Latin America

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During the late colonial period, and after the Independence of the Republics from Spain (approximately 1810s-1830s), the islands of Latin America were repeatedly used as sites of punishment and exile for common and political, elite and non-elite – and almost without exception, – male prisoners. The main goals of deportation included: expelling individuals perceived as dangerous from urban and rural areas on the mainland; claiming sovereignty on, or colonising, the islands; securing borderlands against potential foreign invasions; and providing a workforce in frontier regions. To be sure, a constant gap existed between the plans of the elites and the actual practices of transportation. This was due to political disagreements, lack of financial resources, and convicts' own agency. As a result, the use of sites for penal objectives was frequently discontinued. Yet, new criminological ideas, political shifts, and the need to reduce the number of inmates in the ever-overcrowded penitentiaries constantly increased the need for deportation and made penal islands a long-term feature of the Latin American punitive landscape well into the twentieth century.

The Late Colonial Period, 1760s-1830s

Penal transportation to and within Latin America in the late colonial period mainly consisted of exile and deportation to military outposts (*presidios*). These were technically not penal colonies, since they featured a mixed population of soldiers, settlers, natives and convicts with a considerable level of fluidity between these categories. Within the *presidios*, sentenced convicts mainly performed 2 types of activities. They were employed in the building of military and non-military infrastructures, such as barracks, houses, roads and bridges. Otherwise, they were impressed to the military – after being sentenced by military courts and following commutation of their sentence by non-military courts, or because they had incurred in the crime of vagrancy. (For more on convict transportation in the late-colonial period, see "Convict Voyages in the Spanish Empire, 1760s-1800.")

Spatially, the *presidios* were located in 2 distinct environments. Those in urban centres such as Havana, Veracruz, Lima, Buenos Aires and Montevideo became jails and penitentaries after Independence whose prisoners were involved in intramural activities and public works outside the prison walls. Military outposts were scattered in the borderlands of Latin America, and functioned as a double protection against attacks from Indigenous peoples and colonial competitors. In the second half of the eighteenth century, these *presidios* on the frontiers were grouped in 5 areas within Latin America: the region to the north and to the south of the (then small) city of Buenos Aires; along the (unsettled) border with the Portuguese dominions in Brazil; along the coast of Patagonia; in the regions of Araucania and Chiloé; and at the *frontera* with the native populations along the river Bio Bio.

The peculiar nature of Spain's large "terrestrial" empire in Latin America made the Crown's control on those regions as precarious as it was expensive. Consequently, settlements were usually created on the mainland, rather than on islands, in order to enhance the Spanish military presence along the frontiers. However, 2 significant exceptions existed, and became the destination for quantitatively small, but continuous flows of convicts in the last decades of the eighteenth century: the Malvinas

(Falkland) Islands and the Juan Fernandez Islands. At these 2 sites, an average of a very few dozen convicts and military convicts made up a significant percentage of the tiny populations of the *presidios* (these usually did not exceed 200 inhabitants). The creation and maintenance of both settlements, and convict transportation within them, played an important role in the claim of the Spanish sovereignty not just on those territories but on the waters that surrounded the Spanish American dominions as a whole. Moreover, they protected the key trade routes along Cape Horn and to the Philippines from foreign (especially British) expansionism. Conversely, convict transportation to the island of Martín García, situated at the estuary of the Rio de la Plata, was more closely integrated into the system of punishment of the city of Buenos Aires and important to the preservation of the border to its north from Portuguese attacks.

The following map shows the location of the three mentioned islands, and the other areas of destination of convict transportation to the borderlands of late-colonial Latin America.

