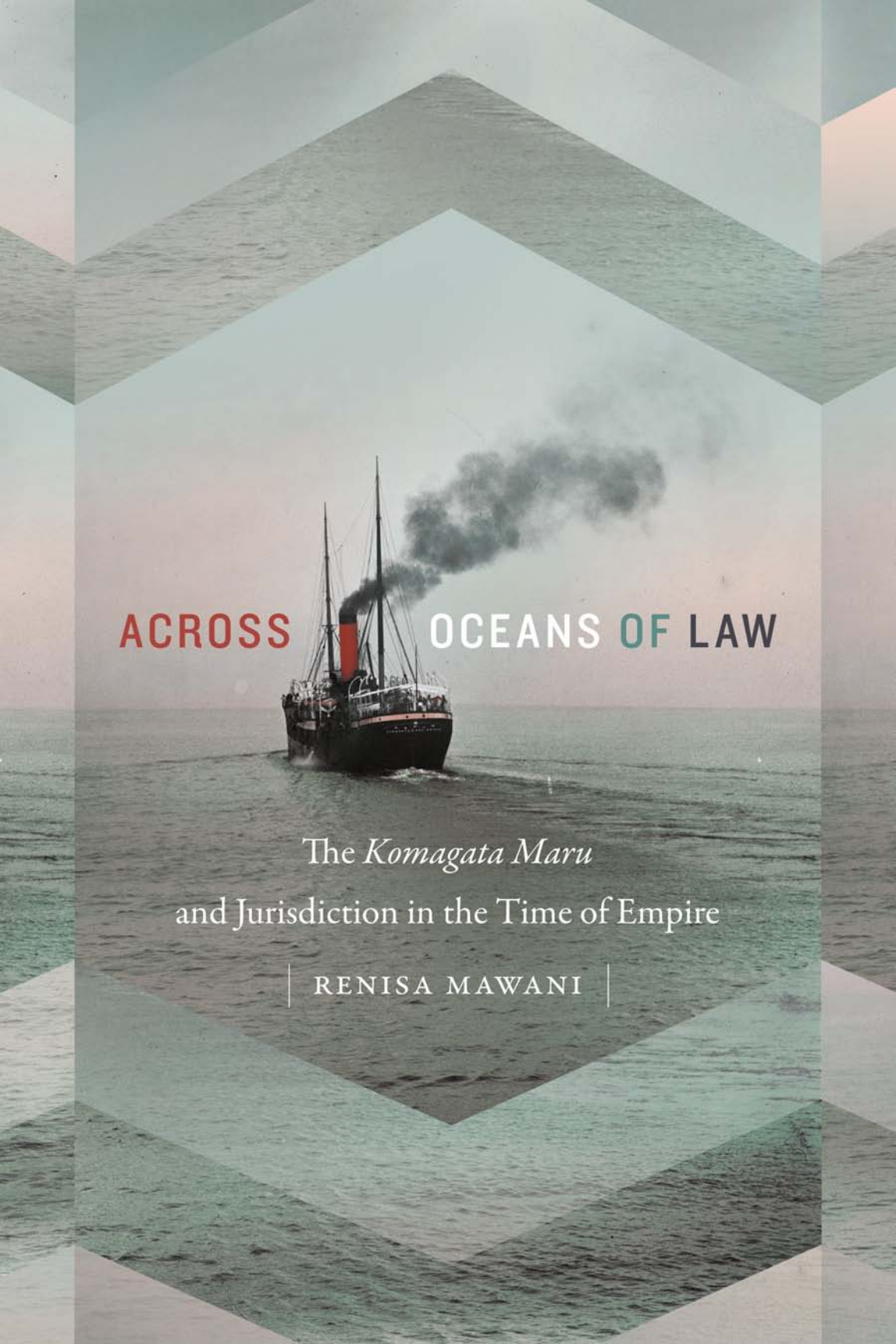

ACROSS OCEANS OF LAW
The *Komagata Maru*
and Jurisdiction in the Time of Empire
RENISA MAWANI

ACROSS OCEANS OF LAW

Global and Insurgent Legalities

ACROSS OCEANS OF LAW

The *Komagata Maru* and Jurisdiction in the Time of Empire

RENISA MAWANI

Duke University Press Durham and London 2018

© 2018 DUKE UNIVERSITY PRESS. *All rights reserved.*
Printed in the United States of America on acid-free paper ∞
Cover and text designed by Courtney Leigh Baker.
Typeset in Garamond Premier Pro by Graphic Composition, Inc., Bogart, GA.

Library of Congress Cataloging-in-Publication Data
Names: Mawani, Renisa, [date] author.
Title: Across oceans of law : the Komagata Maru and
jurisdiction in the time of empire / Renisa Mawani.
Description: Durham : Duke University Press, 2018.
| Includes bibliographical references and index.
Identifiers: LCCN 2018008234 (print) | LCCN 2018012234 (ebook) |
ISBN 9780822372127 (ebook) |
ISBN 9780822370277 (hardcover : alk. paper) |
ISBN 9780822370352 (pbk. : alk. paper)
Subjects: LCSH: Komagatamaru (Ship) | Guradita Siçngha,
1859–1954. | Law of the sea—History—20th century.
Classification: LCC KZA1145 (ebook) | : LCC KZA 1145 .M258 2018 (print)
| DDC 341.4/5—dc23
LC record available at https://lccn.loc.gov/2018008234

Duke University Press gratefully acknowledges the support of the
Peter Wall Institute for Advanced Studies at the University of British
Columbia, which provided funds toward the publication of this book.

Cover art: *Komagatu Maru leaving Vancouver*. Photograph by Leonard Frank. Courtesy of
the Vancouver Public Library, 16639.

For the future . . . Lialah Sayeed Safiya Zia

This page intentionally left blank

Contents

List of Illustrations ix

Acknowledgments xi

INTRODUCTION
Currents and Countercurrents of Law and Radicalism 1

CHAPTER 1
The Free Sea: A Juridical Space 35

CHAPTER 2
The Ship as Legal Person 73

CHAPTER 3
Land, Sea, and Subjecthood 115

CHAPTER 4
Anticolonial Vernaculars of Indigeneity 152

CHAPTER 5
The Fugitive Sojourns of Gurdit Singh 188

EPILOGUE
Race, Jurisdiction, and the Free Sea Reconsidered 231

Notes 241

Bibliography 293

Index 319

This page intentionally left blank

Illustrations

FIGURES

1.1
Gurdit Singh on the upper deck of the *Komagata Maru* 3

1.2
The SS *Komagata Maru* anchored in Vancouver Harbour 7

1.1
Five men standing outside the Immigration Detention Center, Victoria, November 1913 37

1.2
The *Komagata Maru* in Vancouver's busy port, 1914 66

2.1
Advertisement from the Hansa Steamship Company (Hamburg) 90

2.2
The *Stubbenhuk,* 1890 91

2.3
"Blue Ticket" issued by Gurdit Singh 105

2.4
Contract passage ticket or "White Ticket" issued by Gurdit Singh 105

2.5
Interest-bearing certificate found among Gurdit Singh's papers 108

2.6 and 2.7
List of passengers and note to Khalsa Diwan Society 110–11

3.1
The *Komagata Maru*'s manifest 127

3.2
The *Komagata Maru* anchored in Vancouver Harbour 133

3.3
"The Hindu Question as It Stands" 136

4.1
"No Open Door for the Indian!" 170

5.1
Gurdit Singh in his best clothes, c. 1914 189

5.2
Hand-drawn map of Budge Budge during the "riot" 203

5.3
An iconic photo of Gurdit Singh and his son Balwant 220

MAPS

1.1
The outbound and return voyages
of the *Komagata Maru,* April–September 1914 4

2.1
Voyages of the *Stubbenhuk*, 1890–94 93

2.2
Voyages of the *Sicilia,* 1894–1901, 1913 94

2.3
Voyages of the *Komagata Maru,* 1913–20 100

5.1
The villages, towns, and cities that
Gurdit Singh visited during his years of fugitivity 207

Acknowledgments

In *Labyrinths*, Borges writes that "a book is not an isolated being: it is a relationship, an axis of innumerable relationships." Though his reflections gesture to the intimacies and interactions between author, reader, and text, they aptly describe the "innumerable relationships" that inspire, nourish, and sustain the process of writing a book, from which I have benefited, and for which I am grateful.

