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Why Alexander Maconochie?

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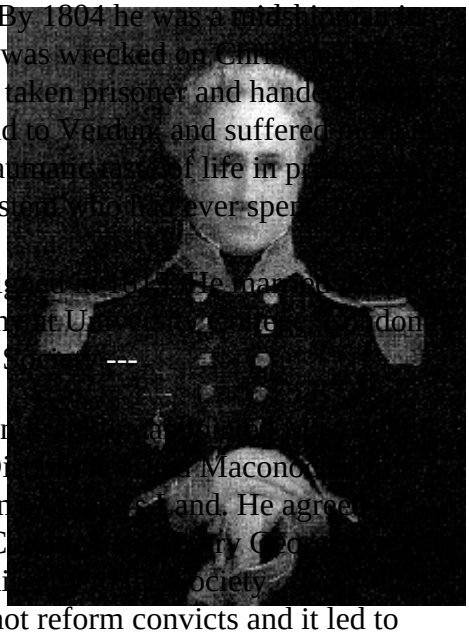
Biography of Alexander Maconochie



Alexander Maconochie was born in Edinburgh on 11 February 1787. By 1804 he was a midshipman in the Royal Navy. He was a lieutenant on the brig Grasshopper when it was wrecked on Christmas Day 1811 off the Dutch coast and, along with everyone else on board, was taken prisoner and handed over to the French. They were forced to march in the cold winter from Holland to Verdun, and suffered for two years" misery as prisoners of war. This was Maconochie"s one traumatic case of life in prison. He never forgot it. He was the only major official of the transportation system who had ever spent time behind bars.
Upon release, Maconochie rejoined the Royal Navy until peace was signed in 1815. He married and moved to London in 1828, and became the first Professor of Geography at University College London in 1830, and the first secretary of the newly formed Royal Geographical Society. ---

In 1837 the new Lieutenant-Governor of Van Diemen"s Land, Sir John Franklin, asked Maconochie as his Private Secretary. The Society for the Improvement of Prison Discipline asked Maconochie to complete a questionnaire for them on the treatment of prisoners in Van Diemen"s Land. He agreed to make the report, and neither Franklin nor the under-secretary for the Colonies, Sir Henry Grey, had any objection so long as he sent it through Franklin to Grey, not direct to the Society.
In Hobart, Maconochie found little to commend in the system. It did not reform convicts and it led to social dissatisfaction. He gave his report to Franklin, who asked him to tone it down. Franklin then sent the edited version to the Secretary for War and the Colonies, Lord Glenelg. Maconochie wrote a separate summary of his case, and sent it to Lord Grey with a covering note asking him, if he thought fit, to show it to Lord John Russell, the Home Secretary in charge of the British penal system. Franklin did not read this abstract, but he thought he knew what was in it.

Thus two reports on Van Diemen"s Land reached London by the same ship in February 1838. Grey had read the outline and, on March 5, 1838, passed it on to Lord Russell.

Maconochie"s Proposals

Alexander Maconochie wanted to shift the focus of penology from punishment to reform. He argued that punishment on its own was a socially empty act without checks built into it, and saw no sense in punishing a criminal for his past without training him with incentives for his future. He argued that sentences should be indefinite - the convicts would have to earn a certain number of "marks", or credits

for good behaviour and hard work, before they were released. They would buy their way out of prison with these marks. To buy, they must save.

Hence the length of his sentence was, within limits, up to the convict himself. Marks could be exchanged for either goods or time. The prisoner could buy “luxuries” with his marks from the gaol administration - extra food, tobacco, clothing etc. Maconochie believed his Marks System would be objective. Ideally, the convict would pay for everything beyond a diet of bread and water with the marks he earned.

He argued:

“The fate of every man should be placed unreservedly in his own hands…there should be no favour anywhere”.

As soon as a convict entered the system, he would begin his “Pilgrim"s Progress” with a short harsh stretch of confinement with hard labour and religious instruction as punishment for the past.

The next phase, rehabilitation for the future, would begin with his advance through the stages of the Mark System, where everything he had was bought with his labour and obedience, translated into marks and entered in the commandant"s ledgers. As the convict"s behaviour improved and the moral lesson of the Mark System - nothing for nothing - sank in, he moved through stages: first, separate imprisonment; then, “social labour” through the day and separate confinement at night; next, “social treatment both day and night”; and so on. He rose from one grade to the next automatically, depending on his total credit of marks. Some, of course, would slide back, losing or wasting marks, which only reinforced the metaphor of real life. However, just as there would be no favours under Maconochie"s system, so the only punishment would be the loss of marks.

The third stage of the Mark System was group therapy. Maconochie wanted to put “developed” prisoners in groups of six. They would work together and live together. Each man in the group would be responsible for the marks of others as well as his own, and if one backslid and lost marks, all would. In this way the prisoners would learn mutual dependence and social responsibility.
Nobody in England or America, let alone penal Australia, had tried such therapies on convicts before. This idea of prison as a reforming institution would not win wider acceptance until well into the twentieth century.
In 1837 the House of Commons appointed a committee, led by English politician William Molesworth, to inquire into the morality and effectiveness of transporting convicts. The Molesworth Committee endorsed most of Maconochie"s plan except the group therapy. Recommendations were passed and in May 1840, the Colonial Office suggested Maconochie"s appointment to Norfolk Island, which was the penal colonies" place of last resort for the most unmanageable and unco-operative prisoners. The Governor of New South Wales, Sir George Gipps, passed the matter to Franklin in Van Diemen"s Land who offered Maconochie the post.

