

## **Demanding satisfaction: Violence, masculinity and honour in late eighteenth-century Cape Town**

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*This article analyses two separate cases of public violence which took place in Cape Town in the summer of 1772/3. At surface level they appear to be very different in character. One was a scrap among low-ranking soldiers who were playing cards at a shoreline outpost. The other was a formalised challenge between two captains of the VOC return fleet as they were lunching with the Governor, which resulted in a death and the flight of the murderer. Yet closer analysis suggests common ritualised codes of behaviour that intriguingly reveal how violence, masculinity and notions of honour operated at all social levels within the town.*

*Both cases were complex and coded social conflicts, rooted in northern European early modern social beliefs and practices as transferred to a colonial context. However, none of these perpetrators of violence was viewed sympathetically by the VOC authorities at the Cape. By contrast, the assailant Captain who had escaped back to Europe was able to successfully appeal to the VOC directors in the Netherlands.*

Eighteenth-century Cape Town had all the elements of a rough and violent place. Even as late as the 1770s it was still a port town with a highly transient and overwhelmingly male population.<sup>1</sup> As in Europe, the predominance of single and unattached men increased the potential for public skirmishes and brawls, often exacerbated by the prevalence of drinking houses.<sup>2</sup> Assaults by low-ranking soldiers and sailors, many of them on shore for only a few weeks while their ships were in harbour, predominated in the records of the Cape Council of Justice, just as they did in VOC Batavia.<sup>3</sup> Domestic violence, always more difficult for the

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- 1 N.Worden, E.van Heyningen and V.Bickford-Smith, *Cape Town: The Making of a City* (Hilversum: Verloren : Cape Town: David Philip, 1998): 49-67. Kerry Ward emphasises the importance of Cape Town's transient maritime population in ' "Tavern of the seas": the Cape of Good Hope as an oceanic crossroads during the seventeenth and eighteenth centuries' in J.Bentley, R.Bridenthal and K.Wigen, eds., *Seascapes: Maritime Histories, Littoral Cultures and Transoceanic Exchanges* (Honolulu: University of Hawaii Press, 2007): 137-152.
  - 2 For examples of such societies in which single men predominated and public violence was endemic, P.Spierenburg, 'Masculinity, violence and honor: an introduction' in P.Spierenburg, ed., *Men and Violence: Gender, Honor and Rituals in Modern Europe and America* (Columbus: Ohio State University Press, 1998), 16; C.Conley, 'The agreeable recreation of fighting', *Journal of Social History* 33, 1 (1999): 59.
  - 3 P.McVay, "'I am the devil's own": crime, class and identity in the seventeenth century Dutch East Indies'. Ph.D thesis, University of Illinois at Urbana-Champaign, 1995: 84, 90 and 192-3. McVay argues that the percentage of assault crimes was higher in 17th century Batavia than in VOC Ternate, Timor and Melaka because of the predominance of a more permanent and kin-based population in the latter settlements. Cape Town, with both transient visitors and residents, lay somewhere between these two scenarios. H.Diederiks comments on the predominance of public assault cases by soliders in the eighteenth-century Netherlands in *In Een Land van Justitie: Criminaliteit van Vrouwen, Soldaten en Ambtenaren in de Achttiende-eeuse Republiek* (Hilversum: Verloren, 1992): 54-59.

historian to discern because of its frequently unreported status, also certainly took place, particularly against women, children and vulnerable family members. It was greatly exacerbated by the presence of domestic slavery both through assaults on slaves by their owners, which only came to the notice of the authorities in the most extreme cases, as well as in violent attacks by slaves against their overseers or owners, which, by contrast, litter the court records.<sup>4</sup> Violence was also perpetuated in official forms, notably in the brutal physical punishment of criminals, a common feature of European justice systems of the era, and also in the forceful exercise of colonial authority over conquered local inhabitants, imported slaves, exiles and convicts.<sup>5</sup>

Although violence has long been recognised by historians of early colonial Cape Town, it has received little focused attention. This contrasts with the historiography of early modern Europe, where sophisticated analysis of violence has appeared in recent decades. This has taken several forms. One is quantitative, especially in the calculation of changing homicide rates, following the example of modern crime statistics. These have been revealing, notably in the detection of a lessening of public violence in the course of the eighteenth century in Northern Europe, including the Netherlands. Most historians have attributed this trend to shifting manifestations of bourgeois masculinity which lessened the importance of violent defence of honour and substituted legal redress and public sphere 'civility'. By the nineteenth century lower-class forms of public violence, both collective and individual, were also subject to increasing regulation by the state.<sup>6</sup>

However, quantitative approaches to violence are problematic, as many of its practitioners realise.<sup>7</sup> Comparative trend analysis is difficult to make beyond the broadest generalisations because of inconsistent record keeping and variable reporting methods. Instead the most fruitful work has examined specific cases of violence in greater detail in order to explore what they signified in broader cultural terms. As Amussen has argued, 'the interpretation of violence was always contextual'.<sup>8</sup> What constituted violence and what legitimated it (or not) in the eyes of its participants can reveal much about codes of conduct at differing levels of society. A particular feature of such work on early modern Europe has been

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4 For examples see N. Worden and G. Groenewald, eds., *Trials of Slavery: Selected Documents Concerning Slaves from the Criminal Records of the Council of Justice at the Cape of Good Hope, 1705-1794* (Cape Town: Van Riebeeck Society, 2nd series, vol.36, 2005).

5 A good summary of an extensive literature on violence in early modern Europe is J. Ruff, *Violence in Early Modern Europe, 1500-1800* (Cambridge: Cambridge University Press, 2001). Readers of *Kronos* will be familiar with accounts of colonial violence in the eighteenth-century Cape, although most of these have focused on the frontiers of the colony rather than its urban core. A notable recent exception is K. Ward, *Networks of Empire: Forced Migration in the Dutch East India Company* (Cambridge: Cambridge University Press, 2008).

6 For example, Ruff, *Violence*, 131; Spierenburg, 'Masculinity, violence and honour', 18; P. Spierenburg, 'Faces of violence: homicide trends and cultural meanings: Amsterdam, 1431-1816', *Journal of Social History* 27 (1993-4): 701-716; R. Shoemaker, 'Male honour and the decline of public violence in eighteenth-century London', *Social History* 26,2 (2001): 190-208. The huge – and controversial – literature on civility was initiated by N. Elias, *The History of Manners* (2 vols, Oxford: Blackwell, 1978 and 1982).

7 Although not, of course, meaningless. An important study which combines both quantitative and qualitative approaches to crime and violence in eighteenth-century Cape Town is the forthcoming MA thesis by Karl Bergemann (University of Cape Town).

