duty to disseminate research data to encourage research and promote a culture of research. In line with conventions elsewhere, such as in UK, publicly funded research must be made accessible to other scholars.

Consequently, a Truth and Justice Commission archive was set up composed of the secondary research data compiled during the mandate of the Commission that are listed below in Sub-section 2.02 that should be made accessible to the public and especially the scholarly community (researchers and students).

To ensure good research practice and ethical use of the above archives, the curators should:

1. Keep the archives in a safe and secure place. The computer and/or hardware should be password protected
2. Store the confidential research data separate in a secure place and under lock
3. A catalogue of the TJC archives should be available in an accessible form
4. Manage the archives according to the relevant legislation and guidelines

The archives should be administered by the respective repositories identified in Section III. The repositories should be responsible for the storing and maintenance of the archives and informing the public and scholarly community of the existence of the archives.

2.02 TYPES OF DATA COLLECTED

Data compiled during the mandate of the Truth and Justice Commission can be sorted out into two groups, administrative data and research data. In line with the National Archives Act 1999, the National Archives shall be the repository of the Commission's administrative archives to the same status as the government archives.

Guiding principles were drafted on the management and storing of the oral research data and hence, this document focuses essentially on the management and storage of secondary research data.

Written records	Photocopies of archival documents found in public repositories Photocopies of archival documents found in private repositories Photocopies and printed copies of journal articles, manuscripts, surveys, legal documents and other publications Books, manuscripts, reports and other secondary sources of information Land documents (Land deeds, site plans, Civil Status Office documents and other legal papers) Photocopies of maps
Visual images	Digital photos of Civil Status documents, notarial acts Digital photos of archival documents Photos Maps



DATA CATEGORIES

The secondary research materials compiled during the mandate of the TJC were collected from the private and public archives in Mauritius and abroad. Technical, research and official documents were also collected from other private, public and research institutions such as libraries, Ministries, Civil Status Office, Mahatma Gandhi Institute and the University of Mauritius.

The materials were categorised as per their format. Two categories were set:

1. Soft copies (in JPEG, PDF, Doc and Xls formats) including digitised copies of documents
2. Hard copies including books, manuscripts and photocopies of documents

Two levels of confidentiality were identified according to whether the archives are of the public domain or are confidential data. There

Confidentiality Level	Data Classification	Classification Type of Data Format	TJC Project	Archival Documents
Level 2 	Confidential	Hard copy Soft copy	Proposed National Genealogy Centre Proposed Land Research Centre	Digitised copies of Civil Status Office documents and notarial acts Land documents containing individuals family trees and notarial documents. Also in this collection are title deeds, transcribed volumes of from registrar office general; Legal documents from notaries, affidavit, <i>casier hypothécaire</i> , private correspondence. and other documents.
Level 1 	Public Access	Hard copy Soft copy	Project data: <ul style="list-style-type: none"> • Slave trade and indentured immigration • Economics of slavery and indenture • Race Discourse • Coloured population • Cite La Mivoie • Port Workers • Church History • Health • Project • Education • Social Justice • Outer Islands 	French National Archives & others <ul style="list-style-type: none"> • C4 Series • Monneron files • Diocese of Port Louis Archives • Journal Articles • National Archives • Central Statistics Office • Apollo Bramwell's skeleton scans • Public surveys, reports and maps from Ministries and public institutions

Special Data

Genealogical Data including DNA Consent Forms

As the research is not complete, the DNA cannot be destroyed. The consent forms will be kept by the Centre for Research on Slavery and Indenture which has been associated with this project.

LAND DOCUMENTS

The documents will be placed under the responsibility of the Prime Minister’s Office until the implementation phase begins.

Access Priority

Type of Data	Conditions of access to TJC researchers and justification	Conditions of access to public or rest of scholarly community
Archival data from National Archives and other public institutions	Accessible to public. No restrictions.	No restrictions
Archival data found in private repositories	Written Consent of the private repository required	Written Consent of the private repository required
Biological data (DNA, medical tests)	No access.	No Access

REPOSITORIES OF TJC ARCHIVE

Since the Commission was set up for a specific period of time, after the disbanding of the Commission, the following institutions with an interest in research were identified as repositories of the TJC non-administrative archives.

The aim of having these archives is to make available the secondary research materials accessible to the public and scholarly community to facilitate, promote and encourage research. Therefore, to ensure that the archives do not remain dormant and/or underutilised, the repositories should be research institutions that promote the culture of ethical and responsible research conduct.

Furthermore, to ensure that the research data will be accessible to the public and to scholarly community, these institutions should not ‘practise retention of information’ but on the contrary should certify optimum use of the databanks in keeping with the guidelines set up the Truth and Justice Commission.

In this respect, these institutions have been identified as repositories of the respective archives:

- ***Slave Trade Databases and copies of archival documents and secondary sources:***
 University of Mauritius
 Nelson Mandela Centre for African Culture
 Le Morne Heritage Fund
- ***Indentured Immigration Databases and copies of archival documents and secondary sources:***
 University of Mauritius
 Aapravasi Ghat Trust Fund
 Mahatma Gandhi Institute

- ***Oral Data***

Given that to date, only the University of Mauritius among research institutions and repositories, possesses a Research Ethics Committee which will be able to formulate and make informed decisions on conditions of access in a scientific manner, all oral data will be housed there until a National Oral Data Archive is created with appropriate ethical procedures put in place with qualified personnel recruited.

APPENDIX 2 GUIDELINES ON ORAL DATA MANAGEMENT AND STORAGE

INTRODUCTION

The Truth and Justice Commission came into operation since 20th March 2009. It aimed at assessing the consequences of slavery and indentured labour during the colonial period up to the present to make recommendations to the President of the Republic of Mauritius on measures to be taken to achieve social justice and national unity.

To achieve its objectives, the Commission conducted various researches. The Commission has the responsibility and obligation regarding the retention and access to primary materials and research data gathered during its mandate.

Hence, the imperative for a guideline that addresses the ownership of, storage of and access to the research data after the mandate of the Commission. This document has three sections with multiple chapters.

Section 1: Introduces the research conducted by the Commission to justify the need for a guideline on the management of research data and primary materials compiled during the mandate of the Commission. In addition, the main concepts set out in this document are interpreted for a better reading of the document.

Section 2: Justifies the need for Truth and Justice Commission databanks and guidelines for ethical and good management of the databanks. Chapter 2.02 presents the various types of data collected and Chapter 2.03 describes the various data categories and the criteria used to categorise the data. In chapters 2.04 and 2.05 recommendations are made regarding access priority and ownership rights respectively.

Section 3: Ends with a list of repository institutions and reasons why they were chosen.

During the Truth and Justice Commission mandate various investigations were undertaken and human research was conducted with and about people comprising of collecting oral testimonies and genealogical information including DNA consent. The Commission: (a) gathered primary and secondary evidences enabling inquiries into slavery and indentured labour in Mauritius; (b) determined appropriate measures to be extended to descendants of slaves and indentured labourers; (c) enquired into complaints of land dispossession and/or prescriptions given before the Commission and (d) submitted a comprehensive report of its activities and findings based on evidences gathered.

A responsible conduct of research includes ethical considerations specific to the scope of the research, research methods including fieldwork, research/data subjects, project governance, dissemination of research findings and proper management and retention of research data.

Primary and secondary data compiled might be all that will remain of the research at the end of the mandate of the Truth and Justice Commission and hence, this guideline is about the management and retention of research data that is an important stage in research work.

1.1 JUSTIFICATION FOR GUIDELINES

Each institution should have a policy on the management and storage of primary materials and research data that should be consistent with existing legislations, codes and guidelines. Data retention and management constitute good research practice and thus institutions should provide recording-keeping facilities for the safe and secure storage and maintenance of data including a conducive environment and technical assistance for long-term preservation of the database and protection from any risk of damage and destruction

When conducting research, the research participants establish a trustworthy relationship and, sometimes, comradeship with the researcher and this relationship forms the basis of the research and, particularly, fieldwork process. Participation in human research is, most of the time, from a voluntary and altruistic concern.

Thus, the nature of this relationship adds to the ethical responsibility borne by those in whom it is placed and underscores the importance of protecting the research participants and researchers.³

Furthermore, the Data Protection Act 2004 explicitly states the duty of protecting the data subjects from adverse actions that might affect the person's rights, benefits, privileges, obligations or interests.

Consequently, a principle guideline on ownership of and access to primary materials and research data that is consistent with the existing confidentiality requirements, legislation, privacy rules and other guidelines is necessary to ensure the ethical and lawful processing of the research materials gathered by the Commission.

1.1 DEFINITION OF MAIN TERMS

For a better reading and comprehension of this document, a definition of the main terms is given in this chapter. The definitions are in line with the Data Protection Act 2004 and the Copy Right Act 1997.

Adverse Action: means any action that may adversely affect the person's rights, benefits, privileges, obligations or interests.

Commission: refers to the Truth and Justice Commission

Consent: refers to freely given specific and informed indication of the wishes of the data subject by which he signifies his agreement to process the information he/she provided to the researcher

Copyright: means an economic right subsisting in a work

Data: means recorded information, regardless of the form or medium on which it information is recorded. It includes writings, films, sound recordings, pictorial reproductions, graphic representations, statistical records, and other research data."

Data Subject: refers to a person that has consented to participate in the research. He/she is also referred to as a research participant.

Human Research: means research conducted with or about people, or their data or tissue. Human participation in research is therefore to be understood broadly, to include the involvement of human beings through: (i) taking part in surveys, interviews or focus groups; (ii) undergoing psychological, physiological or medical testing or treatment; (iii) being observed by researchers; (iv) researchers having access to their personal documents or other materials; (v) the collection and use of their body organs, tissues or fluids (e.g. skin, blood, urine, saliva, hair, bones, tumour and other biopsy specimens) or their exhaled breath; (vi) access to their information (in individually identifiable, re-identifiable or non-identifiable form) as part of an existing published or unpublished source or database.⁴

Personal data refers to data that relates to an individual who can be identified from those data and/or data or other information including an opinion about an individual whose identity is apparent or can reasonably be ascertained from the data, information or opinion.

Processing: means any operation or set of operations performed on the data including (i) collecting, organising or altering data, (ii) retrieving, consulting, using, storing or adapting the data, (iii) disclosing the data by transmitting, disseminating or otherwise making it available and (iv) aligning, combining, blocking, erasing or destroying the data.

³National Health and Medical Research Council, Australian Research Council & Australian Vice-Chancellors' Committee 2007

⁴National Health and Medical Research Council, Australian Research Council & Australian Vice-Chancellors' Committee 2007

Research: refers to ‘work of direct relevance to the needs of commerce, industry, and to the public and voluntary sectors; scholarship; the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction. It excludes routine testing and routine analysis of materials, components and processes such as for the maintenance of national standards, as distinct from the development of new analytical techniques. It also excludes the development of teaching materials that do not embody original research.’⁵

Relevant filing system: means a structured set of information relating to individuals that, although it is not in a form capable of being processed, is structured either by reference to any individual or by reference to criteria relating to the individual in such a way that the structure allows ready accessibility to information relating to that individual.

2.2 JUSTIFICATION FOR TJC DATABANK

Written documents (transcripts, questionnaires, census recording and other written sources), audio-visual recordings (oral interviews and hearings) and other research materials should be retained and made accessible not only for legal reasons but for future research purposes as well.

Firstly, sufficient materials and data should be retained to justify the outcomes of the research and to defend them if they are challenged. Secondly, the public and scholarly community should be given access to research data and primary materials collected for research purposes and to avoid duplication of data collection. Thirdly, the Commission has an implicit duty to disseminate research data to encourage research and promote a culture of research.

Consequently, a Truth and Justice Commission Oral Data Archive was set up composed of the primary materials and research data compiled during the mandate of the Commission. It regroups the: (i) oral interviews, (ii) written records and (iii) visual images.

This databank consists of the primary materials and research data sources listed below in 2.02 that should be made accessible to the public and especially the scholarly community (researchers and students) in accordance with the guidelines set by the TJC.

To ensure good research practice and ethical use of the above database, the repository institution should:

5. Identify a curator responsible for the administration and maintenance of the databank
6. Keep the databank in a safe and secure place. The computer and/or hardware should be password protected
7. Store the highly confidential and confidential research data separate in a secure place and under lock
8. The consent forms should be kept separately and under lock
9. A catalogue of the primary materials and research data should be available in an accessible form
10. Manage the databank according to the relevant legislation and guidelines. This includes making sure that the public and scholarly community are aware of and abide to confidentiality and moral rights agreements

The databank should be administered by the respective repository identified in Section III. The repository should be responsible for the storing and maintenance of the database and informing the public and scholarly community of its existence.

⁵British Research Assessment Exercise cited in National Health and Medical Research Council, Australian Research Council & Australian Vice-Chancellors’ Committee 2007

In addition, it should manage access to the data stored in the databank in line with the TJC recommendations and hence should respect the level of confidentiality, access and processing of research data set by the Commission.

2.1 TYPES OF DATA COLLECTED

Data compiled during the mandate of the Truth and Justice Commission can be sorted out into two groups, administrative data and research data. In line with the National Archives Act 1999, the National Archives shall be the repository of the Commission’s administrative archives to the same status as the government archives. Hence, this document focuses essentially on the management and storage of primary research data (oral interviews, hearings, transcriptions and consent forms).

Types of Data	Data Description
Oral Interviews	Audio-taped interviews comprising personal data on data subject Videos of focus group discussions
Written records	Transcriptions of oral interviews
Public and Private (In-Camera) Hearings	Audio and video recordings of hearings held at in-door and out-door. Transcriptions of the hearings

2.1 DATA CATEGORIES

As per the Data Protection Act 2004, sensitive personal data are information concerning a data subject and consist of information as to: (i) racial or ethnic origin, (ii) political opinion and/or adherence, (iii) religious belief and/or other belief of a similar nature, (iv) membership to a trade union, (v) physical and/mental health, (vi) sexual preferences and/or practices and (vii) the commission and/or alleged commission of an offence.

In addition to the above, information as to a data subject’s: (i) caste background, (ii) experience and/or perception of racial and/or ethnic discrimination and prejudices and/or other forms of discriminations and prejudices and (iii) personal opinions of prominent social, political and economic actors were also considered as sensitive data.





The research data confidentiality graduation was established based on the level of data ‘identifiability’ and sensitivity as set above and the potential defamatory nature of the information gathered. To maintain data confidentiality and anonymity, it implies that only the researcher can identify the data subject, that the former should guarantee that no one outside of the project can connect data subjects with their research data and that he/she does not collect individually identifiable data.