A number of institutions have generously supported my research, including a Hampton Research Grant from the University of British Columbia (UBC) and a Standard Research Grant from the Social Sciences and Humanities Research Council for Canada (SSHRC). The Dean of Arts Faculty Research Award and a one-year residency as a Wall Scholar at the Peter Wall Institute for Advanced Study (UBC) gave me the rare gift of time so I could think, write, and ultimately, finish the monograph. I am especially grateful to the Peter Wall Institute for providing a vibrant intellectual space where interdisciplinarity is curated, stimulated, and nurtured. Thanks to the other Wall Scholars in my cohort and to the program staff—especially Emma MacEntee—for making my year in residence so formative and memorable.

In the eight years I have been researching and writing, I have received overwhelming generosity from family, friends, colleagues, and strangers. The archival research for this project took place in cities located across several oceans, in Vancouver, Ottawa, London, Glasgow, and Delhi. This undertaking would not have been possible without the assistance of many people. Sanjeev Routray found documents in Delhi that have since become a central focus of this book, and Prabhsharanbir Singh assisted with translations from Gurmukhi to English. Over the years, I have learned so much from my ongoing discussions with each of them. Nilum Panesar, whom I did not know at the time, sent articles and images as unsolicited gifts. Darren Pacione located key texts when I needed them most, and Radhika Singha facilitated the permissions process at a critical time in the book's completion. Parvinder Dhaliwal and Gurdip Singh translated several archival documents and discussed them with me in detail. For their assistance

and patience, I am indebted to the archivists and staff at the British Library, Asian and African Studies Reading Room (London); Caird Library (Greenwich); Glasgow City Archives; City of Vancouver Archives; Guildhall Library (London); Library and Archives Canada (Ottawa); UBC Special Collections; and Vancouver Public Library. Melanie Hardbattle at Simon Fraser University's Rare Books and Special Collections and Jaya Ravindran at the National Archives of India (Delhi) deserve special mention.

Many friends and interlocutors asked critical questions and offered feedback that shaped the final product in innumerable ways. Many thanks to Antoinette Burton, Denise Ferreira da Silva, Eve Darian-Smith, Jonathan Goldberg-Hiller, Thomas Kemple, Kunal Parker, Cliff Pereira, Mitra Sharafi, Nandita Sharma, Radhika Singha, Chris Tomlins, and Anand Yang.

Over the past few years, the *Komagata Maru* has become a topic of resurgent interest among historians, community researchers, artists, and others. I am grateful to Hugh Johnston for discussing his legal sources with me and to Rita Dhamoon for inviting me to collaborate on a workshop to mark the centenary of the ship's arrival to British Columbia. Thanks to all the participants at this event, especially Satwinder Bains and Davina Bhandar, who were co-organizers and more recently collaborators. Radhika Mongia's work has been an inspiration throughout, and I'm pleased we could be together to experience the centenary celebrations in Victoria, Patiala, and Chandigarh. There is now a new generation of historians who, through community engagement and public history, are reinterpreting the role of the ship and documenting the many contributions of South Asians in early Vancouver. I am especially thankful to Naveen Girn and Milan Singh. The website and digital archive they helped to create—*Komagata Maru: Continuing the Journey*—has become a vital resource for researchers. The many events they have organized, along with their recent podcasts, speak to the importance of community-based research and the need to reach a wider audience.

Many friends and colleagues have offered comments, suggestions, and various forms of support. Special thanks to Neel Ahuja, Phanuel Antwi, Suchetana Chattopadhyay, Shaunnagh Dorsett, Stacy Douglas, Peter Fitzpatrick, Julian Go, Ayesha Hameed, Mark Harris, Iza Hussin, Stephanie Jones, Riyad Khoya, Michelle McKinley, John McLaren, Minelle Mahtani, Bruce Miller, Stewart Motha, Adele Perry, David Sealy, Bernhard Siegert, Irina Spector-Marks, Juanita Sundberg, Alka Tandon, Mariana Valverde, Danny Vickers, Geoffrey Winthrop-Young, and Nurfadzila Yahaya. Leopold Lambert drew all of the initial maps with great care. His work has inspired me to do more with visual archives. Many friends also took time to read and comment on draft chapters

at various stages: Bonar Buffam, Antoinette Burton, Eve Darian-Smith, Jon Goldberg-Hiller, Anna Jurkevics, Chris Tomlins, and Anand Yang. Tom Kemple read the penultimate version and provided constructive feedback gently, as only he could. My deepest gratitude goes to Antoinette Burton for her ongoing guidance, mentorship, and friendship and for pushing me to clarify everything, always. She models brilliance and generosity as a way of being in the academy. Her example is a rare gift.

My current and former students have been a continual source of insight, community, and camaraderie, even after moving on to pursue their own interests and careers. In particular, Elizabeth Bruch, Bonar Buffam, Sherry Dilley, Shelly Ikebuchi, Leah Keegahn, Stefano Pantelone, Pooja Parmar, Sanjeev Routray, and Tanvi Sirari have helped to create a stimulating intellectual environment that remains even after many of them have left. I am also grateful to students in my graduate and undergraduate classes who indulged me with such patience, as I wove ships and oceans into our discussions of law, history, and social theory.

In addition to those already mentioned, many colleagues at UBC have provided encouragement, enthusiasm, and much more. As successive department heads, Francesco Duina and Sean Lauer produced and sustained a collegial environment and always made space for interdisciplinary work. Rumee Ahmed, Ayesha Chaudhry, Dawn Currie, Gillian Creese, Sneja Gunew, Stephen Guy-Bray, Chris Lee, Becki Ross, Mark Vessey, Rima Wilkes, and Henry Yu have been terrific colleagues, and in some cases, collaborators.

At Duke University Press, Courtney Berger has been an exemplary editor. Long before I could, she saw something coherent in the many disparate strands that have now become this book. She pushed me to refine my arguments from the very start, to work harder to realize the ambitions of this project, but also restrained me when it was time to move on. Sandra Korn, Jessica Ryan, and the marketing team have been wonderful in moving the production process forward. Paul Betz cleaned up my prose and Roberta Engleman compiled the index. I am especially thankful to the three readers—Clare Anderson, Gaurav Desai, and Isabel Hofmeyr—no longer anonymous, who provided such rigorous and detailed feedback at different stages. Their comments challenged me to clarify key ideas and interventions and their enthusiasm was deeply appreciated. Catherine Hall and Michael Watson at Cambridge University Press deserve special mention for believing in this project in its early stages and for devoting time and resources to it.

Parts of this work have been presented at Boston University, Cambridge University, Carleton University, University of Kent, Northwestern University, Panjab University, Punjabi University, Queen Mary University, Ross Street

Gurdwara, Simon Fraser University, the University of Alberta, the University of British Columbia (Allard School of Law, Chan Centre, Green College, Peter Wall Institute, and the Institute for Gender, Race, Sexuality, and Social Justice), the University of Chicago, the University of Hawai'i, the University of Leiden, the University of North Carolina at Chapel Hill, the University of Portland, the University of Toronto, the University of Victoria, York University, and the Vancouver Museum. Many thanks to those who invited me to speak and made arrangements for my visits, and to the audiences for questions and comments on works-in-progress.