8 S. Amussen, 'Punishment, discipline and power: the social meanings of violence in early modern England', *Journal of British Studies* 34:1 (1995):23.

to explore popular perceptions of social norms, morality and justice, which did not necessarily match those of the ruling authorities. Rather than presenting violence as anarchic or uncontrolled indiscipline, such studies have deepened our understanding of the nature and workings of a popular moral economy.<sup>9</sup> Further insights have been obtained into the construction of gendered perceptions and responses, especially in relation to masculinity. A particular element of many examples of violence in this regard is the operation of male honour at differing social levels.<sup>10</sup>

One argument that merits particular attention for Cape Town specialists is that of the Dutch social historian Pieter Spierenburg. Using both diachronic quantitative methods and detailed cultural analyses he argues that violence in the eighteenth-century Netherlands (and specifically in Amsterdam), as represented by homicides, underwent significant shifts. Most homicides in the seventeenth and early eighteenth centuries were between relative strangers and were impulsive. However, in the mid- to late eighteenth century planned and premeditated assaults on those known to the perpetrators came to predominate. Public brawls were replaced by domestic assaults as new sensibilities and emotional concepts emerged.<sup>11</sup> Spierenburg has also drawn our attention to the ritualised nature of violence, where specific types of challenges and disputes resulted in formalised responses. He emphasises that such rituals were not confined to the aristocratic (or bourgeois) duel, which is usually given prominence in the literature, but extended also to forms of aggression among the lower orders of society. In particular he analyses Amsterdam knife-fighting as a phenomenon of male violence that followed distinct rules and norms and represented a plebeian manifestation of male codes of honour.<sup>12</sup>

With these issues in mind, let us examine two cases of assault which came before the Cape Council of Justice within the space of a few weeks in the (southern) summer of 1772/3. Although they appear to be poles apart because of the very different status of the participants involved, there were some intriguing parallels which enable us to see how violence, masculinity and notions of honour operated at all social levels within the town.

The first case came to the attention of the Council in December 1772. *Constapelsmaat* Johan Andries Kommert, recently arrived at the Cape and posted at the new battery on the Strand, was accused of attacking and wounding Sergeant Salomon Stemler, with whom he had been drinking and playing cards in his quarters on a Sunday afternoon in November. Alongside him appeared Corporal Christiaan Ebenhout, a veteran of eight years' standing in the colony, accused of failing to discharge his duty as watchman by allowing and even encouraging the

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9 Amussen, 'Punishment': 33.

10 An influential collection of such studies is Spierenburg, *Men and Violence*.

11 Spierenburg, 'Faces of violence', 709-11, P. Spierenburg, *Written in Blood: Fatal Attraction in Enlightenment Amsterdam* (Columbus: Ohio State University Press, 2004), 9. Spierenburg's dichotomy of unplanned/planned violence has been somewhat modified by Eva Lacour, 'Faces of violence: a typology of violence in early modern rural Germany', *Journal of Social History* 34:3 (2001): 649-67.

12 P. Spierenburg, 'Knife fighting and popular codes of honor in early modern Amsterdam' in Spierenburg, *Men and violence*, 103-127.

fight to take place.<sup>13</sup> Stemler recovered from his injuries and remained in service at the Cape until his death in 1781.<sup>14</sup>

The second case was much more unusual, indeed sensational. On 29 January 1773, the day before the return fleet of nine ships from Asia was due to leave Table Bay for its journey back to the Netherlands, Governor Joachim van Plettenberg gave a farewell lunch for the ships' captains at the Company *Tuinhuis*. An argument broke out between Carel Cassel, captain of *Honkoop*, and Abraham van der Weijde, captain of *Pauw*. As they were all walking back through the Company Gardens, Cassel stabbed Van der Weijde and fled the scene. Van der Weijde died of his wounds two days later while Cassel remained missing. Two new captains had to be appointed to enable the fleet to make its delayed departure on 4 February.<sup>15</sup>

The contrast in the social context of these two cases is evident. The first involved soldiers and their associates at a spontaneous drinking party in a fortification along the shoreline. Amongst the company that Kommert had invited to visit him on that Sunday were the Company's gardener, Samuel Manefeld, with his free black mistress, Catherina van de Kaap, the town burger Jan Hartman and his parents, as well as several other soldiers who drifted by during the course of the afternoon. Despite differences in their positions of employment and their ethnicity, all belonged to the lower ranks of the town's free population. This was very different to the Governor's reception at the *Tuinhuis*, attended by men whose high-ranking social status was guaranteed by their position as captains of the Company's fleet.<sup>16</sup> They had gathered at a formal occasion far removed from the outpost barracks of the shoreline. This spatial contrast was reinforced by the topographical surroundings of each occasion: while Kommert's guests 'beachcombed' and hunted birds and fish, Governor Plettenberg's party dined in the Governor's official residence and walked through the formal pathways of the Company Gardens.<sup>17</sup>

How far did these social contrasts affect the forms and meanings of the conflict that ensued? We can begin to answer this by examining the causes and the precise nature of the violence involved, although in neither case was this unambiguous. Fiscal Olaf Bergh was in no doubt that the cause of the dispute between

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13 Cape Provincial Archives, Roeland Street, Cape Town (hereafter CA), Council of Justice (hereafter CJ) 54:92-4, 31 Dec. 1772 and CJ 403: 499-523, *Exhibitum in judicio*, 17 Dec. 1772. Johan Kommert uit Grosen Golteren, *soldaat*, arrived 1772 on *Landskroon* and Christiaan Evenhoud uit Milhuijsen, *soldaat*, arrived 1765 on *Jonkvrouw Kornelia Jakoba*, [www.vocopvarenden.nationaalarchief.nl](http://www.vocopvarenden.nationaalarchief.nl) (accessed 20 Dec. 2008).

14 Salomon Stemler uit Coleva, *soldaat*, arrived 1768 on *Oud Haarlem*, [www.vocopvarenden.nationaalarchief.nl](http://www.vocopvarenden.nationaalarchief.nl) (accessed 20 Dec. 2008).

15 CJ 55: 14-18, 11 Feb. 1773 and CJ 404: 73-91, *Exhibitum in judicio*, 8 April 1773; Council of Policy (hereafter C) 151: 124-6, Resolusie, 31 Jan. 1773; J.Bruijn, F.Gaasra and I.Schöffer, eds., *Dutch-Asiatic Shipping in the 17th and 18th Centuries*, vol. III (The Hague: Martinus Nijhoff, 1979): 484-6.