The National Health and Medical Research Council, Australian Research Council and Australian Vice Chancellors’ Committee (2007) have established three sets of mutually exclusive data ‘identifiability’ that can be used in the present context:

1. Individually identifiable data: where the identity of a specific individual can reasonably be ascertained. The identifiers are, for example, the data subject name, date of birth and residential address
2. Re-identifiable data: where identifiers have been removed and replaced by a code but the data subject can be re-identified by, for example, linking the code to the data set
3. Non-identifiable data: which have never been labelled with individual identifiers or from which identifiers have been permanently removed and of which no specific individual can be identified

Confidentiality protections minimise the risk of misuse of data and the potential risk of harm from breaches of confidentiality to data subject. Five levels of confidentiality were identified and the level of access to the databanks was decided based on the degree of confidentiality set:

Appendix

Confidentiality Level	Data Classification	Classification Type of Data	Classification Characteristics/ Justification	Level of access and processing	TJC Project
Level 4 	Highly Confidential (HC)	Oral Interviews Transcriptions In-camera hearings	<i>Extremely sensitive personal data and identifiable data information that could cause significant harm to a data subject and that can be prejudicial to the TJC if disclosed and/or processes that would adversely affect the research subject and the TJC</i> <i>Data subject consented to be anonymous. In instances when data subject agreed not to remain anonymous, yet anonymity should be maintained</i> <i>Data Subject minor (under 18 yrs of age)</i>	Access and processing should be denied for a period set by the National Archives Act (30 years as from the creation of the document) After 30 years research data should be classified as confidential so as to protect the descendants of the data subject from potential adverse action	Race Discourse Caste System
Level 3 	Confidential [C]	Oral Interviews Transcriptions	<i>Very sensitive personal data and re-identifiable data</i> <i>Potentially defamatory data and information prejudicial to the TJC</i> <i>Data subject consented to be anonymous. In instances when data subject agreed not to remain anonymous, yet anonymity should be maintained</i>	Access and processing of research data should be restricted Access granted after signature of a confidentiality form Need consent of data subject for processing of data Access to the transcriptions and audio interviews should be restricted. Sensitive and identifiable data should be deleted from the transcription. In the audio-interviews, access to the corresponding section (s) should be limited Potentially defamatory data should be deleted from the transcription and in the audio-interviews access to the corresponding section(s) should be limited	Race Discourse Caste system
Level 2 	Restricted [R]	Oral Interviews Transcriptions	<i>De-identifiable and non-confidential data</i> <i>Data subject wished to remain anonymous</i>	Open access to data Restricted processing of data with consent of data subject	Coloured population Cite La Mivoie Education Social Justice
Level 1 	Unrestricted (U)	Oral Interviews Transcriptions	<i>De-identifiable and non-confidential data</i> <i>Data subject consented not to remain anonymous</i>	Open access to data Restricted processing of data with consent of data subject	Coloured population Cite La Mivoie Education Social Justice Public Hearings

It is important to stress that children and young people less than 18 years of age need special protection. Their participation requires the consent of both parents or where applicable of the guardian or caregiver or their standing consent to their child's involvement in projects in the school setting.

All research data gathered without parental consent or standing consent were classified as highly confidential and therefore should neither be disclosed nor processed. The legal age of informed and lawful consent is 18 years old and hence all research data gathered from minors without parental consent or standing consent was considered as unlawful research data.

Furthermore, all data pertaining to children under 18 years old that were gathered with the adequate consent were also classified as highly confidential and should not be disclosed nor processed because of children vulnerable status.

Researchers are expected to be proactive in designing and conducting research to guarantee that the dignity, welfare and privacy of research participants are protected and that information about an individual remains confidential. Protecting the confidentiality of information collected about data subjects and the latter's rights are inherent to ethical and good research conduct.

For this reason, a protocol of access to highly confidential and confidential primary materials and research data should be devised to ensure that the data in the databank are not processed to the detriment of the data subjects. It is the duty of the curator to make sure that people that have access these data respect and maintain the confidentiality.

Since the primary materials and research data were collected under specific conditions (for research conducted by the Commission), before processing the data in the databank, the researcher should have the consent of the respective data subject. Hence, prior to granting access to the databank, the curator should ensure that the researcher signs an agreement certifying that he/she will act accordingly and that the data are processed in ways agreed by the data subjects and the repository.

In some instances, the curator should consider denying access to the databank to people who do not comply with the confidentiality agreement and protocol of access.

2.1 ACCESS PRIORITY

Type of data	Conditions of access to TJC researchers and justification	Conditions of access to public or rest of scholarly community
Research data (Oral and Written) classified as restricted and unrestricted	First 3 years (from the time of donation) priority given to researcher who collected data After first 3 years, for a period of two years priority given to researchers and who worked for the TJC	After five years unrestricted
Research data (Oral and Written) classified as confidential	First 3 years (from the time of donation) priority given to researcher who collected the data After first 3 years, for a period of two years priority given to researchers who worked for the TJC	After five years unrestricted
Research data (Oral and Written) classified as Highly confidential	No Access	No Access

Access to the TJC databank should be granted after the repository institution and the TJC conjointly have designed a protocol of access and the principles set in the guidelines.

2.1 OWNERSHIP

In line with Section 8 of the Copyright Act 1997, the Truth and Justice Commission is the copyright owner and as a general rule, at the end of a project, materials and research data are the property of the institution that hosted the project.

However, in the present instance, since the Commission was set up for a specific period of time, after disbanding the Commission, the ownership of the primary materials and research data and subsequently the copyright should be transferred to the repository institution and, where applicable, to the author(s) of the work.

Hence, regarding the oral interviews, the copyright should be shared between the repository institution and the author(s) of the interviews.

Even though, according to the above-mentioned Act, the data subject does not own any economic rights on the oral interviews (the act excludes expressions of folklore including oral traditions, rituals and other traditional practices), yet, any person who wishes to process the data found in the databank should seek the consent of the respective data subject as well.

The public and scholarly community have a moral right to seek the consent of copyright owners and of the data subjects.

As stated earlier, in the present instance, since the Commission was set up for a specific period of time, after disbanding the Commission, an independent institution with an interest in research should be repository of the databank.

The aim of having this databank is to make primary materials and research data accessible to the public and scholarly community to facilitate, promote and encourage research. Therefore, to make sure that the databank does not remain dormant and/or underutilised, the repository should be a research institution that promotes the culture of ethical and responsible research conduct.

Furthermore, to ensure that the research data will be accessible to the scholarly community, the institution should not 'practise retention of information' but on the contrary should certify optimum use of the databank in keeping with the guidelines set up the Truth and Justice Commission (A concise list of the recommendations is attached).

In this respect, the University of Mauritius has been identified as repository the databank mentioned in Chapter 2.01 The Centre for Research on slavery and indenture should be the repository of the oral history databank for the following reasons:

- The archives should be available for general use such as teaching and research. Hence, the database should not remain dormant and/or underutilised
- The database regroups primary materials and research data on slavery and indentured-ship and hence it is sensible decision to deposit the database at the Centre
- Oral history is a new field of research in Mauritius and oral history archives should be set to promote oral history research

Concise list of recommendations to UoM for archiving and management of TJC Oral interviews

The following suggestions are made:

1. The UoM set up a human research ethical committee. In this respect ethical standards and procedures should be established for research in social sciences and other fields involving human beings as research participants
2. A computer accessible data storage device should be provided for the archiving of the interviews and routine maintenance should be anticipated for the long-term preservation of the databank
3. The TJC databank should be stored in a safe and secure place that is not accessible to the public. The computer and/or hardware should be password protected and be accessible to authorised people only
4. The databank should be stored in a conducive environment for long-term preservation and be protected from any risk of damage and destruction
5. The level of confidentiality and access set by the TJC should be respected. In this respect, the highly confidential research data should be stored separately in a secure place and under lock. These data should neither be accessed nor released before the time prescribed by the law and in line with the TJC level of confidentiality
6. The consent forms accompanying the databank should be kept separately and under lock
7. The aim of constituting this databank is to promote ethical research hence, to make sure that the data will not be underutilised a catalogue should be devised to inform the scholarly community of the existence of the databank
8. Firstly, to guarantee that the dignity, welfare and privacy of research participants are protected and secondly, to minimise the risk of misuse of data and the potential risk of harm from breaches of confidentiality/anonymity to data subjects, it is the duty of the UoM to make sure that the people that have access to the oral interviews respect and maintain the confidentiality/anonymity of the research participants. For this reason, the UoM and the TJC conjointly should establish a research protocol
9. To ensure that the data are not processed to the detriment of the data subjects, one of the roles of the ethical committee might be to make the material available to certain types of researchers such as to forbid access to politicians, lawyers and journalists and limit access to academic and research use only
10. The scholarly community should be aware of and abide to confidentiality and moral rights agreements including information about copyright ownership, access and processing restrictions and anonymity rights. Hence, to ensure that the data will be processed and disseminated in an ethical way, the research protocol mentioned above should provide that, prior to granting access to the databank, the UoM should ensure that the researcher signs an agreement certifying that he/she will respect the conditions set in the protocol when accessing and processing the data. These conditions should cover: (i) anonymity of data subjects, (ii) re-negotiating the consent of the data subjects who restricted the publication of their interviews and (iii) that the data are processed in ways agreed by the data subjects and the UoM. In some instances, the UoM should consider denying access to the databank to people who do not comply with the conditions set in the protocol

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3. The Copyright Act 1997
4. The Data Protection Act 2004
5. The National Archives Act 1999

APPENDIX 3 SUMMARY OF WORKSHOP DISCUSSIONS JULY 2009

The TJC started its public consultations in July 2009.

A workshop was held on July 2009 at the University of Mauritius with some 50 members of civil society. A summary of the issues of the discussions is given here as they formed an important part in the future methodology and approach used by the TJC for the next two years. Various other consultations were held throughout the two years which drew upon the issues raised during the July workshop. It was a unique opportunity for the TJC to collect views, perceptions and suggestions by various sections of the community.

Views expressed at the workshop

1. The Language of Discourse

From the beginning of consultations, it was clear there was a fear expressed by several groups particularly from the Creole community that the TJC would be no more than an academic exercise where the real issues concerning the Creole community would not be discussed. The Language of the discourse to be used was questioned from the very beginning and the fear was that the choice of terms / words was crucial in describing the experiences of slaves and indentured and their descendants. Does one for example, use the term cultural genocide to describe slavery or cultural transformations? Were there other terms that were more appropriate? Daniella Police felt that a scientific discourse developed out of Mauritius was not necessarily better than one developed locally.

2. Landownership and dispossession

The cause of the absence of land ownership among descendants of ex-slaves was widely discussed. It was made clear however that ex-slaves had not always been property less and Dr. Allen's work clearly showed the extent of land acquisitions not only after abolition of slavery but property ownership and entrepreneurial activity among manumitted slaves. The question was therefore: if ex-slaves had owned land and businesses, how did they lose them? Were they the only groups to lose them? Is there any possibility for any of them to obtain this land?

Related to this was the mechanism by which people in full possession of title deeds were unable to access their land because of fraudulent activities having been carried out using peoples ignorance of laws, language used in the system.

Transparency in land transactions - current sales, transfers recorded in a public space: internet etc). Reference was made to the backlog of cases and whether a Land Court would help to accelerate matters. While TJC could not correct errors, it could assist a Land court in providing information. It was also important to look at how people's relationship to land was treated by authorities. There was concern that those who occupied someone else's land could do so very easily due to defects in the application of the law. The closure of the Land Court in the 1880s was noted as well as the Tribunal Terrier and these needed to be revived in a new form.

Slave/indentured land seizures

Some believed that Indian immigrants had obtained the land of ex-slaves and others that private individuals and institutions had appropriated state land.

The inequality in land ownership was highlighted. It was stated that while those of French origin were given through the system of *concessions*, land, slaves and capital to start their enterprises, non-Europeans received nothing of the kind so that an economic head start was obtained by those of European origin in Mauritius.

Access to information concerning all land transactions: Much needed to be achieved.

Information as well as laws and regulations need to be distributed and freely accessible so all could understand them. This was vehemently supported by Dr Richard Allen who was present at the workshop who stated that 'knowledge is power'. All land transactions needed to be accessible to the public.

It was agreed that the way forward was a complete review of laws, procedures and judicial issues governing land ownership and the creation of a Land court, staffed by professionals to ensure the independence of the Land Court and a dedicated personnel to serve it. It was also recommended that the cadastral exercise (LAVIMS) currently going on in the country at that time should be frozen.

3. Culture Identity Racism

On this issue too, there was concern that the TJC not get bogged down in academic discussions and a specific methodology needed to be devised in order to be more publicly oriented. The Commission, it was felt, should go to the community rather than the inverse, especially as far as the descendants of slaves were concerned and should listen to the experiences of the population. Any recommendations should lead to 'actionable outcomes'. In particular attention needed to be paid to racism policy, Identity discourses and practices, and racism experiences to be documented. The evolution needed to be documented: while the youth would not speak so freely about slavery because of new globalised identities and even though they may suffer aversive racism and not about direct racism. The TJC should take into account gendered experiences across a group, rather than as individuals.

Education and human rights

Human rights education was considered a priority by participants. Teachers should be trained in HR education. It was highlighted that actual differences between human beings were only minute yet were bloated out of proportion.

The system as it existed in Mauritius resembled apartheid but practiced more efficiently. A name could be the cause of handicap in recruitment in employment.

Approaches and methodologies

It was considered very important for TJC in its formulation of methodology to understand discourse and understand the discourse of descendants. A Multidisciplinary approach was necessary and the inclusion of an oral culture needed to be recognized. In approaching the Creole community, an oral approach was required.

Identity needed to be studied as an original construction and seen as a heritage but also as an original construction by Mauritians. Discussion needed to take place on what made up the Mauritian nation. History education was important but in a more dynamic way/

Relationships between culture and management of resources were important to look at. How far were values determinant in the management of the economy? And of knowledge. It was clear that there were different systems of values operating, some more dominant than others. The role of freemasonry in early colonial days and its association with slavery needed to be examined. In particular the cultural values of descendants of slaves and why they cannot integrate in modern economy. Why has this not been discussed?

The short history of Mauritius and the development of a Creole Culture

Culture of descendants of slaves has been largely oral throughout the three centuries. It is still an embryonic culture and is still essentially oral. Is there a place for it in the education system?

Mauritianism/nationalism

There are two discourses: a 'Mauritianism' discourse and an 'ethnic' discourse. Creoles have been 'mutilated' in this discourse as ethnic discourse is considered negative. The ethnic discourse is a reality and is not less valid than others.