Various sections of chapters 4 and 5 have been published in earlier forms in the following journals and books and are reworked and reprinted with permission here: "Specters of Indigeneity in British Indian Migration, 1914," *Law and Society Review* 46, no. 2 (2012): 369–403; "Law and Migration across the Pacific: Narrating the *Komagata Maru* Outside and Beyond the Nation," in *Within and Without the Nation: Canada's History as Transnational History,* edited by Adele Perry, Karen Dubinsky, and Henry Yu (Toronto: University of Toronto Press, 2015), 253–75; "Sovereignties in Dispute: The Komagata Maru and Spectral Indigeneities, 1914," in *Legal Histories of the British Empire: Laws, Engagements, Legacies,* edited by Shaunnagh Dorsett and John McLaren (New York: Routledge, 2014), 107–23; "Criminal Accusation as Colonial Rule: The Case of Gurdit Singh," in *Accusation: Creating Criminals,* edited by George Pavlich and Matthew Unger (Vancouver: University of British Columbia Press, 2016), 73–99.

Throughout and always, my family has been an ongoing and unconditional source of love, support, and guidance. My parents, Najmudin and Zarin, have reminded me of what matters most and why. My father-in-law, Nizar, asked me weekly how my writing was going but never when I would finish. Rosy, Sarah, Shezmin, and Sadru Madhani gave me good company and a place to stay during my regular research trips to London. My brother, Ash, sister-in-law, Ashifa, and nephew, Zia, as they work through the unimaginable pain of losing a child and a younger sibling, have humbled me with their astonishing strength and courage. Safiya, I know, is always with us. The elders in my family—aunts, uncles, and cousins—have taught me that the past endures and animates us often in unexpected and inexplicable ways. My nieces and nephews help me believe that the future can be otherwise.

Without Riaz, my life partner, best friend, and soul mate, nothing would be possible. Through the joys and struggles of parenting, the demands of competing careers, and amid the unexpected and immeasurable grief of loss, our love has endured and deepened. Between our discussions of commerce, shipping,

and time, our mutual commitments to family and community, and his insistence on living generously and with humility, Riaz reminds me of how much I still have to learn. Our children, Lialah and Sayeed, have inspired me from the very start. The conceptual framing for this project developed out of a world map filled in and colored by my daughter, Lialah, who was seven at the time. The map, with all of its misspellings, has remained on our kitchen table for the past five years as a kind of lesson plan, reminding me not only that oceans make up most of the earth, but that they are generative spaces that connect rather than divide, and are important to think with. Without her cartographic curiosities, this book would have been very different. Over the many years I have been researching and writing, Sayeed has been an attentive listener, critical commentator, and invaluable interlocutor. He has indulged my interests in ships and oceans and has invited Gurdit Singh to join our family. As Lialah and Sayeed have grown into kind and beautiful souls, their talents, aspirations, and many accomplishments have been a source of strength and motivation, reminding me of the unlimited power that ensues when determination meets imagination. With love and gratitude I dedicate this book to them and to the future.

This page intentionally left blank

INTRODUCTION

Currents and Countercurrents of Law and Radicalism

Steam has brought India into regular and rapid communication with Europe, has connected its chief ports with those of the whole south-eastern ocean, and has revindicated it from the isolated position which was the prime law of its stagnation. The day is not far distant when, by a combination of railways and steam vessels, the distance between England and India, measured by time, will be shortened to eight days, and when that once fabulous country will thus be actually annexed to the Western world.—KARL MARX, "The Future Results of British Rule in India," 1853

We, Indians, boast that we are enjoying our rights and religion. The Western tyrants, Eastern slaves, and some Indians say that every nation has a right to prevent natives of other countries from entering their dominions. We ask whether the earth is the property of anyone's father? God has created things for the enjoyment of mankind, it is open to anyone to derive benefit from it.—DALJIT SINGH (Secretary to Gurdit Singh), "Manuscript on the *S.S. Komagata Maru*," c. 1914

In February 1914, Baba Gurdit Singh, a fifty-five-year-old "native of the Amritsar district" in Punjab and a purported rubber planter in Malaya, issued a "Proclamation to Indians."[1] Directed primarily at his Sikh countrymen, this was not an announcement, as its title suggests, but an urgent appeal for private investors. "Awake Oh Indian brothers, the night has passed. Why are all you stars (sons) of Sat Guru (God) sound asleep. Negligence has ruined us: we should destroy negligence now and should jointly and wisely do the work."[2] The "work" to which he so passionately referred was maritime trade and commerce. Since moving to Malaya in the 1880s, and after working in various industries,

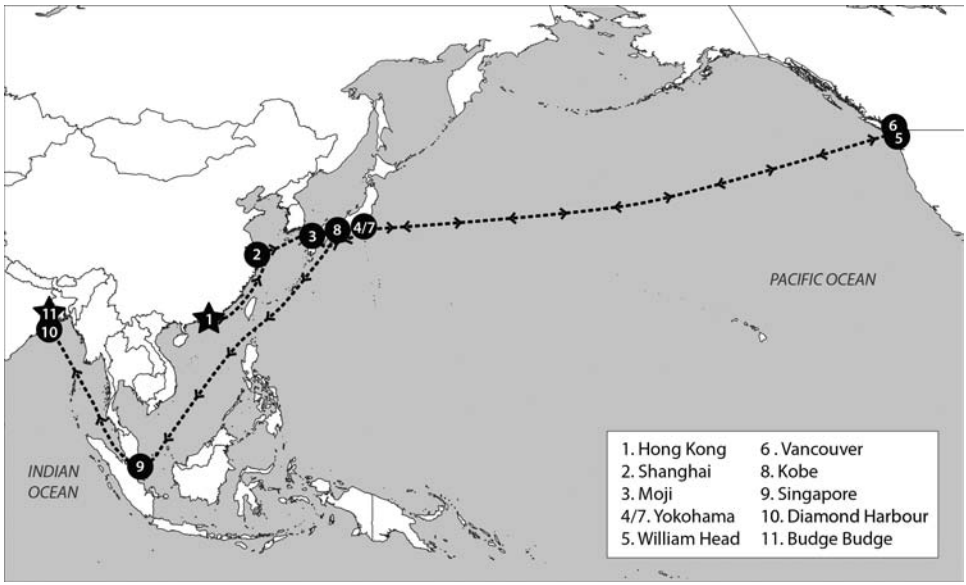
Singh established himself as a successful railway contractor. However, his current proposal took an entirely different tack. It turned from land to sea, seeking sponsors to fund a new commercial venture, the Sri Guru Nanak Steamship Company. At first glance, Singh's proposal seemed carefully and deliberately planned out. He would charter a steamship and cross the Pacific. If this initial voyage proved successful, he would purchase the vessel and then three more. His fleet of four ships would eventually travel the Indian, Atlantic, and Pacific Oceans, carrying Indian passengers and commodities from Bombay to Brazil and Calcutta to Canada, placing India at the center of maritime worlds. The Guru Nanak Steamship Company, Singh promised, would yield high financial rewards. It "will increase the money of share-holders with profits," he urged, while expanding India's role in global trade.[3] "Improve yourselves and your nation. Do not continue in sound sleep." Buy shares in the Guru Nanak Steamship Company "and sell to others also."[4] For Gurdit Singh, the illustrious history of Indian shipping was not the past but the future.[5] More than railways, it was steam vessels that opened a pathway to freedom from British imperial rule.