16 On the social status of VOC captains see J.Bruijn, *Schippers van de VOC in de Achttiende Eeuw aan de Wal en op Zee* (Amsterdam: De Bataafsche Leeuw, 2008):125-34. In Asian posts such as Timor and Ternate, visiting ship's captains sat on the local Council of Justice, McVay, "I am the devil's own", 93. Those of high rank also had this right at the Cape, K.Ward, *Networks of empire*, 156. An intriguing indication of Cassel's status is given by some of his possessions which were inventoried by the Council of Justice after his disappearance. These included fine clothing (including two black satin camisoles and two black satin breeches), four wigs, violin strings and jewelry, CA, CJ 404:187-90.

17 On the spatial contrasts of VOC Cape Town, see N.Worden, 'Space and social identity in VOC Cape Town', *Kronos*, 25 (1999):72-87.

Kommert and Stemler was a combination of drunkenness and sexual jealousy. The men had been steadily drinking wine all afternoon and were ‘somewhat merry’ in the words of one witness.<sup>18</sup> The trouble started when both men vied for the attentions of Catherina van de Kaap. Kommert had been kissing and caressing her and Stemler tried to do the same, but she rebuffed him saying that she preferred Kommert. Stemler then began to rail against her and her companion, the Company gardener Maneveld, to which Kommert replied, ‘These are my friends, I invited them here, you are not invited here!’ An argument ensued, during which Kommert slapped Stemler on the face, forced him out of the room and followed him outside for a fight.<sup>19</sup> This then appears to have been a case of a drunken brawl triggered by jealousy over a free black woman.

The argument between captains Cassel and Van der Weijde began during lunch with the Governor. According to the latter, the cause was a difference of opinion ‘over the suitability or lack of suitability of the *onderstuurman* who was posted under the command of *schipper* Matthijs Eijdsden’. Eijdsden was not one of the return fleet captains, and no further information about him is provided in the records of the case, but in Van der Weijde’s testimony, given just before he died, he stated that as a result of this dispute Cassel developed a grudge against him and that an argument between them broke out again after lunch, which led to the assault in the Company Gardens.<sup>20</sup>

There seems to be a clear difference in the issues involved here: a drunken brawl over a sexually available woman in one case, and a dispute between senior officers over the professional capacities of one of their subordinates in the other. Yet neither case is quite so straightforward. The story of Catherina’s fatal charms was reported only by Corporal Ebenhout, one of the several witnesses who were in the barracks on that Sunday afternoon. Catherina herself said nothing about it, possibly to defend her own reputation in front of the Fiscal. Neither did Kommert or Stemler, who may have had similar reasons for downplaying their lasciviousness, although kissing a free black woman was certainly not as potentially harmful to the reputation of soldiers as it was for her as a woman.<sup>21</sup> Stemler claimed that he had wanted to leave earlier, but had been persuaded to stay by the other card players. Others stated that he had been the one to encourage them all in their drinking and that he was reluctant to end the party.<sup>22</sup>

Stemler had a different explanation to give for the dispute. During the course of the afternoon, he had been asked by Nagel (his first name is not recorded), a

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18 CA, CJ 403, *interrogatorien* van Christiaan Ebenhout, 9 Dec. 1772: 630, article 13.

19 CA, CJ 403, *exhibitum in iudicio*, 17 Dec. 1772:502-3; 514.

20 CA, CJ 404, testimony of Abraham van der Weijde, 30 Jan. 1773:93-5.

21 The importance of sexual propriety to women, irrespective of their social status, is widely attested in the literature. It was of much less significance for men, and indeed sexual promiscuity was in some cases – such as that of lower-ranking soldiers – often viewed as a marker of masculinity and respect. For discussion of this in relation to the early modern Netherlands, see especially A.Blok, ‘Eer en de fysieke persoon’, *Tijdschrift voor Sociale Geschiedenis* 18 (1980): 211-30, L.van de Pol, ‘Prostitutie en de Amsterdamse burgherij: eerbegrippen in een vroegmoderne stedelijke samenleving’, in Peter te Boekhorst, Peter Burke en Willem Frijhoff, eds., *Cultuur en Maatschappij in Nederland, 1500-1850*, (Boom: Open Universiteit and Amsterdam: Heerlen, 1992).

22 CA, CJ 403, *relaas* of Salomon Stemler, 16 Nov. 1772: 532; *relaas* of Jan Hartman, 20 Nov. 1772, 54 ; *relaas* of Catherina van de Caab, 20 Nov. 1772: 577-78.

*constapelsmaat* who was among the company, to go outside with him. Nagel had then asked why Stemler had permitted him to be arrested some 12 days earlier, when Stemler was the sergeant in charge of the patrol watch, leading Nagel to be placed in punishment barracks. Stemler replied that this had been ordered by his commanding officer, Lieutenant Johannes Visser, and that he was only doing his duty ‘according to custom’. No more was said about the matter, but Stemler suspected that Nagel may have been behind what happened subsequently.<sup>23</sup> According to him, Kommert became angered when Stemler wanted to break up the party and for them to all return to town with Catherina. He accused him of ‘baiting’ his friends, saying, ‘*ik heb mij sulke occasie lang toegewenscht, gij bent de regte, een verdoemde verklikker, hier ben ik baas en sal jou dat doen sien!*’ (‘I have long wished for such an occasion as this: you are the law, a damned informer, but I am the boss here as you will see for yourself!’)<sup>24</sup> The Fiscal accused Kommert, on the basis of the testimony of other witnesses, of calling Stemler a ‘*verklikker, duimdraaijer en calfactor, overbrenger en spion, die alleen hier komt, om te spioneer*’ (‘tell-tale, thumb-twister and trouble-maker, informer and spy, who has just come here to spy on us’).<sup>25</sup> Kommert replied that he was particularly incensed that Stemler was making a scene in his post, saying, ‘I serve here as the Company’s *constapelsmaat*; have you come here to make trouble, or do you think that I run a whorehouse here?’ He acknowledged that when Stemler refused to leave he drew his *hanger* (a short sword) from his side and said to him, ‘*’t schijnt dat gij hier komt om te spioneer, off dat gij een calfactor bent*’ (‘it seems that you have come here to spy or that you are a trouble-maker’).<sup>26</sup>

Kommert’s response was doubtless intended to try and impress the Fiscal with his loyalty as a Company soldier who wanted to keep his post respectable and orderly. However, it also reveals the tensions that Stemler’s presence had caused amongst the soldiers. Stemler was suspected, doubtless after the episode of Nagel’s arrest, of being on the side of the ‘law’ and the authorities, and of spying on them in their leisure time. That Kommert viewed this as a challenge to his position and self-esteem is underscored by the words he uttered to Stemler when he subsequently assaulted him, ‘*Wat denkt gij Stemler? Dat ik bang voor jou ben, omdat gij soo groot zijt! dat moet gij niet geloven, en ik zeg ’t u nog eens, gij zijt een calfactor*’ (‘What do you think, Stemler, that I’m frightened of you because you are so big? You needn’t believe that, I say to you again you are a trouble-maker’).<sup>27</sup> It is not clear if Kommert was referring to Stemler’s size (we have no

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23 CA, CJ 403, *relaas* of Salomon Stemler, 16 Nov. 1772: 529-31.

