Counter Power and Colonial Rule in the Eighteenth-Century Cape of Good Hope: Belongings and Protest of the Labouring Poor.

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DECLARATION

I declare that this thesis is my own unaided work. It is submitted for the degree of Doctor of Philosophy at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.

Nicole Ulrich

8 day of May 2011, Johannesburg.

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ABSTRACT

Framed by an anarchist reading of Peter Linebaugh and Marcus Rediker's *The Many Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (2000), this study examines the dynamic nature of colonial and class rule in the eighteenth-century Cape of Good Hope in southern Africa, and the forms of belonging and traditions of political protest developed by the labouring poor. This study draws on archival material from national and international repositories, focusing on government records, criminal court trials, and travellers' accounts. Colonial rule, the under-class, and resistance in the Cape are located in a global context, with special attention being paid to changes associated with the 'Age of Revolution and War' and rise of the modern world. Breaking with the tendency to treat different sections of the motley (many-hued) labouring poor in the Cape as discreet, often racially defined, and nationally bounded population groups, segmented also by legal status, this study provides a comprehensive study of labour in the Cape that includes an examination of slaves, servants, sailors, and soldiers recruited, or imported from, Asia, Europe, and other parts of Africa.

I contest the established approaches to under-class resistance. In place of a socially fragmented labouring poor, solely engaged in 'informal', individualized, and uncoordinated resistance, this study reveals the spatially stretched and inclusive connections created by the labouring poor across gender, nation, race and status, which underpinned modes of protest that were confrontational, and often collective, in nature, including desertion, insurrection, mutiny, strikes, and arson. In spite of the harsh regime of class and colonial control developed under VOC rule, the labouring poor forged notable class solidarities.

The Cape Colony was influenced by two interrelated political processes unleashed by the Age of Revolution and War, including the global spread of radical political ideas, and the modernisation and strengthening of the European imperial states. The labouring poor in the Cape was also infected by and contributed to a radical consciousness of freedom and rights, leading to the 1797 naval mutinies, the (1799-1803) Servant Rebellion, and the 1808 Revolt. New political strategies and

identities emerged, and under-class struggles contributed both to the decline of the VOC, and to the adoption of reforms and a new ethos of governance that altered relations between masters, the labouring poor, and the state.

This study is critical of 'new cultural history', which entrenches an economistic understanding of class, and detaches the study of identities from larger social structures and processes. To deepen our understanding of class, this study draws on left critiques of Marxism, especially anarchist ideas, which highlight the links between class and state-making, citizenship, and the law. This helps contest the often false distinctions drawn between the 'economic' and 'cultural' elements of class and inequality.

CONTENTS

INTRODUCTION

Ballad of a Mutiny

Long is the tale of a prisoner,

Thomas van Bengalen lived a life of toil.

Slave to a master, he yearned to be free.

Accomplices he made of Titus, Tromp, and Hannibal,

In twelve was all, his company, who mutinied with speed.

Upon against the Dutch, they with blood would seal,

Drinking it with promise never to slave-hood to return.

Boldly they fled to the mountain of Picketberg.

Wearing muskets filled with powder, escaping to the wild.

In twelve was all, his company, conspiracy would heed.

Journeying into freedom, food became rare to eat,

The band of runaway slaves made for to steal the masters' beasts.

Being discovered by commandos, slaves and soldiers faced each other,

Steel! Bodies falling down, at the waters edge.

In twelve was all, his company, who mutiny would seek,

These are the harms of Batavia, these are the harms of Batavia.

Thomas van Bengalen, captured, he faced his choice,

Taking hold of a blade he placed it along his throat.

He began to bleed, his capturers retreated, they were pleased.

But Thomas didn't die, he became a story tellers' keep.

These are the harms of Batavia, these are the harms of Batavia.

- By Neo Muyanga[1], *Fire, Famine, Plague and Earthquake* (2007).

Neo Muyanga's ballad recounts a true case of mutiny at the Cape of Good Hope. Some of Thomas' company of slaves were captured and tried by the Court of Justice in 1714. Members of the company were drawn from different masters and from different places of origin and aimed to travel to 'the land of the Portuguese' (probably Angola or Mozambique). This band of *drosters*, or runaways, wanted their freedom and swore a blood oath, promising that they shall 'never come back to the Dutch, nor eat their bread again'.[2] They found refuge with a 'Bushman *kralen*' for 'some time' and were briefly drawn into the hunting-raiding economy on the frontier before they were eventually caught.[3]

Thomas and his company were not the only members of the under-class who actively opposed their exploitation and oppression in the eighteenth century Cape Colony, located at the southern tip of Africa. This study is primarily about understanding the history and struggles of its labouring poor, including the bondage of slaves, sailors, KhoiSan servants, and soldiers, of African, Asian and European origins, and about remembering and understanding their struggles for freedom and equality.

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[1] Thanks to Marcus Rediker for bringing this ballad and Neo Muyanga's music to my attention, and to Neo Muyanga for permission to quote his song.
[2] CJ, 318 Criminele Process Stukken, 1714, ff 90 -7, translated in N. Worden and G. Groenewald, *Trials of Slavery: selected documents concerning slaves from the criminal records of the Council of Justice at the Cape of Good Hope*, 1705-1794 (Van Riebeeck Society, Second Series, No. 36, Cape Town, 2005), 33.
[3] CJ 783 S, 1714 -1716, ff, 4-16, translated in Worden and Groenewald, *Trials of Slavery*, 38.

The connections between these groups, and the breadth and depth of their aspirations and achievements have been consistently underestimated in the literature. Implicitly operating within a teleological understanding of resistance, in which sustained revolt is mapped onto the modern proletariat, historians have tended to dismiss the struggles by non-waged workers in the pre-capitalist or pre-industrial period as uncoordinated and ineffective actions on the part of a deeply fragmented, spatially scattered, and politically stunted under-class.

This study contests these views. It does so by examining the dynamic nature of colonial and class rule in the eighteenth-century Cape of Good Hope, and by re-examining the forms of belonging and traditions of political protest developed by the labouring poor. This is framed by an anarchist reading of Peter Linebaugh and Marcus Rediker's *Many Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (2000).

Consciousness and Transformation

In spite of the bravery, and clear political agenda of Thomas van Bengalen and his company of runaways, historians of the eighteenth century Cape have tended to downplay the significance of such acts of resistance. They routinely portray such slaves, and the labouring poor more generally, as socially fragmented and politically unformed. They admit that resistance was widespread, but argue that the protests of the under-class tended to be undertaken by individuals interested only in improving their own circumstances.[4] The resistance of the labouring poor is viewed as

[4] The key proponents of these arguments are R. Ross and N. Worden. See R. Ross, *Cape of Torments: Slavery and Resistance in South Africa* (Routledge and Kegan Paul, London, 1983); Worden and Groenewald, *Trials of Slavery*, especially p.21-22; N. Worden, 'Revolt in Cape Colony slave society' in E. Alpers, G. Campbell and M. Salman (eds.) *Resisting Bondage in Indian Ocean Africa and Asia* (Routledge, London etc., 2007) 10 -23; and *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985).

ineffective individual struggles that did little to challenge the existing political or social order.