However it was also pointed out that identity construction is constantly being reinvented, defined, and redefined and what is a Mauritian, what is a Creole etc? One must not fall into the danger of reading the past into the present and also make analogies where there are none. Comparing Mauritius and the USA i.e., in the American situation and racism: slavery is not the source, it was abolition: Jim Crow issue. The risks in doing 'ethnic' research in Mauritius needed to be considered. When introducing the concept of racism and asking people about racial experiences: encourage people to think in racial terms. The outcomes needed to be thought of.

Politics and the 'malaise créole'

The political discourse since the 1950s and the link between communities When Eugene Laurent worked with Manilal Doctor. Political parties representing majority and minority have united to ensure victory. This is dangerous trap because it means some minorities are absorbed

Religious subsidies

Abolition of religious subsidies to reduce racism should be considered and explanation provided i.e., that it perpetuated divisions of caste, ethnicity and was used for political leverage. It was of concern that those who had originally proposed to talk on casteism chose not to do so.

Outcomes for community

There must be tangible outcomes for the community. Policies must be put in place to achieve equality such as the Equal Opportunity Act. Other actions included: Develop community outreach programs, Must include all actors

4. Education

A very large number of views were expressed on education and the need for reform. These are summarized here: educational programmes to fight racism must be put in place and for schools to be aware of the various conventions; the need for stereotypes of occupations for descendants to be countered; the destigmatisation of those who did not vote for independence; the study of the history of education; choice of English by the descendants of indenture while those of slaves had no choice: French was the language of Catechism and was chosen. New language developed by the new Creole elite emerging: Creole. Creole needed to be introduced for descendants of slaves as a cultural, part of linguistic /cultural rights. High failure rate needed to be examined.

Training

The training of those who teach needed to be looked into. What was the social mindset of teachers: is it a colonial mindset? Those who had experience in education stated that of those who failed school: 10% go into drugs, 10% in alcohol and 20% remained in trades. This had started affecting other ethnic groups as well.

Education and malnutrition

In some areas of Mauritius, children cannot be part of education as they were malnourished. There was child prostitution and high rate of teenage pregnancies.

Values

Descendants of slaves should not be seen as a homogenous group as many had different values. There was a willingness to acquire education.

Alcohol consumption

It was important to educate children about alcohol and health. They should study fetal alcohol syndrome and how it affects the intellectual development of children. The psychosocial consequences of discrimination of racism must be studied by TJC and

Provide therapy.

Transparency in education required

Billions are spent on education yet only 6,000 students reach HSC. The curriculum of education needs to include culture, sports, and skills. The ratio of student to teacher needs to be improved.

Elitism in education

Elitism needs to be removed. One cannot create opportunities otherwise. A holistic approach to identity and culture needs to be considered. For example, class issues must be addressed, not just ethnic issues. There is a correlation of ethnicity with class and a link with discrimination. But in some areas, class issues predominate.

5. History

On this topic, much was said and is summarized here.

Approaches and methodologies: oral histories needed to be incorporated with archival studies

Gaps in the study of history: post 1830s 1840s 1850s - experience of slaves and descendants

Comparisons of Rodrigues (without a sugar industry) and Mauritius to show different evolution for Mauritius were possible with a different development plan.

APPENDIX 4 SLAVE TRADE DATABASE

The aim is to establish a list of all ships and their cargo to better document the slave trade and arrive at an improved assessment of the volume of the slave trade to Mauritius, and the actual number of slaves having been disembarked in Mauritius.

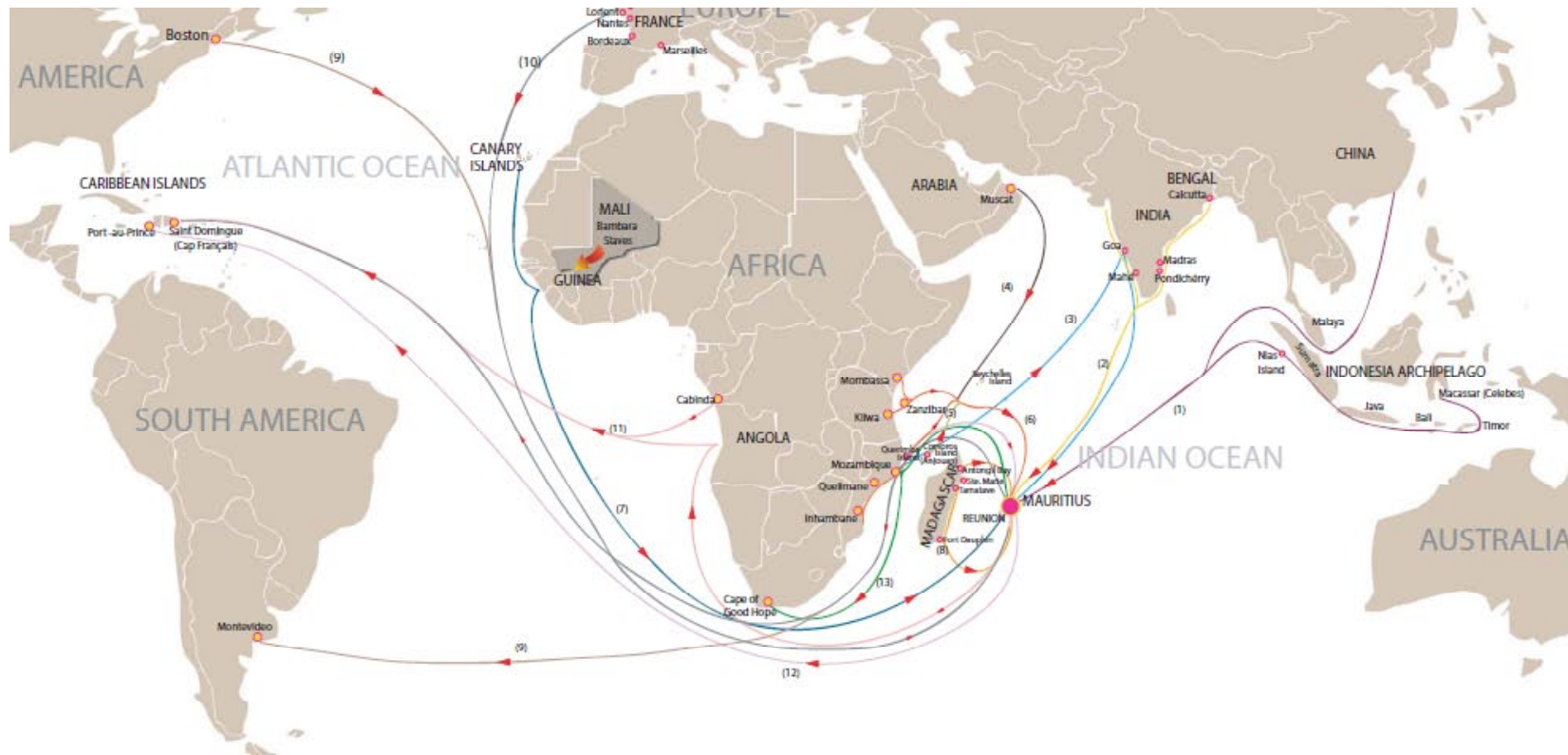
It is also necessary to include in calculations, those ships/persons/slaves destined for Mauritius but who never arrived, due to revolt, shipwreck, diseased etc.

Scholars from overseas working on the slave trade to Mauritius in their respective countries need to be included in this project, such as Thomas Vernet and Benigna Zimba.

- The simple database started by the TKC should be continued by the University of Mauritius in partnership with other institutions which have an interest in the slave trade and slavery. The University possesses both history and computer science departments who can collaborate with minimal cost with each other to maintain the database. It also has a pool of students every year who can be initiated and trained in historical research and data entry.
- Appropriate researchers be given the funds to continue this work.
- This work is to be shared with the public through an online database.
- Inputs should also come from various institutions and individuals in Mauritius and overseas particularly in France and Portugal where the main repositories for the slave trade are to be found.
- Research should be continued in France and elsewhere and French and other Governments approached to partially fund this research overseas.

RECOMMENDATION INTERCONTINENTAL SLAVERY MUSEUM

Map showing strategic location of Mauritius in Intercontinental Slave Trade



(Source: adapted from map of the slave trade of Le Morne Heritage Trust Fund)

APPENDIX 5 INTERCONTINENTAL SLAVERY MUSEUM PROJECT

I. History, Geography, Contextualization and Justification

The idea for a Slavery Museum originated as early as 2000 during discussions for the Origins Project in Mauritius and during the Conference of Slave Routes and Oral Tradition in Southeastern Africa in 2004.

In both Mozambique and Mauritius, despite all efforts, for various reasons, no museum ever saw the light of day.

In 2009 the Truth and Justice Commission began its activities. One of the key components was research towards the memorialisation of the slave trade, slavery and indentured immigration. The idea was thus re-launched and discussions to finalise this project resumed in 2010.

In April 2011, the Truth and Justice Commission organized an International Conference on the Slave Trade. This presented the ideal opportunity and appropriate forum to collect the views of many persons from all walks of life on the subject of slavery, the slave trade and representations and allowed the conceptors of this project to update the project and infuse it with a new dynamism.

A few countries in South Eastern Africa already house slavery museums: the Rabai Museum in Mombasa, Kenya and the Museu da Escravatura in Luanda, Angola are some examples.

Our research through the various projects undertaken since 2000 (Origins Project, Slave Routes Project, Truth and Justice Commission, etc) has concluded that there is a need for an intercontinental museum linking the countries such as Mozambique, Mauritius and Madagascar, as they all formed part of the slave trade network in the 18th and 19th centuries.

They are also the countries that have played a key role in the Indian Ocean Slave trade. Conservative estimates are that Madagascar exported over 125,325 slaves and Eastern Africa, over 180,000 slaves. France traded the bulk of these slaves (over 335,000) followed by the other European countries, Portugal, Holland and England approximately between 10,000 to 60,000 each.

Mozambique and Mauritius are, therefore, the two most appropriate places to host the Intercontinental Slavery Museum, and ideal places to give more visibility to the phenomenon of slavery and slave traffic in the Indian Ocean under colonial rule (Portuguese, French, British, Dutch).

Furthermore, Mauritius is the first country in Africa and the world to have a Truth and Justice Commission investigating the history of slavery and its consequences and to accept the principle that reparations are required.

Mauritius has currently also all the required conditions (moral, rationale, logistics, infrastructural and official government support) to be the first to house the first intercontinental museum in Africa.

The Intercontinental Slavery Museum endeavors to be primarily, an institution directed towards cultural preservation and studying the phenomenon of slavery and slave trade in the Indian Ocean.

In addition, various factors explain the main function, usefulness and historical value of this institution:

- (i) the *Slavery Museum* aims to be an institution to promote cultural exchange, the culture of peace and union among peoples of several continents involved in this process;
- (ii) this institution will strive to develop its enormous educational potential to promote curricular development, scientific research, as well as the production of educational and pedagogical materials;
- (iii) the *Slavery Museum* will constitute a driving factor for developing cultural tourism and the construction of economic and social infrastructures;
- (iv) from the scientific point of view, the Project seeks to stimulate curricula development and the

production of pedagogical material related to this topic, a process which is currently in course in most of the African continent.

II. RELEVANCE AND BENEFICIARIES OF THE INTERCONTINENTAL SLAVERY MUSEUM

The Intercontinental Slavery Museum will highlight the deep transformations that this tragedy caused at economic, social, political, cultural, and ideological levels in all continents, with particular emphasis to Africa and Africans. It will also create opportunities to conduct in-depth and extensive studies of the phenomenon of “slavery and slave trade” on a regional scale and global level. It will also promote investigations and studies en route for the thematic “slavery and slave trade” in Mauritius, Mozambique and Madagascar, in the region, and in the context of the former colonial empires.

Beneficiaries of the Slavery Museum will be:

- (i) students of all educational levels;
- (ii) educational institutions;
- (iii) communities that are part of the slave routes itinerary;
- (iv) researchers, teachers and academicians;
- (v) governmental institutions such as the ministry of tourism;
- (vi) civil society
- (vii) Countries in the region directly and indirectly affected by the Slave trade and slavery will be able to gain from increased understanding and knowledge of this process and how it continues to affect our societies today.
- (viii) International visitors and tourists

III. Components, Strategy, and Methods of Implementing the Project

The Project will cover six components including the Scientific, Educational, and Cultural constituents, and endeavors among other aspects:

- (i) to give logical continuity to the first phase of the Slave Routes Project in Mozambique and Origins Project in Mauritius. Both projects included book publications (*‘History, Memory, Identity’* and *‘Slave Routes and Oral Tradition in Southeastern Africa’*, audiovisuals and other materials; and
- (ii) to be an inclusive institution in time and space, hence the reason and justification for the use of the term “intercontinental museum.”

IV. OBJECTIVES OF THE SLAVERY MUSEUM

Considering the role of future generations in social and cultural development of the continent, the main goal of this Project, is to rescue the history of slavery and the slave traffic in southeastern Africa. In this context, the gathering, collection and preservation of oral traditions; as well as the promotion of cultural diversity and cultural tourism, and of a whole range of activities interconnected to this phenomenon, are crucial to this Project.

V. Implementation

Concerning implementation, we recommend that the Project be initiated and supervised by the Prime Minister’s Office in collaboration with related institutions.

VI. Site of Museum

The conceptors of this Project recommend that the Museum be located in the capital city Port Louis. Apart from giving the history of slavery its due importance it is also appropriate that it should be placed in a location that is reminiscent of slavery and related to slavery. Furthermore as the historic parts of the city are frequently visited by tourists and Mauritians alike, this will ensure financial sustainability for the Museum once it is opened.

The site par excellence is the complex on the eastern side of Port Louis comprised of historical buildings all found on State land and currently neglected. It is part of the Buffer Zone of the Aapravasi Ghat World Heritage Property. The Military Hospital complex will provide sufficient space for this and especially as one wing will house the National Art Gallery, a project also to be initiated by the Prime Minister's Office. This Hospital was built by slaves and indeed housed sick slaves on one floor. It is surrounded by other buildings of direct relation to slavery: the Post Office on which site existed the Bagne for Maroon slaves, the Granary where port workers (descendants of slaves) loaded and unloaded rice, the Customs House where slaves and Liberated Africans passed through when they first arrived in Mauritius in the 18th and 19th centuries, amongst others. Ratsitanina, the Malagasy Prince, exiled to and executed in Mauritius was imprisoned in the Bagne.