24 CA, CJ 403, *relaas* of Salomon Stemler, 16 Nov. 1772: 534.

25 CA, CJ 403, question of Fiscal to Kommert, 9 Dec. 1772: 611, art.29. Here, as in other archival quotations in the article, the somewhat erratic spelling of the original is used. *Calfactor* is translated as a ‘factotum, a do-all, a manager of affairs for another’ in *John Holtrop’s English and Dutch Dictionary, revised...by A.Stevenson*, (Dordrecht: Blusse en van Braam and Amsterdam: J.van Esveldt Holtrop, 2 vols, 1823-4), vol. II: 167. However it stems from Latin *calidus* (hot, fiery, violent) and *facere* (to make), hence someone who makes things hot, i.e. a trouble-maker (my thanks to Gerald Groenewald for this observation). Both meanings seem appropriate in this particular case, and may have been intentionally used as such by Kommert.

26 CA, CJ 403, *interrogatorien* of Andries Kommert, 9 Dec.1772: 611-12, art.29. See note above for the double meaning of *calfactor*.

27 CA, CJ 403, *relaas* of Jan Burgers, 10 Dec.1772: 590, repeated in the *exhibitum in judicio*, 17 Dec.1772: 508.

evidence of how physically imposing he was), but it is much more likely given the previous context that he was alluding here to Stemler's swaggering use of his authority.

These details point to a highly significant issue, one which is common to both cases under consideration here. The attacks were both provoked by challenges made to the reputations of those involved. Captain Cassel's judgment about the capacity of one of the subordinate officers had been called into question. He was particularly incensed by the words which Van der Weijde hurled at him in the Gardens, '*gij hebt jou dog in 't geval met Halfman als een lache en als een jongen gedraagen!*' ('in this case of Halfman [the *onderstuurman* in question] you are behaving ridiculously and like a child').<sup>28</sup> One witness thought he also heard van der Weijde say to Cassel, '*swijgt daar maar van stil, want gij hebt uw daarin maar heel laag gedragen*' ('keep quiet, because you are behaving very basely/beneath yourself').<sup>29</sup> Such demeaning accusations were highly insulting to Cassel's position of status and to the honour of his manhood in general.

Similarly, Kommert believed that Stemler had been sent to spy on him and that his reputation and position were at stake. Although at the opposite end of the social hierarchy to Cassel, Kommert would have been acutely aware of anything that threatened his rank as corporal's mate, the first rung on the ladder of promotion. As Gorn has shown in the different context of the ante-bellum American South, single men towards the bottom of a hierarchical society, especially free men in a slave society, were particularly prone to violent defence of their honour.<sup>30</sup>

It may not be coincidental that despite the difference in their rank, both men had one thing in common. They were Germans. Cassel was from Magdeburg and had worked his way up through the Company's ship officer ranks from *kwartiermeester* in 1761 to *schipper* by 1769.<sup>31</sup> Johan Casper Andries Kommert was from Gross Gottern, and had only recently been promoted from the rank of ordinary soldier to that of *constapelsmaat*.<sup>32</sup> The predominance of Germans amongst the militia in the VOC is well known, but it was more unusual for a German to reach the high rank of *schipper*.<sup>33</sup> The significance of this was that Germans were particularly renowned for what one Cape Fiscal in 1740 had described as their 'esteemed German honour' ('*gewaerde duitse eer*') and were well known for their sensitivity to perceived insults.<sup>34</sup> They were not alone in this. Several recent

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28 CA, CJ 404, *relaas* of Thomas de Beukelaar, *schipper* of *Willem de Vijfde*, 30 Jan.1773: 98-9, repeated in the *exhibitum in judicio*, 8 April 1773: 80.

29 CA, CJ 404, testimony of Jacob Rijzik, 5 Feb.1773: 121.

30 E.Gorn, 'Gouge and bite, pull hair and scratch: the social significance of fighting in the Southern backcountry', *American Historical Review* 90:1 (1985): 18-43. The issue of slavery is one which I will consider as part of a broader study on Cape Town violence.

31 [www.vocopvarenden.nationaalarchief.nl](http://www.vocopvarenden.nationaalarchief.nl), Carel Philip Cassel van Maagdenburg, first employed on board the *Liefde* in 1761.

32 [www.vocopvarenden.nationaalarchief.nl](http://www.vocopvarenden.nationaalarchief.nl), Johan Kommert van Grosen Golteren, arrived at the Cape in 1772 on *Landskroon*.

33 Bruijn, *Schippers van de VOC*, 90.

34 CA, CJ 345, *Dictum ter rolle* in case of Godfried Bouer, 31 March 1740, 14-19. For discussion of this case see N.Worden, 'Strangers ashore: sailor identity and social conflict in mid-18th century Cape Town', *Kronos* 33 (2007): 78-9. Although *duitse* often referred to 'Dutch' rather than 'German' (which is usually described as *hoog duitisch*), in this case those concerned were indeed from German-speaking regions outside the Netherlands. For fuller discussion of the distinctive codes of honour in early modern Germany and their transfer to the Cape, see N.Worden, 'Forging a reputation: artisan honour and the Cape Town blacksmith strike of 1752' *Kronos* 28 (2002): 36-54.

studies have shown the important role that honour and reputation played amongst Cape Town's inhabitants, particularly when rank was threatened.<sup>35</sup> Both men in these two cases were threatened with a loss of face in front of others of equal or superior rank.

The circumstances surrounding each case initially indicate that they resulted from flares of temper exacerbated by drink (which flowed as readily at the Governor's table as in the Strand barracks, if not more so). In terms of Spierenburg's model, they were thus spontaneous and not premeditated acts of violence. However, further investigation reveals that the antagonists in both cases bore long-standing grudges against each other. They were well known to each other: Cassel and Van der Weijde were captains on the same return fleet coming from Batavia, while Kommert declared that he had known Stemler for four years.<sup>36</sup> Kommert told the Fiscal that they had long been good friends and that there was no long-standing enmity between them.<sup>37</sup> Yet as we have seen, there was suspicion that Stemler represented the 'law' and that he was spying on them. The conflict was thus not completely spontaneous.