The Guru Nanak Steamship Company, as Singh envisioned it, would someday become a global commercial enterprise. But it also held political objectives that were equally significant. Given the growing legal restrictions imposed on Indian mobility by the white settler colonies of Natal, Australia, Canada, and the United States, and the role of steamship companies in extending maritime surveillance and expanding immigration controls, Singh's proposal was both timely and urgent. His firm would ensure the unobstructed journey of Indian migrants and travelers from the subcontinent outward. If the steamship company's "offices are everywhere, and its steamers travel (round the world)," Singh reasoned, "then the Gurmukh (Sikhs) can travel everywhere and no one can stop them."[6] Become traders and "merchants and derive benefit," he cajoled. Relinquish "all differences, for now is the time to work." Though Singh encouraged all his countrymen to unite in the interests of a common economic and political goal, it was the triumph of Sikhs that was foremost on his mind. "The flag of Guru Nanak shall fly (on our ship), and all the world shall see it, and we shall be reckoned among nations."[7] Notwithstanding his ambitions and assurances, Singh's plan was missing a key element. At the time of his proclamation, he did not yet have a vessel. It was not until one month later, and after several failed attempts, that he successfully chartered the SS *Komagata Maru*, a British-built and Japanese-owned steamship (see fig. I.1). In an unprecedented voyage that departed from Hong Kong in early April, and stopped briefly to recruit passengers in Shanghai, Moji, and Yokohama, Singh transported 376 Punjabi

FIGURE 1.1. Gurdit Singh is pictured here in a white suit, waving binoculars, on the upper deck of the *Komagata Maru.* The photo was taken sometime after the ship landed in Vancouver Harbour (c. May 1914). (Photo courtesy of Vancouver Public Library, Accession number 136, Canadian Photo Company)

migrants across the Pacific to Vancouver. Those aboard were mainly Sikhs and adult men. However, there were some Hindu and Muslim passengers, two women and three children, including Gurdit Singh's six-year-old son, Balwant.[8]

Despite the grand objectives he conveyed to potential investors, Singh's steamship company was no more than a pipedream. There were no ships, shareholders, or profits, only scandal and insurmountable debt. The *Komagata Maru* did not fly the Guru Nanak flag but a Japanese one. Its passage to Vancouver was the first and last under Gurdit Singh's command. Though his company was not "reckoned among nations," as Singh had hoped, his audacious plan to charter and launch a ship along the Pacific drew the attention of colonial authorities and anticolonials from various parts of the British Empire and beyond. The steamer's passage unleashed a series of repressive laws—in Canada, India, and elsewhere—that expanded and fortified legal restrictions on Indian mobility. Canada's newly revised immigration legislation, which barred most of



MAP I.1. The outbound and return voyages of the *Komagata Maru,* April–September 1914.

the *Komagata Maru* passengers from entering the Dominion, was not repealed until 1947, when India gained independence from Britain.[9]

In June 1914, four months after Gurdit Singh made his announcement, Bhag Singh and Husain Rahim issued their own call for financial support, this time from Vancouver. On 23 May 1914, after a long and arduous six weeks at sea, the *Komagata Maru* finally landed at Vancouver Harbour (see map I.1). But only twenty passengers were allowed to disembark.[10] The others, including Singh, were detained aboard the ship, where they would remain for two months in deplorable conditions and with limited supplies of food and water. In 1913, the British Columbia Court of Appeal had struck down the continuous journey provision, which effectively barred the entry of Indians to Canada. Almost immediately, the Dominion government began revising the regulation and passed a new order-in-council while the *Komagata Maru* was at sea.[11] The ship was in serious trouble, and those ashore knew it. If the "Proclamation to Indians" penned by Singh was directed at Sikhs, the second appeal was cast more widely. "Oh brave Indian people, you may have seen and heard that the Guru Nanak Company's steamer *Komagata Maru*, whose arrival has been expected and awaited for a long time, reached Vancouver," Bhag Singh and Husain Rahim wrote.[12] The ship was moored in the harbor, proximate to the shoreline and

within clear sight of onlookers. Though it was clearly located within Canadian waters, "Immigration authorities have not given any decision about her," the two men charged, "and no Indians (residing in America) can see the passengers." Local police were judiciously guarding the vessel "on every side" as it lay anchored "on the sea." Security was so tight, "not even the passengers' [legal] Counsel is allowed an interview."[13]

As a British subject, Gurdit Singh, like many of his contemporaries, insisted on a legal right to travel throughout the British Empire. By chartering a ship and commanding its transpacific passage, however, he asserted an unparalleled legal and political claim to the sea. From the early seventeenth century onward, European maritime empires—especially the Portuguese, Dutch, and later British—engaged in lively debate on the racial and legal status of the high seas. The publication of Hugo Grotius's *Mare Liberum* in 1609 afforded these deliberations a newfound significance.[14] Here, the Dutch jurist concluded that the high seas were the "free sea," a common space that was beyond national and imperial claims to sovereignty. In drawing this conclusion, Grotius imposed an elemental and juridical distinction between land and sea, a divide that has since featured prominently in European thought, most visibly evidenced in maps of world regions.[15] Importantly, this distinction remains foundational to international and maritime law today. Notwithstanding its designation as "free," the high seas, from Grotius onward, were highly regulated.[16] Britain's ascendency as a maritime empire was achieved through a *juridification of the sea*, advanced in legislation, treaties, agreements, and in legal restrictions imposed on ships, passengers, and cargos. By the early twentieth century, as the *Komagata Maru* crossed the Pacific, the freedom of the sea remained a freedom of trade and travel accessible only to European men.[17] Gurdit Singh's aspirations to begin a commercial steamship company, to revive India's vibrant history of maritime trade, and to circumvent immigration prohibitions imposed by the white Dominions thus imperiled Britain's global, imperial, and racial order in significant ways. Ultimately, what Grotius called the "free sea" demanded the subjection and unfreedom of countless non-Europeans: slaves, indentured laborers, and so-called free migrants.

By many accounts, the *Komagata Maru*'s voyage was a dismal failure. The ship never completed its journey as planned. The Guru Nanak Steamship Company was halted even before it began. However, the vessel's outbound voyage from Hong Kong, its two-month confinement in Vancouver, and its arrival outside Calcutta inspired new forms and intensities of Indian radicalism. "The blood of Indians is raging at the injustice," Bhag Singh and Husain Rahim claimed, as the passengers remained detained aboard the ship. "There is great excitement among the Indians resident in Canada, and we will never accept defeat at the

hands of the Immigration authorities. We will never allow the 376 passengers to return to their country. We are ready to fight up to the walls of Vancouver, Ottawa and London," they pledged.[18] "The whole world is anxiously waiting to see how the fate of the *Komagata Maru* is decided; because the decision about her fate will make a mark in the history of the world."[19] Over the course of its protracted voyage, the vessel came to symbolize the disruptive and subversive force of Indian anticolonialism. For Gurdit Singh, the steamer's journey offered clear evidence of untapped maritime opportunities. To others, it signaled the potency and possibility of religious unity and solidarity, especially in struggles against British rule. It "was a wonderful sight when the ship sailed," Bhag Singh and Husain Rahim recounted from those in Hong Kong, "regimental bands, soldiers and several regimental companies were present" to send the vessel on its transpacific passage. The "different communities in India were always quarrelling with each other on religious points, and they hated each other," the men explained. But these divisions became less prominent as Indians departed the subcontinent in ever-greater numbers. "Cries of Sat Sri Akal and Ali Ali"—Sikh and Muslim appeals to the Almighty's omnipotence—"were raised when the ship set sail." This mutual respect and camaraderie flourished at sea with a "Sikh place of worship on one side of the *Komagata Maru* and a Muhammadan [*sic*] place of worship on the other."[20] The steamer's future, Bhag Singh and Husain Rahim vowed, "will not be the decision of the fate of 376 passengers only, but will be the decision of the fate of 33 crores of Indians."[21]