After Independence

The process of Independence for the Republics spanned the 1810s to the 1830s and at times involved the exile of opponents of the Spanish monarchy to islands. For example, 50 Chilean patriots were deported from Santiago to Juan Fernández after the battle of Rancagua, in October 1814. Moreover, in the frequent political feuds that pitted liberals and conservatives against each other in each of the new nation states in the first century after Independence, deportation to the islands was a popular and frequently-employed punishment. To quote the case of the Juan Fernández Islands again, the deportation of the supporters the Carrera brothers in 1821 was followed by that of the *pipiolos* in the early 1830s, and 130 other liberal activists in 1851. All of them, of course, came from Chile, since political deportation, which had usually been directed to the Spanish peninsula during the colonial period, now had to be diverted to sites of punishment in the frontiers of the new nation states. This spatial limitation triggered the formation of penal islands in new locations in the first decades after Independence, although their connection with specific periods of political crisis caused frequent discontinuation of the new penal settlements. For example, in February 1832 the Galapagos Islands were annexed to the national territory, renamed the “Archipelago of Ecuador,” and the island of Floreana was populated in October that year with a few farmers, artisans and a group of prisoners and military convicts. The *de facto* penal colony was discontinued in 1837. However, between 1850 and 1860, convicts were transported to the prison that had been opened there. This happened again in 1869-1878 and in 1879-1904, and convicts were used as labourers leased-out to private entrepreneurs seeking to establish plantations on some of the islands.

Independence did not automatically lead to full control of the territories of the new nation states. Although foreign colonial powers ceased to constitute a threat, frequent military conflicts erupted as the new Republics contested claims over borders. In this context, convicts were still forced to join the unreformed national and local armies. Moreover, the frontiers with native peoples, which had been contested during the colonial period, remained largely unconquered and became the borderlands of the new Republics. This resulted in a striking continuity from penal transportation to military fortifications on the mainland, with convicts still impressed in local garrisons and forced to build military and non-military infrastructure. The trend continued during and after the military occupation of the native territories, as sentenced prisoners were part of the armies and were among the workforce that built settlements, bridges, roads and the railways. As the frontier advanced, the islands of Latin America took on an increasingly important role as sites of

deportation. For example, following the occupation of the Southern Cone by joint military actions of the Argentinean and Chilean governments, from the last decades of the nineteenth century a scramble for Patagonia, the Magallanes and the Tierra del Fuego began between the 2 nations in order to claim sovereignty in that region. In the process, settlements were created in Punta Arenas (Chile, 1863) – at the margin of the mainland – and on the Island of the States and later in Ushuaia (Argentina, 1893), which featured the presence of convicts and military convicts, and separated penal institutions from the early years of the twentieth century.

The penal colony in Ushuaia, in particular, was exceptional insofar as it reflected a successful process of colonisation and settlement of the territory, and diversification between penal, military and civil infrastructures. Most of the other penal colonies created in the late nineteenth century on the islands of Latin America proved much more unstable and discontinuous, as did the process of colonisation by free settlers that often overlapped with them. Indeed, as Ricardo D. Salvatore and Carlos Aguirre have noted, most of the penal settlements were nothing more than temporary "dumping grounds" for deported convicts, and as such an embodiment of the huge gap that existed between the national elites' projects of "modernisation" and a reality made up of violence, appalling living conditions and budget shortages. These important limitations notwithstanding, especially between the 1880s and the beginning of the new century a note-worthy expansion of the number of penal colonies in the islands took place, together with the re-activation of previously used sites of deportation. The map below demonstrates this phenomenon by pointing to some penal islands:

In order to interpret this *fin-de-siècle* renewed attractiveness of the islands of South America as destinations for penal deportation it is tempting to highlight the coincidence of its emergence with the golden age of positivist criminology, reflected in the composition of the convict populations. Though the number of sentenced prisoners decreased as the penitentiary model spread across the mainland, non-sentenced individuals were increasingly deported to the islands as a preventive measure. This process of extra-judicial exclusion was linked to 4 levels of discourse and practices: first, the exclusive conceptualisation of citizenship in the new nation states, which saw those individuals as not belonging to the national community; second, the "scientific" legitimation provided by positivist criminology for the (symbolic and physical) expulsion from society of those variously labelled as "born criminals"; third, new legislation introducing various forms of security measures, including the deportation and relegation for administrative infractions rather than crimes; and, fourth, the growing organisation of police control, especially in the urban areas, which made it possible to select groups of individuals and implement those exclusive measures.