Likewise, Cassel and Van der Weijde had been arguing over lunch. That the dispute was taken seriously was shown by the fact that the two men drank a 'friendship glass' with each other to show there was no permanent rancour, a tradition which some of the others present, including the commander of the fleet, considered had resolved the matter.<sup>38</sup> However, one of the other captains present reported that after the drinking of the cup he had heard Van der Weijde say, '*O! dat is altemaal niet met al!*' ('This is not over'), and Cassel reply, '*Ja, 't sit er tus-schen ons, mijn heer van der Weijde, ook nog soo suiijver niet, als gij wel denkt!*' ('Yes, things between us, Mijneer van der Weijde, are not as well resolved/sorted out as you think'), although he did not know if Van der Weijde had heard this or not.<sup>39</sup> This attack was also not a sudden spontaneous action, but the result of a festering grudge.

The drinking of the friendship cup was clearly a ritualised attempt to resolve the conflict. Reconciliatory forms of drinking, or *afdrinken* (drinking the conflict away), took place across the range of social levels and was also a recognised means of resolving conflicts in lower-class taverns.<sup>40</sup> But ritual also played a key role in conflict. How far was it evident in our two cases, and in what forms?

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35 A key study is R. Ross, *Status and Respectability in the Cape Colony, 1750-1870: A Tragedy of Manners* (Cambridge: Cambridge University Press 1999). See also N. Worden, 'Forging a reputation' for honour among Cape blacksmiths; N. Worden, 'Strangers ashore' for its presence amongst soldiers and sailors in the 1730s; and Nicky Taylor, 'A scapegoat of status on the streets of 18th century Cape Town', *Historical Approaches* 4 (2005-6):12-18 for a case involving honour and status among the soldiers of the night watch in 1744.

36 Bruijn, *Dutch-Asiatic Shipping*, III, 486; CA, CJ 404, *interrogatorien* van Kommert, 9 Dec.1772, 604, art.4. It is not clear where this had taken place since Kommert is reported as having only arrived at the Cape several months beforehand. Kommert claimed that he had known Stemler since he was appointed 'bij den heer major' four years previously. Either the currently incomplete records of the VOC employees at [www.vocopvarenden.nationaalarchief.nl](http://www.vocopvarenden.nationaalarchief.nl) have not yet included an earlier period of service at the Cape for Kommert, or else he is referring to a previous acquaintance with Stemler in Europe.

37 CA, CJ 404, *interrogatorien* van Kommert, 9 Dec.1772: 605, art.6.

38 CA, CJ 404, testimony of Thomas de Beukelaar, 30 Jan.1773, 98; testimony of Heer Arij van de Deuden, commander of the return fleet, 2 Feb.1773: 112-13.

39 CA, CJ 404, testimony of Maarten Pietersz. Plooi, captain of *de Maria Jacoba*, 30 Jan.1773: 128.

40 Spierenburg, 'Knife fighting in early modern Amsterdam', 115 and *Written in Blood*: 159. For other Cape examples of this practice see Worden, 'Strangers ashore': 79 and 'Forging a reputation': 58.



The best-known ritual of personal, as opposed to collective, violence in early modern Europe was the duel. Although this originated in late medieval aristocratic contests and remained most closely associated with the elite, by the eighteenth century it was also practised among the bourgeoisie.<sup>41</sup> In Holland it was primarily associated with students and the military, although its use was somewhat lessening by the end of the eighteenth century. It remained widespread in other parts of continental Europe, particularly in Germany. In Holland itself, a high percentage of duellists were both of German origin and associated with the army.<sup>42</sup>

The duel was closely associated with defence of male honour on the principle that death (or serious injury) was preferable to the 'social death' that would follow the accusations of cowardice if a slight to one's honour was ignored.<sup>43</sup> Duels followed set and approved forms, which included the issuing of a challenge, fairness of equal combat, agreed weapons, time and place of combat and support (but not intervention) by seconds.<sup>44</sup> As Spierenburg has shown, such principles were confined not only to elites. Lower-class men in Amsterdam fought with knives in ways which had not dissimilar rules and traditions. Popular duels of this kind tended to be more direct and immediate, although none the less ritualised.<sup>45</sup> However, in neither aristocratic duels nor lowly knife fights were the rules always followed in practice. The line between the scrap and a duel was not always clearly drawn.

This was indeed the case in both of our examples. At first sight they appear to be uncontrolled outbreaks of temper. Yet closer analysis reveals elements of ritualised conflict, albeit ones which were not fully implemented. As with their causes, the precise format of each conflict may have differed as a result of the divergent social circumstances, but they display some significant common features.

Nobody noticed exactly what happened between Cassel and Van der Weijde as they walked back through the Company Gardens at about 5.30 p.m. after their lengthy lunch. Van der Weijde survived long enough before he died of his wounds to give a terse version of the episode, but additional information was provided by others. Van der Weijde simply stated that Cassel had 'unexpectedly' stabbed him with his sword. They had argued over lunch and he realised that Cassel bore a grudge against him, but such a violent reaction was to him completely unexpected.<sup>46</sup> In this version there was no ritualised conflict, nor any excuse for Cassel's actions.

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41 V.G.Kiernan, *The Duel in European History: Honour and the Reign of Aristocracy* (New York and Oxford: Oxford University Press, 1988); Spierenburg, 'Masculinity, violence and honour', 17; R.Nye, 'The end of the modern French duel', in Spierenburg, *Men and Violence*: 84.

42 R.Baldick, *The Duel: A History of Duelling* (London: Spring Books, 1965):145-6; A.J. van Weel, 'De wetgeving tegen het duellieren in de Republiek der Verenigde Nederlanden', *Nederlands Archiefblad* 81 (1977): 282-96; I.Matthey, 'Eer is teer: duellieren in Holland, 1600-1800', *Bijdragen tot de Rechtsgeschiedenis der Nederlanden* 7 (2005): 81-114, 9-10; Spierenburg, *Written in Blood*: 30.

43 U.Freyet, 'The taming of the noble ruffian: male violence and dueling in early modern and modern Germany', in Spierenburg, *Men and Violence*: 41.

