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# The 'Crime' of Precocious Sexuality: young male convicts and the politics of separation

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On 19 April 1850, the Surgeon-Superintendent of the *Blenheim* convict ship sailing to Van Diemen's Land recorded the following incident in his journal:

A complaint was made to me that a prisoner named CS had slept in a bunk with one of the boys. I questioned him on the subject, and he confessed having done so, but excused himself by saying he was so sick in the bowels of the vessel, that he went aft and asked any of the boys to allow him to lie down by them, and that one consented to do so. I threatened him that if he ever repeated the offence, I would give him three dozen lashes and I addressed the prisoners generally and warned them against going to the bunks of the boys, and I told them I should flog any man I found there and would receive nothing as an excuse for so un-English and unnatural a practise.<sup>1</sup>

Approximately twenty five thousand minors were sent as punishment to the penal colonies of Australia, beginning with the 'child felons' of the First Fleet and ending when the final convict ship arrived in Western Australia in 1869 with its cargo of 'juvenile emigrants'.<sup>2</sup> During the early decades of life in the eastern colonies, little distinction was made between the ten-year-old urchin and the mature male prisoner. Both adult and child were worked, rationed and

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<sup>1</sup> Denison to Grey, 9 September 1850, *British Parliamentary Papers* (hereafter *BPP*): *Crime and Punishment, Transportation*, Vol. 10, 1851, p. 54.

<sup>2</sup> Watkin Tench recorded the presence of eighteen convict boys on board the *Sirius* in 1787. W. Tench, *1788: Comprising a Narrative of the Expedition to Botany Bay and a Complete Account of the Settlement at Port Jackson*, T. Flannery (ed.), Melbourne, 1996. In this article minors will refer to youths aged eighteen years and under. In the nineteenth century contemporaries were diverse in their use of the terms 'boy', 'youth' and 'juvenile'. Many penal institutions had different age ranges that affected admission procedures. Historians are similarly inconsistent in defining the juvenile. See J. Kociumbas, *Australian Childhood: A History*, Sydney, 1997, p. ix; A. Kyle, 'Little Depraved Felons', *Australian Historical Studies*, No. 99, October 1992, pp. 319-24.

punished in similar measures. This mirrored the British justice system where age was little considered in the treatment of crime and punishment until the 1850s, when the government legislated the establishment of national reformatory and industrial schools to deal specifically with juvenile delinquency.<sup>3</sup> In colonial Australia, young convicts were often assigned to the same masters as adult prisoners. They lived and worked alongside men in public gangs, and as further punishment they were occasionally ordered to secondary penal stations at Macquarie Harbour, Norfolk Island and Port Arthur. The inclusion of minors in the 'conflicts and struggles' of the adult criminal system generated many social, moral and sexual anxieties.<sup>4</sup> Prison reformers supported age-related separation in theory, yet penal practise often fell short of its ideal goals in both Britain and the colonies. Throughout the transportation era, the separation of the adult and the juvenile prisoner was never entirely achieved.

This perhaps explains why in general convict studies the transportation of juvenile convicts has been subsumed within the wider 'adult' history. Historians have tended to quietly assume that separation according to age was a policy designed to protect minors from sexual advances and moral corruption. Others such as Robert Hughes and Paul Buddee have suggested that the state failed to take sufficient measures to protect young convicts from mixing with older criminal men.<sup>5</sup> However, there is a substantial body of work on the separate juvenile institutions in colonial Australia, in particular the Carters Barracks in New South Wales and Point Puer in Van Diemen's Land. In all of these studies, the 'protective' imperative of the state towards the young by removing them from the corrupting influence of the adult prisoners has been acknowledged.<sup>6</sup> But what were the moral

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<sup>3</sup> See M. Carpenter, *Reformatory Schools for the Children of the Perishing and Dangerous Classes and for Juvenile Offenders*, London, 1851. For Australia, see B. Gandevia, *Tears Often Shed: Child Health and Welfare in Australia from 1788*, Sydney, 1978, p. 47; B. Dickey, 'The Establishment of Industrial Schools and Reformatories in New South Wales, 1850-1875', *Journal of the Royal Australian Historical Society* (hereafter JRAHS), Vol. 54, pt 2, 1968, pp. 135-51; J. Ramsland, 'Mary Carpenter and the Child-Saving Movement', *Australian Social Work*, Vol. 33, No. 2, 1980, pp. 33-41.

<sup>4</sup> L. Jordanova, 'New Worlds for Children in the Eighteenth Century: Problems of Historical Interpretation', *History of the Human Sciences*, Vol. 3, No. 1, 1990, pp. 79-80.

<sup>5</sup> R. Hughes, *The Fatal Shore*, London, 1987; P. Buddee, *Fate of the Artful Dodger: Parkhurst Boys Transported to Australia and New Zealand 1842-1852*, Perth, 1984

<sup>6</sup> B. Earnshaw, 'The Convict Apprentices 1820-1833', *Push From the Bush*, No. 5, 1979, pp. 82-95; K. Gorton and J. Ramsland, 'Prison Playground? Child Convict Labour and Vocational Training in New South Wales, 1788-1840', *Journal of Educational Administration and History*, Vol. 34, No. 1, 2002, pp. 53-62; F. C. Hooper, 'The Point

tensions generated by the massing of delinquent youths together? This article offers a fresh perspective, arguing that the very idea of the 'juvenile delinquent' centred on a sexualised construction of the child-felon. Consequently, the attempts to separate boys and men within the apparatus of the transportation system failed to assuage deeper moral anxieties. Instead, the politics of generational separation often produced the same, if not further moral complexities for penal administrators.

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There was a marked increase in the number of lower-class youths sentenced to prison or to transportation during the first half of the nineteenth century. The changing social, economic and legal conditions that contributed to this increase have been documented elsewhere.<sup>7</sup> What I explore in this article are the cultural meanings of juvenile crime and the ways in which the 'delinquencies' of children from the lower orders were understood by ruling-class contemporaries. The disparities of class and cultural mores informed their ideas to a far greater extent than an economic understanding of crime, and the changing industrial and urban conditions of Britain were but little investigated. The 'evidence' given to the many select committees that enquired into juvenile delinquency in the first decades of the nineteenth century makes for repetitive reading. Most contemporaries agreed that 'wicked and depraved' parents, heartless stepparents and the 'scum of the workhouse' introduced children into the ways of vice and crime.<sup>8</sup> These ideas reflected a domino theory of behaviour that held that 'vice', once initiated, was but a fatal step on the slippery slope to a life dedicated to immoral and criminal activities. They were further buttressed by environmentalist assumptions that explicitly

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Puer Experiment: A Study in the Penal and Educational Treatment of Transportees in Van Diemen's Land 1830-1850', PhD thesis, University of Melbourne, 1954; K. Humphery, 'Objects of Compassion: Young Male Convicts in Van Diemen's Land 1834-1850', *Australian Historical Studies*, Vol. 25, No. 98, April 1992, pp. 13-33; P. MacFie & N. Hargraves, 'The Empire's First Stolen Generation; The First Intake at Point Puer 1834-39', *Tasmanian Historical Studies*, Vol. 6, No. 2, 1999, pp. 129-54.

<sup>7</sup> See J. Gillies, *Youth and History: Tradition and Change in European Age Relations 1770-Present*, New York, 1974; S. Magarey, 'The Invention of Juvenile Delinquency in Early Nineteenth Century England', *Labour History*, No. 34, 1978, pp. 11-25; M. May, 'Innocence and Experience: The Evolution of Juvenile Delinquency in the Mid-Nineteenth Century', *Victorian Studies*, Vol. 18, 1973, pp. 7-29; J. J. Tobias, *Crime and Industrial Society in the Nineteenth Century*, London, 1967.