VII. BUDGET (US \$) ESTIMATE BY OBJECTIVE

(Time frame: 18 months from start date)

CATEGORY	US\$
Objective 1: To carry out preparatory activities for the establishment of the Intercontinental Slavery Museum	
Consultancy fees: (60,000=2,500x12mtsx2)	101,700
Airfare: every quarter=1000x4x1 for Mozambican consultant;1000x2x1 for Mauritian)	
trips and accomodation/per diem: Mozambican consultant each visit: 15 days 350x15x4=21,000; for Mauritian consultant 350x2x21=14,700; for Preparatory Phase	
Field research in Madagascar, Mozambique, Mauritius and language courses	25,000
Visits to the following countries: Madagascar, Mozambique, Mauritius	15,000
Training workshop in Museology, conservation and others	10,000
Equipment to supply the Slavery Museum's preliminary offices in Maputo and Mauritius	20,000
SUB TOTAL OBJECTIVE 1	161,700
Objective 2: To establish and institutionalize the Intercontinental Slavery Museum	
Survey studies that include topographic analyses	2,000
Architectural and engineering design, including air conditioning and water system	70,000
Preparing tender process	8,000
Restoration works	600,000
Supervision of works	30,000
Training of museum staff	50,000
Equipment of the museum with office and museum supplies	250,000
SUB-TOTAL OBJECTIVE 2	1,010,000
Objective 3: To stimulate research on the slave routes in South West Indian Ocean and to contribute to the gradual revision of school	

Appendix

manuals and curricula at all educational levels of schools in regions concerned	
Revision of manuals and programs, at primary, secondary and university levels;	75,000
Scientific trips	60,000
Production of maps	50,000
Development of partnerships with countries and institutions related to slavery	30,000
<i>SUB-TOTAL OBJECTIVE 3</i>	215,000
<i>Objective 4:</i> To preserve written documentation on the slave routes in South West Indian Ocean, and to catalog tangible heritage	
Creation of a Website, and compilation of physical and digital archive-files	60,000
Inventory of tangible heritage	20,000
Lectures and international conferences	40,000
Production of informative material	110,000
<i>SUB-TOTAL OBJECTIVE 4</i>	230,000
<i>Objective 5:</i> To organize joint activities with institutions to promote cultural programs related to slavery and slave trade	
Cultural festival	100,000
Permanent Exhibition	100,000
Itinerant Exhibition	200,000
<i>SUB-TOTAL OBJECTIVE 5</i>	400,000
GRAND TOTAL	2,016,700.00 two million sixteen thousand seven hundred US\$

6.1 THE MAURITIUS GENEALOGY CENTRE BILL (DRAFT)

Explanatory Memorandum

The object of this Bill is to provide for the establishment of a Mauritius Genealogy Centre which will promote genealogical research within the Mauritian population with a view to assisting Mauritians, or people of Mauritian origin, in finding their origins.

THE MAURITIUS GENEALOGY CENTRE BILL

ARRANGEMENT OF CLAUSES

PART I - PRELIMINARY

1. Short title
2. Interpretation

PART II - THE CENTRE

3. Establishment of Centre
4. Objects of Centre
5. Functions of Centre
6. Powers of the Centre to obtain documents
7. Access of documents to the public
8. Restrictions of access of documents to the public
9. The Mauritius Genealogical Centre online database
10. Designated Institutions
11. Access to genealogical materials

PART III -ADMINISTRATION

12. The Council
13. Meetings of Council
14. Director
15. Delegation
16. Disclosure of interest
17. Powers of Minister

18. Appointment of employees
19. Conditions of service of employees
20. Protection from liability

PART IV - FINANCIAL PROVISIONS AND ACCOUNTS

21. General Fund
22. Donations and exemptions
23. Estimates for the Mauritius Genealogy Centre
24. Execution of documents
25. Annual report

PART V - MISCELLANEOUS

26. Regulations
27. Commencement

A BILL

To provide for the establishment of the Mauritius Genealogy Centre

ENACTED by the Parliament of Mauritius, as follows -

PART I - PRELIMINARY

1. Short Title

This Act may be cited as the Mauritius Genealogy Centre Bill 2011

2. Interpretation

In this Act-

“Centre” means the Mauritius Genealogy Centre

“Council” means the Mauritius Genealogy Centre Council referred to in section 12;

“Chairperson” means the Chairperson of the Council appointed under section 12;

“Designated institution” means any person, body or institution designated by the Council under section 10 and listed in the first schedule;

“Director” means the Director of the Council appointed under section 14;

“Historical materials” means any documents or records of historical value which may have any

value for a genealogical search;

“Index entries” means Indices found at the Mauritius National Archives and in the Civil Status Offices containing the basic references of the individuals, including name and surname, date of registration of the Civil status document, Civil Status Office District, the Register Number and the folio number of the civil status entry;

“Member” -

(a) means a member of the Council appointed under section 12; and

(b) includes the Chairperson;

“Minister” means the minister to whom responsibility for the Mauritius Genealogy Centre is assigned;

“Prescribed fees” means fees chargeable by the Centre and as listed in the second schedule;

“Relevant genealogical documents” means any document of genealogical value, including civil status certificates.

PART II - THE CENTRE

3. Establishment of the Centre

- a. There is established for the purposes of this Act the Mauritius Genealogy Centre;
- b. The Centre shall be a body corporate;
- c. The principal place of business of the Centre shall be at such place as the Council may determine.

4. Objects of the Centre

In pursuance of its functions under the Act, the objects of the Centre shall be to -

- a. collect, acquire, store, digitize, preserve and restore genealogical and historical materials;
- b. foster interest in research and development in relation to genealogy;
- c. develop and maintain a database of institutions and individuals concerned with the origins of the Mauritian population;
- d. provide assistance to facilitate Mauritians or people of Mauritian origins who wish to have their genealogical research and trace their origins;
- e. create awareness and disseminate information in the field of genealogy;
- f. promote and encourage the study of genealogy, research and support projects and publications related to genealogy;
- g. promote a conservation protocol, in line with the National Archives; and

- h. promote links between countries with a shared heritage and to attain the objects of the Centre

5. Functions of the Centre

The Centre shall have such functions as are necessary to further its objects most effectively and shall, in particular -

- a. conduct genealogical surveys of the Mauritian diasporas in order to establish links and ties within the Mauritian nation;
- b. hold conference, lectures and exhibitions on genealogy, carry out research activities and give advice or other information to pursue the objects of the Centre;
- c. act as a facilitator with researchers for genealogical research;
- d. establish links with, organizations engaged in similar activities locally and internationally in order to trace Mauritian ancestry;
- e. conduct any searches, for the purpose of a genealogical search, in order to establish the family history, including interviews, historical materials and other sources of oral traditions;
- f. establish a research protocol as regards researches made in relation to genealogical research;
- g. carry out the digitization of any documents in relation to genealogical research from documents under custody of the designated institutions;
- h. pending the creation of a Conservation Institute, the Centre shall promote a conservation protocol, train its personnel in conservation matters and assist in the creation of a Conservation Institute;
- i. provide for the separate housing of films, sound recordings and other machine readable records in relation to genealogy on which the Centre is undertaking research;
- j. publish an annual report on the activities of the Centre and its contribution in genealogy;
- k. provide for the training of the staff of the Centre or other persons in the field of genealogy;
- l. provide for the recording and keeping of oral history archives in relation to genealogy and family history;
- m. produce and publish documentary materials for educational purposes and for the public at large;
- n. to finance the publication of such research work of genealogical value produced by the Centre;
- o. to consider funding for publication of manuscripts of private individuals who have made extensive research in the genealogical field;
- p. advise the Minister on the formulation and implementation of policies in respect to genealogy and other related aspects;
- q. do anything incidental or conducive to the performance of any of its objects under this Act.

6. Powers of the Centre to obtain documents

The Centre shall have such powers as are necessary to attain its objects and discharge its objects and functions effectively and in particular -

- a. Notwithstanding any other legislations, more specifically the Civil Status Act 1981 and the National Archives Act 1999, the Centre shall, upon request duly signed by the Chairperson of the Council, be communicated with any copies of Relevant genealogical documents or in electronic format found in the custody of designated institutions for the purpose of genealogical research and digitization;
- b. Where the Centre has made a request for the disclosure of a document which is the subject-matter of a confidentiality provision under an enactment and the person having the custody of the document does not consent to the disclosure thereof, the Centre may, notwithstanding the provisions of that enactment, make an application to the Judge in Chambers asking for an order of disclosure of the document;
- c. Where the Judge in Chambers is satisfied that a document is material to the functions of the Centre and any prejudice likely to arise from its disclosure will be outweighed by the Centre being authorised to use the document to pursue its functions under this Act, he may order the disclosure of the document; and
- d. The relevant genealogical documents mentioned above shall be for the internal use of the Centre and shall be made available to the public only as provided in sections 7 and 8 below

7. Access of documents to the public

In furtherance of its functions and objects under the Act and subject to section 8 below, the Centre, after payment of the prescribed fees to the Centre, shall:

- a. Provide to the public any relevant genealogical documents to facilitate genealogical research; and
- b. At the conclusion of a genealogical research, provide to the applicant a family tree which shall establish the relationship of the applicant to his ancestor's, as complete and accurate as possible, based on civil status documents and oral history. The family tree shall be accompanied with copies:
 - i. For the period of less than 75 years from the date of the search, copies of all the index entries references' of the Civil Status Acts; and
 - ii. For the period of more than 75 years from the date of the search, digitized copies of the Civil Status acts.
- c. For the purpose of section 7(b) above, the family tree shall not be deemed to have any conclusive value before any Courts of law or tribunal.

8. Restrictions of access of documents to the public

- a. The Centre shall only communicate to the public, copies of civil status documents or entries of not less than 75 years old;
- b. Notwithstanding section 8(a) above, the Centre may communicate names and reference numbers from the index entries of less than 75 years old; and
- c. In all cases, the Centre shall also communicate to the public any relevant materials.

9. The Mauritius Genealogical Centre online database

There is established a Mauritius Genealogical Centre online Database which shall be made available to

the public, subject to:

- a. The online database shall contain only information relating to index entries or other information as approved by the Council;
- b. The online database shall also contain the results of previous genealogical searches carried out by the centre with respect to other applicants. The referred results of previous genealogical searches shall be stored in the database under such conditions as may be prescribed by the Council;
- c. With respect to sub section (b) above, the Centre shall, upon an application made before it, inform the applicant the result of their genealogical search shall be made available to the Centre and on the online database;
- d. Access to the results mentioned in subsection (b) above shall be given only after prior approval by the Centre and this under the terms and conditions as deemed fit by the Council; and
- e. The Centre shall, as it deems fit, make available any relevant genealogical documents of more than 75 years old.

10. Designated Institutions

- a. The Council may designate any organization or private individuals which possesses or has in its custody genealogical materials or engages in genealogical research as a designated institution;
- b. The list of Designated Institutions shall be found in the first schedule and can be amended by the Council upon its decision and after publication in the Government Gazette.

11. Access to genealogical materials

- a. no person shall have access to genealogical materials unless he is registered as a genealogical researcher with the Council;
- b. Every person who wishes to be registered as a genealogical researcher shall submit a written application to the Director;
- c. The Council shall consider the application and where it is satisfied that the person is suitable to act as a genealogical researcher, it shall register him on such terms and conditions as it thinks fit;
- d. The Council shall keep and maintain a register of registered genealogical researchers;
- e. In case of misconduct or unprofessional behavior, the Council shall, after having given an opportunity to answer any charge, cause the name of that person to be removed from the register of registered genealogical researchers.
- f. No person shall disclose any information in relation, to any genealogical materials without the written authorization of the Council;
- g. Any person who contravenes subsection (f) above shall commit an offence and shall on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment not exceeding 12 months;
- h. Notwithstanding section 11(a) above, anyone who wishes to make a genealogy search without the services of a registered genealogist, shall, after payment of the prescribed fees, be allowed to do so by the Centre but under the same restrictions as provided by section 8 above;

- i. Nothing in this Act shall prevent anyone, not employed by the Centre, to apply for registration as a Registered Genealogist under the conditions set down by the Council and after payment of the prescribed fees. The said person would be governed by the same restrictions as provided by section 8 above;
- j. Any person, registered as genealogical researcher at the Centre or any individual as provided by subsection (h) above, shall make available a copy of all genealogical searches, made by him using materials from the Centre, to the Centre.

PART III - ADMINISTRATION

12. The Council

- a. The Centre shall be administered and managed by a Council, to be known as the Mauritius Genealogy Centre Council, which shall consist of -
 - i. a Chairperson, to be appointed by the Minister;
 - ii. a Vice-Chairperson, to be appointed by the Minister;
 - iii. a representative of the Prime Minister's Office;
 - iv. a representative of the Ministry responsible for the subject of Culture;
 - v. a representative of the Civil Status Office;
 - vi. a representative of the National Archives; and
 - vii. 2 persons having wide experience in matters relating to genealogy and genealogical research, to be appointed by the Minister;
- b. Every member appointed under subsection (a) shall hold office for a period of 2 years and may be eligible for reappointment.
- c. The Council may co-opt such other person who may be of assistance in relation to any matter before the Council and the co-opted member shall -
 - i. have no right to vote at any meeting of the Council; and
 - ii. be paid such fees and allowances as the Council thinks fit
- d. Any member may be removed or suspended from office by the Minister in any of the circumstances described in section 37(3) (b) of the Interpretation and General Clauses Act and, for the purpose of this subsection, the reference to the expression "in the opinion of the person who has the power to appoint him" in section 37(3)(b)(iii) to (v) shall be deemed to be reference to the opinion of the Minister.
- e. Where a vacancy occurs in the membership of the Council, the vacancy shall be filled by a person appointed by the Minister, who shall hold office for the remainder of the term of office of that member.
- f. Every member shall be paid by the Council such fees or allowances as the Prime Minister may determine.

- g. No member shall engage in any activity which may undermine the integrity of the Council or the Centre.

13. Meetings of the Council

- a. The Council shall meet as often as is necessary but at least once every three months at such time and place as the Chairperson thinks fit.
- b. In the absence of the Chairperson at a meeting of the Council, the Vice-Chairperson shall act as Chairperson for that meeting.
- c. The Chairperson shall convene a meeting of the Council on request made by not less than 3 members.
- d. Four members shall constitute a quorum at any meeting of the Council.
- e. Subject to this section, the Council shall regulate its meetings in such manner as it thinks fit

14. The Director

- a. There shall be a Director of the Centre who shall be appointed, by the Council on such terms and conditions as the Council thinks fit.
- b. The Director shall, in the exercise of his functions -
 - i. be responsible for the execution of the policy of the Council and for the control and management of the day-to-day business of the Centre;
 - ii. act in accordance with such directives as he may receive from the Council; and
 - iii. submit to the Council a report in relation to the activities and finances of the Centre every 3 months.
- c. The Director shall, unless otherwise directed by the Council, attend every meeting of the Council and may take part in its deliberations, but shall not have the right to vote.