Across Oceans of Law asks what is at stake, historically and conceptually, when histories of Indian migration are situated within maritime worlds. Specifically, the book considers how immigration restrictions and Indian radicalism, which have now become familiar narratives, take on different contours when the ship and the sea are foregrounded and analyzed as key juridical forms. How might a shift from land to sea open additional vantage points from which to examine changing itineraries of British and colonial law and anticolonial contest? In what ways does a maritime view of Indian travel and migration invite a wider and more capacious geography to track racial, legal, and political struggles over mobility, movement, and imperial control? If the world of the ship inaugurated new global regimes of time, as I suggest in this book, how did these operate as critical registers of colonial and racial governance and as sites of opposition? Inspired by ocean and maritime studies, but expanding beyond their area studies focus, this book traces the currents and countercurrents of British and colonial law and Indian radicalism along multiple ocean arenas.[22] Redirecting the optics from land to sea, and placing the Pacific, Atlantic, and Indian Oceans into much-needed conversation, the book foregrounds the spatial and temporal

FIGURE 1.2. The SS *Komagata Maru* anchored in Vancouver Harbour. The detained passengers pictured here are looking from the ship to the shoreline. (Photo courtesy of City of Vancouver Archives)

coordinates that joined seemingly disparate histories and geographies of the British Empire: through circulating and shared legalities that connected the Dominions, colonies, and territories; in shifting intensities of racial, colonial, and legal violence that constrained the past, present, and future of mobility; and in transoceanic repertoires of anticolonial critique that challenged the empire's underlying racial, spatial, and temporal divides, including land/sea, east/west, and subject/citizen. By centering the world of the ship and bringing oceans into sharper view, the book places motion at the heart of colonial legal history.

To draw multiple oceans into a single analytic field and to underscore the geographical and historical connections integral to empire, *Across Oceans of Law*, as should now be clear, centers on the 1914 journey of the *Komagata Maru* (see fig. I.2). Though the ship crossed the Pacific and Indian Oceans and most of its passengers never disembarked, its voyage has been written largely as a history of landfall, territoriality, and national sovereignty. The existing historiography has typically centered on Canada, though scholars are increasingly interested in the ship's arrival in India.[23] Moving away from prevailing narratives of departure and entry, I follow the ship through time and space, retelling its passage as a global, maritime, and legal history. Repositioning the sea, and drawing historically

and conceptually on its expansive, continuous, and ceaseless mobility, the book invites a wider set of historiographical discussions on oceans and ships as legal forms, the overlapping and entangled currents of British and colonial law and anticolonial contest, and disputes over time and jurisdiction that these maritime mobilities engendered. Tracking the movements of a single ship allows me to consider these broader themes while retaining analytic precision through the specificities at hand, including the struggles waged by Gurdit Singh and his seafaring contemporaries against colonial and imperial legalities.

To trace the *Komagata Maru*'s literal passage along the Pacific and Indian Oceans as well as the memories it evoked of Atlantic worlds, the book draws on what I term "oceans as method."[24] I expand on this approach further on. But for now, let me say that oceans—as vast, dynamic, and ungovernable forces—reorient histories of Indian migration in several important ways. First, by drawing attention to the peripatetic movements of vessels, laws, and people, oceans offer novel techniques for writing colonial legal history. Second, as sites of ongoing and ceaseless change, the sea emphasizes motion as central to imperial and colonial politics. Indian travelers, migrants, and radicals, including Gurdit Singh, viewed the empire through moving global vistas, in which land and sea featured as interconnected spaces of anticolonial struggle. Finally, oceans point to alternative histories of race. Racial regimes of power were not static, mutable, or fixed in land and territory alone. Rather, they were the potent effects of maritime circulations and collisions that generated changing forms and intensities of (anti)colonial violence, opposition, and struggle.[25] When viewed oceanically, the *Komagata Maru*'s passage vividly demonstrates the jurisdictional workings of race as a foundational structure of colonial and imperial command, one that demarcated people, differentiated populations, and divided seas from continental regions.[26]

From the late nineteenth to early twentieth centuries, the period that forms the primary focus of this book, the British Empire was imagined as a vast and interconnected space, but one that was racially and politically unequal. Its far-flung jurisdictions, including the Dominions (Canada, New Zealand, Australia, and South Africa), colonies (Hong Kong and India), and territories (the Straits Settlements) were not discrete or separate polities but were integrated through a coordinated network of railways and steamships that joined land to sea, albeit unevenly. In his 1853 writings in the *New York Tribune*, Marx viewed the shrinking distance between England and India to be a sign of technological progress and imperial triumph, as the first epigraph above suggests.[27] In earlier historical moments, the moving ship featured as a key symbol of Britain's maritime prowess. Imperial power worked "at the level of the engine, the size and

shape of the ship" and was projected through navigational technologies that required new registers of global time.[28] By the turn of the century, the compressed spatial and temporal distance between England and the colonies, combined with greater interoceanic traffic between Asia and the so-called New World, opened new anticolonial networks and solidarities that were cast as global and racial exigencies. The *Komagata Maru*'s landing in Vancouver produced a set of urgent questions on the legal standing of the sea, the racial, territorial, and temporal bounds of imperial jurisdictions, and the rights of British subjects to move through aqueous and terrestrial regions. Its voyage brought the empire's distinctions between land and sea and its territorial ambiguities and temporal asymmetries directly into clear sight.

As a railway contractor and supposed rubber planter, Gurdit Singh was by no means an experienced mariner, but he was also no stranger to the sea. In 1885, at the age of twenty-five, he left India to accompany his father and elder brother to Malaya and Singapore. Over the next two and a half decades, he traveled between the subcontinent and the Straits Settlements, crossing the Eastern Indian Ocean at least twice.[29] By the turn of the century, Singh was part of an expanding and highly mobile network of Indian radicals, including anarchists and revolutionaries, whose travels took them along ocean regions and to port cities around the globe.[30] Just as steam opened new opportunities for England, as Marx noted, it invited additional possibilities for anticolonialism and radicalism. For Singh, the empire's greatest strength was also its ultimate weakness. The sea, as he viewed it, held enormous potential for commerce, trade, and political contest. Recall that the *Komagata Maru*'s voyage was to gauge the viability of the Guru Nanak Steamship Company while also challenging Canada's immigration restrictions. Though the ship's passage did not achieve the objectives that Singh intended, it dramatically reshaped the legal regimes imposed and enforced by colonial authorities in Canada, Hong Kong, and India, while shifting the pitch, tenor, and arena of anticolonial politics.

In January 1915, the *Register*, an Adelaide daily and the first newspaper in South Australia, remarked on the vessel's historical significance as follows. The "sensationalist voyage of the *Komagata Maru*, will some day be regarded as one of the landmarks in the history of the Empire," the paper declared.[31] To be sure, the ship's detention and deportation became a topic of vigorous debate among colonial authorities and a rallying point for Indian radicals. Its voyage conveyed the expansive, global, and seafaring visions of Indian travelers, whose struggles for freedom from British imperial rule were not tied to territoriality alone, but were waged on a planetary scale. Is the "*earth* the property of anyone's father?" Daljit Singh—Gurdit Singh's secretary—asked his readers, as the *Komagata*

Maru awaited its fate in Vancouver Harbour.[32] Today, more than one hundred years later, the ship's transoceanic voyage and its global significance continue to be overshadowed by historical accounts that privilege land/territory and region/nation, thereby diminishing the seaborne itineraries and oceanic imaginaries of Indian radicals. In the remainder of the introduction, I elaborate on the historiographical significance of narrating the *Komagata Maru*'s journey as a global and maritime legal history and the conceptual stakes of using oceans as method to do so. Although the ship's 1914 voyage is a central focus of the book, it might also be read as a critical porthole through which to explore larger questions on the so-called free sea and the circulations of law that its putative freedom demanded. The racial and legal status of oceans emerged as a site of contest in the seventeenth century, became a topic of renewed struggle in the early to mid-twentieth century, and remain very much with us today. In the contemporary moment, memories of the *Komagata Maru* are echoed in the precarious, failed, and tragic journeys of other migrants aboard open boats, and in the ongoing juridification of the "free sea," most evidenced in the Mediterranean.