Cape historians' views of resistance in the eighteenth century are consistent with established social and labour history approaches that claim that slaves, peasants, and commoners in the pre-capitalist, pre-industrial age were incapable of envisaging an alternative society, or of mounting a truly profound and sustained assault on the power of the master class of magistrates, landlords, masters, and commanders. It is usually argued that, dominated by a politics of the belly, the labouring poor would either look to higher authorities, such as the King, for assistance, or evoke the customs and traditions of obligations that they shared with the upper-classes, or engage in sporadic social banditry to gain redress for vague notions of injustice.[5] According to E.P. Thompson, for example, English commoners in eighteenth century constituted class-in-itself, but were not yet class-conscious, and could not be a class-for-itself.[6] Similarly, it is often argued of other contexts (especially the 'Third World'), that slaves, peasants, commoners, and colonised workers develop 'informal', individual forms of everyday resistance. This resistance undermined, but did not directly confront those in power.[7]

Marking a watershed in social history, Peter Linebaugh and Marcus Rediker's *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* contests these approaches. They use the metaphor of Hercules' battle with the many headed hydra (see below) to trace the emergence of a new

[5] E.J. Hobsbawm and G. Rudé, *Captain Swing* (Pimlico, London, 1969); E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present*, 50 (1971) 76-136; E. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries* (Manchester University Press, Manchester, 1971).
[6] E.P. Thompson, 'English Society: Class-Struggle without Class?' *Social History*, 3:2 (1978), 133-165.
[7] J. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (Yale University Press, New Haven, etc., 1995) and R. Cohen, 'Resistance and Hidden forms of Consciousness Amongst African Workers', *Review of African Political Economy*, 7: 19 (1980), 8 -22.

capitalist, global order and how this process was shaped by the struggles of the labouring poor.

They argue that concepts such as ethnicity and nation have long obscured the transnational connections and solidarities forged by a motley (many-hued) labouring poor (of sailors, soldiers, commoners, slaves, indentured servants, felons, religious radicals, pirates, and urban labourers) that moved across the north Atlantic. In place of E.P. Thompson's seminal *The Making of the English Working Class* (1968)[8], their focus on social connections and mobility allows them to investigate the making of a multi-national, multi-ethnic transatlantic working class.[9] In so doing, they question the methodological nationalism in which the nation is automatically regarded as the primary unit of analysis, and promote a transnational/ translocal history of the labouring poor.[10]

The *Many Headed Hydra*, which is concerned with a particular circuit of labour, moving between Africa, Europe and the Americas, is certainly as much about the Atlantic as it is about class formation and struggles. The primary focus is on the spatially stretched connections and solidarities[11] of the transatlantic working class.[12]

In the second instance, Linebaugh and Rediker question the portrayal of the labouring poor in the 1600s and 1700s as unaware of a common class experience, as lacking in political imagination, and as incapable of serious revolt. They argue that the labouring poor, at first docile and slavish, were brought together in productive combination on the ship, the plantation, the workhouse, and the factory, all of which

[8] E. P. Thompson, *The Making of the English Working Class* (Penguin Books, London etc., 1968).
[9] P. Bonner, J. Hyslop, and L. van der Walt, 'Rethinking Worlds of Labour: Southern African Labour History in International Context', *African Studies*, 66: 2-3 (2007), 137-168, 139.
[10] P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Beacon Press, Boston, 2000), 7.
[11] Borrowed from the term spatially stretched knowledge used by D. Featherstone in, 'Counter-Insurgency, Subalternity and Spatial Relations: Interrogating Court Martial Narratives of the Nore Mutiny of 1797', *South African Historical Journal*, 61:4 (2009), 766-789.
[12] Linebaugh and Rediker, *The Many-Headed Hydra*, 7.

provided sites for cooperation and struggle. The transatlantic working class questioned the authority of masters, magistrates, ministers, private property, and forced labour and developed new radical ideas based on an egalitarian, multi-ethnic conception of humanity. In so doing, the labouring poor played a pivotal role in the social and political conflict that gripped the Atlantic in the late eighteenth and early nineteenth centuries. Sailors, soldiers, commoners, slaves, indentured servants, felons, religious radicals, pirates, and urban labourers were not perpetually constrained by the traditions of their masters, but were a revolutionary force for change that shaped profound movements like abolitionism and decolonisation.

The *Many Headed Hydra* as a Model

This study draws on the *Many Headed Hydra's* approach to investigate colonial and class rule in the eighteenth-century Cape and to reassess the forms of belonging, and traditions of political protest developed by the motley labouring poor of the Colony.

Two concerns can be raised in relation to using the *Many Headed Hydra* as a model. The first is the use of an Atlantic-focused model to investigate a part of southern Africa. Historians working in the field of 'global labour history' have been at the forefront of revisiting the spatial and temporal aspects of class and class formation.[13] They contend that comparative study and tracing connections allows for the destabilisation of notions such as 'the West and the rest' and of the 'metropole and colonial periphery'. There is increasing recognition that European paths of capitalist development are not universal. According to historian Sabyasachi Bhattacharya there

[13] M. van Der Linden, *Transnational Labour History: Explorations* (Hants and Burlington, International Institute of Social History, Ashgate, 2003); 'Labour History: The Old, the New and the Global', *African Studies*, 66: 2-3 (2007), 169-180 and 'Global Labour History and "the Modern-World System": Thoughts at the Twenty-Fifth Anniversary of the Fernand Braudel Centre', *International Review of Social History* 46 (2001), 423-459. For southern Africa see also Bonner et al, 'Rethinking Worlds of Labour', 137-168 and P. Alexander, P. Bonner, J. Hyslop and L. van der Walt, 'Introduction: Labour Crossings in Eastern and Southern Africa', *African Studies*, 68:1 (2009), 79–85.

is much to learn from scholars of South Asian and African labour, who have long challenged a Eurocentric teleology of proletarianization and the move towards 'free' labour. These scholars have had to wrestle with the 'finely shaded degrees of labour relations' that fall between the free, the indentured, and the enslaved and investigate class formation in these regions on their own terms.[14]

With the trend towards investigating 'South-South' linkages, social scientists have become more cautious in applying Atlantic paradigms to Africa, South Asia, or the Indian Ocean world.[15] They are concerned that Atlantic paradigms may obscure the distinctiveness of labour, resistance, the trajectory of capitalist development, and the particular forms of modernity that have emerged in these regions.

This study, however, does not aim to simply apply Linebaugh and Rediker's model like a cookie-cutter to the Cape Colony, thereby effacing any regional specificity. Rather, the *Many-Headed Hydra* is used to draw attention to the connections forged within and between different sections of the labouring poor within the Cape Colony, to understand how these were shaped by the Colony's location in global circuits of labour, and consider what implications these connections had for class formation and resistance.

Second, Linebaugh and Rediker have been criticised for their broad definition of 'working class', into which they include slaves, labourers not involved in waged work, the unemployed, and the poor more generally.[16] This contradicts traditional understandings of the 'working class' within classical Marxist analysis. Karl Marx defined the proletariat, or working class, 'as the class of modern wage-labourers who,

[14] S. Bhattacharya, 'Introduction' *International Review of Social History*, 51: Supplement 14 (2006), 7-19.
[15] See for instance I. Hofmeyr, The Black Atlantic Meets the Indian Ocean: Forging New Paradigms of Transnationalism for the Global South-Literary and Cultural Perspectives', *Social Dynamics*, 33:2 (2007), 3-32.
[16] M. van der Linden, 'Labour History as the History of Multitudes', *Labour/Le Travail*, 52 (2003), 235-43.

having no means of production of their own are reduced to selling their labour-power in order to live'.[17] He differentiated the working class from peasants and lumpenproletariat, 'the social scum', or the 'passively rotting mass' that he considered reactionary.[18] Linebaugh and Rediker include what Marx would regard as reactionary lumpenproletarian elements into their revolutionary transatlantic working class, as well slaves and other labourers who are not wage workers.

Linebaugh and Rediker's expanded notion of class is not necessarily a deficit and can be used to enrich the conceptual vocabularies of social and labour history. This study draws on other socialist paradigms, specifically the anarchist tradition, to extend Linebaugh and Rediker's approach and re-examine conceptions of social class and resistance.