15. Delegation

Subject to such instructions as it may give, the Council may delegate to the Director such of its powers and functions as may be necessary for the effective management of the day-to-day business and activities of the Centre, other than the power to -

- a. borrow money; or
- b. enter into any transaction in respect of capital expenditure which exceeds 100,000 rupees

16. Disclosure of interest

Where any member or any person related to him by blood or marriage has a pecuniary or other material interest in relation to any matter before the Council, that member shall -

- a. disclose the nature of the interest at or before the meeting convened to discuss that matter; and
- b. not take part in any deliberations of the Council relating to that matter.

17. Powers of Minister

- a. The Minister may give such written directions of a general character to the Council, not inconsistent with this Act, as he considers to be necessary in the public interest, and the Council shall comply with those directions;
- b. The Council shall -
 - i. supply to the Minister with such information relating to its activities as the Prime Minister may require; and
 - ii. keep the Minister informed of the general conduct of its activities, and of any significant development in its activities.

18. Appointment of employees

- a. The Council may, appoint on such terms and conditions as it thinks fit, such other employees as may be necessary for the proper discharge of its functions under this Act; and
- b. Every employee referred to in subsection (a) shall be under the administrative control of the Director.

19. Conditions of service of employees

The Council shall make provision to govern the conditions of service of its employees and in particular to deal with -

- a. the appointment, dismissal, discipline, pay and leave of, and the security to be given to, employees;
- b. appeals by employees against dismissal and other disciplinary measures; and
- c. the establishment and maintenance of provident and pension fund schemes and the contribution payable to those schemes and benefits derived from the employees.

20. Protection from liability

No liability, civil or criminal, shall be incurred by the Centre or any member or any employee in respect of any act done or omitted in the execution in good faith of its or his functions or duties under this Act.

PART IV - FINANCIAL PROVISIONS AND ACCOUNTS

21. General Fund

The Centre shall set up a General Fund -

- a. into which all monies received from any source by the Centre shall be paid;
- b. out of which all payments required to be made by the Centre shall be effected;
- c. There shall be paid annually into the Fund such sum of money as may be appropriated by the National Assembly;
- d. Any money received as donations and legacies by the Committee shall be paid into the General Fund; and
- e. Any money received from activities organised with the approval of the Council shall be paid into the Fund.

22. Donations and exemptions

- a. Article 910 of the Code Civil Mauricien shall not apply to the Centre; and
- b. Notwithstanding any other enactment, the Authority shall be exempt from payment of:
 - i. any registration duty, fee or charges in respect of any document under which the Centre is the sole beneficiary or where immovable property is acquired; and
 - ii. any other duty, rate, charge, fee or tax

23. Estimates for the Mauritius Genealogy Centre

- a. For the purposes of the Statutory Bodies (Accounts and Audit) Act, the period extending from the commencement of this Act to June, next following shall be deemed to be the first financial year of the Centre;
- b. Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply to the first financial year of the Centre;
- c. The Centre shall, not less than 3 months before the end of every financial year, submit to the Minister an estimate of the income and expenditure of the Centre for the next financial year for his approval.
- d. Where the Minister gives his approval under subsection (c) above, the Minister may-
 - i. Approve part only of the expenditure under any item; and
 - ii. Direct the Centre to amend the estimates in respect of any other item in such manner as he thinks fit.

24. Execution of documents

No deed, cheque or other document shall be executed or signed by or on behalf of the Centre unless it is signed by the Chairperson and the Director or, in the absence of these two, any other member appointed by the Council for that purpose.

25. Annual report

- a. The Council shall, not more than 4 months after the end of a financial year, submit to the Minister an annual report together with an audited statement of accounts on the operations of the Centre in respect of that financial year;
- b. The Minister shall, at the earliest available opportunity, lay a copy of the annual report and audited accounts of the Centre on the table of the Assembly.
- c. The auditor to be appointed under section 5(1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.

PART V - MISCELLANEOUS

26. Regulations

The Minister may make such regulations as he considers necessary for the purposes of this Act.

27. Commencement

- a. Subject to subsection (b), this Act shall come into operation on a date to be fixed by Proclamation;
- b. Different dates may be fixed for the coming into operation of different sections.

APPENDIX 6.2 LIST OF CIVIL STATUS DOCUMENTS DIGITIZED BY PATRICK DRACK AND TJC TEAM

CSO PHOTOGRAPHED INDEXES

Type of information	Location	Period	From-to (alphabetical order)
B,D,M	All districts	1811 to 1815	A-Z
B,D,M	All districts	1816 to 1820	A-Z
B,D,M	All districts	1821 to 1825	L- Z
B,D,M	All districts	1825 to 1830	A- J
B,D,M	All districts	1826 to 1830	A-Z
B,D,M	All districts	1831 to 1835	A-Z
B,D,M	All districts	1836 to 1838	A- Z
B,D,M	All districts	1839 to 1860	A-Z
B,D,M	All districts	1861 to 1871	A-Z
B	All districts	1871 to 1881	A to D
(1861-1871/ 1871-1881 done at the National Archives) / (B- Birth, D- death, M- marriage)			

These indexes have been sub-classified as such (in folders of an average of 70 photos):

- 1810 to 1815- Ao to Fo- (BDM) all districts:** Indices of surnames **Ao to Fo** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1810 to 1815, for all districts.
- 1810 to 1815- Fo to Ne- (BDM) all districts:** Indices of surnames **Fo to Ne** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1810 to 1815, for all districts.
- 1810 to 1815- Ni to Zo- (BDM) all districts:** Indices of surnames **Ni to Zo** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1810 to 1815, for all districts.
- 1810 to 1854- Divers feuillets isolées (Loose pages):** Indices of various surnames for irregular years from 1810 to 1854.
- 1816 to 1820- Ai to Fu- (BDM) all districts:** Indices of surnames **Ai to Fu** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1816 to 1820, for all districts.
- 1816 to 1820- Ga to Pe- (BDM) all districts:** Indices of surnames **Ga to Pe** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1816 to 1820, for all districts.
- 1816 to 1820- Pe to Ze- (BDM) all districts:** Indices of surnames **Pe to Ze** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1816 to 1820, for all districts.
- 1821 to 1825- Aa to De- (BDM) all districts:** Indices of surnames **Aa to De** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.
- 1821 to 1825- De to Ho- (BDM) all districts:** Indices of surnames **De to Ho** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.

10. **1821 to 1825- Hu to Me- (BDM) all districts:** Indices of surnames **Hu to Me** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.
11. **1821 to 1825- Me to Ro- (BDM) all districts:** Indices of surnames **Me to Ro** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.
12. **1821 to 1825- Ro to Yo- (BDM) all districts:** Indices of surnames **Ro to Yo** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.
13. **1826 to 1830- Ae to Ca- (BDM) all districts:** Indices of surnames **Ae to Ca** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1821 to 1825, for all districts.
14. **1826 to 1830- Ca to Do- (BDM) all districts:** Indices of surnames **Ca to Do** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1826 to 1830, for all districts.
15. **1826 to 1830- Do to Jo- (BDM) all districts:** Indices of surnames **Do to Jo** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1826 to 1830, for all districts.
16. **1826 to 1830- L to Re- (BDM) all districts:** Indices of surnames **L to Re** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1826 to 1830, for all districts.
17. **1826 to 1830- Re to Va- (BDM) all districts:** Indices of surnames **Re to Va** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1826 to 1830, for all districts.
18. **1826 to 1830- Va to Zo- (BDM) all districts:** Indices of surnames **Va to Zo** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1826 to 1830, for all districts.
19. **1831 to 1835- Ae to Ca- (BDM) all districts:** Indices of surnames **Ae to Ca** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1831 to 1835, for all districts.
20. **1831 to 1835- Ca to Hy- (BDM) all districts:** Indices of surnames **Ca to Hy** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1831 to 1835, for all districts.
21. **1831 to 1835- Hy to Ku- (BDM) all districts:** Indices of surnames **Hy to Ku** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1831 to 1835, for all districts.
22. **1831 to 1835- La to No- (BDM) all districts:** Indices of surnames **La to No** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1831 to 1835, for all districts.
23. **1831 to 1835- Nu to Zi- (BDM) all districts:** Indices of surnames **Nu to Zi** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1831 to 1835, for all districts.
24. **1836 to 1838- Ae to Des- (BDM) all districts:** Indices of surnames **Ae to Des** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1836 to 1838, for all districts.
25. **1836 to 1838- Der to Iv- (BDM) all districts:** Indices of surnames **Der to Iv** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1836 to 1838, for all districts.
26. **1836 to 1838- Ja to Ma- (BDM) all districts:** Indices of surnames **Ja to Ma** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1836 to 1838, for all districts.
27. **1836 to 1838- Ma to Ro- (BDM) all districts:** Indices of surnames **Ma to Ro** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1836 to 1838, for all districts.
28. **1836 to 1838- Ro to Ze- (BDM) all districts:** Indices of surnames **Ro to Ze** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1836 to 1838, for all districts.
29. **1836-PL-Birth- JU only:** Indices of surnames **Ju** for the year 1836 in Port-Louis for birth only.
30. **1837- Divers feuillets (Loose pages) - AE:** Indices for **Ae** surnames for the year 1837.
31. **1839 to 1847- PL- (D) - A to Du:** Indices of surnames **A to Du** in chronological order concerning death of the population of Mauritius for the period of 1839 to 1847, for Port-Louis.
32. **1839 to 1847- PL- (D) - Du to Ko:** Indices of surnames **Du to Ko** in chronological order concerning death of the population of Mauritius for the period of 1839 to 1847, for Port-Louis.
33. **1839 to 1847- PL- (D) - L to Po:** Indices of surnames **L to Po** in chronological order concerning death of the population of Mauritius for the period of 1839 to 1847, for Port-Louis.

34. **1839 to 1847- PL- (D) - Po to Zo:** Indices of surnames **Po to Zo** in chronological order concerning death of the population of Mauritius for the period of 1839 to 1847, for Port-Louis.
35. **1839 to 1849- PL- (B) - A to De:** Indices of surnames **A to De** in chronological order concerning birth of the population of Mauritius for the period of 1839 to 1849, for Port-Louis.
36. **1839 to 1849- PL- (B) - De to Jo:** Indices of surnames **De to Jo** in chronological order concerning birth of the population of Mauritius for the period of 1839 to 1849, for Port-Louis.
37. **1839 to 1849- PL- (B) - L to Pe:** Indices of surnames **L to Pe** in chronological order concerning birth of the population of Mauritius for the period of 1839 to 1849, for Port-Louis.
38. **1839 to 1849- PL- (B) - Pe to Z:** Indices of surnames **Pe to Z** in chronological order concerning birth of the population of Mauritius for the period of 1839 to 1849, for Port-Louis.
39. **1839 to 1860- BR- (BDM) - A to J:** Indices of surnames **A to J** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Black River.
40. **1839 to 1860- BR- (BDM) - J to R:** Indices of surnames **J to R** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Black River.
41. **1839 to 1860- BR- (BDM) - R to Y:** Indices of surnames **R to Y** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Black River.
42. **1839 to 1860- FL- (BDM)- A to C:** Indices of surnames **A to C** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Flacq.
43. **1839 to 1860- FL- (BDM) - D to K:** Indices of surnames **D to K** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Flacq.
44. **1839 to 1860- FL- (BDM) - L to P:** Indices of surnames **L to P** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Flacq.
45. **1839 to 1860- GP- (BDM) - A to C:** Indices of surnames **A to C** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Grand Port.
46. **1839 to 1860- GP- (BDM) - C to K:** Indices of surnames **C to K** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Grand Port.
47. **1839 to 1860- GP- (BDM)- L to N:** Indices of surnames **L to N** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Grand Port.
48. **1839 to 1860- GP- (BDM) - N to S:** Indices of surnames **N to S** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Grand Port.
49. **1839 to 1860- GP- (BDM) - S to Z:** Indices of surnames **S to Z** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Grand Port.
50. **1839 to 1860- M- (BDM) - A to K:** Indices of surnames **A to K** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Moka.
51. **1839 to 1860- M- (BDM) - L to Z:** Indices of surnames **M** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Moka.
52. **1839 To 1860- PAM- (BDM) - A to C:** Indices of surnames **A to C** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
53. **1839 To 1860- PAM- (BDM) - C to G:** Indices of surnames **C to G** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
54. **1839 To 1860- PAM- (BDM) - G to K:** Indices of surnames **G to K** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
55. **1839 To 1860- PAM- (BDM) - L to M:** Indices of surnames **L to M** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
56. **1839 To 1860- PAM- (BDM) - Ma to Mu (Part 2 of L-M):** Indices of surnames **L to M** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
57. **1839 To 1860- PAM- (BDM) - N to R:** Indices of surnames **N to R** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
58. **1839 To 1860- PAM- (BDM) - R to T:** Indices of surnames **R to T** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
59. **1839 To 1860- PAM- (BDM) - T to Z:** Indices of surnames **T to Z** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Pamplemousses.
60. **1839 to 1860- PL- (M) - A to D:** Indices of surnames **A to D** in chronological order concerning marriages of the population of Mauritius for the period of 1839 to 1860, for Port-Louis.
61. **1839 to 1860- PL- (M) - D to K:** Indices of surnames **D to K** in chronological order concerning marriages of the population of Mauritius for the period of 1839 to 1860, for Port-Louis.
62. **1839 to 1860- PL- (M) - L to P:** Indices of surnames **L to P** in chronological order concerning marriages of the population of Mauritius for the period of 1839 to 1860, for Port-Louis.