Norfolk Island under Maconochie

Maconochie saw himself as entrusted by the British Government to reform the present system, and came to the island with the intention of introducing a change of regime. Although he was instructed to keep two separate systems of discipline (one for the "old hands" and one for the new prisoners), after only a short

time on the island he realised the impracticality of this, and joined the two groups together.

Maconochie set aside Monday 25 May 1840 as a public holiday for all prisoners (old and new) to celebrate Queen Victoria"s birthday. Flags were raised at first light while a 21-gun salute boomed. The gates of the prison compounds were opened, and the prisoners were free to move about as long as they “showed by retiring to their quarters at the sound of the bugle….that they might be trusted with safety”. They were given special food, and rum, which was paid for by Maconochie himself, to toast the young Queen. After the meal they were entertained with a play and that night fireworks (also paid for by Maconochie) banged and glittered over the prison compounds. Maconochie noted that “not a single irregularity, or even anything approaching an irregularity, took place…[E]very man quietly returned to his ward; some even anticipated the hour”.

Maconochie pressed ahead with his plans for cultural and moral reform. He wanted books, to help teach the men trades, and to instil “energy, hopefulness in difficulty, regard and affection for our brethren in savage life”. He also stocked the prisoners" library with moral and religious works, for he wanted the prisoners to think and argue together, not rot in their cells. He included the works of Shakespeare in his island library, feeling that theatrical training could help convicts overcome their passions. Music would be the main therapy, and he put in a request for the supply of a number of musical instruments.
Few convicts had ever been given headstones. To be commemorated after death, however simply, was of great importance to ordinary men, and so Maconochie authorised the placing of "headstones, or rather painted boards" on the graves of convicts.

Maconochie dismantled the gallows, which had stood as a permanent emblem of dread outside the gate of the prisoners" barracks. He threw away the special double-loaded cats o" nine tails used by the floggers. He built two churches on the island, one for the Catholics and the other for Protestants, and set aside a room in the barracks as a makeshift synagogue for the Jewish. He gave every man a plot of the fertile island soil, set up classes in vegetable and fruit gardening, and encouraged them to sell their surplus produce to the officers…“I thus sought to distribute property among them, and from its possession inculcate a sense and value for its rights”.

Trusted at last, reprieved from the incessant torment of the cat-o-nine-tails, treated like human beings instead of caged beasts, some convicts poured forth their gratitude to the man they saw as their saviour. Gipps worried that there was little he could do, short of recalling Maconochie altogether, to stop him running Norfolk Island as he pleased. Gipps, through his colonial secretary E. Deas Thomson, put the politics of the matter quite flatly.

“Whether [the Old System] was good or bad is not the question; it was a system which caused transportation to that settlement to be held in great and salutary dread by the convict population of NSW, and to destroy that dread before even any substitute for transportation to NI had been devised, would be to expose this colony to risks for which [Gipps] cannot make himself responsible. I am therefore to inform you that the instructions…are now repealed”.

Machonochie obviously had grave problems. He could not promise the convicts freedom under his system and be sure that the government would honour his word; his powers were ill-defined; money was short; and to keep two separate systems for two groups of prisoners on a small island was an administrative nightmare.

Gipps decided to visit Norfolk Island in March 1843 - without warning its commandant. All his findings pointed to one conclusion: Machonochie"s critics were mostly wrong, and the new system, though imperfect, was in some respects working better than the old.

Gipps answered his own objection to Maconochie"s way of running the island - that the prisoners were not given a taste of punishment first. Maconochie clarified this some years later "…Every man"s sentence was to imprisonment and hard labour; the island was his prison; and each was required to do his full daily Government task before bestowing time on either his garden or education. What I really did spare was the unnecessary humiliation".

Gipps wrote his long report, and dispatched it to the Colonial Office on April Fool"s Day, 1843. On April 29, 1843, before the ship carrying Gipps" report had even crossed the equator, dispatch was sent ordering the recall of Maconochie.

The signs were that Maconochie"s approach had done more to reform the Norfolk Island men than any amount of terror. During his administration, Maconochie had discharged 920 of the twice-convicted prisoners to a new life in Sydney. Despite the hysterical agitation against former convicts, and especially against men who had descended to the bottom of the convict pile by being sent to Norfolk Island, by 1845 only twenty of them - a mere 2% - had been convicted again. However, Maconochie"s brief attempt at penal reform came to an end and the unenlightened belief that there was no point in punishment without terror again held sway.

Upon his return to London, Maconochie published a statistical study of his time on Norfolk Island in 1845, and a personal account of his tenure on the island in 1847 before becoming Governor of Winson Green, the new prison in Birmingham in the English Midlands 1849 to 1851. He appeared before a House of Lords select committee in 1857, where he was given the opportunity to state again his views about reforming criminals. He never lost his belief in the rightness of his views.

Alexander Maconochie died on 25 October, 1860 at the age of 73.

Morris, N. 2002 Maconochie's Gentlemen Oxford University Press, Inc. New York.