44 Matthey, 'Duellieren in Holland': 3-5.

45 Spierenburg, *Men and Violence*:101, 104.

46 CA, CJ 404, *relaas* of Abraham van der Weijde, 30 Jan. 1773: 94.

Other witnesses provided more intriguing clues. According to the account pieced together from them by the Fiscal, Cassel's response to Van der Weijde's insult that he was behaving like a child was to say, '*daar sult gij mij satisfactie door geeven! en ik houde u selfs voor een jongen!*' ('you will give me satisfaction for that! And I consider you yourself to be a youth!') To which Van der Weijde replied, '*Wij komen nu uijt een honnet geselschap, 't past thans niet! maar ik sal je morgen satisfactie geeven!*' ('we've just come from a respectable company, now is not the time. But tomorrow I will give you satisfaction'), but this did not satisfy Cassel who replied, '*ik houde jou voor een luijs jonge, en gij sult mij op stonds satisfactie geeven*' ('I consider you a lice-ridden youth, and you will give me satisfaction immediately'). They continued walking to the end of the avenue, where witnesses saw Van der Weijde give Cassel a slap on the face with his right hand. Cassel retaliated by drawing his sword and giving Van der Weijde a fatal stab through his chest. He then fled the scene while Van der Weijde staggered to the nearby house of a burger, where he collapsed.<sup>47</sup>

This episode contains many aspects of ritualised forms of conflict. The demand for 'satisfaction' accompanied by a repeated and calculated insult was a classic challenge to a duel. Van der Weijde recognised it as such, and responded by pointing out that then was not the appropriate time or place but that satisfaction would be given the following day. This may have been an attempt to stave off Cassel until his anger had cooled down, but it was also an honourable way of responding to such a challenge. However, Van der Weijde then compounded the matter by slapping Cassel in the face and one witness thought that he may have repeated this action twice.<sup>48</sup> The *soufflet*, or face slap, was a calculated insult which demanded a response.<sup>49</sup> Both men then drew their swords, and one of the other captains thought that he also saw Van der Weijde hit Cassel on his back with it.<sup>50</sup>

Cassel had issued a formal challenge, which Van der Weijde had acknowledged, both initially by deferment of formal 'satisfaction' to the next day and then by a face slap which guaranteed a swifter resolution. Insults had been exchanged which impugned both men's honour. In terms of accepted custom, both were participating in rituals of conflict appropriate to their status with which all concerned would have been well familiar. Doubtless the effects of a bibulous lunch ensured that the outcome was swifter and less calculated than Van der Weijde had expected. His sword wound, however, was certainly not the inexplicable and unprepared blow that he claimed it was in his dying testimony to the Fiscal.

One issue which perplexed the Fiscal was why the others in the party did not intervene to prevent such a mishap. Each gave an excuse: they had not seen what was happening since Cassel and Van der Weijde were behind them, or around

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47 CA, CJ 55, Crimineele regtsollen, 11 Feb.1773, 16-17. A slightly modified version of this account is given by the Fiscal in CJ 404, *exhibitum in judicio*, 8 April 1773: 80-83.

48 CA, CJ 404, testimony of *oud Commissaris van civiele en huwelijk saaken*, Honoratus Majjnier, 6 Feb.1773: 107.

49 Ruff, *Violence in Early Modern Europe*: 122; Spierenburg, *Written in Blood*: 130; Matthey, 'Eer is teer' 14.

50 CJ 404, testimony of Thomas de Beukelaar, schipper of *Willem de Vijfde*, 30 Jan.1773: 99-100.

the corner of one of the Garden's paths, or out of earshot. One claimed that he was suffering from acute gout (doubtless little helped by the lunch he had just enjoyed) and so could not walk fast enough to catch them up.<sup>51</sup> Whatever the reasons given, clearly none had intervened until it was too late. Undoubtedly, they were content to leave the bickering men to themselves for a while. Could this also, perhaps, have been because the trading of insults and challenges between two gentlemen was not a matter for intervention?

A possible clue is provided by the circumstances in the other case under consideration here. Duels among the lower orders of society are less easy to distinguish in the historical record, being more direct, immediate and instantaneous.<sup>52</sup> It would be easy to agree with the Fiscal and to dismiss the fight between Kommert and Stemler as an unpremeditated drunken scrap. Yet the evidence hints that something more structured was taking place.

According to Stemler, during their argument Kommert had said to him '*soo gij een braaf kaarel bent, komt met mij buijten*' ('if you are a brave fellow, come outside with me'), to which Stemler replied, '*dat sal ik wel doen*' ('that I will gladly do'), adding '*maar maakt die saak niet soo luijdrugtig!*' ('but don't be so boisterous/shrill about it').<sup>53</sup> The invitation to 'step outside' was of course an invitation to settle matters by force. Certainly it was a more honourable way for Stemler to make his exit than by being forcibly pushed out of the door by Kommert with the words '*toe maakt dat gij weg komt*' ('get out of here'), as another witness claimed had happened.<sup>54</sup> Kommert himself denied that he had made such a challenge and was merely trying to get Stemler to leave, saying to him, '*gaat heen naar jou bescheijden plaats, ik wil geen rusie hebben*' ('go to your allotted place, I want no trouble here').<sup>55</sup> There was much uncertainty in the testimonies collected by the Fiscal as to what exactly had happened, and also whether Stemler had taken his sword outside with him. If so, this would indicate he was responding to a formal challenge.

There were other aspects of the conflict which suggested a more ritualised train of events. Several of the company inside the room saw Kommert slap Stemler in the face in a calculated gesture of disrespect, although Kommert initially denied doing this.<sup>56</sup> Once outside, Kommert challenged Stemler with the repeated accusation that he was a trouble-maker and spy.<sup>57</sup> They were interrupted by Jan Burgers, a young soldier on watch duty, who tried to persuade Kommert to return to his quarters and Stemler to go back to the Castle. When Stemler insisted on fetching his cane from inside, Burgers offered instead to retrieve it for him and to deliver it to him at the Castle the next day.<sup>58</sup>

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51 CA, CJ 404, testimony of Maarten Pietersz Plooi, *schipper of de Maria Jacoba*, 30 Jan. 1773: 128; CA, CJ 404, testimony of Arij van de Deuden, commander of the return fleet, 2 Feb. 1773: 112; CA, CJ 404, testimony of Jacob Rijzik, *equipage meester*, 5 Feb. 1773: 122.

52 Spierenburg, *Men and Violence*: 101, 'Knife fighting': 124.

53 CA, CJ 403, *relaas* of Salomon Stemler, 16 Nov. 1772: 534.

54 CA, CJ 403, testimony of Jan Burgers van Zutphen, 10 Dec. 1772: 588.

55 CA, CJ 403, *interrogatorien* of Andries Kommert, 9 Dec. 1772: 612-13, art. 31.

56 CA, CJ 403, *exhibitum in judicio*, 17 Dec. 1772: 504; *interrogatorien* of Andries Kommert, 9 Dec. 1772: 612-13, art. 31 and 614, art. 34.