The Eighteenth-Century Cape Colony in a Changing World

The Cape Colony was set up by the Dutch East India Company (the *Verenigde Oost-Indishe Compagnie*, or VOC) in 1652, but moved into the British imperial orbit briefly from 1795 and then decisively from 1806. The Colony straddles the Atlantic and Indian Ocean and served as a junction between Africa, Europe, and Indonesia (under the VOC) and India (largely under British rule) in the East. The Colony, which served as a gateway to Africa, the East, and to the West, and which was part of both Atlantic and Indian Ocean circuits and flows, reminds us that the boundaries of oceans and empires are porous.

Traditionally, the South African scholarship has treated the Cape as the harbinger of the later country of South Africa, into which it was incorporated in 1910. More recently historians have started to criticize this treatment of the Cape as the first

[17] K. Marx, *The Communist Manifesto*, 1848 (reprinted by Henry Regnery Company, Chicago, 1965), 13.
[18] K. Marx, *The Communist Manifesto*, 34.

chapter in the story of a (nationally) bounded history of 'South Africa' for obscuring its historical role as a node in global circuits of empire, trade, and labour.[19] Yet, in exploring new spatial units of analysis (such as the Indian Ocean or VOC), historians should remain cognisant of the elasticity of geo-political boundaries. In this regard, historians of the Cape, located at the intersection of oceans and empires, have much to gain from drawing on both Atlantic and Indian Ocean studies and from studies that investigate connections and comparisons.

The scope and scale of Linebaugh and Rediker's transnational history, which looks at oceanic flows between three continents over two centuries, is difficult to replicate in a PhD study, constrained by resources and time. Rather than provide a truly transnational investigation, this study locates the Cape Colony in its global context in order to reframe our understanding of the history and politics of its labouring poor.

The long eighteenth century, c. 1650-1815, serves as the temporal setting. This period was one of heightened global interconnectivity and profound change. The period overlapped with and included the 'Age of Reason', the 'Age of Sail', the Enlightenment and the 'Age of Revolution and War'. In this study, the focus falls on 'Age of Revolution and War'. As shown by Linebaugh and Rediker, the Age of Revolution and War cannot be attributed solely to the agency of the bourgeoisie, or constructed as bourgeois-democratic, because the transatlantic working class played a central role in the overthrow of *ancien regimes* and in developing and promoting radical political ideas.

[19] The most notable study is K. Ward, *Networks of Empire: Forced Migration in the Dutch East India Company* (Cambridge University Press, Cambridge, 2009). Also see essays in N. Worden (ed.) *Contingent Lives: Social Identity and Material Culture in the VOC World* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town etc., 2007).

The Age of Revolution and War was also not confined to Europe or the North Atlantic. C.A Bayly, author of *The Birth of the Modern World* (2004), argues that the Age of Revolution and War was a 'truly global crisis'; perhaps even the first global crisis.[20] In this case, the often overused notion of 'crisis' is not an exaggeration, since the Age of Revolution and War ushered in the epochal transformations that gave rise to modernity.

The social and political upheavals that characterised this Age were not only present in African, Asian, and South American societies, but, according to Bayly, also seemed to originate in the East. He identifies the fragmentation of the Safavid regime in Iran, and the decline of Mughal domination in South Asia in the early eighteenth century as some of the first cracks in the broad stability that characterised the world between 1660 and 1720.[21] 'Dangerous new doctrines' were inaugurated by various religious and political groupings in these regions, including the Sikhs in North India who announced a revolution of *dharma*, Wahhabi Muslim purists, and Chinese separatists who questioned the Qing emperor's 'Mandate of Heaven'.[22] Bayly argues that tensions and conflict in Africa, Asia and South America were deepened by the 'ideological backwash' of the American, French, and Haitian revolutions and the 'new aggressiveness' of European empires that intensified their presence across the globe.[23]

As Bayly notes, the Age of Revolution and War unleashed far reaching changes in just about every sphere of human life and organisation. [24] The rule of divine and inherited authority was questioned, the notion of political and individual rights was placed centre stage, government corruption was deplored (at least morally), states became more secular, the nation-state and new national identities emerged

[20] C.A. Bayly, *The Birth of the Modern World* (Blackwell Publishing, Massachusetts etc., 2004), 91.
[21] Bayly, *The Birth of the Modern World*, 89.
[22] Bayly, *The Birth of the Modern World*, 87.
[23] Bayly, *The Birth of the Modern World*, 88.
[24] Bayly, *The Birth of the Modern World*, 9-12, 106-120.

alongside more intrusive forms of European imperialism, there was a massive expansion of global commerce, the free-market was promoted, new patterns of exploitation and new forms of labour were created, industrialisation began and spread, new notions of history and society gave rise to different hierarchies and rankings of peoples, races, cultures and religions, science was valorised over magic, there was a sustained pursuit of the acquisition of knowledge and a march towards progress, literacy spread, and a middle class emerged that founded new political and moral societies, some of which aimed to 'civilise' or create a respectable under-class.

Class, the State, and Resistance

It is difficult to reconcile established approaches to resistance, often associated with certain forms of Marxism, with the transformative political action and ideas of the transatlantic 'working class' in this period. For proponents of 'new cultural history' and of what has (perhaps incorrectly) been termed 'discursive history', this simply confirms the limits of class analysis.[25] Unfortunately, culturalist approaches have themselves tended to entrench a narrow economistic vision of class. Rather than dismiss class as a hopelessly narrow and flawed analytical tool, this study argues that scholars should rather look to other socialist paradigms to deepen understandings of social conflict emanating out of economic and political inequalities. That is, if the classical Marxist model, often criticized for economism and teleology, is considered to be flawed, it does not necessarily follow that class analysis itself must be dismissed.

[25] P. Joyce (ed) *Class* (Oxford University Press, Oxford, 1995); J.W. Scott, 'On Language, Gender and Working Class History', *International Labor and Working-Class History*, 31 (1987), 1-13; G. Eley and K. Nield, 'Starting over: the Present, the Post Modern and the Moment of Social History', *Social History*, 20:3, 1995, 356-364; W.H. Sewell, 'How Classes are Made: a Critical Reflection on E.P. Thompson's Theory of Working-Class formation', in H. J. Kaye and K. McClelland (eds.) *E.P. Thompson: Critical Perspectives* (Polity Press, Cambridge, 1990).

Critiquing Class

In spite of previously being applauded for drawing attention to popular agency, subjectivity, contingency, contradiction, and rupture, labour and Thompsonian social historians have been increasingly criticised for promoting romantic and triumphalist meta-narratives of class and resistance, for economic determinism, and for crude mechanical approach to history. As labour historian Mike Savage notes, debates now centre on those insisting on the importance of political economy, and those who champion cultural, textual, and linguistic approaches.

Unfortunately, the terms of this debate has served to narrow our view. Class is dismissed as irrelevant, vaguely understood as inequality, or reduced to an economic structure or 'regularity' operating on a macro level.[26] The range of positions within Marxism are conflated with the crudest approaches of that school. Tensions within Marxism or debates between a humanist view of history, and structuralist assumptions that treat people as the unconscious bearers of structures are elided.

Within this context Geoff Eley and Keith Nield propose that historians operating within a Marxist framework should engage poststructuralist and postmodern critique with a view to synthesise social and discursive history and develop a 'sociocultural' approach.[27] While they still value the tie between the social and political, they argue for using a combination of Foucault and Gramsci to understand power and the state. Eley and Nield maintain that class can no longer be seen as a 'master' category. For them it is more important to avoid 'epistemological

[26] For the notion that structures and processes constitute 'regularities' see G. Eley and K. Nield, *The Future of Class in History: What is Left of the Social?* (Ann Arbor, University of Michigan Press, 2007).
[27] Eley and Nield, *The Future of Class in History*, 201.

polarisations and hierarchies' and to retain a register that allows for the analysis of regularities (processes and structures) to coexist with analysis of the micro-worlds of culture and discursive formation. [28]

It is unclear how fundamentally different analyses, such as those of Foucault and Gramsci, can be paired without promoting epistemological relativism. The dethroning of class also raises important disciplinary questions.