<sup>8</sup> Grey to Grey, 20 January 1847, in *BPP: Crime and Punishment, Transportation*, Vol. 7, 1843-47, p. 198.

linked the 'immoral' living conditions of the lower orders with crime and deviancy. Together with the sinister spectre of overcrowding, filth, disease and grinding poverty, most contemporaries believed an early intimacy with 'scenes of vice and profligacy' fatally corrupted the habits of the young.

In constructing 'delinquency' through moralising discourses based on behavioural and environmentalist assumptions, the concerns of British penal reformers were brought into sharp relief. How were the governing classes to act as moral guardian to the nation's youth when the penal system largely failed to distinguish between the adult and the juvenile? Indeed, the irony of removing young delinquents from the 'corrupting' influences of wicked parents and the denizens of the cities, only to 'herd' and 'huddle' them amidst the 'contaminating' influences of adult prisoners in the nation's jails, was not lost on contemporaries. Advocates of transportation often argued that the removal of juveniles from the 'evils' of the metropolis and the prison system to a new colonial environment was their only hope for a useful, productive and reformed life. As Avril Kyle has remarked, 'transportation was an excellent solution for the state. The boys formed a social threat at home and could be used as a captive labour force in the colonies'. Other contemporaries were convinced that the terror of transportation as a punishment would serve as a means of social control and deter aspiring delinquents from committing crime.<sup>9</sup> Beyond questions of deterrence and reform, the apparatus of the transportation system offered a unique opportunity where the politics of age-related penal separation might be played out. It was in this context that the transportation ship was singled out in particular.

In 1815 the techniques of penal surveillance were buttressed by the appointment of a trained surgeon to every ship bound for the penal colonies. They were to act as the 'agents of order, responsible for punishment, control, efficiency and a structured and supervised shipboard routine'.<sup>10</sup> Great emphasis was placed upon hygiene and cleanliness, a rigid adherence to a timetabled regime and, from 1817, the separation of the boys from the men. After this date, the supervision of convicts according to their age and crime-class was increasingly put into practise. The prevention of criminal and sexual

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<sup>9</sup> Kyle, *op. cit.*, p. 321; Lieutenant-Governor to Colonial Secretary, CS01/716/1566, 5 May 1834, Archives Office of Tasmania (hereafter AOT).

<sup>10</sup> N. Townsend and D. Kent, 'The Men of the *Eleanor* 1831: A Case Study of the Hulks and Voyage to New South Wales', *Great Circle*, Vol. 17, No. 2, 1995, p. 113.

contact between the young and adult prisoners was central to the disciplinary regime of the voyage. Strict surveillance and the suppression of inter-generational contact were fundamental to perceptions of moral order and pervaded the spatial organization of the sleeping quarters. Indeed, the shipboard rules were saturated in sexual anxiety. The guidelines of 1832 strictly informed surgeons that constant activity, night-time illumination and age-related separation were imperative duties. According to clause twenty two:

You are to cause the two lanterns, which the owners are bound to provide to be kept burning in the fore and main hatchways during the darkness of night, to prevent those irregularities which have been so much complained of. As it is highly desirable to keep the minds of the convicts as constantly and usefully employed as possible, you are to use your best endeavours to establish schools ... particularly for the boys in male ships, who according to the present mode of fitting are to be kept entirely separate and apart from the men.<sup>11</sup>

Joy Damousi has examined the sexual anxieties that surrounded public and private spaces on board female convict ships. Liaisons between convict women and the male crew were naturally a site of moral anxiety. Yet we might reconsider her assertion that 'the surveillance of potential sexual activity did not characterise the scrutiny of surgeons as often on male convict ships'.<sup>12</sup> I argue that an all-male environment at sea for months made 'potential sexual activity' a very real and pressing concern for the surgeon. Many Surgeon-Superintendents had previously been in the Royal Navy, and the sexual sub-culture characteristic of naval vessels was often based on inter-generational relationships.<sup>13</sup> On the transport ships then, the presence of juveniles would have exacerbated the surgeon's moral concerns because the men and youths sentenced to transportation made for a particularly subversive, deviant cargo.

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11 Instructions to Surgeon-Superintendents on board convict ships, 23 June 1832, in *BPP: Crime and Punishment, Prisons*, Vol. 3, p. 635.

12 J. Damousi, 'Chaos and Order: Gender, Space and Sexuality on Female Convict Ships', *Australian Historical Studies*, Vol. 26, No. 104, April 1995, p. 363.

13 See A. N. Gilbert, 'The *Africaine* Courts-Martial: A Study of Buggery and the Royal Navy', *Journal of Homosexuality*, Vol. 1, No. 1, 1974, pp. 111-22; A. N. Gilbert, 'Buggery and the British Navy 1700-1861', *Journal of Social History*, Vol. 10, 1976, pp. 72-98.

It is crucial to note that juvenile girls on the female transports did not receive the same attention. Though the *London Times* in 1833 commented that the failure to separate females according to age was, for the young girls, 'far more vindictive and awful than death upon the gallows', there appears to have been little official concern for the moral 'corruption' of young girls under the influence of convict women. This brings the issue of separating the boys from the men on the transport ship into sharper view because their separation was clearly integral to perceptions of moral order and discipline. Humphery has alerted us to the fact that 'the whole thrust of the new disciplinary regime' on board convict ships 'was, for the most part, male defined and directed'. It formed part of a wider reformatory discipline that sought to impose new standards of outward behavioural propriety upon all male prisoners. In this analysis, both young and old were uniformly caught up in the 'castrating' penal process.<sup>14</sup>

The imposition of a carefully controlled shipboard routine was designed to ensure separation, yet it did not necessarily produce it. By 1832 the rules of managing the transport ship had expanded from the original ten, to a list of 44 regulations. Throughout the 1830s and 1840s generational separation was continually reiterated in these regulations. Yet as the surgeon of the *Blenheim* discovered in 1850, practices 'so un-English and unnatural' continued to occur. Convict memoirs reveal that boys and adult prisoners were not always kept apart. John Mitchell in 1849 recalled that 'each mess or ward is a normal school of unspeakable iniquity. Young boys who come out as many surely do, not utterly desperate and incurable villains, are sure to become so'.<sup>15</sup> The Colonial Secretary, Lord Stanley, admitted as much to Governor Gipps in 1842. Concerned with the vexed issue of what to do with the 'reformed' juvenile inmates awaiting release from Parkhurst on the Isle of Wight (the first government sponsored juvenile institution), Stanley contemplated removing them to the colonies, although he had 'too much reason to fear that [their] moral improvements ... would be

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<sup>14</sup> I. Brand & M. Staniforth, 'Care and Control: Female Convict Transportation Voyages to Van Diemen's Land, 1818-1853', *Great Circle*, Vol. 16, No. 1, 1994, pp. 23-40; *Times*, 16 October 1833; K. Humphery, 'A New Era of Existence: Convict Transportation and the Authority of the Surgeon in Colonial Australia', *Labour History*, Vol. 59, November 1990, p. 66; M. Perrot, 'Delinquency and the Penitentiary System in Nineteenth Century France', in R. Forster & O. Ranum (eds), *Deviants and the Abandoned in French Society*, Baltimore, 1978, pp. 225-6.

