

# {essays in history}

The Annual Journal produced by the Corcoran Department of History at the University of Virginia

## Empire and Underworld: Captivity in French Guiana



Volume 46 (2013)

### Reviewed Work(s)

*Empire and Underworld: Captivity in French Guiana*. By Miranda Frances Spieler. Cambridge: Harvard University Press. 2012. 284pp. Cloth, \$49.95.

In *Empire and Underworld: Captivity in French Guiana*, Miranda Spieler accomplishes the daunting task of putting the cultural discourses and practical experience of citizenship and deportation in a legal framework. Her book is about French Guiana—famous for the notorious Devil’s Island and the Dreyfus Affair—but in actuality this is a much bigger story. She argues that the concepts of civic death and deportation worked in tandem to ensure that undesirable elements in French society were irrevocably excluded from the metropole. Spieler’s subjects are the French government and their various internal political and social enemies from the Revolutionary period (1789) through the beginning of the Third Republic (1870). These included everyone from Girondins and Priests, to Communards and common criminals. Although her introduction sets up a strong theoretical base about ideas of space and criminality, Spieler’s work is primarily a legal history. Indeed, *Empire and Underworld* fits in well Patrick Weil’s legal study of French citizenship, and it offers a complement to Dominique Kalifa’s discussion of military deportation during the same period.<sup>[1]</sup> Spieler uses civic and criminal codes, and official correspondence as her main sources to explain the ways in which Guiana operated as a space of detention, freedom, and civic purgatory.

Proceeding roughly chronologically, Spieler’s work traces changes in the definition of the criminal, and how those men and women so defined were treated by the state. She argues that in the Revolutionary period, political criminals and rebellious clergy were the state’s main targets, as they represented the biggest threats to the revolutionary project. It was at this point that the idea of deportation took hold in the state’s imagination. Without a coherent, systematic plan, the Committee for Public Safety, the Directory, and later Napoleon all acknowledged the desire to rid France of dangerous elements while simultaneously realizing that execution might be denounced. Deportation seemed an attractive alternative. As Spieler proceeds, she skillfully demonstrates how the policies of deportation and civic death became entrenched in the French penal system by the mid-nineteenth century when concerns about global power and national identity were at their height.

Spieler is concerned with the loss of civic identity through deportation and the complex jumble of legal codes that made citizenship anything but simple. To borrow a phrase, the deportee could not speak, and so

Spieler argues that we must examine the development of laws surrounding prisoners to fully understand their experiences in Guiana (5). In contrast to Hannah Arendt's vision of the legal subject, which excludes criminals from the political as debased subjects outside of nature, Spieler states that by studying "the lives of criminals, slaves, so-called savages and political criminals, it becomes possible to understand how law, while providing a framework for human flourishing, also enables violence and masks it" (8). This statement sets the tone for the rest of the work; French Guiana is ultimately a place where people melt away into legal nothingness, allowing physical violence and depravity of the kind that could never be allowed in the metropole of liberal France.

In order to explain the changing uses of French Guiana Spieler takes us through the development of the legal code that allowed "civil death" to undesirables and also deported them (21). The codes themselves are oftentimes convoluted and contradictory, and Spieler takes the reader effortlessly through the curves, rarely getting bogged down in jargon-filled explanation. During the Revolution, tensions arose about what do with political prisoners and emigrés. In many cases, traitors were simply stripped of their rights and pushed to the outskirts of law and society—effectively dead as far as the state was concerned. Although this punishment was called "deportation," and served as the first step in removing a criminal from France, it did not always result in physical separation from the land (38). Nevertheless, the physical deportation of deviants became a popular idea in the minds of the people and the government responded, with French Guiana becoming the space to hold the undesirable population. Throughout the nineteenth century, legal codes changed with new fears of the government, but the goals remained the same. In the 1850s, emancipated slaves were simply enveloped in the "enormous room" of the convict system, and liberated people were shoved into "new spaces of confinement" (164).

Spieler's argument centers on the ways in which legal apparatuses allowed spaces to be contradictory, simultaneously. Guiana in particular was both a domestic and colonial space, a land both of freedom and of deportation. She treats the metropole and the colony as one entity, as France attempted to do at various times throughout this period. This strategy allows Spieler to argue that the laws were designed to keep deportees of all stripes outside the metropolis of France while remaining

in the custody of the French government and subject to the same legislation. Because French Guiana was considered part of France, the government could maintain its control over prisoners while hiding from public view the cruel treatment and harsh conditions to which the detainees were subject. This allowed greater freedom for the state to enact any punishment on prisoners who were technically “outside of the state” and “civically dead.”

For those who wish to view the Revolutionary era as a triumph of natural rights and enlightenment thought, this book will disappoint. Spieler paints a grim picture of the ways in which France’s legal code justified the stripping of humanity, both legal and practical, from those deemed “undesirable” for the French metropolis. The final note of Spieler’s argument is that people did not ever fully return, either from abstract civic death or from the physical space of Guiana. France’s revolutionary, universalist project made it clear that nonconformity would not be tolerated. Because this is a legal history that argues that criminals lost their personhood in the civil system, Spieler does not give her subjects a voice. Some readers might find this problematic, as surely there are arguments to be made that voice and agency can mean different things; a lack of political recognition does not entirely preclude the prisoner from speaking (through attempts at escape, the writing of memoirs, and acts of recidivism). Spieler ignores these possibilities. Nevertheless, this is an important and convincing work that opens the door to further study on the question of identity and empire in the long nineteenth century, and the burgeoning historiography that questions the benevolence of France’s universalism. Cultural historians, scholars of empire, and intellectual historians will all take great value from this well-researched, well-argued book.

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[1] Patrick Weil, *How to Be French: Nationality in the Making since 1789*, (Durham: Duke University Press, 2008); Dominique Kalifa, *Bribi: Les bagnes coloniaux de l’armée française*, (Paris: Perrin, 2009).



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