57 See above, n. 25 on the meaning of *calfactor*.

58 CA, CJ 403, *relaas* of Jan Burgers, 10 Dec. 1772: 590-1.

Such efforts were in vain, and for an intriguing reason. Burgers's superior officer, Corporal Christiaan Ebenhout, sent him back to his post, ostensibly to fetch another gun since his own had been damaged when it was jammed in the barrack room door as he accosted Stemler and Kommert. When Burgers returned he saw Stemler and Kommert wrestling on the ground while Ebenhout stood by. Burgers said, '*Monr. Ebenau [sic] laat ik het wagtvolk gaan haalen*' ('M. Ebenau, let me fetch the watch people'), but the Corporal replied, '*Neen! Hier zult gij blijven!*' ('No! You stay here!') Hearing Stemler calling for help, Burgers then said, '*Mijn God! laat ons dan gaan om hun te scheijden!*' ('My God! let's go and separate them'), but Ebenhout responded, '*Neen! gij zult hier blijven!, ze zijn onder hun beiden, laat ze met malkanderen geworden!*' ('No! You stay here, it's between the two of them, so let them sort it out together'), so that he 'was obliged to obey the order of the corporal placed in authority over him'. Only after some time did Ebenhout call out to Kommert, '*Andries kom! 't is genoeg*' ('Come, Andries, that is enough').<sup>59</sup>

At one level this shows that Ebenhout was in cahoots with Kommert and wanted to make sure that Stemler got his just deserts. On another it reflects a sense of fairness, in that Ebenhout did not intervene himself in the conflict nor did he allow Burgers to do so. The challenge had been issued and the fight must continue. In his later defence, Ebenhout claimed that he was powerless to intervene, although clearly that is precisely what he did when he considered the fight had gone on for long enough. Ebenhout was thus acting as a kind of dueller's second to Kommert, ensuring that the fight would be carried out as convention required and preventing intervention from outsiders. Similarly, those inside the barrack room allowed the fight to take its due course, stating in their testimonies that they considered it to be none of their business, although some of them did begin to wonder why it was taking so long.<sup>60</sup> As with the captains in the Company Gardens, the non-combatants in this case, with the exception of the innocent Burgers, seemed remarkably slow, or downright reluctant, to halt a due process of conflict which owed at least part of its nature to established rituals.<sup>61</sup> It was, they claimed, only when Kommert and Ebenhout returned with blood on their faces and stockings that they realised the seriousness of what had happened.<sup>62</sup>

Stemler's and Kommert's version of the fight differed markedly. Stemler claimed that he had attempted to draw his sword to meet the challenge issued by Kommert, but that the latter had prevented him from doing so and had instead broken his sword handle and knocked him to the ground.<sup>63</sup> Such behaviour was undoubtedly a dishonourable response. Did it possibly reflect Kommert's deci-

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59 CA, CJ 403, *relaas* of Jan Burgers, 10 Dec.1772: 595-6. I am grateful to Gerald Groenewald for the translation of the idiomatic phrase, *ze zijn onder hun beiden*.

60 CA, CJ 403, *relaas* of Jan Hartman, 20 Nov.1772: 553; testimony of Samuel Manefeld, 17 Nov.1772, 568; testimony of Catherina van de Kaap, 20 Nov.1772: 580.

61 On the lack of intervention of bystanders, and the duties of seconds, see Frevert, 'Taming of the noble ruffian': 39 and Spierenburg, 'Knife-fighting': 111-112. Shoemaker, 'Male honour and the decline of public violence', 205 argues that in eighteenth-century London the intervention of bystanders marked the decline of public rituals of inter-personal conflict.

62 CA, CJ 403, *relaas* of Jan Hartman, 20 Nov.1772: 555-6; testimony of Samuel Manefeld, 17 Nov.1772: 569.

63 CA, CJ 403, *relaas* of Salomon Stemler, 16 Nov.1772: 536.

sion that fighting with fists was more equal than doing so with swords? Kommert argued that Stemler had attacked him, throwing him to the ground and hitting him. In this version, it was Stemler who had been dishonourable, although the Fiscal was quick to accuse Kommert of lying.

Despite the differences, there were several features in the nature of the struggles that these two cases had in common. Neither was simply a spontaneous flare of temper. A dispute between carousing men, oiled by alcohol, led to a formal insult and a ritualised slap on the face. The wronged party issued a challenge to the other that resulted in violence. In one case the violence took the form of a stab with a sword, the weapon of honour; in the other swords were set aside in an unseemly brawl on the ground. In both cases there were clear differences of interpretation with each participant anxious to place his own actions in the best light and to accuse his opponent of dishonourable behaviour. In neither instance did bystanders intervene, a factor they felt obliged to defend in their later testimonies. Honour, at both social levels, had to be seen to be done, although the evidence in both examples of what happened is less than conclusive. Neither did matters go as they should have: as so often in examples of interpersonal conflict, emotions intervened and both cases were rather botched examples of ritualised violence. It was for this reason that both cases came to the attention of the authorities.<sup>64</sup>

One of the arguments made by early modern European historians about public violence as a means of resolving matters of honour is that it tended to prevail where the state was comparatively weak. In such circumstances, men could more readily take it upon themselves to enforce justice according to customary consent and without resort to the state's law or authorities. As the state grew stronger, its justice systems provided alternative means of resolving such cases, for example, through libel legislation. Laws against public violence were more readily enforced. The state thus viewed interpersonal violence with increasing disfavour and 'typically male forms of behaviour, in particular those involving violence, were increasingly proscribed by law'.<sup>65</sup> Certainly the authorities in the Netherlands sought to limit duelling and other manifestations of ritual conflict that lay outside state control. From the seventeenth century duelling was criminalised, initially in the army where it was most prevalent, and also more generally. Additionally, it was subject to severe penalties, although in practice courts were often lenient towards culprits.<sup>66</sup>

A key issue for the courts to determine was whether a formal duel had indeed taken place and, if so, whether the circumstances justified a charge of manslaughter rather than murder, and thus a less severe punishment – usually by a fine rather than the mandatory capital sentence for murder. In other words, did

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64 Ebenhout and Kommert reported their version of the incident to the authorities later that night, doubtless in an attempt to pre-empt charges by Stemler, CA, CJ 403, testimony of Jan Burgers: 10 Dec. 1772: 597. The case thus came to the attention of the Fiscal and hence entered the official records just two months before the Council of Justice considered the death of *schipper* van der Weijde.

65 Spierenburg, *Men and Violence*: 18. Note also Spierenburg's discussion of the limitations on dueling and the lessening of death rates by duels in the eighteenth-century Netherlands, *Men and Violence*: 123-4.

66 Matthey, 'Eer is teer': 1-2, 4-6; van Weel, 'De wetgeving tegen het duelleren'.

reason (albeit reason calculated to inflict bodily injury) triumph over passion?<sup>67</sup> The Cape Fiscal carefully applied his mind to this matter in the case against *schipper* Cassel. Van der Weijde had been killed, but was responsibility for his death mitigated by circumstances?