<sup>15</sup> J. Mitchell, quoted in C. B. Gibson, *Life Among the Convicts*, London, 1863, p. 180.

obliterated by the associations to which they would be exposed on board a convict ship and their subsequent intercourse with criminals in a penal colony'.<sup>16</sup> There were, then, ongoing concerns around the issue of generational separation. Yet when we turn our attention to the moral anxieties that young prisoners themselves generated, the issue is made more complex. We need to consider how juvenile delinquency and precocious sexuality formed an unholy alliance in the eyes of social commentators. The construction of the juvenile delinquent as both a criminal and a sexual deviant had important ramifications in the separate management of the young themselves.

The idea that 'delinquent' and 'deviant' behaviour is invented and legislated as 'criminal' has long informed the work of social historians and sociologists.<sup>17</sup> One particular dynamic in the construction of the juvenile delinquent that I wish to explore here is precocious sexuality. Historians of nineteenth-century female juvenile delinquency have repeatedly suggested that girls who committed crimes were constructed through the image of the 'fallen' woman. This informed ideas of discipline and moral rehabilitation in the female reformatory institutions that aimed to 'turn the girl away from active sexuality'.<sup>18</sup> In relation to male delinquency, historians have marginalised the role that sexuality played. Schlossman and Wallach have argued that boys, in contrast, were seen first and foremost as 'carefully nurtured young criminals'. Their delinquencies were 'rarely ... regarded as indications of innate moral perversity'.<sup>19</sup>

Certainly the crimes committed by juveniles tended to be gender-specific. Boys were more likely to commit property crime and girls committed 'moral crimes' without victims. Yet defining 'delinquency' through this gendered moral dichotomy is not so clear-cut. In the contemporary official reports, parliamentary enquiries and social observations, there is a regular and continual focus upon the sexual

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<sup>16</sup> Stanley to Gipps, May-June 1842, A1288, Mitchell Library, Sydney, (hereafter ML).

<sup>17</sup> See A. M. Platt, *The Child Savers: The Invention of Delinquency*, Chicago, 1977; J. D. Douglas (ed.), *Deviance and Respectability: The Social Construction of Moral Meanings*, New York, 1970; D. Hay, et al., *Albion's Fatal Tree Crime and Society in Eighteenth Century England*, London, 1975; G. Stedman Jones, *Languages of Class: Studies in English Working Class History 1832-1982*, Cambridge, 1983.

<sup>18</sup> M. Cale, 'Girls and the Perception of Sexual Danger in the Victorian Reformatory System', *History*, Vol. 78, No. 253, 1993, p. 214.

<sup>19</sup> S. Schlossman and S. Wallach, 'The Crime of Precocious Sexuality: Female Delinquency in the Progressive Era', *Harvard Educational Review*, Vol. 48, No. 1, 1978, p. 69.



behaviour, habits and living arrangements of the male youths under investigation. The idea that immoral parents and criminal adults corrupted lower class children was equally balanced by an insidious anxiety over the lack of suitable moral supervision and their freedom and early acquaintance with 'adult' pursuits. As Phillip McCann suggests, 'it was this early acquaintance with the harsh facts of adult life, the forced independence and forwardness that caused ruling and middle class moralists to view working-class children with such alarm'. More particularly it was their sexual conduct which obsessed investigators and rendered them 'deviant'. Indeed, many enquiries that were conducted in relation to juvenile delinquency were less concerned with the causes of crime than with the cultural habits and sexual behaviour of urban youths.<sup>20</sup>

Frank Mort has argued that the 1830s and 1840s were 'a key moment in the formation of official concerns over [sexual] morality', when the medical profession led 'a general onslaught on the culture of the poor'. Stephen Kern noted that it was through the development of medical theories in the 1860s that the specific domain of childhood sexuality was produced.<sup>21</sup> However, my own research reveals that precocious sexuality was an ongoing site of much earlier concern. It was a concern that united social, penal and philanthropic reformers, and was not merely produced by the later interventions of the emerging medical profession. The behaviour and morality of children from the lower orders was central to the Inquiry on the State of the Police in the Metropolis of 1816 and 1817. Witnesses were repeatedly asked for their perceptions of urban street culture, from the coffee house to the public house, the boxing match and the dogfight. These questions also extended to the sexual entertainments enjoyed by the young. William Crawford, then investigating the causes of juvenile crime, informed the inquiry that 'the greater part of juvenile depredators cohabit with girls of their own age', and that 'this early association of the sexes prevails ... to an alarming extent'. Other witnesses confirmed the existence of brothels that catered exclusively for young people, 'some not above eleven or twelve years of age', and the culture of youths living together in lodging houses, 'many five or

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<sup>20</sup> P. McCann, *Popular Education and Socialisation in the Nineteenth Century*, London, 1977, p. 5. Thompson and Yeo note that statistical investigations into poverty were often morality and social discipline surveys. E. P. Thompson & E. Yeo, *The Unknown Meyhew: Selections from the Morning Chronicle 1849-1859*, London, 1971, p. 53.

<sup>21</sup> F. Mort, *Dangerous Sexualities: Medico-Moral Politics in England Since 1830*, London, 2000, pp. 20, 29; S. Kern, 'Freud and the Discovery of Child Sexuality', *History of Childhood Quarterly*, Vol. 1, No. 1, 1973, pp. 117-41.

six in a room'. Of particular interest to the inquiry were the young female prostitutes who 'repeatedly' visited their boys in Newgate.<sup>22</sup>

These 'scenes of the most flagrant, the most public and the most shocking debauchery' continued to inform parliamentary inquiries. In 1819 a Select Committee on the State of the Gaols heard evidence from Stephen Lushington, who was involved with a charitable organization that provided shelter for destitute youths. Asked about the character and behaviour of youths convicted of crimes, he told the committee 'I have no doubt that all of them have girls of some description or other, even the youngest offenders. I have seen a boy whose age did not exceed twelve who had his girl'.<sup>23</sup> In 1835 the Select Committee on Gaols and Houses of Correction was offered a more lurid portrait of precocious sexuality by William Augustus Miles, who spoke of lodging houses in London kept by old thieves, 'where juvenile offenders herd together, and their constant intercourse tends to complete corruption. It is in these hotbeds of vice that they revel in the fruits of their plunder, and though extremely young, they live with girls, indulging in every kind of debauchery'.<sup>24</sup> By mid century, this focus on 'immoral' behaviour, rather than the social and economic causes of crime and poverty remained. In 1851 a Select Committee on Juvenile Offenders interviewed young inmates in the prisons of London. Again, the same questions were asked, although this time it was the youths themselves who provided the answers; their statements confirmed what earlier witnesses had so zealously noted.

It is clear from these parliamentary enquiries that, in addition to 'crime', promiscuity and an early sexual awakening were crucial elements in the ruling class construction of male delinquency. In many respects precocious sexuality *was* juvenile delinquency.<sup>25</sup> As the penal reformer Alexander Maconochie suggested, 'the young man who seduces innocence deserves more richly the house of correction than

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22 Crawford, 12 May 1817, Minutes of Evidence taken before the Select Committee on the State of the Police of the Metropolis 1817, in *BPP: Crime and Punishment, Police*, 1817, p. 430.

23 Lushington, 24 March 1819, Minutes of Evidence given to the Select Committee on the State of the Gaols 1819, in *BPP: Crime and Punishment, Police*, Vol. 1, p. 165.

24 Miles was an assistant to the constabulary force commission. Miles, 29 June 1835, Second Report of the Select Committee on Gaols and Houses of Correction 1835 in *BPP: Crime and Punishment, Police*, Vol. 3, p. 395.