Maritime Chartings

The *Komagata Maru*'s voyage was part of a much longer historical trajectory of maritime travel that accelerated in the late nineteenth century with the rise of steam, and carried sojourners and migrants from India to East and South Africa, Japan, Hong Kong, China, Canada, the United States, and often back to India.[33] Indian travelers did not follow a smooth or linear trajectory of departure, arrival, and domicile, as immigration histories often suggest. When viewed from the sea, the routes of traders, migrants, pilgrims, and radicals emerge as circuitous and multidirectional, punctuated by stops that were scheduled and fortuitous, and shaped by changing legal regimes that engendered opportunities to forge anticolonial networks along the way.[34] The maritime voyages of Indian travelers joined the eastern and western Indian Oceans to the Pacific, and in some cases, the Atlantic. Their itineraries connected the subcontinent to distant regions in and beyond the British Empire, while placing India within a dynamic, expanding, and racially charged imperial world. When read oceanically, the *Komagata Maru*'s voyage challenges the nationalist and territorial focus of Indian migration histories, while presenting new spatial-temporal accounts of colonial, imperial, and racial power that coalesce in the ship and its movements along the sea.

The transoceanic itineraries of Indian travelers are vividly materialized in the lives of the vessels that transported them across the globe. The steamer that

came to be known as the *Komagata Maru* had a long and illustrious history that included Atlantic, Pacific, and Indian Ocean crossings, voyages along the Mediterranean, and later the South China Sea. Built in 1890 for the German Hansa Line, the ship was initially named the *Stubbenhuk* and in 1894 renamed the *Sicilia.* For the first twenty-three years of its life, it carried European settlers and sojourners from ports of call in continental Europe and along the Mediterranean, across the North Atlantic to the eastern seaboard, and to the regions now known as Canada and the United States. Montreal and Ellis Island were two of its regular stops.[35] The famous Connell and Company, located in Glasgow on the Clyde River shipyards, constructed the steel screw schooner. Connell's ships—including the *Stubbenhuk/Sicilia*, which transported Europeans from the "Old World" to the "New"—were firmly embedded in circuits of global capital that joined settler colonialism to longer histories of colonial and racial violence. Connell was well known for its high-quality vessels, especially those constructed for the Indian indenture trade.[36] Long after the abolition of slavery, company-built ships transported women and men from the subcontinent to Britain's Caribbean sugar plantations.[37] In their transoceanic crossings, the firm's ships facilitated the large-scale dispossession of indigenous peoples and the exploitation of Indian indentured laborers, all under the shadow of transatlantic slavery.[38]

In 1913, the *Sicilia* was sold to a small Japanese firm and renamed the *Komakata Maru.*[39] Soon after, it began a regular route transporting coal to various ports along the South China Sea. The following year, accompanied by a Japanese captain, crew, and flag, and with Gurdit Singh in command, the ship crossed the Pacific Ocean. Two months later, it traveled in the opposite direction, along the Pacific and Indian Oceans to Calcutta, carrying those passengers who were refused permission to disembark in Vancouver. For Singh and many others who were domiciled outside the subcontinent—in some cases for decades—the ship's deportation to India was deracinating. For all, it was violent. On 29 September 1914, shortly after the ship landed at Budge Budge, approximately thirty kilometers south of Calcutta, a struggle ensued between passengers and Bengal police, leaving at least twenty-six people dead and many more injured.[40] Gurdit Singh successfully fled authorities and became a fugitive. For seven years, he traveled west, north, and circuitously across India, eventually surrendering himself to police in Punjab. The *Komagata Maru*'s 1914 voyage expanded the global circuits of colonial and racial dispossession that so clearly marked its previous lives. Though the vessel never entered the Atlantic in 1914, its voyage recalled longer maritime histories of transatlantic slavery and fugitivity.

The *Komagata Maru* was British-built and Japanese-owned and was chartered by a British subject originally from Punjab, who spent most of his adult life traveling between Malaya and Singapore. Despite the ship's transoceanic itineraries—both literal and figurative—its voyage continues to be recalled in terms of immigration controls, Dominion sovereignty, and white nationalism.[41] Even today, the ship's journey is written through a narrative of arrival that is presumed to mark an apogee in Canada's long history of racial exclusion.[42] As important as these histories are in foregrounding the repressive politics of racial governance in white settler colonies, they obscure and even foreclose the ship's wider colonial, imperial, and global significance. The *Komagata Maru*'s passage across the Pacific, its detention in Vancouver, its deportation to India, and the violence at Budge Budge unleashed a series of repressive laws while also galvanizing a transnational anticolonial politics that figured prominently in struggles for Indian independence. Given the vessel's actual route from Hong Kong to Vancouver, Singapore to Calcutta, and the ripples and waves it generated in other regions of the empire, its implications and effects cannot be sufficiently explained through the coordinates of metropole/colony, center/periphery, or national/transnational. Rather, the moving ship—as one of the empire's most vital agents and expressions of imperial power—demands a methodological orientation that foregrounds the sea as an expansive and contested racial and juridical space.[43]

The past two decades have witnessed a proliferation of scholarship that seeks to address the historical dynamics of migration and mobility on a global scale. These interventions have emerged from a number of related fields: global and imperial history, historical anthropology, and transnational, feminist, colonial, and postcolonial studies.[44] In particular, imperial and world historians have developed exciting innovations and approaches to address the transnational and global movements of peoples, ideas, and commodities that made up imperial worlds.[45] Tony Ballantyne's pathbreaking "webs of empire" invites a rethinking of colonial and imperial circulations beyond the well-trodden tracks of metropole and colony. The web metaphor, as he describes it, places emphasis on the "horizontal" connections between Britain's colonial territories. In so doing, it seeks to address the problems of linearity and unidirectionality in transnational and imperial history.[46] Webs signal imperial regimes as expansive, durable, delicate, and vulnerable, conveying "the double nature of the imperial system." Webs, like empires, were "fragile (prone to crises where important threads are broken or structural nodes destroyed), yet also dynamic, being constantly remade and reconfigured through concerted thought and effort." For Ballantyne, "empires were not just structures, but processes as well."[47] More recently,

Thomas Metcalf has adopted and elaborated Ballantyne's "webs" to emphasize India's political and legal significance in the Indian Ocean arena and the British Empire, more generally. India "was more than just one of the many colonial 'knots' that may be said to constitute that web," Metcalf contends.[48] It was "a nodal point from which people, ideas, goods, and institutions—everything that enables an empire to exist—radiated outward."[49]

To be sure, the transnational and global turn, as evidenced in the work of imperial and world historians, has made concerted efforts to unsettle the analytic dominance of the nation. Yet, transnationalism, as its appellation suggests, remains tied to borders and territories, even as it explores movements between and across them. As compelling as this literature is in pluralizing and expanding our understandings of global migrations, it inadvertently centers land and territoriality. Transnational approaches seldom problematize oceans as prominent sites of global mobilities in their own right.[50] When oceans are the primary subjects of analysis, they are often identified as distinct and/or exceptional sites of inquiry, under the banner of ocean and maritime studies, rather than transnational or global history. Even in these specialized fields, as geographer Philip Steinberg observes, territoriality persists and prevails. The sea is commonly "reduced to a surface, a space of connections that merely unifies the societies on its borders."[51] Ocean arenas are typically viewed as spaces *linked* by connections and "not the actual oceanic space *of* connections."[52] Though some historians have recently extended transnational and global frames to account for oceans, others continue to privilege surrounding littorals over aqueous regions. In Metcalf's "imperial connections," for example, the Indian Ocean is not an *actual* site of movement, mobility, or legality.[53]