Mike Savage asks how labour history can continue to exist as a distinct field of enquiry when the centrality of class is lost.[29] If class is simply one dimension among many which the careful empirical historian should discuss as and where relevant, then how can labour history (or indeed class itself) be anything other than descriptive? The same questions apply to Thompsonian social history. Without class, social history easily reverts to mainstream approaches, which are mainly concerned with the changing practices and ideas of elites and the middle class. The great achievement of Thompsonian social history was the recovery of the history and struggles of the common people, and of their deep imprint upon history. This simply was not possible without making class central, as opposed to merely one of multiple, equally important, categories.

This study is based on the assumption that class remains one of the key factors that shape daily life, past and present, and that the investigation of class structure, experience, and struggles deepens our view of society and how it is, and can be, transformed. From this perspective, the issue is not whether labour and Thompsonian social historians need to incorporate issues of language, culture, and identity, but rather *how* this should be achieved.

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[28] Eley and Nield, *The Future of Class in History*, 200.
[29] M. Savage, 'Class and Labour History', in L.H van Voss and M. van der Linden (eds.) *Class and Other Identities: Gender, Religion and Ethnicity in the writing of European Labour History* (Berhahn Books, New York etc., 2000), 55 -72, 56.

Addressing such questions does not require historians to decentre class or to dilute their epistemology, as Eley and Nield have done. Rather, the reinvigoration of class analysis lies in broadening our view of class, labour, and resistance. Linebaugh and Rediker have provided an important model by developing an alternative radical social history that pushes class boundaries and geographical boundaries. This study seeks to extend their analysis of class formation and of resistance slightly further by drawing attention to, and utilising, other socialist paradigms that make class seriously central without being reductionist or economistic.

Direct Action and Domination

Class analysis has no necessary links to teleology, economism, and other forms of determinism. A growing scholarship has drawn attention to left critiques of Marxism that avoid such difficulties and are relevant to contemporary debates on labour and social history.

Mikhail Bakunin, a contemporary of Marx and one of the leading theorists of anarchism, for example, rejected the notion that history moves along a continuum towards a predetermined outcome or that socialism could only occur under very specific conditions.[30] Bakunin argued that Marx's theory of history, including dialectics and the notion that history is governed by laws, was not only empirically and theoretically flawed, but was also too rigid to comprehend the revolutionary possibilities presented by different societies at different times.

In contrast to the argument that only waged-workers under capitalism can be revolutionary, Bakunin's approach means that sailors, soldiers, commoners, slaves, indentured servants, felons, religious radicals, pirates, and urban labourers would not

[30] L. van der Walt and M. Schmidt, *Black Flame: the Revolutionary Class Politics of Anarchism and Syndicalism* (AK Press, Oakland, 2009), 95 and D. Miller, *Anarchism* (J.M. Dent & Sons, London, 1984), 79.

have to be part of the working class, or directly implicated in capitalist relations of production, to be truly transformative in aspirations and struggles.

Linebaugh and Rediker seek to retain the notion that the 'working class' is the most revolutionary class. This is done by including slaves, the poor and non-waged labourers into the category 'working class' and documenting their contribution to the building of capitalist infrastructure and production. They push the teleology of resistance further back in time by making the term 'working class' broader. However, this study, following Bakunin, seeks to extend this analysis by questioning the validity of the teleology that informs this in the first place.

Based on this understanding of historical change, this study also uses the notion of 'direct action', promoted by French anarcho-syndicalists in the late nineteenth century and the like minded American IWW (Industrial Workers of the World) in the early twentieth century, to analyse class formation, and traditions, of political protest in the Cape Colony. For major anarcho-syndicalists theorist Rudolf Rocker, direct action meant 'every form of immediate warfare by the workers against their economic and political oppressors'.[31] Direct action refers to individual and collective protest that deliberately and immediately opposes exploitation and oppression. Such actions are led by members of the labouring poor, based on the rejection of the moral codes of the upper classes, and serve to protect the under-class, to improve conditions, or to advance the struggle for equality and freedom. Direct action does not simply erode or hack away at the power of the upper classes, but can also be seen as a powerful symbol of disorder and the basis for radical ruptures.

This concept recognises the messiness of under-class resistance. Direct action questions the distinctions that literature on 'informal' or 'everyday' resistance has

[31] R. Rocker, 1938, Anarcho-syndicalism, chapter 5 first published by Martin Secker and Warburg Ltd,. Available from http://www.spunk.org/library/writers/rocker/sp001495/rocker_as5.html, accessed November 2000.

drawn between collective and individual protest, organised and spontaneous protest, and hidden and overt acts of resistance. (These issues are discussed further in Chapter Three).

Alternative socialist paradigms can also be used to contest economistic definitions of 'class' that have been entrenched, rather than overcome, by debates over culture versus political economy and draw attention to the crucial role that state-making and ideology play in class formation and struggle. For instance, Michael Schmidt and Lucien van der Walt, authors of *Black Flame: the revolutionary class politics of Anarchism and Syndicalism* (2009), examine the anarchist definition of class, rooted in the work of Bakunin. Rather than simply examine relations to the means of production (as Marx does), Bakunin made domination a central element of the definition of class.[32] This means that class is not simply determined by relations of production structured by the ownership and control of productive property, but also by the relations of domination, structured by the ownership and control of means of coercion (the capacity to enforce decisions) and administration (instruments/ institutions that govern society).

Schmidt and van der Walt argue that while exploitation and domination are fundamentally interlinked, the state, in which the control of the means of administration and coercion is centred, does not simply operate as the instrument of property owners. Rather, it has its own institutional power base, and its own institutional logic. Thus, they maintain that while relations of production and domination form different and mutually reinforcing elements of a class system, they can and do contradict one another.

[32] Schmidt and van der Walt, *Black Flame*, 109-10.

If the upper class comprises those who control political power and economic power, the labouring poor consists of those who lack control of the means of production, coercion and administration. Their class formation is not only shaped by exploitation and work, but also by state-making, ideology, and law. By drawing attention to the political aspects of class, Bakunin's work brings the relationship between the labouring poor, masters, and the state into sharper focus.

Rule and Resistance in the Cape Colony

In short, this study locates the eighteenth-century Cape Colony in a global context, and is especially interested in tracing how it was reshaped in the Age of Revolution and War and the rise of modernity.

Recent scholarship on the early colonial Cape shows a clear turn towards cultural history.[33] Critical of the production of micro-histories dislocated from broader structural relations, this study uses a class analysis, incorporating power relations and state-making, to define the key features of colonial and class rule, and to trace how these changed over time.

While capitalist agricultural production emerged after the 1820s in the Cape Colony, this study notes that colonial and class rule were already being transformed significantly from the late eighteenth century. Coinciding with a change in imperial rulers, the merchant colonialism of the VOC, based on oceanic trade networks, gave way to British and Batavian administrations that started to modernise imperialism and the colonial state. This can clearly be seen with the development of a more intrusive

[33] See N. Worden (ed.) *Contingent Lives: Social Identity and Material Culture in the VOC World* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town etc., 2007) and N. Worden, 'After Race and Class: Recent Trends in the Historiography of Early Colonial Cape Society', *South African Historical Journal*, 62: 3 (2010), 589-602.

state and of an ethos of governance that promoted impartial and rational administration.

Such changes had crucial implications for class rule and for regimes of labour control and punishment. This study shows that, partly due to the struggles of the labouring poor, a regime based on physical violence, death, and terror was gradually replaced by a regime that allowed for labour relations based on paternalism. The relations between masters and servants/slaves were reformed as the state introduced basic legal protections against arbitrary and excessive abuse.

