

BOOK REVIEW

***The Briny South: Displacement and sentiment in the Indian Ocean World.* By Nienke Boer.  
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In *The Briny South*, Nienke Boer embarks on an insightful exploration of sentiment in legal and literary genres that function as archives of displacement – ranging from the seventeenth-century court records about enslavement from the Cape of Good Hope’s Council of Justice to memoir and fiction about indenture in Natal, as well as autobiographies about wartime imprisonment set in Ceylon to memoir and fiction about the twentieth-century apartheid state of South Africa. Boer describes sentiment as “how emotion and affect are described and recorded in legal, political, and personal writing” (3) and shows how it can shape scholars’ access to the voices of the enslaved or indentured and indeed, how enslaved or indentured imagine, speak or not speak of themselves. Sentiment, Boer argues, is often leveraged to show those displaced as silent and suffering. In the end, however, the use of sentiment only serves the interests of the powerful – slaveholders, abolitionists, civil servants and political leaders (5).

Chapters 1, 2 and 3 will be of particular interest to law and society scholars. Chapter 1 is a discussion of legal verisimilitude in court records from the seventeenth century in the Cape of Good Hope. In it, Boer engages with a range of court records that document enslaved persons who engage in direct speech. Unlike slave courts in the Atlantic World, the Council of Justice in the Cape, like courts in Ceylon and the Mascarene Islands, permitted enslaved persons to testify (52). Take for example, the extract from Baatjoe van Mandhaar’s court records, in which a witness was called to testify in a case of a slave running *amok* or *amok maakte*. Boer explains that running *amok* derives from the Melayu word *mengamuk* and was used to describe a “culturally specific syndrome” (26) in which men were believed to be prone to excessive violence, often killing others and eventually themselves. The witness in Baatjoe van Mandhaar’s case describes how he barricaded himself up in the attic of the home of the slaveholder, Broderick, and did not respond to entreaties to come back down. The witness noted that Baatjoe van Mandhaar yelled out that he would murder Broderick in Portuguese, but the latter, not understanding the language, attempted to climb up the attic, where he almost certainly would have been killed. Boer notes how it is only in the

witness testimony included in the court records that we find mention of specifics of Baatjoe van Mandhaar's "sentiment," especially when read alongside European travel writing from this period, which uses generalizations from the case to speak of "the Malays" who succumbed to "the fury of [his] passion" (26). This account shows not only how legal versimilitude is achieved through the inclusion of direct speech to evoke sentiment, but also how translation and mediation make the reading of these "briny" narratives intentionally treacherous. Chapter 2 offers intertwined legal and literary narratives from the British Cape Colony, in which sentiment is deployed strategically in abolitionist literature and art. By way of contrast, the chapter features courtroom testimonies and ledgers chronicling the sale and purchase of enslaved. Boer calls the ledger "the quintessential form of empire" (72), one page of which is reprinted in the book and on the book's cover, showing how there is a "deafening silence" (81) instead of direct speech, casual dashes on the page – possibly entered by a bored clerk – marking off human lives. Here, Boer offers a way of reading archives of enslavement in the Indian Ocean World, drawing attention to seemingly banal archival marginalia that one can have an affective response to, and which challenge sentimental depictions of enslavement in abolitionist art or poetry. Chapter 3 features Mohandas Gandhi, then a lawyer for Indian commercial interests in Natal but later a prominent leader for the Indian freedom struggle against British colonial rule, demanding that Indians be treated on par with other colonial subjects. To make these claims, Gandhi marks Indian indentured laborers, or "coolies," many of whom were forced to travel by colonial officials to Natal under contracts as different from the elite Indian merchants and traders; the latter, he noted, deserved to be treated as British colonial subjects under rule of law. Boer notes that "coolie" is a "particularly briny South term" (86), one that emerges from the Tamil word *kuli*, circulates across the Indian Ocean World alongside Portuguese merchant ships and seeps into Dutch court records as *koeli-geld* (coolie money), among others, but, which Gandhi insists, must be used to refer to legal/contractual system of indenture and by extension to the legal/immigrant status of Indians in Natal. In his early writings, Gandhi notes that the use of the term "coolie" does not merely do sentimental harm; it results in material injury to British Indians in Natal, particularly the loss of business (89). In other writings, Gandhi describes the injuries suffered by a Tamil indentured laborer, Balasundaram. For Boer, this Tamil laborer's suffering is "ventriloquized" by Gandhi given Balasundaram's ability to write and speak, albeit in Tamil.

These writings are contrasted with two other forms in which we get glimpses of indentured laborers who speak in their own voice – complaints made to the Protector of Immigrants and folk songs sung by them. In these comparisons, Boer suggests that the demands of form obscure any unmediated expression of sentiment (100). These themes are picked up again in Chapter 5, in which the looming presence of the law and the indenture contract casts a pall over South African Indian writing. Primarily contrasting author Ansyah Singh's *Behold the Earth Mourns* (1960) with the apartheid legal theorist Geoffrey Cronje, Boer shows the danger of sentiment being coopted into settler narratives. Like South African Indians who struggle to demonstrate their belonging within a rubric of rights, Cronje draws on legal language as well, as well as the temporariness of indenture, to show that Indians would have to return to their homeland upon the expiry of the contract. Indenture, Cronje argued, was never necessary leaving the "interests and feelings of the Transvaal and its white population"

(140–141) by the wayside in its bid to serve British imperial interests. Here, again the dangers of sentiment are clearly visible in tying Afrikaner notions of belonging to land (more on this in Chapter 3). In contrast, legal documents relating to the sale and purchase of land by indentured laborers who had completed their contract show the limits of this kind of sentimental imagination. Boer argues that this limitation also marks Ansuyah Singh’s fictional narrative about the descendants of Indian indentured laborers who live in apartheid South Africa. If the indenture contract continues to make Indians permanently “alien,” they are equally unaware of a system of internal labor migration that took African men away from their farms and families beginning in the 1870s, to work in mines and factories on short-term contracts (143). The coda discusses the yet-to-be-completed process of decolonization in which narratives of displacement are central – on the decision by the International Court of Justice requiring the United Kingdom to withdraw from Diego Garcia and the Chagos archipelago in the Indian Ocean and to allow Chagossians to return to the islands from Mauritius and the Seychelles. One tactic that the UK Foreign Office used to prevent Chagossians, once displaced by slavery, to return is to declare the island a marine protected area. For Chagossians, sentiment is rendered unusable as a form of resistance.

The use of “sentiment” to parse legal and literary narratives in *The Briny South* points out unexpected connections and comparisons between different forms of displacement and is richly suggestive. Law and society scholars have written about speech, silence, and justice and law, language and affect (Mertz and Rajah 2014; Clarke 2019; Constable 2009; 2014). To this body of scholarship, Boer’s use of sentiment – rather than affect – shows us why paying attention to how these are recorded in writing is equally important – pauses, exclamation marks and the like play as important a role as every other element of an archival document. I would also add that Boer’s use of the adjective “briny” is important too. It calls for an attention not only to historical or ethnographic nuance or complexity in reading legal and literary narratives about layered forms of displacement but also to the need for an alternate aesthetic/ethic of writing about/as ongoing imperial violence (5–6). Boer’s book is thus an important meditation on translation, mediation, and the workings of imperial power in legal and literary narratives. Read alongside Stoler (2008), Wickramasinghe (2020) and my own book (Ramnath, 2023), all of us historians of the Indian Ocean World who have deeply engaged with legal sources “reading them along the grain,” *The Briny South* makes an important contribution to the scholarship on law and literature, colonial legalities, law and empire, and legal histories of the Indian Ocean World and those set in the South.

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