Beginning with land and territory, what transnational approaches cannot fully grasp is the ubiquity of movement, especially the dynamics of motion against motion. Imperial circulations took place on surfaces that were fluid, mobile, and constantly in flux. The mobilities that constituted colonial and imperial worlds followed multiple directions—horizontal, vertical, and circuitous—unfolded on divergent scales and in many dimensions. Their effects were not always straightforward, intended, or predictable, even if they were far-reaching. Transnational histories, as some critics have noted, typically foreground certain movements over others. For Isabel Hofmeyr, the transnational turn has followed mobilities from north to south and back, implying that global migrations of peoples, ideas, and commodities began in Europe and expanded outward.[54] In their own ways, Ballantyne and Metcalf usefully problematize this unidirectionality of colonial migrations and the putative significance of Europe by emphasizing the horizontal itineraries of imperial mobility. But webs

continue to imply a center from which movements were generated and extended. Perhaps more importantly, the horizontal connections foregrounded by the web metaphor do not sufficiently account for the vertical relations and hierarchies imposed on imperial jurisdictions and their respective populations. India and the Dominions, to draw but one example, were ordered legally, geographically, and temporally along distinct registers of racial and civilizational superiority and inferiority. This positioning was key to imperial structures and arrangements and conjured very specific meanings within imperial imaginaries.

The emphasis on land, territory, and nation is especially pronounced in the fields of law and legal studies, including legal history.[55] Law, save for international law, is commonly understood to be an institution, a myriad of regulations, and a set of cultural practices hinged to the territorial and political boundaries of imperial, national, and sovereign polities.[56] The "modern legal political imagination," Paul Halliday writes, "is sustained by an illusion of neat boundaries containing internally coherent identities, each dealing with the others as theoretical equals in an international 'order.'" For Halliday, this artifice "is as much a product of our geographical visions" as it is our political and legal ones. "Our minds color in the whole of each space called a nation-state with a single crayon. We don't use pastels, overlap tints, or paint outside the lines."[57] More recently, world historians have sought to disrupt this territorial boundedness in a number of ways. Conceptualizing law as a global and flexible set of institutional and cultural processes, Lauren Benton uses a "multi-centric" approach to capture the intersecting legal orders in early imperial worlds.[58] Echoing Ballantyne, Metcalf, and others, Kerry Ward turns to "nodes and networks" to track the overlapping legalities that marked the "Indian Ocean grid."[59] Yet despite their innovations, familiar spatial representations of land and sea abound. "Our metaphors fail us," Halliday writes. "However much we blur the lines and overlap the patches, two dimensions won't do."[60] The circuitous movements and punctured itineraries of Indian migrants and travelers, including Gurdit Singh, and the currents and countercurrents of law and radicalism that seagoing vessels put into motion, demand a set of analytic tools that transcend the limits of the nation and of terra firma.

To reposition oceans as global sites of law and legality, transnational approaches require some recalibration. In conventional accounts of imperial history and colonial legality, oceans recur as empty voids that are unremarked or situated beyond law, order, and authority.[61] In Grotius's writings, for instance, territorial borders could be legibly inscribed on land, but never on the expansive and moving surfaces of the seas. Though the sea was not lawless in his

account, it was beyond imperial claims to property and sovereignty.[62] In *The Nomos of the Earth*, Carl Schmitt, a German jurist, Nazi sympathizer, and influential twentieth-century thinker, characterized the inauguration of modern law through a line in the soil. This line, he insisted, gave a material foundation to European juridical orders, one that continues to inform legal regimes today.[63] But the line that has featured so prominently in Schmitt's thinking, and in legal studies more generally, is firmly and unmistakably embedded in a terracentric order.[64] Moving from land to sea opens additional perspectives on British and colonial law as well as imperial power. A shift from fixed and bounded territories to expansive and undulating oceans exceeds the borders of national and imperial polities, providing an alternative view which foregrounds the interconnections of land and sea. As juridical spaces, oceans highlight the overlapping and intersecting histories of colonial, legal, and racial violence and point to new forms of globality, legality, and sovereignty that are not easily discerned from land alone. But to fully understand the "free sea" as an international legal order requires a maritime charting that traces the routes and itineraries of moving ships. After all, it was seagoing vessels that transformed oceans into legal spaces by inaugurating the freedom of the sea as the basis of an international order in the first place.[65] As juridical formations themselves, ships were deeply embedded in wider structures of European conquest, territorial expansion, and resource/labor extraction as my brief discussion of Connell and Company suggests, and as I elaborate throughout the book. Ships operated as key technologies of British imperial rule, initiating and sharpening structures of colonial, racial, and legal subjection that circulated between land and sea, while also engendering anticolonialism, radicalism, and other expressions of power that directly challenged British dominance.[66]

The *Komagata Maru*'s passage, as my opening pages make clear, engendered a large-scale international response that extended beyond its Pacific and Indian Ocean itineraries. The ship's movements, and its detention and deportation, were regularly reported in newspapers and periodicals published in Australia, Canada, the United States, Japan, India, Singapore, and South, East, and West Africa.[67] This transimperial coverage generated indignation, critique, and support from onlookers, and spirited comment from Indians on the subcontinent and across the diaspora. Years later, critics continued to remark on the ship's enduring political and legal effects. For some commentators, the *Komagata Maru*'s deportation and the violence at Budge Budge incited conditions for "revolution and mutiny in India."[68] By positioning East against West, the voyage also signaled a wider set of racial and geopolitical conflicts. "Remember, India is part of Asia," cautioned *Indian Opinion*, Mohandas K. Gandhi's weekly Natal

periodical. A "coalition of China and Japan against England would mean practically the whole of the East against the whole of the West—white versus black and yellow." This pan-Asian uprising, onlookers maintained, was already fomenting "within the cabins" of the Japanese steamer, and under Gurdit Singh's command.[69]

Given that the ship's voyage incited fears of radicalism and revolution, colonial and imperial administrators in Ottawa, Vancouver, London, Delhi, Tokyo, Hong Kong, and Singapore initiated a series of urgent deliberations on possible legal and political interventions. Telegrams and letters were dispatched and received on a daily basis. Reports were written and circulated. Laws were debated and enacted. As authorities contemplated the *Komagata Maru*'s return route, they initiated a shared repertoire of immigration controls and security measures that gained traction through concerns of unrestrained Indian mobility along a racially imperiled sea.[70] The Dominions, as is now well known, were the first to introduce coercive immigration regulations in the interests of protecting a "white Australia" and a "white Canada," respectively.[71] When viewed oceanically, however, these repressive and prohibitory legal regimes rematerialize in ways that were not specific to the white Dominions alone. In September 1914, following the outbreak of World War I, amid escalating fears of anticolonialism abroad, and in anticipation of the *Komagata Maru*'s arrival in Calcutta, the Indian colonial government passed the Foreigners Ordinance and the Ingress into India Ordinance. These regulations were to assist Indian authorities in restricting the maritime movements and reentry of foreigners and nationals alike.[72] When these juridical developments are repositioned and analyzed from the sea, legal statutes and vernaculars become increasingly untethered from national boundaries and sovereign polities. Instead, they emerge as circulating expressions of law, order, and authority that traveled via ship and connected the Dominions, colonies, and territories to the metropole and beyond. Viewed from contiguous oceans rather than divided continents, immigration exclusions appear as part of a broader set of juridical procedures aimed at maintaining racial, territorial, and temporal divisions across the British Empire while at the same time connecting land/sea and East/West, divisions that distinguished India and other parts of Asia from Europe and the "New World."