25 Foucault suggested that it was not so much his criminal act, as his life, that was relevant in characterising the delinquent. M. Foucault, (trans. A. Sheridan), *Discipline and Punish: The Birth of the Prison*, London, 1977, pp. 249-52.

the unhappy female whom he has allured into the path of destruction'.<sup>26</sup> It was their sexual freedom and their early independence from any moral restraint that rendered them deviant in the eyes of social observers. Many reformers wanted to shape and tame these youths into law-abiding workers of industrial society, yet their workless and godless existence threatened to subvert this. Moreover, their presence on the city streets and their participation in 'adult' spaces and activities was unsettling because it was so alien to bourgeois perceptions of the place of children within the safe domestic confines of the family and the home. Their behaviour reminded respectable society that the relative 'innocence' of their own children was but a cultural construction. As Lynette Finch has convincingly suggested, beyond the disparities of class, 'the internal drives of sexuality, if present in one child, were present in all'.<sup>27</sup>

Precocious behaviour also represented the antithesis of heroic self-denial, adult sexual restraint and the ideal popularised by Rousseau that continence was a 'moral duty'. Their conduct ignored these Christian bourgeois values of restraint and their deviancy was written on their bodies. Lower-class youths were often described as being 'old before their time' and 'little stunted men'.<sup>28</sup> According to one observer, the juvenile delinquent was 'an infant in age, a man in shrewdness and vice, the face of a child with no trace of childish goodness'. At issue then, were the hierarchies of both class and age, and the threat presented to them by the unrestrained behaviour of the poor. Malthusians feared that their behaviour would lead to unfettered reproduction and further social degeneration. In short, precocious sexuality was an 'anarchy of indulgence' that posed a subversive threat to the social and moral order.<sup>29</sup>

Contemporary understandings of sexual behaviour were informed by the belief that sexuality (like crime itself), once 'awakened', would

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<sup>26</sup> Maconochie, quoted in J. V. Barry, *Alexander Maconochie of Norfolk Island*, Melbourne, 1958, pp. 71-2.

<sup>27</sup> L. Finch, *The Classing Gaze: Sexuality Class and Surveillance*, Sydney, 1993, p. 149.

<sup>28</sup> J. J. Rousseau, *Emile*, London, 1963, pp. 135-6; M. D. Hill, 'Practical Suggestions to the Founders of Reformatory Schools', in J. C. Symons, *On the Reformation of Young Offenders*, London, 1855, p. 2.

<sup>29</sup> S. Robins, *A Letter to the Right Honourable Lord John Russell on the Necessity and Mode of State Assistance in the Education of the People*, London, 1851, p. 51; A. Davin, 'The Jigsaw Strategy: Sources in the History of Childhood in Nineteenth-Century London', *History of Education Review*, Vol. 15, No. 2, 1986, p. 9; S. Houston, 'Victorian Origins of Juvenile Delinquency: A Canadian Experience', in M. Katz & P. Mattingly (eds), *Educational and Social Change: Themes from Ontario's Past*, Ontario, 1975, p. 93.

continually seek out further avenues of gratification. Moreover, perceptions of deviancy, criminality and sexuality were closely entwined in the nineteenth century, and what were deemed 'un-English' and 'unnatural' practises haunted the bourgeois imagination. This helps to explain why the discourses that constructed young male delinquents as sexually precocious and morally deviant did not suddenly cease at the doors of the penal institution. Beyond 'heterosexual' relations with 'their girls' in the outside world, active expressions of sexuality between incarcerated youths were a constant source of moral anxiety for the penal authorities. Within the juvenile institution, it was quietly acknowledged that the 'unnatural' and 'unspeakable' acts of masturbation and sodomy were 'taught' through mere verbal mention. Like the domino theory of crime, it was feared that knowing about such practises would inevitably lead to doing them. It must be remembered that the taxonomies of the later sexologists and the ossified binary division of sexuality into neat hetero or homo categories did not yet exist. In the first half of the nineteenth century, sexuality was a fluid and malleable concept and same sex activity was not exclusive to a particular 'type' of person. Rather, 'unnatural' and 'deviant' sexual behaviour might be committed by anyone as a 'temporary aberration'.<sup>30</sup> It was this that made the male juvenile penal environment so fraught with sexual anxiety. And it was these moral concerns that lay behind the obsessive rules that governed silence and surveillance in the communal sleeping quarters; silence to prevent the transmission of sexual knowledge, and surveillance to monitor the practise of such behaviour.

In this context, the precocious sexuality that so alarmed British social investigators and informed the reports of countless select committees had complex meanings that went beyond boys 'and their girls'. To be sure, it illuminated a disparity of classed moralities and perceptions of appropriate youthful behaviour. Yet when placed in the context of contemporary ideas of sexuality and juvenile delinquency, we can better understand the unholy alliance contemporaries forged between the two. The moral anxieties juveniles generated were pervasive precisely because young delinquents were constructed as sexually deviant in the first place. Furthermore, in the eyes of anxious observers this deviancy drew no boundaries because the line between

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<sup>30</sup> See M. Foucault, (trans. R. Hurley), *The History of Sexuality Volume One, An Introduction*, New York, 1978. Also, C. Spencer, *Homosexuality: A History*, London, 1995; J. Weeks, *Sexuality and its Discontents*, London, 1985; J. Weeks, *Making Sexual History*, Cambridge & Oxford, 2000.

precocious sexuality and other 'unnatural' and 'abominable' expressions of sexuality was fragile and easily crossed. In the following sections of this paper, these anxieties are explored through an examination of the separate ship experiment that transported young male prisoners to Van Diemen's Land. This initiative was specifically designed to keep young and adult convicts apart, yet as the experiment developed, familiar moral anxieties prevailed and were often further magnified as new complexities arose.

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Between 1837 and 1841 eight ships exclusively transported juvenile convicts to Van Diemen's Land, carrying 1,200 boys aged from eight to nineteen years. The decision to charter special transports for boys reflected the increasing numbers of juveniles caught up in the criminal justice system during the 1830s. In 1836 the Colonial Secretary, Lord John Russell, specifically recommended the separate ship scheme 'to avoid the evil of mixing up that class of offenders with older criminals during the voyage'.<sup>31</sup> Though well intended, the experiment was never extended to Ireland, and young convicts, both Irish and English, continued to be sent out with adult prisoners during these years. In Van Diemen's Land, the increasing number of young convicts arriving in the 1830s led to concerns that their incarceration with adult prisoners in Hobart Gaol was producing nothing but 'moral corruption'. Lieutenant-Governor's Arthur response was to establish Point Puer as a separate juvenile penal institution on the Tasman Peninsular in 1834. Explaining his actions to the Colonial Office, Arthur epitomised the contradictory tensions that juvenile offenders so often produced upon contemporary thinking. Of the young colonial convicts then in Hobart, he noted: 'it is utterly impossible to imagine a more corrupt fraternity of little depraved fellows ... but all are the objects of compassion'.<sup>32</sup> This tension between moral innocence and criminal culpability would be played out on the separate ships and at Point Puer in ambiguous and often contradictory ways.

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<sup>31</sup> Here we have clear and official testimony to the limitations that separating the boys and the men on board the transports actually had in practice. Glenelg to Franklin, 28 October 1836, Report from the Select Committee on Transportation 1838, *BPP: Crime and Punishment, Transportation*, Vol. 3, 1837-61, pp. 214-5; K. Humphery, 'The Remaking of Youth: A Study of Juvenile Convicts and Orphan Immigrants in Colonial Australia', MA thesis, University of Melbourne, 1987.