There has been a recent move towards the transnational study of the early colonial Cape, in which historians have started to question social categories long taken for granted.[34] These innovations should be welcomed, but with the trend towards cultural history there is a danger that historians will become sceptical of social categorisation, and class, altogether. Often identities, including those of the labouring poor, are treated as multiple and conflicting, and are accorded no special significance, other than to demonstrate heterogeneity in Cape colonial society.[35] With a focus on difference, the existing notion that the Cape's under-class was fractious, with no common identity, is easily entrenched.

There is no question but that the labouring poor in the Cape Colony was motley and included slaves imported from Indonesia, India, and east Africa; sailors and soldiers from across Europe and, towards the late eighteenth century, Asia; indigenous KhoiSan servants; low-ranking Company labourers, and a sprinkling of Company artisans; 'free black' and European labourers; and domestic servants.

However, this study's focus on social connections reveals an entirely different picture of the forms of belonging and communities developed by this multiracial,

[34] Worden, 'Introduction', in Worden (eds.) *Contingent Lives*, x.
[35] Worden, 'After Race and Class', 593.

multi-ethnic, and in some cases mobile, labouring poor. In contrast to the view that the labouring poor in the Cape were perpetually divided by their differences and geographical distance, this study demonstrates that social connections forged within, and between, different sections of the labouring poor were far reaching and often transcended other social divisions, as well as geographical distances.

Much like the transatlantic labouring poor documented by Linebaugh and Rediker, I argue that the labouring poor in the Cape were not constrained by the traditions and world-views of their masters. On the contrary, their connections, which were malleable enough to deal with difference and transience, created the basis for an inclusive, autonomous counter culture based on a common experience of exploitation and oppression.

This counter culture contributed to the development of a rich tradition of direct action. The labouring poor did not only engage in indirect or everyday forms of resistance, such as feigning illness or stupidity. This study shows that, in direct opposition to exploitation and oppression, the labouring poor withheld labour, ran away, often in groups (like Thomas van Bengalen above), set fires to their masters' houses and workshops, insulted, threatened and even killed those in authority, mutinied, went on strike, and engaged in armed rebellion. In so doing they fought against a violent regime of labour predicated on slavery and indenture as well as colonial enclosure and dispossession. The protest of the Cape's labouring poor resembles protest in the north Atlantic. Although often violently repressed, the protests of the labouring poor were multiple, reoccurring, and infectious.

By developing a counter culture and a rich tradition of resistance the labouring poor in the Cape countered the power of colonial and class rule. In this way slaves,

sailors, soldiers, the urban and rural poor, and KhoiSan servants were able to develop an alternative source of power in society, or a counter power.

During the Age of Revolution and War, which gained momentum towards the end of the eighteenth century, under-class forms of belonging and traditions of protest started to change. The multi-racial, multi-national, class-based counter culture of the labouring poor persisted and consolidated. At the same time, this study draw attention to the emergence of new forms of belonging that coalesced around religion, nation, and empire. As regimes of labour control and punishment changed, the political tactics and strategies of the labouring poor diversified.

Historians suggest that collective rebellion in the Cape only became possible with the creolization and stabilization of the (settled) labouring poor aided by imperial reforms like abolition. This study suggests collective rebellion shaped these reforms, but also preceded them. Rather than rebellion only becoming possible now, this study argues that it was reformism that became a viable political strategy for the first time. This strategy could take an indirect form whereby slaves and KhoiSan servants relied on missionaries and sympathetic officials to lobby government or pressure the courts to advance their cause.

At the same time, the labouring poor at the Cape, as the labouring poor in the Atlantic and Caribbean, were infected with the spirit of radicalism and a new language of rights which helped articulate grievances and develop traditions of protest. Slaves, KhoiSan servants, sailors, and soldiers in the Cape were not isolated from global events, as has been argued, but were also influenced by and contributed to international cycles of protest. Three major upheavals were key at the Cape the 1797 naval mutinies, the 1799-1803 Servant Rebellion, and the 1808 revolt against slavery. These struggles marked that Cape's labouring poor's most notable contributions to the

Age of Revolution and War. During these struggles the labouring poor tested and developed new tactics and strategies of direct action. These lay the foundation of modern modes of proletarian protest in the Cape based on radical reform, for national liberation, and for the creation of an alternative proletarian order.

Methodology

This study relies on a variety of published and unpublished records drawn from the National Library of South Africa, the Western Cape Provincial Archive in Cape Town, the *Nationaal Archief* of the Netherlands in The Hague, and the Public Records Office of the United Kingdom (now the National Archives) in London. I have systematically read through the Resolutions of the Council of Policy (of the VOC) from 1770-1795. These Resolutions consist of hundreds of pages of transcribed minutes and, unlike the earlier Resolutions of the Council of Policy, these Resolutions have not been translated into modern Afrikaans and are still in the original old Dutch. Added to this, I have worked through the volumes of G.M Theal's collection of *Records of the Cape Colony*. These records are augmented by an analysis of published travel accounts, official reports, and correspondence; a number of criminal court cases (published and unpublished) and H.F Heese's listing of the cases with *sententiën*; the records of the British Navy and Cape Command (in the National Archives of the UK); and the British Colonial Office records (housed in the Western Cape Provincial Archive in Cape Town).

Noting that the analysis of such documents is shaped by approaches to the study of history as well as the specific research questions investigated, this study examines historical sources by reading along *and* against the archival grain.

Along and Against the Archival Grain

Scholars, especially in the fields of Colonial Studies and ethnography, are starting to question an over-reliance on the technique of reading documents against the archival grain, and of focusing too narrowly on the hidden messages within texts. Ann Laura Stoler, who investigates the Dutch East Indies in the nineteenth and twentieth centuries, argues that scholars should not simply focus on what is or isn't written in documents constituting the colonial archive, but also need to pay attention to the materiality of the documents as such, and to treat them as ethnographical sites to understand the production of ever shifting social categories by imperial states; a piecemeal and unruly venture at best.[36] She questions analytical strategies based on a simple inversion of power relations, or extracting information, or expediently mining the archive for treasures. Scholars should rather 'explore the grain with care and read along it first'.[37]

Reading archival documents related to the eighteenth century Cape along the grain can reveal a great deal. For instance, a notable aspect of many of the documents from the VOC period is that they are mostly hand-written and in old Dutch. The nature of these documents tells us a great deal about the Cape at this time. Words have not been standardized and it is not uncommon to find that a scribe or author has spelled the same word or name three different ways in the same paragraph. This, at the very least, cautions against any bold claims that the VOC's administration was an exemplar of a modern bureaucracy.

To assist with the translation of these texts I have relied on *A New Dutch and English Dictionary: to which is added catalogues of Christian names, both of men and women, and also of the chief countries, cities, nations, etc. of the world* by

[36] A.L. Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton University Press, Princeton etc., 2009), 1-8., 47-51.
[37] Stoler, *Along the Archival Grain*, 43.

Johannes Holtrop (1801) as a guide. The production of such dictionaries in the late eighteenth and early nineteenth centuries was itself part of the larger drive towards the standardisation and stabilisation of certain languages associated with the rise of modernity. In this way the analysis of these archival documents has become entangled with the very historical processes under investigation. In an attempt to reflect the linguistic texture of the past, the spellings (not rectified in translations) are retained in the quotations of original texts. This includes toponyms, which indicate the places from which slaves were bought/ born (such as Leander *van Boegis*).

Economic and social inequalities are often engrained within documents and the archive and reading against the grain is still necessary. Social and labour historians have a distinct research agenda. Their primary aims are not only the (unstable) reconstruction of imperial, racial, or gendered discourses or representations in the archive. These are important factors in analysis, especially for this study that is interested in understanding the political dimensions of class. However, the key focus is on the lives and world views of those who have been marginalized. These sections of society leave little written and other records for posterity, especially when compared to the vast corpus of state or colonial archives.