63. **1839 to 1860- PL- (M) - P to Z:** Indices of surnames **P to Z** in chronological order concerning marriages of the population of Mauritius for the period of 1839 to 1860, for Port-Louis.
64. **1839 to 1860- PW- (BDM) - A to G:** Indices of surnames **A to G** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Plaines Wilhems.
65. **1839 to 1860- PW- (BDM) - H to W:** Indices of surnames **H to W** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Plaines Wilhems.
66. **1839 to 1860- RR- (BDM) - A to K:** Indices of surnames **A to K** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Rivière du Rempart.
67. **1839 to 1860- RR- (BDM) - L to P:** Indices of surnames **L to P** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Rivière du Rempart.
68. **1839 to 1860- RR- (BDM) - P to V:** Indices of surnames **P to V** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Rivière du Rempart.
69. **1839 to 1860- S- (BDM) - A to L:** Indices of surnames **A to L** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Savanne.
70. **1839 to 1860- S- (BDM) - L to W:** Indices of surnames **L to W** in chronological order concerning the birth, marriage and death of the population of Mauritius for the period of 1839 to 1860, for Savanne.
71. **1848 to 1860- PL- (D) - D to M:** Indices of surnames **D to M** in chronological order concerning death of the population of Mauritius for the period of 1848 to 1860, for Port-Louis.
72. **1848 to 1860- PL- (D) - M to P:** Indices of surnames **M to P** in chronological order concerning death of the population of Mauritius for the period of 1848 to 1860, for Port-Louis.
73. **1848 to 1860- PL- (D) - P to S:** Indices of surnames **P to S** in chronological order concerning death of the population of Mauritius for the period of 1848 to 1860, for Port-Louis.
74. **1848 to 1860- PL- (D) - S to Z:** Indices of surnames **S to Z** in chronological order concerning death of the population of Mauritius for the period of 1848 to 1860, for Port-Louis.
75. **1849 to 1860- PL- (D) - A to C:** Indices of surnames **A to C** in chronological order concerning death of the population of Mauritius for the period of 1849 to 1860, for Port-Louis.
76. **1849 to 1860- PL- (D) - C to I:** Indices of surnames **C to I** in chronological order concerning death of the population of Mauritius for the period of 1849 to 1860, for Port-Louis.
77. **1851 To 1860- PL- (B) - C to K:** Indices of surnames **C to K** in chronological order concerning birth of the population of Mauritius for the period of 1851 to 1860, for Port-Louis
78. **1871 to 1880- All districts- (B) - Ab to At:** Indices of surnames **Ab to At** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.
79. **1871 to 1880- All districts- (B) - At to Be:** Indices of surnames **At to Be** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.
80. **1871 to 1880- All districts- (B) - Be to Br:** Indices of surnames **Be to Br** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.
81. **1871 to 1880- All districts- (B) - Br to Ch:** Indices of surnames **Br to Ch** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.
82. **1871 to 1880- All districts- (B) - Ch to De:** Indices of surnames **Ch to De** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.
83. **1871 to 1880- All districts- (B) - De to Dy:** Indices of surnames **De to Dy** in chronological order concerning birth of the population of Mauritius for the period of 1871 to 1880, for all districts.

CSO certificates for Rodrigues:

Type (B, D, M)	Year
B,D,M	1840-1859
B	1860-1863
D	1860-1863
M	1860-1863
B	1864
M	1864
D	1864
B	1865
M	1865

Appendix

D	1865
D	1866
B	1866
M	1866
B	1867
M	1867
D	1867
M	1868
D	1868
B	1868
B	1869
M	1869
D	1869
B	1870
D	1870
B,D,M	1871
M	1871-1872
M	1872
M	1872-1874
D	1872
M	1873
D	1873
B	1874
M	1874
D	1874
M	1875
B	1875
D	1875
B	1876
D	1876
B	1877
M	1877
D	1877
B	1878
M	1878
D	1878
B	1879
M	1879
D	1879
B	1880
M	1880
D	1880

CSO certificates for Agalega (Registers contain some certificates for Diego Garcia and other Lesser Dependencies):

Type	Year
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Appendix

(B, D, M)	
B	1881-1905 in same volume after 1905: 1881-1890 for Agalega and other islands
D	1886-1887 (including Diego Garcia and other Lesser Dependencies)
D	1889-1890
M	1883-1884
M	1889
M	1890
M	1890-1891

CSO certificates for the main island (Mauritius) per district:

District	Type (B, D, M)	Year
PL	B, D, M	1835-1836 (vol.3)
PW	B, D, M	1811-1813 (vol.1 / <i>blancs</i>)
PW	B, D, M	1811-1813 (<i>libres</i>)
PW	B, D, M	1811 (slaves)
PW	B, D, M	1811-1812 (slaves)
PW	B, D, M	1838-1839
PW	B, D, M	1818-1821 (<i>libres</i>)
PW	B, D, M	1822-1824 (<i>blancs</i>)
PW	B, D, M	1811-1818 (19 bis) / (<i>blancs & libres</i>)
PW	B, D, M	1811-1813 (29 Ter)
PW	B, D, M	1813-1821 (<i>blancs</i>)
PW	B, D, M	1822-1829 (<i>blancs</i>) / missing 1825
PW	B, D, M	1825-1829 (no. 29) / (<i>libres</i>)
PW	B, D, M	1822-1829 (<i>libres de couleur</i>)
PW	B, D, M	1825-1829 (<i>blancs</i>) / (no.21 Ter)
PW	B, D, M	1822-1826
PW	B, D, M	1813-1821 (no. 23) / (<i>blancs</i>)
PW	B, D, M	1813-1821 (<i>libres de couleur</i>)
PW	B, D, M	1837
PW	B, D, M	1836-1837 (no. 33)
PW	B, D, M	1830-1833 (no. 30) / (<i>blancs</i>) 1832 (<i>libres</i>)
PW	B, D, M	1843 (no.41)
PW	B, D, M	1840 (no.37)
PW	B, D, M	1830-1835 (no.31) : 1830, 1831, 1832, 1834, 1835 (<i>blancs</i>) 1833 (<i>libres</i>)
PW	B, D, M	1834-1836 (<i>blancs</i>) / (no.32)
PW	B, D, M	1845
PW	B, D, M	1853
PW	B, D, M	1822-1824 (<i>blancs</i>)
PW	B, D, M	1830-1835 (excluding 1833- <i>blancs</i>) 1833 (<i>libres</i>)
PW	B, D, M, A	1830-1834 (excluding 1833- <i>blancs</i>) 1833 (<i>libres</i>)
PW	B, D, M	1850
PW	B, D, M	1836-1837
PW	B, D, M	1841
PW	B, D, M	1841 (vol.2)
PW	B, D, M	1844
PW	B, D, M	1846
PW	B, D, M	1847
PW	B, D, M	1848
PW	B, D, M	1849
PW	B, D, M	1851

Appendix

PW	B, D, M	1852
PW	B, D, M	1853 (March to May, <i>en vrac</i>)
PW	B, D, M	1854
PW	B	1855 (vol.1)
PW	B	1855 (vol.2)
PW	B	1855 (vol.3)
PW	M	1855
PW	D	1855
PW	D	1855 (vol.2)
PW	D	1856 (vol.1)
PW	D	1856 (vol.2)
PW	D	1856 (vol.3)
PW	M	1856
PW	B	1856 (vol.1)
PW	B	1856 (vol.2)
PW	D	1857 (vol.1)
PW	D	1857 (vol.2)
PW	D	1857 (vol.3)
PW	M	1857 (vol.1)
PW	M	1857 (vol.2)
PW	D	1858 (vol.1)
PW	D	1858 (vol.2)
PW	D	1859 (vol.1)
PW	D	1859 (vol.2)
PW	D	1859 (vol.3)
PW	D	1860 (vol.1)
PL	B, D, M	1813-1814 (<i>blancs & libres</i>)
PL	B, D, M	1814-1815 (B & L)
PL	B, D, M	1815-1816 (L)
PL	B, D, M	1815-1818 (vol.3/ B)
PL	B, D, M	1816-1817 (L)
PL	B, D, M	1817-1818 (vol.2 / L)
PL	B, D, M	1818-1819 (L)
PL	B, D, M	1819 (<i>Population de couleur</i>)
PL	B, D, M	1819-1821 (B)
PL	B, D, M	1819-1821 (B, L, A)
PL	B, D, M	1825 (vol.1 / L)
PL	B, D, M	1825 (vol.2)
PL	B, D, M	1825 (B)
PL	B, D, M	1827 (L)
PL	B, D, M	1827-1828 (S)
PL	B, D, M	1829 (B)
PL	B, D, M	1834 (vol.2 / B & L)
PL	B, D, M	1821-1822 (B)
PL	B, D, M	1821-1822 (B & L)
PL	B, D, M	1823-1824
PL	B, D, M	1822-1824 (B)
PL	B, D, M	1822-1823 (B)
PL	B, D, M	1826 (L)
PL	B, D, M	1824 (B)
PL	B, D, M	1828 (L)
PL	B, D, M	1828 (B)
PL	B, D, M	1829 (L)
PL	B, D, M	1827
PL	B, D, M	1830-1831 (B)
PL	B, D, M, A	1831 (vol.1 /B & L)
PL	B, D, M, A	1831-1832 (vol.2 / B & L)
PL	B, D, M, A	1832- Not digitized because very damaged and need urgent restoration.
PL	B, D, M, A	1833 (vol.1)
PL	B, D, M, A	1833 (vol.2 / B &L)
PL	B, D, M, A,	1834 (vol.3)
PL	B, D, M, A	1834 (vol.4) [an index at the end of the volume]

Appendix

PL	B, D, M	1835
PL	B, D, M	1838 (vol.1)
PL	B, D, M	1836 (vol.1)
PL	B, D, M	1836 (vol.2)
PL	B, D, M	1836 (vol.3)
PL	B, D, M	1837 (vol.1)
PL	B, D, M	1837 (vol.2)
PL	B, D, M	1837 (vol.3)
PL	B, D, M	1837 (vol.4)
PL	B, D, M	1838 (vol.2)
[Abbreviations: PW- Plaines Wilhems, PL- Port Louis/ B-Blancs/ whites, L-libres/ free, S-slaves/esclaves, A- Actes d'Affranchissement		

26,369 photos were made, in all, for the month of July 2010 where Mr. Drack came to start the digitization; thus some **80,000** Civil Status certificates have been digitised.

APPENDIX 6.3 CSO INDEXING DATABASE USER MANUAL

The CSO Indexing Database is designed to contain details about indexes in the CSO. It has been built around Open Source Technologies, namely Apache [2], MySQL [3] and PHP [4].

To deploy the application, MoWeS Portable II [1], has been used and provides for setup of WAMP on any Windows system. To launch the database, Open the contents on the pen-drive provided and double-click on “TJC-DoubleClickMe”. This will launch the different services (Apache and MySQL) and the application will start as shown in Figure1 below.

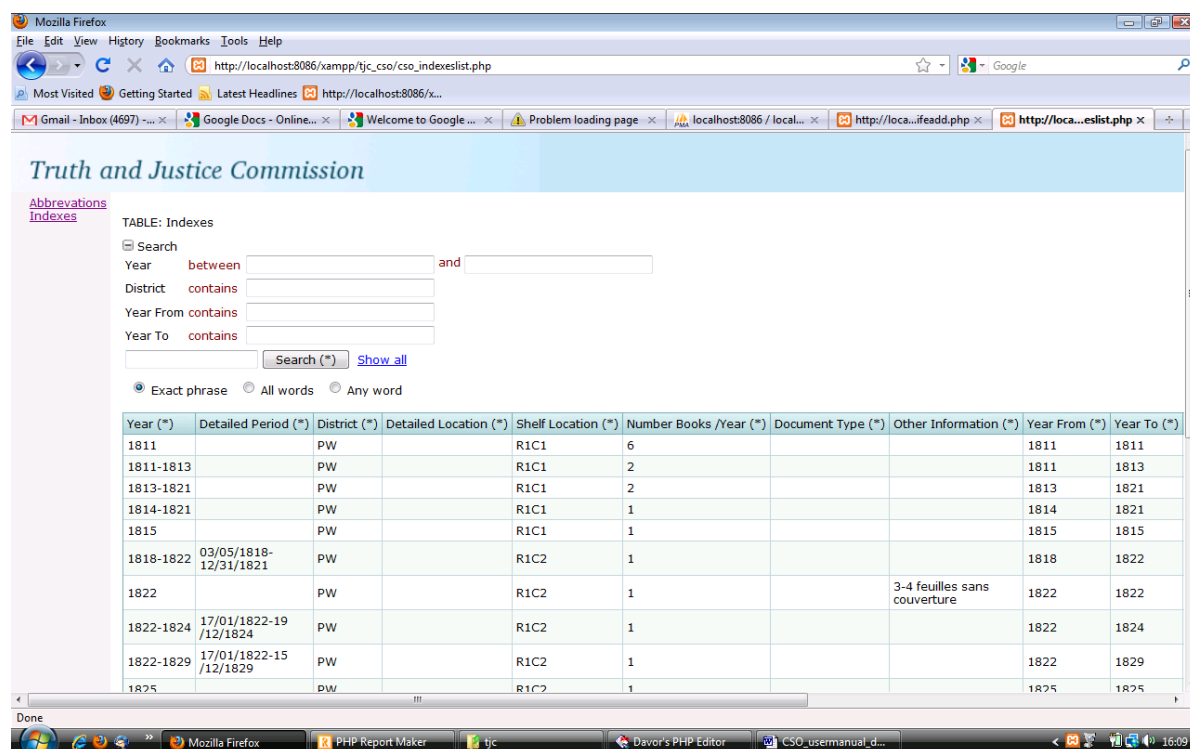


Figure 1: CSO Database

The menu on the left allows the users to navigate to different pages of the system. All the pages are modeled in a consistent way: the user is presented with a list of existing entries and she can view, edit or delete the entry, while she can also add a new entry.

The indexes page allows users to filter records according to Year, District, YearFrom and YearTo Fields

Technical notes:

- The CSO database was populated by extracting data entered into different Excel sheets and sanitizing the data.
- Although the database has been distributed via MoWeS, the different services (Apache, MySQL, PHP)

can be installed on a computer and the relevant files restored as appropriate. This can give better performance.

- The port on which the Apache within MoWes is listening is port 8085. If this port is already in use in your system, modify the configuration for Apache to listen to a different port.

References:

[1] : <http://www.chsoftware.net/en/mowes/mowesportable/mowes.htm> (last accessed 19th September 2011)

[2]: <http://www.apache.org> (last accessed 19th September 2011)

[3]: <http://www.mysql.com/> (last accessed 19th September 2011)

[4]: <http://www.php.net/> (last accessed 19th September 2011)

Marriages Database User Manual

The Marriage Database is designed to contain details about marriages. It is made of two parts: 1) MGI records marriages, which should contain marriage records of immigrants embarking for Mauritius, and 2) CSO records dealing with marriages occurring in Mauritius. The Marriage Database has been built around Open Source Technologies, namely Apache [2], MySQL [3] and PHP [4].

To deploy the application, MoWeS Portable II [1], has been used and provides for setup of WAMP on any Windows system. To launch the database, Open the contents on the pen-drive provided and double-click on “TJC-DoubleClickMe”. This will launch the different services (Apache and MySQL) and the application will start as shown in Figure1 below.