As a global and transoceanic event, the *Komagata Maru*'s journey joined seemingly distinct histories, regions, and legalities into a racially uneven whole. Approaching the ship as a juridical form and situating it within longer legal and political debates over the "free sea" brings additional constellations of colonial, racial, and imperial power to the fore. In the sections to follow, I outline the analytic and methodological import of using oceans, race, and time as conceptual

and navigational devices in rewriting the *Komagata Maru*'s journey as a global and maritime legal history.

Oceans as Method

In 1850, in a short comment published in the *Neue Rheinische Zeitung Revue*, Marx and Engels remarked on how colonial and capitalist expansion to North America was changing the economic and political significance of the world's ocean regions. "A coastline which stretches across thirty degrees of latitude, one of the most beautiful and fertile in the world and hitherto more or less unpopulated," they observed, "is now being visibly transformed into a rich, civilized land thickly populated by men of all races, from the Yankee to the Chinese, from the Negro to the Indian and Malay, from the Creole and Mestizo to the European." Gold from California "is pouring in torrents over America and the Asiatic coast of the Pacific and is drawing the reluctant barbarian peoples into world trade, into the civilized world," they wrote.[73] For Marx and Engels, gold was to dramatically alter the place of the Pacific, both in terms of global markets and world history. Nineteenth-century maritime travel, they predicted, would unleash a civilizing force on "the reluctant barbarian peoples," particularly Asiatics who crossed oceans in search of new riches and opportunities for trade. "The Pacific Ocean will then play the role the Atlantic Ocean is playing now, and the role that the Mediterranean played in the days of classical antiquity and in the middle ages," they anticipated. If the Pacific was to become "the great water highway of world communications," the Atlantic Ocean would eventually "sink to the level of a great lake such as the Mediterranean is to-day."[74] The observations made by Marx and Engels may have been prescient in some respects, but they were off the mark in others. By the early twentieth century, maritime travel along the Pacific became the locus of imperial surveillance and control, as evidenced by the *Komagata Maru*'s unsuccessful voyage and the demise of Gurdit Singh's steamship company.

The maritime cartography of world regions as Marx and Engels narrated it, was premised on a double erasure. They say nothing of indigenous peoples or of the Indian Ocean arena. Just as Europeans never arrived on empty lands, they also did not sail on vacant seas. European mariners and empires inserted themselves into existing social, religious, and trade networks that were established through indigenous, Asian, and Muslim seafaring technologies, including knowledges of monsoon winds.[75] Their portrayal of the Pacific, Atlantic, and Mediterranean expresses a Eurocentric and developmentalist teleology that characterizes their work writ large.[76] Yet, the problems of maritime periodization

and division are not specific to them alone. Rather, Marx and Engels's observations are symptomatic of broader methodological shortcomings that prevail and persist in historical accounts of European expansion.[77] In 1872, the famous Scottish scientist James Croll criticized the imposition of maritime boundaries as follows. We often "speak of parts, or geographical divisions, of one great ocean, such as the Atlantic and Pacific as if they were separate oceans."[78] Little has changed. Borders remain as persistent today in ocean studies and in maritime history as they were in the nineteenth century when Marx, Engels, and Croll were writing.[79] Let me briefly explain.

In his magisterial study, *The Black Atlantic*, Paul Gilroy deploys the Atlantic Ocean as analytic ballast through which to overcome what he terms the "narrow nationalism" of English historiography.[80] For Gilroy, the Atlantic is not solely an empirical site or a geographical designation but an analytic concept that foregrounds "a system of cultural exchanges" that centers slavery as foundational to European modernity.[81] *The Black Atlantic* extends and elaborates the earlier work of historians Marcus Rediker and Peter Linebaugh. In their account, the Atlantic features as a continuous historical network of institutional confinement and conviviality, one that engendered flourishing ideas of freedom, liberty, and equality.[82] The Atlantic, in Gilroy's formulation, is "one single, complex unit of analysis" that triangulates West Africa, Europe, and the Americas through the capture, transport, and enslavement of Africans, producing "an explicitly transnational and intercultural perspective."[83] In his analysis, the Atlantic features as an exceptional site of racial subjection and black subjectivity. By privileging this aqueous region, Gilroy distinguishes it from other oceans and their attendant histories of imperial, colonial, and racial violence.[84] Though many have remarked critically on the limitations of Gilroy's analytic framework, few have pushed beyond his geographical frame. In *The Red Atlantic*, Jace Weaver extends Gilroy's arguments to account for the transoceanic mobilities of indigenous peoples. In his chronology of the modern world, the Atlantic was as red as it was black.[85] Even in Weaver's compelling account, the Atlantic remains a distinct maritime space, one that is divisible from the Indian and Pacific Ocean regions.

Though conspicuously absent in Marx and Engel's maritime cartography, the Indian Ocean has also been a site of considerable scholarship. As many scholars have demonstrated, the eastern and western arenas have long histories of trade, commerce, and interethnic encounters among Arabs, Africans, Indians, and Chinese, and between Muslim and non-Muslim worlds.[86] These are rich and densely connected regions that predate European contact by centuries. Prior to the age of steam, Indian Ocean travelers sailed on vessels that were highly

dependent on the weather. The directional currents of the seas, which were produced by changing seasons and monsoon winds, carried ships between and across continental divides. By the nineteenth century, the rise of steam accelerated the frequency and speed of travel, and inaugurated different human relationships with land and sea.[87] Curiously, these technological shifts and changes have drawn little attention in Indian Ocean studies. Much of the existing scholarship, as Sugata Bose explains, focuses on premodern and early modern crossings via sail. Yet, the movements of people, ideas, commodities, and legalities have continued throughout the nineteenth and twentieth centuries and well into the present day.[88] "The Indian Ocean was global long before the Atlantic," Sunil Amrith observes.[89] Though nestled between the Atlantic and Pacific, it is rarely connected to these oceans, either historically or analytically.

More recently, scholars have shifted their attention to the long-neglected Pacific. Influenced by Atlantic studies, while emphasizing the Pacific's own particularity, many have echoed the enthusiasm of Marx and Engels, describing this region as a newly prominent arena of global movement, circulation, and exchange.[90] Notwithstanding characterizations of its presumed newness, the Pacific has been the site of indigenous mobilities for millennia. Pacific peoples developed seafaring technologies to navigate, cross, and map the seas long before Europeans left their shores.[91] In his groundbreaking essay "Our Sea of Islands," Epeli Hau'ofa describes the Pacific of his ancestors as "a large world in which peoples and cultures moved and mingled, unhindered by boundaries of the kind erected much later by imperial powers."[92] The vast Pacific opened pathways of migration that connected Asia to the Americas and invited new itineraries and possibilities for self-determination. Given these layered narratives of indigenous and Asian mobilities, the Pacific is often described in terms of overlapping, intersecting, and plural histories. There are "multicoloured Pacifics—brown, black, white, and yellow," David Armitage and Alison Bashford argue.[93] The Pacific is thought to designate "a whole globe in a way that other oceans do not."[94]

Despite the vitality and vibrancy of ocean and maritime studies, the field's analytic potential is limited and even constrained by the geographical divides of the cartographer's map. Indigenous and nonindigenous scholars have long criticized the prevailing historical periodizations and spatial divisions imposed onto ocean arenas. The land/sea distinction that was brought into being through the movement of ships, and which became foundational to European maps and to international law, did not register in the same way, if at all, in indigenous and non-European cosmologies. These are part of a European modernism that continues to hold significant consequences for contemporary geopolitics.