<sup>32</sup> Governor's Letter Books and Memorials 33/16/277, Under Secretary of State, 8 February 1834, AOT.

The first ship, the *Francis Charlotte*, arrived in Hobart in 1837 with 140 boys. By all accounts the voyage was a success. Lieutenant-Governor Sir John Franklin was convinced that the experiment had been 'highly conducive to the interests of morality among young culprits', and he had 'no doubt as to the expediency of forwarding and disposing in like manner all future culprits'.<sup>33</sup> It seems that a rigorous moral, religious and disciplinary program was imposed throughout the voyage. Surgeon-Superintendent Alexander Nesbitt proudly reported that 'theft was exceedingly rare' and 'immoral language and behaviour had entirely disappeared'.<sup>34</sup> The disciplinary regime and the careful supervision to which the boys had been subjected on the voyage, continued on their arrival in the colony. They were not permitted to disembark in Hobart but were immediately shipped off to the juvenile establishment at Point Puer. There the Commandant, Captain Charles O'Hara Booth, was optimistic 'that with proper attention to their morals, education and instruction in their different trades, the major part of these juvenile offenders, uncontaminated by the adult prisoner will turn out useful and worthy members of the colony'. Clearly Booth believed in the redemptive and reformatory potential of Point Puer. The hope that the young would reform and become useful colonists has interesting implications for complicating the idea of 'the convict stain'. It is beyond the scope of this article to examine this point further, yet clearly the boys' continuing separation from the adult prisoners was deemed vital for their reform and chances for the future. Moreover, their isolation from the boys already at the Point was seen to be imperative, and rigorous steps were taken to ensure this spatial separation. According to Booth, the 'precaution was taken, just previous to their arrival of removing every boy to Port Arthur, whose characters were likely to contaminate them' because 'example tends to have a malignant influence over small boys'.<sup>35</sup>

Bryan Gandevia has suggested that 'the juvenile ships were one of the more constructive experiments of the convict era'. Certainly, the enlightened benevolence of the initiative was clear and for the boys involved it might well have been constructive. Captain Booth looked with confidence to the future when these 'nice boys - poor little fellows' would be trained in skills to become 'good and industrious citizens' and contribute to the economic development of the colony. He was

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<sup>33</sup> Franklin to Glenelg, 4 August 1837, in *BPP: Crime and Punishment, Transportation*, Vol. 3, 1837-61, pp. 215-6.

<sup>34</sup> Nesbitt, Report, 2 June 1837, in *ibid.*, pp. 217-8.

<sup>35</sup> Booth, Report, 24 July 1837, in *ibid.*, p. 220.

also convinced that 'with-drawing these little Urchins from bad company and example will without any doubt, if proper attention is paid to their morals be the means of bringing many — if not all — into the right path again'. For progressive contemporaries like Booth, 'young convicts offered more malleable subjects for recasting as law-abiding citizens' and on release, many boys did indeed go on to live relatively successful lives.<sup>36</sup> Yet it seems perverse logic that in order to preserve the 'innocence' of the new arrivals, other boys who were seen as potential 'corrupters' were sent across the water to the adult penal station at Port Arthur. For these boys, their right to separate, juvenile treatment was temporarily suspended. Sending them to Port Arthur was hardly benevolent, reformatory or enlightened. If, as William Champ suggested, Point Puer was a 'melancholy, bleak cancer spot', according to the *Colonist*, the adult penal station was 'worse than Dante's Hell'.<sup>37</sup>

Clearly a tension existed between upholding ideas of age-related separation and the practical management of penal discipline on the Tasman Peninsular. Yet a sentence to the adult establishment regularly formed one of the harsher punishments inflicted on boys at Point Puer. Booth reported that there were thirteen boys at Port Arthur in June 1836. John Fairarray [sic] was described as 'an abominable little monster'. Frank McManus was 'an incorrigibly obstinate bad lad – tried ten times', and James Kelly was 'a bad influence over other smaller boys'.<sup>38</sup> These conduct reports often noted that the removal of juveniles to the adult station was 'temporary', and there was indeed much movement between the two settlements. For example, between January and June 1837, nine boys were received at the Point from Port Arthur, and eighty-nine boys were in turn sent to the adult station. For all the concerns surrounding age related separation, many young convicts experienced the grim realities of adult penal life. Point Puer had been established to keep the boys and the men apart, yet Port Arthur became a convenient place to send young 'old hands' when the boys' establishment became too overcrowded with new 'innocent' arrivals.

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<sup>36</sup> Gandevia, *op. cit.*, p. 15; D. Heard (ed.), *The Journal of Charles O'Hara Booth*, Hobart, 1981, p. 47; G. Dow and I. Brand, "'Cruel only to be kind"? Arthur's Point Puer', *History of Education Review*, Vol. 15, No. 1, 1986, p. 25; J. Gascoigne, *The Enlightenment and the Origins of European Australia*, Cambridge, 2002, p. 131. For the future lives of the first boys sent to Point Puer, see MacFie and Hargraves, *op. cit.*, pp. 144-46.

<sup>37</sup> W. Champ, 29 July 1844, in Point Puer Correspondence 1843 & 1844, in Tasmanian Papers No. 60, A1089, ML; *Colonist*, 6 May 1834.

<sup>38</sup> Booth report 1837, *op. cit.*, p. 222; Commandants Report of Conduct at Port Arthur, 1 June 1836, in Tasmanian Papers No. 129, ML.

On their return, their behaviour and influence did little but exacerbate already existing tensions at the juvenile establishment. For some 'incurable' youths sentenced to secondary punishment, permanent exile to Port Arthur was but one stop short of Norfolk Island.

Many contemporaries were vehemently critical of this interchange between the two establishments. Thomas Lempriere, a Commissariat officer on the *Tasman Peninsular*, thought it 'severe and calculated to do away with the benefit intended by the Point Puer establishment'. Not only did 'the same bad boys remain companions' at Port Arthur but their separation from the men was 'impossible entirely to enforce', and he hinted that the 'moral consequences maybe easily foreseen'. Yet if Lempriere expressed moral anxieties over the presence of boys at Port Arthur, his concerns were not always consistent. At other times he acknowledged the idea of the juvenile delinquent to be in fact 'worse' than the adult criminal and much more difficult to reform. Perhaps he was having a bad day, but in one diary entry in 1839 he insisted 'so deeply do the seeds of wickedness appear rooted in the breast of the urchin convicts, that in every degree of turpitude of which men are guilty, these boys outdo them'.<sup>39</sup> Surgeon-Superintendent Daniel Ritchie expressed similar sentiments. His experiences on board the transport ships led him to observe that 'boys are not the least dangerous class of criminals. Their physical weakness is in proportion to their moral depravity'.<sup>40</sup>

Why were juvenile delinquents seen by some to be 'worse' than adult prisoners and more difficult to reform? Certainly ambivalent and contradictory cultural and moral perceptions of the young co-existed in the nineteenth century. There was a sentimental view that children were born innocent and pure and deserved protection from the harsh realities of the adult world. Yet the older Calvinistic idea that children were born naturally wicked and depraved remained popular. This child had to be shaped and tamed by rigorous social training and moral discipline into an imagined state of grace. It was this idea that held particular relevance to the juvenile convict, but the two competing ideas were not as dichotomous as they first suggest. Indeed the age

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<sup>39</sup> T. Lempriere, *The Penal Settlements of Van Diemen's Land*, 1839, (reproduced by the Royal Society of Tasmania, 1954) pp. 91, 95-6, 102, 104.