Accepting that class formation and state-making are intricately linked, it should be kept in mind that the poor and marginalised are recorded and documented by the state and upper classes differently to that of citizens and the elite. Although the written documents of the marginalized are not necessarily more truthful, without an alternative archive, historians have to investigate the daily practices and sensibilities of the labouring poor through a prism of upper-class bias.

Labour and social historians have honed a number of techniques to do so, to read against the grain of class bias. For these historians reading against the grain has

never only been about detecting silences or analyzing the unwritten. Reading against the grain comprises two additional components. First, E. P. Thompson encouraged a critical reading of all sources, arguing that historical evidence must be 'interrogated by minds trained in a discipline of attentive disbelief'.[38]

Second, reading against the grain means going beyond the initial purposes or intentions of a text by focusing on information that is incidental, and that the author was not necessarily conscious that he or she was conveying.[39] It is within this frame that the notes in the margins, hurried scribbles, or anecdotes gain value and, depending on the questions asked, a given document may reveal evidence where none was thought to exist.

Social and labour historians are critical of cultural historians, who tend to base their findings on the close reading of one or two texts.[40] They would agree with Stoler that it is necessary for historians to immerse themselves in the archives. You have to understand the grain of the archive, or the fabric of the archive, in order to read documents against the grain.

Court Records

Court records remain the richest vein of information about the poor and marginalized and have long served as a staple source for social and labour historians. This study also relies a great deal on such records. I have examined numerous trial transcripts and court documents. Some of these are documents pertaining to eighty-seven accused, predominately slaves, published and translated in the source book *Trials of*

[38] E.P. Thompson, *The Poverty of Theory* (Merlin Press, London, 1995), 38.
[39] J. Tosh, *The Pursuit of History: Aims, Methods, and New Directions in the Study of Modern History,* Second Edition (Longman, London etc.,1991), 67.
[40] See for instance P. Fass, 'Cultural History/Social History: Some Reflections on a Continuing Dialogue', *Journal of Social History*, 37: 1 (2003), 39-46 and B. Weinstein, 'History without a Cause? Grand Narratives, World History, and the Postcolonial Dilemma', *International Review of Social History*, 50 (2005), 71-93.

Slavery: selected Documents Concerning Slaves from the Criminal Records of the Council of Justice at the Cape of Good Hope, 1705 -1794 edited by Nigel Worden and Gerald Groenewald (2005).

In addition, this study draws on the trial records relating to the 1797 mutinies and the 1808 revolt.[41] Other specific cases, such as a rebellion planned by KhoiSan workers in 1772, and a mutiny by French sailors from the *La Rosette* in 1786, have also been examined.[42]

Also of particular interest is H.F Heese's listing of the cases with *sententiën*, a special summary of a criminal case.[43] Not all cases noted on the criminal rolls have *sententiën* and it appears that such summaries were reserved for cases regarded as most important. Heese's list provides details of approximately 1157 accused who appeared in front of the court between 1700 and 1800. He gives their names, status/occupation (such as slave, burgher, sailor etc.), age, gender, place of origin, crime, and punishment. Focusing on the period between 1700 and 1795, which falls under the legal regime of the VOC, I have re-organised this material into a database and examined it closely.

Court records come with inherited biases. Constantly present is the criminalisation of the under-class and its resistance. The constant association between the labouring poor and crime creates the impression that the under-class is debased, violent, and immoral. For instance, of slaves Robert Ross writes,

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[41] Sources for the 1797 mutiny can be found in the RCC, Vol. II, 161-211 as wells as in the National Archive of the United Kingdom, Kew, Admiralty [hereafter ADM], Cape Command correspondence, ADM 1/56 and court martial papers, ADM 1/5488. For the 1808 revolt see Western Cape Provincial Archive [hereafter WCPA], Council of Justice[hereafter CJ], CJ 90, CJ 514-516, CJ 802.
[42] WCPA, CJ (transcribed by Maureen Rall), CJ 793 and also CJ 54 and CJ 403 (KhoiSan servants) and CJ 795.37 (French sailors).
[43] H.F. Heese, *Reg en Onreg: Kaapse Regspraak in die Agtiende Eeu*, C-Reeks: Narvorsingspublikasies, No.6, (Insituut vir Histories Narvorsing, Universiteit van Wes-Kaapland, Bellville, 1994).

> There were indeed noble and humane slaves, just as there were some kind, if patriarchal, masters, but neither type was the rule…There is no getting away from the fact that many of the slaves acted in ways that are against the norms of any human society. When faced by the institutionalised barbarism of the slave regime, they responded with their own atrocities.[44]

The criminalisation of the labouring poor is a thorny issue. Crimes, often violent, are sometimes construed as protest and resistance, which raises uncomfortable questions about what constitutes legitimate political action. Some historians have attempted to deal with this by drawing a distinction between 'social crime', which had popular support, and 'crime without qualification', which was rooted in a deviant sub-culture.[45] This neat distinction is difficult to sustain. As noted by scholars of crime and society in eighteenth century England, the same kinds of men and women, with the same kinds of life history, found their way to the gallows for both kinds of crime.[46]

A better strategy, suggested by Peter Linebaugh in his *London Hanged*: *crime and civil society in the eighteenth century,* is to consider the relationship between crime and state responses to and classification of crime, and how these changed over time.

Criminal classification in the early colonial Cape was complex. The application of the law was mediated by reputation, honour, and custom, and the classification of crimes was not regularised. In some cases the court would state the

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[44] Ross, *Cape of Torments*, 2-3.
[45] P. Linebaugh, *London Hanged*: *crime and civil society in the eighteenth century,* Second Edition (Verso, London etc., 2006), xxi; and D. Hay, P. Linebaugh, J. Rule, E.P. Thompson, and C. Winslow (eds.) *Albion's Fatal Tree: crime and society in eighteenth century England* (Pantheon Books, London, 1975), 14.
[46] Hay *et al*, *Albion's Fatal Tree*, 14.

specific crime and quote the relevant statue or ordinance. In most instances the court simply criticised perpetrators for 'outrageous deeds' or 'heinous atrocities' that posed a threat to justice and the stability of the Colony. Certain crimes, such as desertion or mutiny, also incorporated numerous other disorderly acts. For instance, slaves accused of desertion were often also guilty of theft, inciting others to join, to murder, and to resist arrest. In spite of such limitations, rough patterns do start to emerge, and have been examined in my work, including on the overlap of crime and resistance,

There are also difficulties related to the way in which historians have previously organised and interpreted court records. Most notable is the tendency to focus on race. Heese, for instance, divides his data on the *sententiën* into Europeans and burghers (or citizens) on the one hand, and KhoiSan and slaves on the other. This arrangement assumes, rather than establishes, a link between crime, punishment, and race and obscures the way in which crime and punishment were classed. For instance not all burghers were Europeans, and many Europeans were low-ranking servants contracted to the Company. These servants did not have the same rights or freedoms as burghers. Like other sections of the labouring poor, European sailors and soldiers were associated in the records with drunkenness, violence, and sexual deviance. They may not always have been punished as severely as slaves, but, like other section of the labouring poor, they were routinely subjected to corporal punishments like whipping, mutilation, and public hangings.

In addition to looking at crime, it is necessary to venture more deeply into the violence documented by the records of criminal trials. Violence can be viewed as the result of deep social tensions and conflicts.