Two groups were particularly targeted for deportation to the islands. The first comprised political opponents, such as radicals, anarchists and socialists, especially in those decades that witnessed the emergence of the Latin American labour movement. The second included recidivists and "habitual and professional" criminals, for whom positivist criminologists worldwide foresaw no chance of rehabilitation and lobbied for incapacitation through preventive measures. The labelling process of these *rateros* (petty thieves in urban contexts) or *incorregibles* (incorrigibles) has received significant attention in Latin American social history during the last 2 decades. However, their experiences of deportation remain largely under-researched and therefore much less visible than those of the political exiles. Portrayed as "internal enemies" and "invaders," through distinct or overlapping discourses, political opponents and *rateros* were deported first and foremost as a means to expel them, rather than to employ them in the process of colonisation and productive labour, for which free settlers, if available, were usually preferred.

Epilogue?

The distinct histories of each penal colony notwithstanding, the overall features described in the previous section remained relevant right through the twentieth century. During the military dictatorship in Argentina (1976-1983), the infamous naval base of Ushuaia was used as a site for deportation for political prisoners, where they suffered torture and death. Together with many other official and illegal places of detention on the mainland, the isle of Quiriquina, in the bay of Concepción, played a similar role during General Augusto Pinochet's dictatorship in Chile, with around 1,000 political prisoners interned and tortured there between September 1973 and the end of 1974. In other cases, the radical exclusion of deportees was often symbolised by the violent and humiliating nature of the work they were forced to do. This was the case of the *muro de lagrimas* (wall of tears) that the prisoners were made to build in the late 1940s on the island of Santa Isabela, in the Galapagos archipelago. In fact, this was the wall surrounding the penal colonies, and made up of 100 kg stones transported by the convicts by hand. The closure of that penal colony in March 1959, similar to that of other penal settlements in Gorgona Island (Colombia) in the 1980s and the San Lucas Islands (Costa Rica) in the 1990s, was not the straightforward outcome of shifts in penal discourse and practices away from practices of exclusion and segregation. Rather, it was the effect of growing interest in the exploitation of the natural resources of those sites for international tourism, a goal that reconciled the often conflicting interests of national governments and local settlers, at least as far as their opposition to the presence of "criminals" in those territories was concerned. In turn, this commercial interest in local heritage selectively integrated past deportation and segregation on the islands into the narrative of local travel-guides, represented in tours and maps.

Further Reading

Carlos Aguirre, *The Criminals of Lima and Their World: The Prison Experience, 1850-1935* (Durham and London: Duke University Press, 2005).

Carlos A. Aguirre and Robert Buffington, eds, *Reconstructing Criminality in Latin America* (Wilmington: Scholarly Resources Inc., 2000).

Robert M. Buffington, *Criminal and Citizen in Modern Mexico* (Lincoln and London: University of Nebraska Press, 2000).

Antonio Constante Ortega, *Basalto: Etapa de terror y lágrimas durante la colonia penal en Isabela (Memorias de un Colono de Galápagos)* (Guayaquil, Gráficas Pato, 2006).

Pablo Piccato, *City of Suspects: Crime in Mexico City, 1900-1931* (Durham and London: Duke University Press, 2001).

Ricardo D. Salvatore and Carlos Aguirre, "Colonies of Settlement or Places of Banishment and Torment? Penal colonies and convict labour in Latin America, c. 1800-1940," in Christian G. De Vito and Alex Lichtenstein, eds, *Global Convict Labour* (Leiden and Boston: Brill, in press).

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Ricardo D. Salvatore, Carlos Aguirre and Gilbert M. Joseph, eds, *Crime and Punishment in Latin America: Law and Society since Late Colonial Times* (Durham and London: Duke University Press, 2001).