<sup>40</sup> D. Ritchie, *Journal of HMS Rattler*, Ritchie Family Papers, 1/4/10/7, University of Melbourne archives. This attitude prevailed into the twentieth century. In 1910 Havelock Ellis suggested that the child 'is naturally, by his organization, nearer to the animal, to the savage, to the criminal, than the adult'. Quoted in S. Gould, *Ontology and Phrenology*, Cambridge, 1977, p. 124.



and background of juvenile delinquents often clouded perceptions of guilt and innocence, and tensions over the question of moral and criminal culpability divided contemporary observers. In Britain, the penal reformer, Matthew Davenport Hill, informed one parliamentary select committee that the seeds of crime were sown by the age of five or six. Conversely the journalist and barrister, William Hepworth Dixon, spoke of the 'folly', 'cruelty' and 'absurdity' of holding such children responsible for criminal acts.<sup>41</sup> In the eyes of the law, criminal responsibility began at age fourteen, but children between the ages of seven and fourteen, found able to discern between 'good and evil', were also deemed morally responsible. There was nonetheless a fragile line between the two and, as Susan Houston has suggested, 'prison reformers created for themselves a complex and ambiguous figure of a blameless child who is nevertheless guilty'.<sup>42</sup> The conflicting politics of penal practise at Point Puer neatly encapsulated these wider cultural complexities. It is in this context that we can better understand the separation of the boys into 'innocent' new arrivals and 'incorrigible' old hands. Clearly, an imagined hierarchy of 'innocence' existed at the juvenile institution. Yet for how long the newly arrived youth would remain 'innocent' in the eyes of the convict department would depend on his conduct and his obedience to the rules. Ultimately, what united all the young inmates was the ever-present threat of punishment.

There was an obsessive focus on the boys' moral behaviour at Point Puer. The imposition of a harsh disciplinary regime aimed to produce quiet voices, orderly bodies and obedient minds. Yet repressive rules were often resisted and the boys' voices were not always silent. For many in the convict department, the 'crimes' and misdemeanours that the boys committed served to confirm their precocious 'depravity'. William Jeffrey is a case in point. He was awarded fifteen lashes on the breech for 'wantonly exposing his person in the presence of fellow prisoners'.<sup>43</sup> If Jeffrey were merely engaging in a boyish prank, the colonial authorities interpreted his improper behaviour somewhat differently. Indeed, the boys' 'moral' crimes were usually perceived to be 'unnatural' and sexual in nature. They often involved the boys disrupting the techniques of night-time surveillance,

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41 M. Davenport Hill, 13 March 1847, in first report from the select committee of the House of Lords respecting juvenile offenders and transportation, in *BPP: Juvenile Offenders and Transportation, No. 1, 1847*, Shannon, 1969, p. 44; W. H. Dixon, *The London Prisons*, London, 1850, pp. 170-1.

42 Houston, *op. cit.*, p. 94.

43 715 William Jeffrey per *Isabella*, Con 31/26, AOT.

or inviting suspicion in private spaces where their behaviour could not so easily be monitored. In the 'moral' crime category of records kept between October and December 1838, 'disorderly conduct in barracks at night', 'putting out lamps at night', 'most indecent conduct' and 'being in the water closet for some improper purpose' were listed. Similar moral 'crimes' that thwarted surveillance were often committed by adult convicts at Maria Island, Port Arthur and at the various convict probation stations that existed throughout the colony in the 1840s.<sup>44</sup> Circumstances that invited suspicion concerning the moral behaviour of adult prisoners were replicated in the concerns that surrounded the behaviour of the young. Furthermore, both young and old were scrutinised for signs of reformation or degeneration, according to the propriety of their speech and language.

In the nineteenth century, speech and language were measures of moral respectability. Penal discipline sought both to silence and regulate the language of prisoners, and adherence to the rules was closely monitored. At Point Puer the boys' voices were the site of intense scrutiny by the authorities and all 'gross and indecent' expressions were severely punished.<sup>45</sup> Between 1 January and 30 June 1837 there were seventy-two recorded cases of 'insolence' and fifty-two cases of 'profane language'. Twenty-six boys were charged with 'talking and singing in cells' and four were admonished for 'indecent conduct'.<sup>46</sup> On 30 May 1835, Walter Paisley was 'charged with amusing the boys in the cells on Sunday evening last by reciting an obscene story'. He was sentenced to seven days solitary confinement on bread and water. 'Making use of obscene language' earned William Churchill forty-eight hours of solitary confinement on bread and water. William Massey was lucky. He got away with a reprimand, having been 'charged upon the complaint of overseer North with making use of improper expressions in barracks after hours'.<sup>47</sup> It is difficult to conjecture what, precisely, was deemed 'obscene' and 'improper'. Class and cultural disparities between the young and their keepers

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<sup>44</sup> Point Puer Record Book, October – December 1838, Tasmanian Papers 129, ML; C. Gilchrist, 'Space, sexuality and convict resistance in Van Diemen's Land: the limits of repression?', *Eras*, No. 6, November 2004.

<sup>45</sup> John Keefe was sentenced to five days solitary confinement on bread and water and then removed to Port Arthur for such a 'crime'. 427, John Keefe, *John* (2), Con 31/26, AOT.

<sup>46</sup> Booth report, *op. cit.*, p. 221.

<sup>47</sup> Walter Paisley in Point Puer Charges and Sentences 1835-1839, Tasmanian Papers 134; Churchill and Massey in Point Puer Record Book October – December 1838, Tasmanian Papers 129, ML.

undoubtedly informed these moral judgements. However, Benjamin Horne's official report of Point Puer helps us to hear the young voices a little better.

Horne was a British prison inspector who visited the Point in 1843 to recommend ways in which the establishment might assimilate with the discipline and management of the juvenile prison at Parkhurst. He found Point Puer to be the antithesis of this separate 'model' prison and his detailed report was damning in most of its observations. Parkhurst was based on silence, separation and single cells. But at Point Puer Horne found an undifferentiated freedom of association between the different classes and ages of the boys, as well as a 'familiar acquaintance with a vice which a Christian is scarcely permitted to name'. Horne was outraged by the frequency with which the boys referred to 'moral' crimes. In his report he noted, 'I am sorry that a case has since occurred between two boys, which left me no longer in doubt upon the subject ... Captain Booth was so satisfied at the truth of the charge that he sought to inflict the highest punishment he could'.<sup>48</sup> It is difficult to determine what exactly this particular case involved. However, allusions to 'unspeakable' vice were common in discursive representations of 'unnatural' sex acts. What was 'unutterable' and 'not fit to be named' formed a peculiar yet idiosyncratic 'silent' discourse of sex in the nineteenth century.

Captain Booth was certainly aware of moral 'vice' between the boys. In 1837 a letter from Matthew Forster at the convict department had alerted him to 'this horrible crime'. Booth replied that he 'was quite horror struck' by the allegations and 'quite perplexed to know what method to adopt to detect such horrid proceedings'. He promised a thorough, albeit silent investigation into the matter and informed Forster that he had 'not named it to ... a soul for fear of its getting publicity on the establishment'.<sup>49</sup> The colonial press would loudly expose the Commandant's 'silence' during the 1840s. Anti-transportation newspapers constantly utilised scandalous rhetoric to allude to the sexual practises of the colony's convict population, including the juveniles. The *Hobart Town Courier* had no reticence in informing its readers of 'the abominations which prevail, in an assemblage of juvenile offenders, to an extent unparalleled even in this land of ... iniquity'. Likewise in 1846 the *Launceston Examiner* reported that the Colonial Office had authorised the summary punishment of

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<sup>48</sup> B. Horne, Report 1843, quoted in Buddee, *op. cit.*, p. 108.