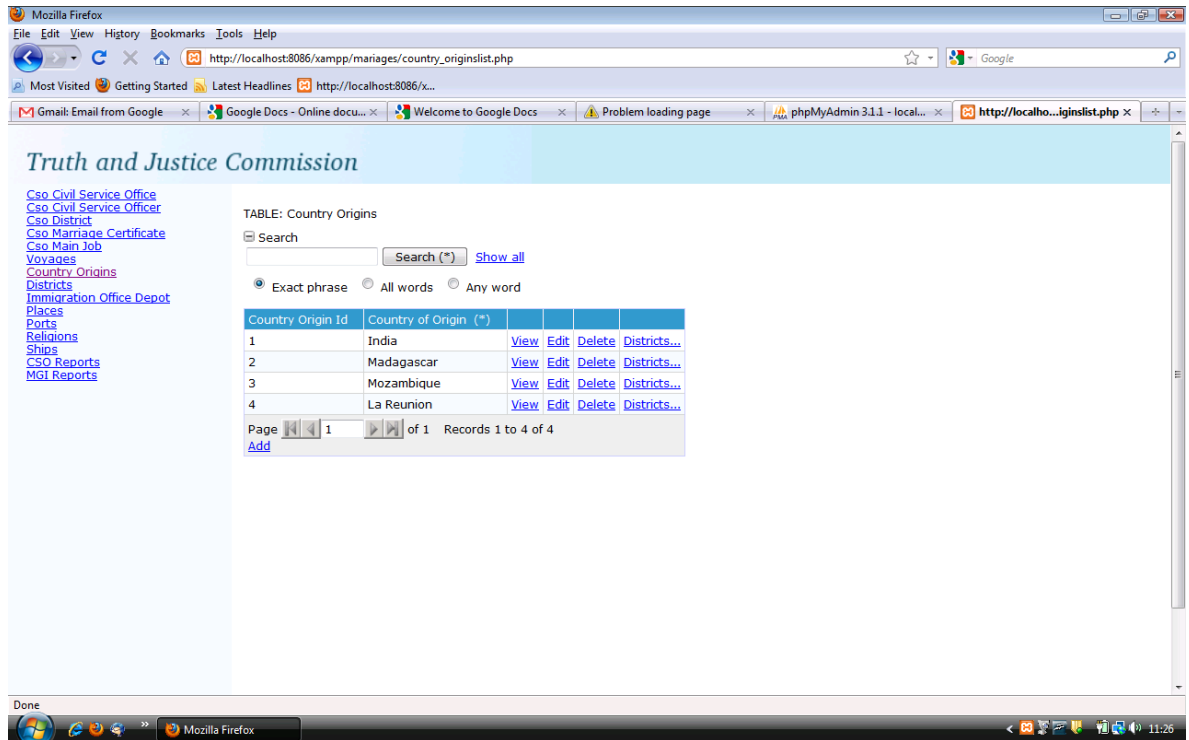


Figure 1: Marriage Database

The menu on the left allows the users to navigate to different pages of the system. All the pages except for “CSO_Reports” and “MGI_Reports” are modeled in a consistent way: the user is presented with a list of existing entries and she can view, edit or delete the entry, while she can also add a new entry.

The different pages for CSO records are: “Cso_Civil_Service_Office”, “Cso_Civil_Service_Officer”, “Cso_District”, “Cso_Marriage_Certificate”, “Cso_Main_Job”. The pages for the MGI records are “Voyages”, “Country_Origins”, “Districts”, “Immigration_Office_Depot”, “Places”, “Ports”, “Religions”, “Ships”.

CSO pages

The CSO forms are organized as follows:

The main page is the “Cso_Marriage_Certificate” page. It contains details of records available at the CSO as shown in Figure 2 below:

TABLE: Cso Marriage Certificate

Search: Search (*) Show all

Exact phrase All words Any word

Certificate Number (*)	District	Year (*)	Month (*)	Day (*)	Certificate Non Marriage (*)	Husband Name (*)	Husband Age (*)	Husband Religion	Husband Profession (*)	Husband ID
DSC00511	Flacq	1859	03	26	x	Samalie	31	Parian	labourer	13626
DSC07599	GrandPort	1857	07	11	x	Nagapah	30	Pagan	Washerman	
DSC07598	GrandPort	1857	07	04	x	Sunassy	24	Pagan	labourer	
DSC07613	GrandPort	1858	10	07	x	Chinnapah Allagen	25	Pagan	carrier	9518/6
DSC07715	Plaine Wilhems	1855	07	18	x	Sooahun	18	Not mention	labourer	x
DSC00338	Port Louis	1857	12	19	X	Jaulim Sughur	33	Not mention	Barman	X
DSC00138	Port Louis	1851	05	16	x	veerapen	30	Not mention	No profession	x
DSC06176	Savanne	1852	08	07	x	Narainsing	30	Not mention	labourer	6104
DSC06175	Savanne	1852	08	07	x	Bungshy	25	Not mention	No profession	10859
DSC06173	Savanne	1852	06	04	x	veerapen	30	Not mention	No profession	10857

Figure 2: Cso_Marriage_Certificate

The other pages, namely, “Cso_Civil_Service_Office”, “Cso_Civil_Service_Officer”, “Cso_District”, “Cso_Main_Job” are used to enter data that will be used as drop down lists for the “Cso_Marriage_Certificate”. For example, on adding a new Cso_Marriage_Certificate, Drop down lists for District, Religion, Native_Country, Civil_Service_Office etc are available as shown in Figure 3. These are populated from records entered for the different pages mentioned above.

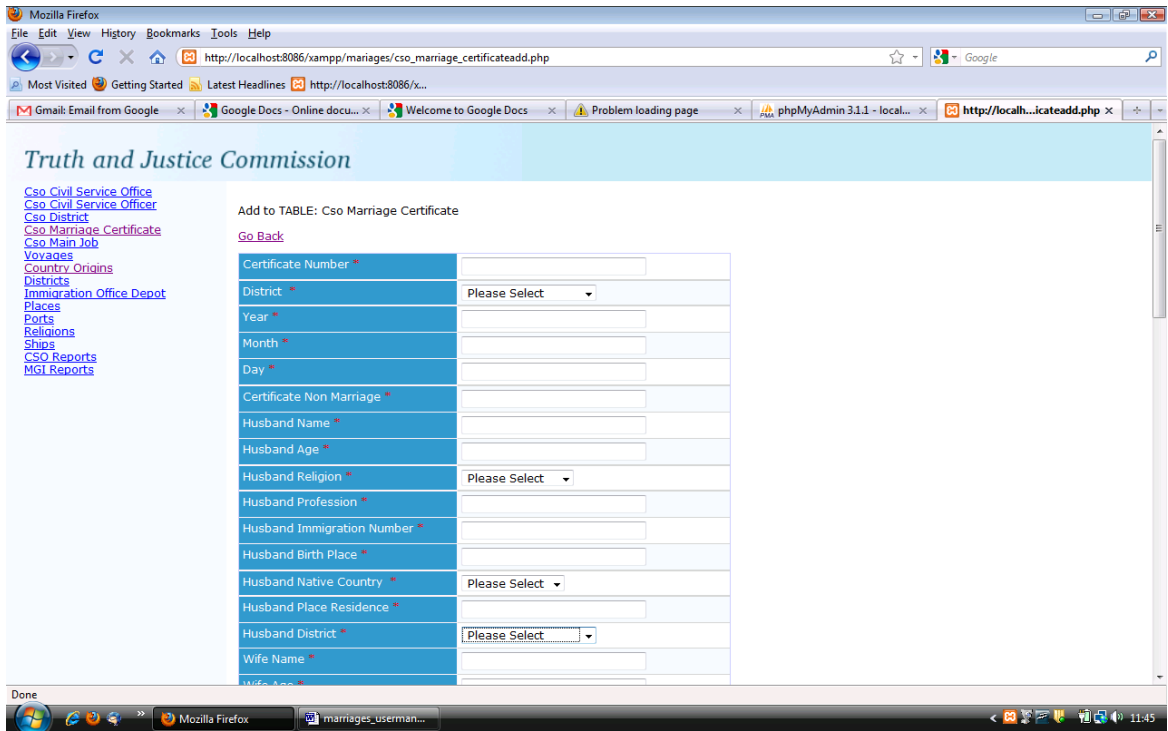


Figure3: Illustrating addition of a new Cso_Marriage_Certificate

The above mechanism allows the system to be extensible in the future, by allowing new parameters to be entered into the system. The different reports created for the system will be automatically modified accordingly.

CSO_Reports are used to analyse the different data entered into the system. Each of the report can be viewed by choosing it from the drop down list “Reports” as shown in Figure4. These reports are dynamic and will reflect all the data entered into the system.

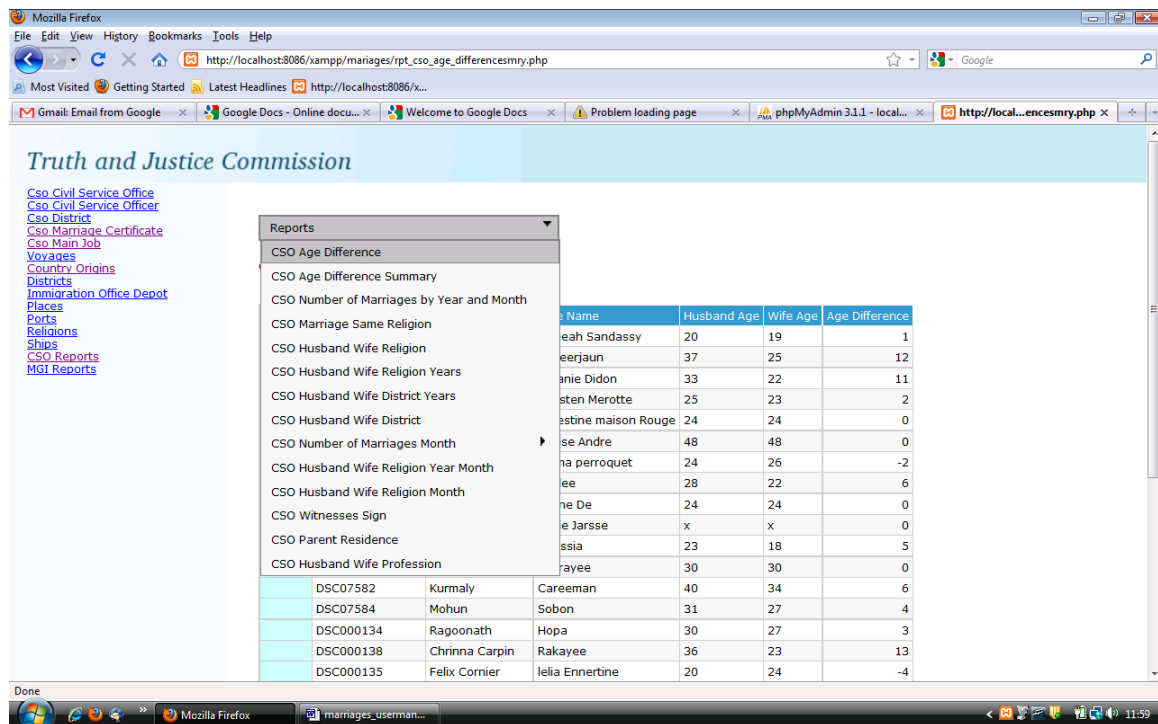


Figure4: CSO reports

For example, the “*CSO Husband Wife District*” is a crosstab report illustrating the number of marriages involving wife and husband districts as shown in Figure 5.

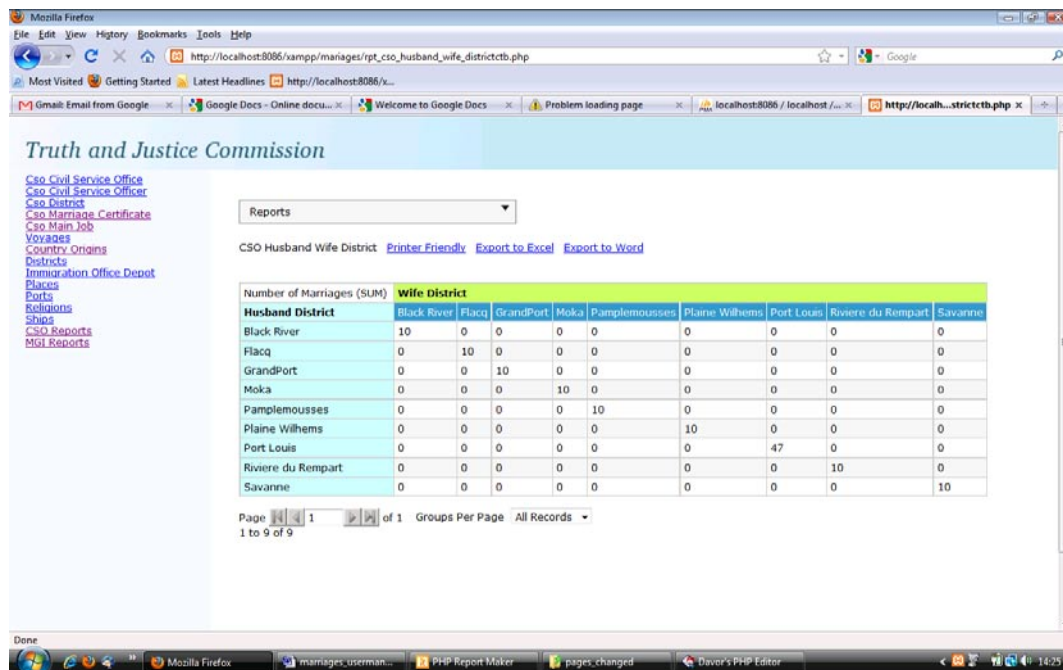


Figure5: Husband and Wife district distribution

The data accessed via the different reports can be exported to Excel, Word or HTML with the menu removed, by clicking on the “Export to Excel”, “Export to Word”, “Printer Friendly” links respectively. This allows the data to be easily extracted from the system.

