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## **A POSITIVE REINFORCEMENT PROGRAM IN A 19<sup>TH</sup> CENTURY PENAL COLONY**

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From the late 18<sup>th</sup> Century until 1868 more than 150,000 convicts were “transported” from England to its colony, Australia. Most of the convicts, male and female, had been city dwellers and eight in ten were thieves. Almost all were laborers and destitute.

As Robert Hughes points out in *The Fatal Shore: The Epic of Australia's Founding*, until the Prison Acts of 1835 and 1839, England did not have a penitentiary system and thus had to send its convicts elsewhere and that meant Australia. A major Australian destination for those transported was Van Diemen's Land, now known as Tasmania.

The person responsible for the planning and implementation of the positive reinforcement program was Captain Alexander Maconochie. He had personal experience of prison life because he spent more than two years as a prisoner of war in Verdun. He was the only major official of the “transportation system” that shipped convicts to Australia who had ever spent time behind bars. In Australia Maconochie served as the private secretary to John Franklin, the lieutenant governor in charge of Van Diemen's Land, whose writ also ran to Norfolk Island, a small island in the Pacific more than 1500 miles from Van Diemen's Land. The penal colony that constituted Norfolk Island would be the place where Maconochie's program would be tested.

Maconochie argued that because the penal system was based solely on punishment it “had produced mainly crushed, resentful and embittered men and women,” (Hughes, 1987, p. 499). Under his “Mark System,” in contrast, the emphasis would be on incentives not punishment. Sentences would be indefinite and the convicts would have to earn a certain number of “marks,” or credits for good behavior and hard work, before they would be freed. “Six thousand marks would be the equivalent of a seven-year sentence; seven thousand would correspond to ten years...” (Hughes, 1987, p. 500). Marks could be exchanged for reduced sentences or for goods, such as extra food, tobacco, and clothing.

Maconochie was put in charge of Norfolk Island but he did not think it was suitable for his experiments, primarily because there were already 1200 twice-

convicted prisoners there. Upon his arrival there he soon upset his superiors back at Van Diemen's Land by writing that he would not obey their orders to keep the current and new prisoners under separate systems. His superiors also concluded that he was being too profligate and lenient because he ordered books and musical instruments for the prisoners. Australian Governor George Gipps did believe that the Marks System produced some desirable results. There was less murder and violence among the prisoners and their attitudes had improved. In 1843 Gipps made a surprise visit to Norfolk Island and concluded that Maconochie's many critics were mostly wrong. The new ("Mark") system was not perfect, but in some respects was working better than the old punishment-only system. At the same time, however, Gipps believed that the marks had become inflated because Maconochie dispensed them too lavishly. Some prisoners had worked extremely hard to accumulate the number of marks that would earn their freedom. But when they then learned that they would not be moved from Norfolk Island, marks gradually lost their value.

Gipps did point out, however, that the incentive system had a very positive effect on the prisoners who were on Norfolk Island when the new group arrived. The "Old Hands" "worked twice as hard as the new; they were cleaner, healthier, had better morale" (Hughes, 1987, p. 517).

In the end, the Mark System was the victim of economic and political forces. The prison population was falling fast by 1842, reducing the labor force necessary to maintain the island's critical agriculture and to keep the numerous buildings in repair. Australian colonists had opposed the Mark System from the start because it was a distinct threat to their legal use of convicts as slave labor and Colonial officials were keenly aware of the colonists' deep anger. Thus in 1843 the Secretary of State for the Colonies ordered the end of the Mark System and the recall of Maconochie. Thus, economic and political contingencies trumped any humanitarian impulses, impulses that apparently very few in power had.

#### REFERENCE

Hughes, R. (1987). *The fatal shore: The epic of Australia's founding*. New York: Alfred A. Knopf.