Cassel had fled, and despite the four formal calls of the Council for his return he had not reappeared by April, so his case was considered in his absence.<sup>68</sup> He could not therefore defend himself. The evidence of the witnesses revealed that there had indeed been a dispute and honour had been impugned, but that Cassel was the instigator and Van der Weijde's words and slaps were therefore justifiable. The Fiscal considered that Cassel had stabbed Van der Weijde '*door eene overloopende haastigheid en drift*' ('as a result of over-brimming hastiness and passion') caused by the blows he had received on his face and (possibly) his back. These could not, however, be considered an excuse. No mercy could be shown to a man who had killed another, and Cassel deserved the death sentence, following the laws of both God and man. Fiscal Bergh recommended that Cassel should be executed by firing squad at the public execution ground and his goods confiscated.<sup>69</sup> This was a more honourable end for a senior official of the Company than death by hanging and may reflect the Fiscal's belief that Cassel was not wholly without honour in the case concerned.<sup>70</sup> Furthermore, he clearly rejected arguments of leniency based on customary forms of justice in preference to those laid down by the state's laws.

The Council waited another month (doubtless in the expectation that Cassel would reappear) before giving its judgment. When it finally did so, on 27 May, it was more lenient than the Fiscal. Cassel was banished from the Cape for life, and half of his goods were to be confiscated if he reappeared. If not, all would be forfeited to the Company. However, unbeknown to the Cape authorities, on the very same day the Amsterdam chamber of the VOC was discussing a letter it had received from Cassel. He had escaped from the Cape on 1 February aboard a French ship and returned to Europe to avoid what he foresaw would be certain punishment. His letter to Amsterdam asked for pardon and for compensation for his confiscated goods. After several years of investigation the Heeren XVII finally granted this in 1777. While the Cape authorities had been unwilling to condone such a public display of violence, the remoter authorities in the Netherlands were more prepared to accept his claim that he had been defending his honour, and even to compensate him for his losses. Although Cassel (perhaps wisely) never returned to the Cape, he subsequently became a successful Bremen businessman and used his experience of VOC employment to good effect by trading to Canton and the Far East.<sup>71</sup>

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67 D.Andrew, 'The code of honour and its critics: the opposition to dueling in England, 1700-1850', *Social history* 5: 3 (1980): 413.

68 CA, CJ 404: 161-185.

69 CA, CJ 404, *exhibitum in iudicio*, 8 April 1773: 88.

70 On the state's imposition of honourable punishments, see Spierenburg, *Men and Violence*: 34.

71 K.Schwebel and S.Plantinga, 'Carl Philip Cassel und der Ferne Osten', *Bremisches Jahrbuch* 66 (1988): 239-266. I am grateful to Robert Ross for alerting me to this article on Cassel's fate and subsequent career.

The Cape Council of Justice was even less sympathetic in the case of Kommert and Ebenhout. The Fiscal dismissed Kommert's plea that he deserved no punishment since '*ik in 't geval geweest ben, om mij te moeten verweeren*' ('I was in the position of having to defend myself') and that he believed himself to be '*gescholden en verongelijkt ben; vermeijn ik deswegens satisfactie te moeten hebben*' ('I am abused and wronged, I therefore demand satisfaction').<sup>72</sup> This appeal for recognition of his honour (self-defence) and for 'satisfaction' to be given to him for the 'abuse and wrongs' he had suffered, presumably from Stemler but also from the authorities, resonates with Cassel's demand for 'satisfaction' in the Company Gardens. However, it cut no ice with the Council. Dismissing any suggestion that Kommert's actions were justifiable, the Fiscal condemned him for 'punching with his fist'. Following the precedent of military regulations, Kommert was demoted to the status of a soldier and forced twice to run the gauntlet, although this was a reduction of the Fiscal's recommendation that he undergo this punishment three times on each of two successive days.<sup>73</sup>

Just as significant was the fact that Ebenhout received exactly the same sentence. Although the Fiscal had recommended a slightly less severe punishment for him than for Kommert (demotion, but to run the gauntlet three times on one day only), the Council made no such distinction.<sup>74</sup> Ebenhout was deeply implicated in the affair as the evidence of blood on his stockings had shown. There was no evidence, though, that he had hit Stemler. Instead his offence was that he had not intervened to prevent the brawl, despite being the officer in charge of the men, and thus had failed to carry out his duty.<sup>75</sup>

The Fiscal and Council took no account of the possibility that ordinary soldiers had their honour to defend. The evidence was not unambiguous, and Kommert's claims of self-defence of his honour may well have been made later in an attempt to obtain leniency – or at least self-respect among his fellow men. Certainly the Council of Justice would have had little sympathy for Kommert's and Nagel's resentment of the 'law' and their accusations that Stemler had been sent to 'spy' on them. The Council was not particularly receptive to the idea that *schipper* Cassel had legitimate claims of honour, and in that case the evidence is much clearer, as the final decision of the Heeren XVII to pardon him in 1777 indicated. The VOC at the Cape was more concerned to assert its concepts of order (especially amongst its military employees) over any popular perception of the legitimacy of violent resolution of slights to male honour.<sup>76</sup>

Yet these cases both reveal that such concepts did exist in the Cape Town of the early 1770s. The conflicts were not simply blind unpremeditated violence by drunken men. They were somewhat botched in the ways they were carried out, but they were both motivated by deep-felt notions of honour and the requirement

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72 CA, CJ 403, *interrogatorien* of Andries Kommert, 9 Dec.1772: 621-2, art. 55-56.

73 CA, CJ 403, *exhibitum in judicio*, 17 Dec.1772: 522-23; CA, CJ 54, *notulen*, 31 Dec.1772: 92-4. demotion was a regular punishment for lower-ranking officers in the VOC militia, McVay, "I am the devil's own": 89.

74 CA, CJ 403, *exhibitum in judicio*, 17 Dec.1772: 523; CA, CJ 54, *notulen*, 31 Dec.1772: 92-4.

75 CA, CJ 403, *exhibitum in judicio*, 17 Dec.1772: 520-1.

76 For a similar example of the VOC's failure to recognise the saliency of popular notions of honour in defence of its own authority, see Worden, 'Artisan conflicts': 169.

that these be defended. Such concepts were held by ordinary soldiers as much as by distinguished sea captains in a town with a strong homosocial and military character. In both of these episodes, 'what on the surface appear to be squabbles (in one case fatal) with relatively self-evident motives were highly complex and coded social conflicts with deep histories in the early modern period'.<sup>77</sup>

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<sup>77</sup> I am most grateful to an anonymous reviewer of this article for these apt words of summary which I find difficult to better. I hope that s/he will not object to my use of them here.