<sup>49</sup> Extract of a letter from Booth to Forster, 9 September 1837, in Hooper, *op. cit.*, p. 186.

'crime' at Point Puer by the superintendent, rather than by formal trial in front of a magistrate. This reflected recent legal innovations in Britain that demanded that juveniles and adults be subject to different court procedures. However, as the paper suggested, 'Mr. Gladstone never imagined that by this means a capital offence would be placed in the same category as insolence'. The reference to 'a capital offence' was but a transparently veiled allusion to 'unnatural' crime; colonial readers would have been well aware of its moral meanings.<sup>50</sup>

The arrival of the *Francis Charlotte* and the unequal treatment of young convicts at Point Puer points to some of the moral ambiguities and limitations of 'separating' the boys from the men. Further issues were brought into sharp focus by the arrival of the *Pyramus* in March 1839, with 160 juveniles on board. By all accounts the voyage had passed without incident and the Surgeon-Superintendent, Mr Foreman, was praised for his 'very satisfactory and creditable' performance. However, there was some cause for concern. The Comptroller-General of Convicts, Matthew Forster, was a firm believer in the use of partitioned sleeping berths and separation boards in convict dormitories, as a 'preventive' measure against 'nocturnal vice'.<sup>51</sup> He was gravely concerned that there were no separation apertures on the *Pyramus*. Perhaps more alarmingly, each sleeping berth accommodated up to four bodies. Lieutenant-Governor John Franklin conveyed these concerns to the Colonial Secretary, recommending that 'in the fitting up of transports in future, the sleeping places of the convicts should be portioned off from each other':

This measure has been adopted at Port Arthur, and at the road parties ... [it] being found very conducive to cleanliness and a prevention to immorality, which should be especially guarded against where large bodies of depraved beings are congregated together ... the younger convicts should not be associated with those who, older in years and crime, are calculated to harden those less depraved than themselves. With this view I would suggest, that in future transportations of juvenile

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<sup>50</sup> *Hobart Town Courier*, 12 December 1846; *Launceston Examiner*, 23 December 1846. Foucault's observation that sex was not so much silenced but rather exploited as 'the secret' is pertinent in this context. Foucault, *op. cit.*, p. 35.

<sup>51</sup> Forster to Franklin, 25 March 1839, in *BPP: Crime and Punishment, Transportation*, Vol. 6, 1810-41, p. 859.

offenders to this colony, the older youths should not be sent out in the same vessels with the smaller boys.<sup>52</sup>

Franklin's concerns were accentuated by the presence on board the *Pyramus* of 'no fewer than seventy' youths who, aged eighteen and nineteen, were too old for Point Puer. Their influence upon the younger boys, together with the inadequacies of spatial segregation in the sleeping quarters, clearly caused alarm. In Britain, the Governor's request was passed to Sir John Barrow, Lord Commissioner of the Admiralty. Despite the moral tensions registered by the colonial authorities, fiscal considerations were always at the forefront of metropolitan concerns and Barrow concluded that Franklin's recommendations 'would be prejudicial to the health of the convicts and cause increased expense'.<sup>53</sup>

Obviously, conditions on board the *Pyramus* had produced familiar moral anxieties that inadequate age-related separation so often generated. The ordering and atomising of juvenile bodies in the sleeping quarters of the ship had been insufficient. So too was the separation of the 'older youths' from the 'smaller boys'. This was intimately bound up with perceptions of behavioural imitation and also age-related intimidation. Yet the issue also concerned ideas surrounding puberty and adolescence, which were less well defined than they eventually became towards the end of the century. Nonetheless, many British contemporaries believed the teen years to be a time of moral vulnerability. The older youths at Parkhurst were described as 'abject slaves to sensual appetites and propensities'. According to the Chaplain of the Warwick asylum, 'the criminal boy is so enslaved to his lusts and appetites and passions, that he has lost the power of self control'.<sup>54</sup> There was a morbid fascination with masturbation as a fatal 'evil', and many contemporaries specifically linked the emergence of adolescent sexuality with criminal behaviour. Andrew Dickson's experiences of reforming juvenile delinquents in

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52 Franklin to Glenelg, 12 April 1839, in *ibid.*, p. 858.

53 Barrow to Maule, 1 November 1839, in *ibid.*, p. 859.

54 R. Johnson, 'Educational Policy and Social Control in Early Victorian England', *Past and Present*, No. 49, 1970, p. 108. See also, J. Demos & V. Demos, 'Adolescence in Historical Perspective', *Journal of Marriage and the Family*, Vol. 31, 1969, pp. 632-38; D. Bakan, 'Adolescence in America: from Idea to Social Fact', *Daedalus*, No. 100, 1971, pp. 979-95; Report of Parkhurst prison 1846, quoted in M. Carpenter, *Reformatory Schools for Children of the Perishing and Dangerous Classes and for Juvenile Offenders*, London, 1851, p. 319; H. T. Powell, quoted in J. C. Symons (ed.), *Tactics for the Times as Regards the Condition and Treatment of the Dangerous Classes*, London, 1849, p. 122.

British Canada led him to observe that 'the period bordering on adolescence shows most evidently a greater tendency to crime than any other. This obviously arises from the power and energy of the passions, and as yet the defective cultivation of the mind and training of the morals'. Criminality, adolescence and sexuality formed an unholy trinity in the minds eye of the nineteenth century.<sup>55</sup> It was precisely this association that rendered the separate ship experiment so fraught with moral anxiety.

It is impossible to speculate what the average age of puberty was for lower-class boys in the first half of the nineteenth century. Henry Mayhew's social investigations into the working lives and social conditions of London's labouring classes have been well documented. Less observed are his views on adolescence, puberty and crime. According to Mayhew, puberty occurred at the age of fifteen, and it was at this age when criminal dispositions were developed and the destiny of the youth was 'influenced perhaps for life'. Mayhew also believed that puberty occurred earlier in lower-class children because their early exposure to the 'vices' of the adult world made 'their extraordinary licentiousness' inevitable.<sup>56</sup> Yet inadequate nutrition, poor housing and harsh working conditions would have been influential in delaying puberty. Bryan Gandevia has concluded that boys transported from London to Australia were well below average height, 'doubtless underweight' and pock marked, suggesting past exposure to infectious diseases.<sup>57</sup> Indeed, Walter Paisley, for all his

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<sup>55</sup> Dickson, quoted in Houston, *op. cit.*, p. 96; D. Walker, 'Contenance for a Nation: Seminal Loss and National Vigour', *Labour History*, No. 48, 1985, pp. 1-14, argues that from the 1860s 'it was commonly assumed that working-class youths were degenerate and that criminality, degeneracy and seminal loss were interrelated'. Clearly these fears were present much earlier. See also R. P. Neumann, 'Masturbation Madness and the Modern Concepts of Childhood and Adolescence', *Journal of Social History*, Vol. 8, No. 3, 1975, pp. 1-27; R. H. Macdonald, 'The Frightful Consequences of Onanism: Notes on the History of a Delusion', *Journal of the History of Ideas*, Vol. 28, 1967, pp. 423-31.

<sup>56</sup> H. Mayhew, *London Labor and the London Poor*, Vol. 1, London, 1861, V. Neuburg, (ed.), New York, 1985, p. 468. For evidence that the onset of puberty was class-specific, see J. F. Kett, 'Adolescence and Youth in Nineteenth Century America', *Journal of Interdisciplinary History*, Vol. 2, 1971, pp. 283-98; J. Tanner, 'Growing up', *Scientific American*, No. 229, 1973, pp. 34-43.