However, violence can also be a signifier of social proximity, connection, and shared cultural practices and norms. For instance, brawling between sailors and

soldiers could be seen as the expression of a particular kind of shared under-class masculinity,[47] rather than as evidence of fragmentation. Robert Shell argues that that slave women were integrated into their masters' households, and isolated from slave men.[48] However, violence against under-class women indicates that their integration as domestic labour did not separate them socially from under-class men. Rather, slave and KhoiSan women were also immersed in the rough cultures of the labouring poor.

Travel Accounts

This study also relies on travel accounts. Authors consulted include François Valentyn, Peter Kolben[49], O.F. Mentzel, Dr. Anders Sparrman[50], Carl Peter Thunberg, François Le Vaillant, Henry Lichtenstein, and John Barrow.[51]

Historians have tended to use travel accounts in a selective manner. They highlight particular comments, insights, or description made by an author and there is little discussion of this literature as an authentic source of the past. Geographers have

[47] N. Worden, 'Sailors Ashore: seafarer experience and identity in mid- 18th century Cape Town' in Worden (ed.) *Contingent Lives*, 589-600,597.
[48] R. Shell, *Children of Bondage: A Social History of the Slave Society at the Cape of Good Hope, 1652-1838* (University of the Witwatersrand Press, Johannesburg, 2001), 328-329.
[49] Kolben has been anglosized and is often referred to as Kolb or Kolbe.
[50] For a more detailed assessment of A. Sparrman's anecdotes on the labouring poor see N. Ulrich, 'Dr. Anders Sparrman: Travelling with the Labouring Poor in the Eighteenth-Century Cape', *South African Historical Journal*, 61: 4 (2009), 731-749.
[51] J. Barrow, *Travels into the Interior of Southern Africa*, Vols. I and II, Second Edition, (T.Cadell and W. Davies, London, 1806); P. Kolben, *The Present State of the Cape of Good Hope*, Translated by Mr. Medley, Vol. I., 1731, (Johnson Reprint Corporation, New York etc., 1968); F. Le Vaillant, *Travels into the Interior of Africa via the Cape of Good Hope*, Vol. I., translated by I.Glenn, C. Du Plessis, and I. Farlam (Van Riebeeck Society, Cape Town, 2007); H. Lichtenstein, *Travels in Southern Africa, in the years 1803,1804,1805,1806*, Vols. I and II., translated by Anne Plumptre (British and Foreign Public Library, 1815); O.F. Mentzel, *Geographical and Topographical Description of the Cape Of Good Hope*, Part Three/ Vol. II of the German Edition, translated by G.V. Marias and J. Hoge, (Van Riebeeck Society, Cape Town, 1944), A. Sparrman, *A Voyage to the Cape of Good Hope, towards the Antarctic Polar Circle, around the World and to the Country of the Hottentots and the Caffers from the Year 1772 -1776*, Vols. I and II, edited by V.S. Forbes and translated by J & I Rudner, (Van Riebeeck Society, Reprint Series, Cape Town, 2007); P. Thunberg, *Travels at the Cape of Good Hope, 177-1775*, edited by V.S. Forbes and revised translation by J and I. Runder, (Van Riebeeck Society, 1986); F. Valentyn, *Description of the Cape of Good Hope with the Matters Concerning it,* Amsterdam 1726, Edited by P. Setton, R. Raven-Hart, W.J. de Kock, E.H. Raidt and translated by R. Raven-Hart, (Van Riebeeck Society, Cape Town, 1791).

proven more engaging. They rely on eighteenth-century accounts of the Cape to trace the rise of modern approaches to the natural sciences.[52]

The most avid analysers of Cape travel writing are not historians, but literary scholars.[53] Rooted in Edward Said's *Orientalism* that stresses the complicity of European literature in imperialism, debates in this field have centred on the discursive construction of colonised peoples as an inferior 'other'.[54]

Mary Louise Pratt applies Said's analysis to the genre of travel writing. She investigates how travel books by Europeans about non-European parts of the world went (and go) about creating the 'domestic subject' of 'Euroimperialism'.[55] Pratt examines accounts of the eighteenth-century Cape in relation to the inland or territorial (as opposed to maritime) expansion of Europe and to the rise of natural history. Like geographers, she associates the writing of Sparrman, Kolben, and Barrow with the naturalist turn in travel writing and the inauguration of scientific travel in Southern Africa.[56] She goes on to argue that the promotion of the classificatory scheme of natural history by these authors contributed to a 'Eurocentred' 'planetary consciousness' that de-legitimized vernacular peasant knowledge and asserted a 'male' 'bourgeois' 'authority'.[57]

Scholars such as Said and Pratt need to be applauded for drawing attention to the political and cultural construction of geographical regions (such as 'Europe', 'the West' or the 'Orient') and to the role played by empire within texts.

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[52] See V. S. Forbes, *Pioneer Travellers in South Africa* (A.A. Balkema, Cape Town etc., 1965)
[53] See for instance, W. Beinart, 'Men, Science, Travel and Nature in the late eighteenth and nineteenth-century Cape', *Journal of Southern African Studies*, 24: 4 (1998), 775-799 and H. Trotter, 'Sailors as Scribes: Travel Discourse and the (Con)textualisation of the KhoiKhoi at the Cape of Good Hope, 1649-90', *The Journal of African Travel Writing*, 8 & 9 (2001), 30- 44.
[54] E. Said, *Orientalism* (Penguin Books, London, 1995) and see also J.M Coetzee, *White Writing: on the Culture of Letters in South Africa* (Yale University Press, New Haven, 1988); D. Johnson, 'Representing the Cape 'Hottentots' from the French Enlightenment to Post-apartheid South Africa', *Eighteenth-Century Studies*, 40: 4 (2007), 525-552.
[55] M.L.Pratt, *Imperial Eyes: Travel Writing and Transculturation* (Routledge, London etc., 1992), 4.
[56] Pratt, *Imperial Eyes*, 39-40.
[57] Pratt, *Imperial Eyes*, 5, 10.

However, Pratt's portrayal of European travellers remains essentialist in its analysis. She claims that for Europeans sentiments such as Eurocentrism are a 'hegemonic reflex' or 'second nature', enabling their narratives to be automatically viewed as 'texts of Euroimperialism'.[58] Her analysis also tends to view the structures and discourses of twentieth-century South African apartheid as directly applicable to this earlier period, suggesting that South African society is intrinsically and primarily structured around race.

However Europeans, including elites, are not simply bearers of 'Euroimperialism', nor united by a single intellectual project, but are rather wracked by deep social and ideological cleavages. This is particularly true of the late-eighteenth century that witnessed the Age of Revolution and War during which the natural rights of man, liberty, equality, and republicanism were hotly contested.

Social historian Sumit Sarkar calls for a more nuanced and differentiated conception of the Enlightenment that goes beyond a homogenised praise or rejection.[59] Enlightenment ideas have certainly been implicated in imperialism, but they also gave rise to radical intellectual lineages of dissent.

Sarkar's view allows for a more nuanced reading of travel accounts along the grain and of the assessment of elite's understandings of themselves and the world. For instance, David Johnson surveys the writing of French travellers to the Cape, including François Le Vaillant who visited between 1781 and 1784 and who had direct contact with KhoiSan communities. In spite of Le Vaillant's ambivalences, Johnson argues that his work was part of a trend that supported a more positive view of KhoiSan. Rather than 'beasts' and 'brutes', they were deemed 'children of nature'

[58] Pratt, *Imperial Eyes*, 15,2.
[59] S. Sarkar, *Writing Social History* (Oxford University Press, Oxford etc.,1997), 105.

and ‘useful citizens’.[60] Le Vaillant work is symptomatic of the growing rejection in this era of the ill-treatment of indigenous groups, and of slavery, and other injustices associated with the protectionist policies of VOC-type mercantilism. Examined in these ways, the travel accounts consulted by this study reveal a great deal about the shifting discourses of class and colonialism in the transnationally connected world of the eighteenth century.