The reports also contain diagrammatic representations of the data (line charts and pie charts), as shown in Figure 6:

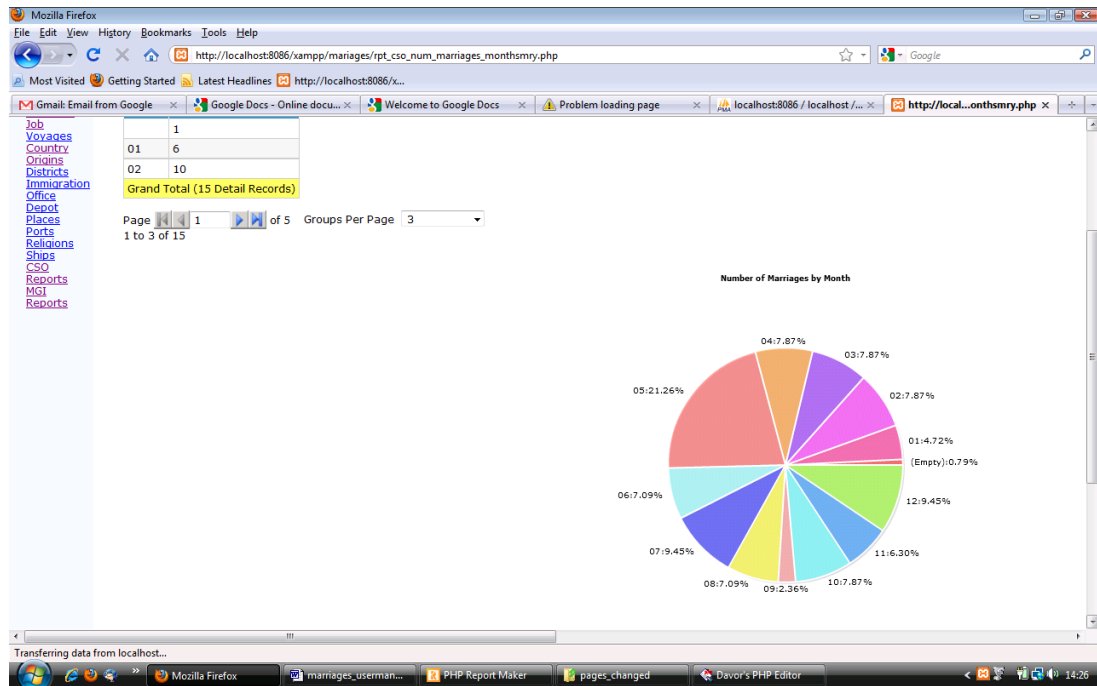


Figure 6: Showing sample Pie Chart

All the reports created in the system are dynamic. That is, they reflect the actual content of the database. If new data are added, the reports will change accordingly.

Immigration Pages

The Indentured Immigration pages consist of the “Voyages”, “Country Origins”, “Districts”, “Immigration Office Depot”, “Places”, “Ports”, “Religions”, “Ships” pages. The main entry into the system is the Voyages page as shown in Figure 7.

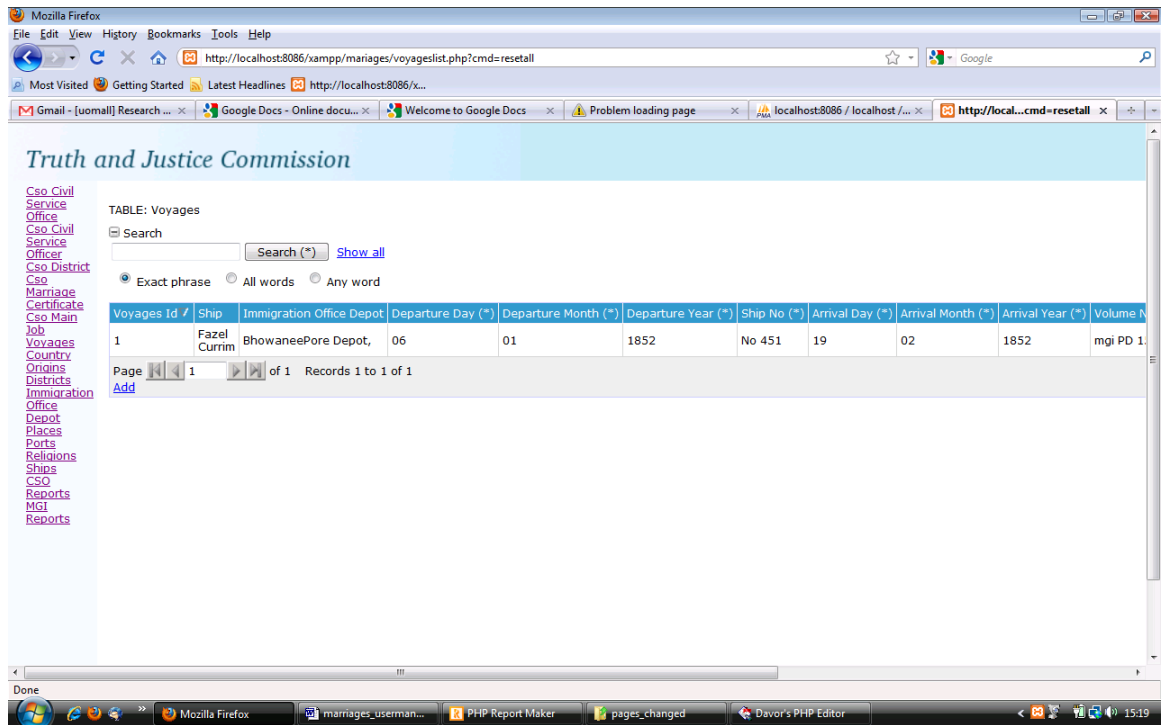


Figure7: Voyages page

A new voyage can be entered in clicking on the Add link and the user is presented with the form as illustrated in Figure8 below:

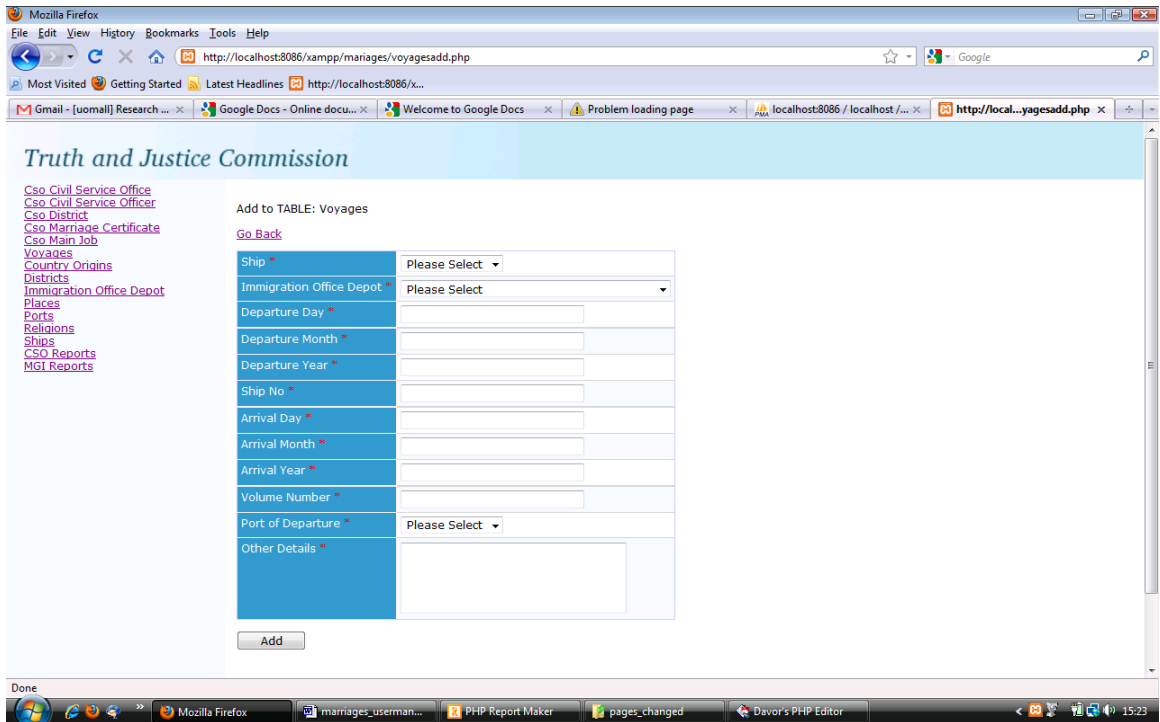


Figure 8: Adding a voyage

The “ship”, “Immigration Office Depot” and “Port of Departure” drop down lists are populated from entries mentioned above. Once a new voyage has been added, the “Marriage Certificates” can be added by scrolling to the right and clicking on “Marriage Cert...” Link. This gives the form for all the marriage certificates entered for that voyage as shown in Figure 9.

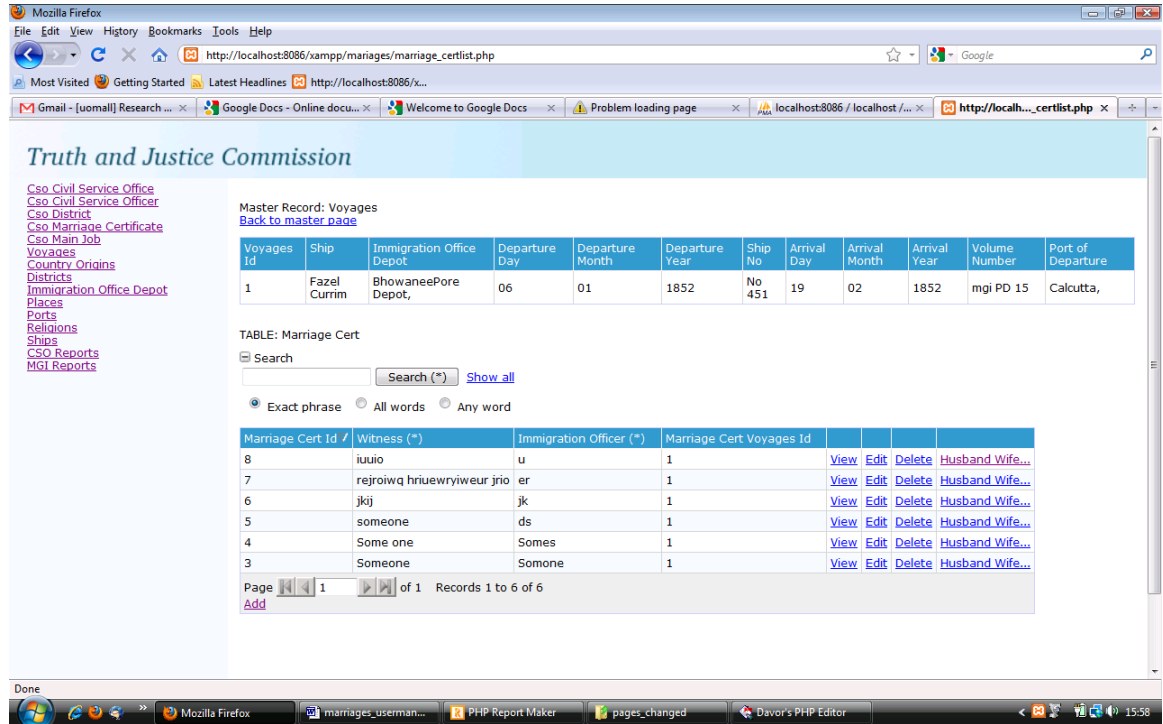


Figure 9 : SampleMarriage Certificates

A new Marriage Certificate can be added by clicking on the “Add” link. Once the new Marriage Certificate has been added, the Husband/Wife details can be added by clicking on the “Husband Wife” link. This gives details about the husband and wife involved in the marriage certificate. The system is modeled as such, since a marriage certificate can involve more than two parties. A new husband/wife can be added by clicking on the “Add” link, where the details can be added as shown in Figure 10.

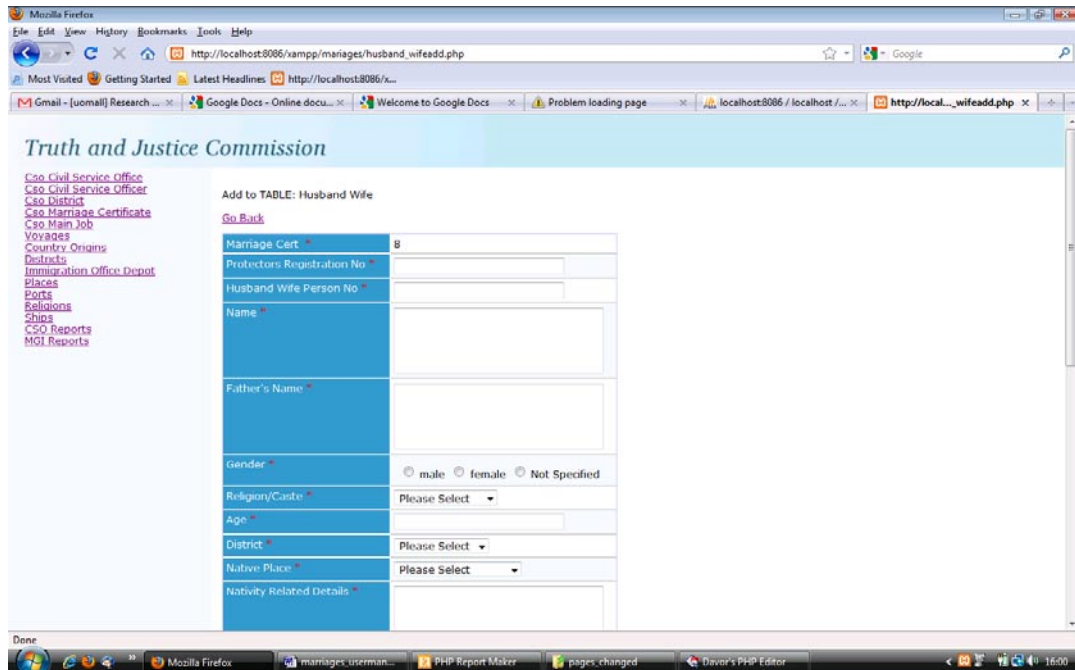


Figure 10: Adding Husband/Wife details

Once again, drop down lists for “Religion”, “Place” and “District” are populated by filling details in the respective pages.

Technical notes:

- Although the database has been distributed via MoWeS, the different services (Apache, MySQL, PHP) can be installed on a computer and the relevant files restored as appropriate. This can give better performance.
- The port on which the Apache within MoWeS is listening is port 8085. If this port is already in use in your system, modify the configuration for Apache to listen to a different port.

References:

[1] : <http://www.chsoftware.net/en/mowes/mowesportable/mowes.htm> (last accessed 19th September 2011)

[2]: <http://www.apache.org> (last accessed 19th September 2011)

[3]: <http://www.mysql.com/> (last accessed 19th September 2011)

[4]: <http://www.php.net/> (last accessed 19th September 2011)