<sup>57</sup> B. Gandevia, 'Some Physical Characteristics including Pock Marks, Tattoos and Disabilities of Convict Boys Transported to Australia from Britain c 1840', *Australian Paediatric Journal*, No. 12, 1976, pp. 6-13; W. Paisley, 'A Comparison of the Heights of Boys Transported to Australia from England, Scotland and Ireland c 1840 with later British and American developments', *Australian Paediatric Journal*, No. 13, 1977, pp. 91-7.

'obscene' night-time stories, was recorded as standing at a tiny four feet one and a half inches. It is doubtful that Mayhew's early puberty thesis was correct. Rather, it reflected middle-class ambivalence towards juvenile delinquents and the moral and environmentalist assumptions that were made of the lower classes. Adolescence was a 'turning point' in the biological life cycle and it was viewed as a particularly precarious time. Without 'moral' adult guidance, lower-class youths represented crime, danger and social subversion. If the legal system created their criminal deviancy in the first place, it was middle-class moralists who constructed this through a discourse of moral deviancy. As Jelinger Symons remarked in 1849, 'juvenile crime is a moral disease which requires a moral remedy'.<sup>58</sup>

The *Pyramus* juvenile convict ship represented in microcosm many contemporary concerns surrounding juvenile convicts. Franklin's suggestion that young boys and older youths should not be transported on the same vessels was perhaps extravagant. Yet 'moral' remedies had certainly been implemented on board the *Hindustan* when it arrived in Hobart in 1841. Matthew Forster's anxieties over the sleeping arrangements on board the *Pyramus* had been taken into consideration and a complex rotating night watch had augmented surveillance in the sleeping quarters from six o'clock in the evening until six the following morning. Forty-eight boys 'of good conduct' were appointed to act as night watchmen to 'prevent all larking, quarrelling, fighting, swearing, the using of indecent or obscene language and the singing of immoral songs'. Moreover, the 200 boys who arrived on the *Hindustan* were all sixteen years and younger which suggests that Franklin's outrage at the presence of eighteen and nineteen year olds had also been considered. However, on arrival in Hobart, Surgeon-Superintendent Andrew Henderson immediately recommended that eighty-six boys of 'physical maturity' be swiftly assigned to colonists. All were between the ages of fourteen and sixteen and Henderson 'was at pains to point out that these juveniles should be immediately separated from the younger boys'. Their 'physical maturity' meant that they were not to be sent to Point Puer. The age and the physical development of these youths, and the need to separate them from the younger boys, were here explicitly acknowledged. After 1843, only boys aged fifteen years and younger were 'officially' sent to Point Puer.<sup>59</sup>

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<sup>58</sup> Symons, 1849, *op. cit.*, p. 96.

<sup>59</sup> A. Henderson, *Scraps and Facts of Convict Ships*, Devonport, 1845, p. 13; A. Kyle, 'A Long Farewell: The British Experience and Colonial Fate of Juveniles Transported to

Kim Humphery has argued that the use of juvenile ships and the establishment of Point Puer 'testified to ideological shifts regarding the cultural understanding and supervision' of young convicts'.<sup>60</sup> Certainly perceptions of age and the imperative to separate the boys from the men had been the original incentive for this colonial experiment. The prevention of criminal and moral corruption underscored this penal innovation. Yet by centralizing the moral and sexual anxieties that surrounded juveniles themselves, we can see that the spatial organization of juvenile bodies merely reiterated and concentrated some familiar moral concerns. Furthermore, the experiment also produced new moral complexities as the problematic issues of age, adolescence and puberty were brought into sharper relief; later developments led to the further separation of the juvenile body itself. Moral anxieties over the exchange of criminal and sexual knowledge were certainly not assuaged by the separation of adult and young convicts. Contemporaries were acutely aware that 'corruption', bullying and the sexual abuse of younger boys was as likely to occur on the juvenile ships as it was in other penal environments.<sup>61</sup>

If the politics of age-related separation were more complex than historians have hitherto acknowledged, they also had many practical limitations. The separate ship experiment highlighted the moral ambiguities in classifying new 'innocent' arrivals as worthy of protection from the 'incorrigible' boys. This in turn saw the removal of refractory youths to the adult terrors of Port Arthur. When the *Lord Goderich* arrived in 1841 with 176 boys, only 108 were sent to Point Puer. The rest were distributed amongst the adult convicts working at newly established probation stations. Moreover, separation at Point Puer itself was never entirely achieved because convict men from Port Arthur were employed as schoolteachers and trained the boys in trades. 'The impropriety of this' noted William Champ when he replaced Booth in 1844 'is so obvious that I need hardly say how desirable it is to substitute men of a totally different class'.<sup>62</sup> Benjamin Horne's report also recommended that men trained by the British Council of Education be immediately sent out, because the

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Australia in the First Half of the Nineteenth Century', MA thesis, Monash University, Melbourne, 1988, pp. 215-6.

<sup>60</sup> Humphery, *op. cit.*, p. 32.

<sup>61</sup> The juvenile hulks on the Thames were notorious for institutionalised bullying and violence. See Report of the select committee on gaols and houses of correction 1835 in *BPP: Crime and Punishment, Police*, Vol. 3.

<sup>62</sup> W. Champ, 29 July 1844, Point Puer Correspondence 1843 & 1844, in Tasmanian Papers 60, A1089, ML.



establishment was 'daily suffering in a moral point of view from the want of proper teachers'. Moreover, he was convinced 'for several reasons' that these men 'should be married'.<sup>63</sup> There were then many discrepancies between the theory and the reality of age-related separation both at Point Puer and aboard the juvenile convict ships. For contemporary observers, these limitations were consistently voiced through a discourse that was saturated in moral and sexual anxieties.

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In 1856, the returned Chartist convict, John Frost, lectured British audiences with sensational and lurid tales of Point Puer. Frost informed his listeners that 'the big boys and the little ones slept in the same room, and I need not tell you what followed'. His narration of scandalous scenes that 'threw Norfolk Island and Port Arthur into the shade' was clever and effective political propaganda.<sup>64</sup> Yet these tales were not told in an ideological vacuum. They played on real fears that surrounded the imaginings of crime, juvenile delinquency and sexuality. Young male convicts represented many cultural and social anxieties, and confusion often muddied perceptions of moral and criminal culpability. When social reformers investigated the causes of juvenile delinquency, they blamed the outside influences of wicked parents and profligate adults.

Yet they could not forget that 'evil' might reside in the young themselves. For penal administrators, the undifferentiated treatment of the young and the old generated acute anxieties. Yet separating the boys from the men did not assuage these moral concerns. At times, the state tried to 'protect' boys yet found it could not necessarily protect the young from one another. If adult spaces 'corrupted' boys, the boys could equally corrupt their own. Ultimately, as this article has argued, the separation of the boys from the men did not sever the juvenile delinquent from the broader cultural and ideological values that surrounded his construction. These values were class-bound. They explicitly linked legal non-conformity, social misbehaviour and moral impropriety and labelled them deviant. In the final analysis, 'innate moral perversity' constructed the juvenile delinquent because crimes and offences against social morality were always related to sexuality.

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<sup>63</sup> Horne Report, *op. cit.*, p. 124.

<sup>64</sup> J. Frost, *The Horrors of Convict Life*, Hobart, 1973 [1856], p. 46.