Pratt’s Saidian framework has additional limitations for historians interested in the study of the labouring poor in the colonial world. First, the focus is on the representation of ‘exotic strangers’. This approach has been reinforced by Subaltern Studies.

According to Sarkar, ‘subaltern’ was initially used to allow for the inchoate nature of pre-capitalist class formation in colonial India.[61] By avoiding economic reduction, while still recognising the importance of domination and exploitation, ‘subaltern’ would be a suitable term for the labouring poor of the eighteenth-century Cape. Yet, the meaning of the term has shifted significantly as the Subaltern School increasingly focused on ‘critiques of Western-colonial power-knowledge, with non-Western “community consciousness” as a valorised alterative’.[62]

Sarkar argues that the single problematic of Western colonial cultural domination, whether past or present, entrenches ‘shallow forms of retrogressive indigenism’ and imposes silences around feminist history and other Left movements.[63] In practice, this means that comments on the labouring poor, or of those at least partially integrated into the political economy of empire, are ignored in the analysis of travel texts. This serves to obscure significant process of ‘transculturation’

[60] Johnson, ‘Representing the Cape’, 544.
[61] Sarkar, *Writing Social History*, 83.
[62] Sarkar, *Writing Social History*, 82.
[63] Sarkar, *Writing Social History*, 106-7.

such as the connections and solidarities forged between labourers and the poor from different races or ethnicities in ports or on colonial frontiers, which are a key focus of this study.

Scholars have drawn attention to the similarities between travel writers' claims that the KhoiSan were idle and the portrayals of Cape burghers (or settlers of Dutch, German and French descent later colonised by the British) as indolent and stupid. [64]

It is only more recently, with the work of scholars such as Tripta Wahi, that the overlap between representations of race and class has been interrogated in depth. For instance, he demonstrates that European authors often portrayed women and the labouring poor in the same barbarous terms as the most exotic non-westerners. [65]

Wahi's analysis can be usefully applied to accounts of the Cape. For instance, the KhoiSan guides and wagon drivers hired by travellers should not be simply viewed as colonised 'non-Europeans', but also need to be examined as part of the labouring poor of sailors, soldiers, artisans, porters, slaves, servants, and general labourers on whose labour transcontinental travel, transportation, and trade rested.

Although the labouring poor rarely attracted the sustained attention of travel writers, information on the lives of the labouring poor can often be found in the margins of travel accounts. Often travellers wrote short comments on their own servants, or those who they encountered on their journeys. These can be read as trivial diversions about everyday life on the road and are often incidental to the purposes of the narrative. It is precisely because travellers did not necessarily consider such asides significant parts of their narratives that these anecdotes become 'witnesses in spite of themselves'.[66] Reading travel accounts against the grain by examining these anecdotes

[64] Coetzee, *White Writing*, 12-35.
[65] T.Wahi, *Orientalism: a critique*, http//www.revolutionarydemocracy.org/redv2nl/orient.htm, 5/9/2008, 6.
[66] Tosh, *The Pursuit of History*, 69.

has yielded remarkable results, shedding much light on the lived realities of the labouring poor and their social connections.

Questions must of course be raised about the accuracy of travel accounts. The anthropologist, Johannes Fabian questions the myth of scientific exploration and, indeed, the 'sobriety' of many scientific explorers. Interested in the irrationalities and contradictions within their texts, he argues that travellers were often 'out of their minds' with fear, delusions of grandeur, fatigue, fever, or were under the influence of medicines, alcohol or drugs.[67] This questions whether the observations of travellers were truly as rational as they often claimed.

Related to this, Percy Adams notes that travel accounts are known for blurring fact and fantasy. In the eighteenth century, many writers were recognised as authoritative scholars, often following the directions of scientific societies or journals.[68] At the same time, these writers sought to enthral their public and were known to embellish the truth. Authors were accused of pretending to visit places that they had never seen, lying about strangers (including their height, life-span, and propensity to eat other humans), inventing animals and plants, and changing geography.[69] Adams argues that inter-textual regularity reinforced a focus on the grotesque and bizarre, and ensured the durability of absurd myths (famously, 'the giants of Patagonia').[70]

Historians who make use of literature have much to learn from literary scholars about authors' strategies and representation. Understanding literary

[67] J. Fabian, *Out of Our Minds: Reason and Madness in the Exploration of Central Africa* (University of California Press, Berkley etc., 2000), 3.
[68] Percy Adams, *Travellers and Travel Liars, 1660- 1800* (University of California Press, Berkeley etc., 1962), 1-18.
[69] Adams, *Travellers and Travel Liars*, 9-12.
[70] Adams, *Travellers and Travel Liars,* 20.

conventions of particular genres allows historians to make sense of the construction of meaning, myth-making, and the mentality of a particular age.

At the same time, all sources raise questions about accuracy and reliability. All sources, not just travel accounts, have to be read critically and checked against other documents. Once again the method of immersing oneself in the archive and reading both along and against the archival grain proves useful.

A Note on Interpretation

Works that focus on the bravery and courage, or heroism of the labouring poor, such as the *Many-Headed Hydra*, are often criticised as being romantic.[71] This is often a polite way of dismissing such labour histories as emotional utopianism. The label of romanticism can be read as the latest incarnation of an older criticism that histories which celebrate the labouring poor are polemical and biased. The assumption here is that other histories are empirically neutral endeavours that deal with facts and do not dabble in politics. The implication is that pessimistic portrayals of the under-class are devoid of ideological baggage and are somehow more truthful. Or, on the other hand, the heroic interpretations of the labouring poor are considered invalid or inaccurate.

Historical facts do not lurk around in the evidence, waiting to be discovered. Within the limits of a rational reading of the sources available and the archives, the evidence is interpreted and historical facts are constructed. Social historians are often sceptical of constructing such facts in relation to highly abstract and static social theory or philosophy, which are unable to capture the complexities within the

[71] See for instance D. Brion Davis, 'Slavery: White, Black, Muslim, Christian', *The New York Review of Books*, 5 July 2001 and P. Linebaugh and M. Rediker, 'The Many Headed Hydra: an Exchange', *The New York Review of Books*, 20 September 2001.

evidence.[72] It is largely for this reason that historians such as Linebaugh and Rediker, who reject the 'violence of abstraction', draw on metaphor to guide their analysis.[73] John Mason, who utilises Orlando Patterson' notion of 'social death' as well as 'resurrection' as a metaphor to investigate slaves at the Cape, notes that metaphors are much more open and inexact, both allusive and elusive, and should not be read too literally.[74]

However, in spite of social historians' strong aversion to theory, there is no such thing as an empirical history, or neutral history. As Mason notes, historians like to comment on the stories they write.[75] It is through selecting and interpreting these stories that historians make political and theoretical choices. This is true even of those cultural historians who chose to focus on the *minutiaé* of description.

Historians such as James Armstrong, Robert Ross, and Nigel Worden have pioneered the history of the labouring poor in the Cape. This is especially true of Nigel Worden who has written a great deal on slaves and is now leading new research into sailors.

This thesis is greatly indebted to their excellent work, but does not accept their focus on the rivalries, tensions, hierarchies, and conflicts between slaves and other sections of the labouring poor. The court records certainly point to numerous instances of cowardice, disloyalty, sycophantism, and defeat. However, this is only a part of a much more complex past.

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[72] See for instance Thompson, *The Poverty of Theory*, as well as Linebaugh and Rediker, *The Many Headed Hydra*, 7 and M. Rediker, *The Slave Ship: a Human History* (Viking, New York etc., 2007), 12.
[73] Linebaugh and Rediker, *The Many Headed Hydra*, 7.
[74] J. Mason, *Social Death and Resurrection: Slavery and Emancipation in South Africa* (University of Virginia Press, Charlottesville, etc., 2003), 9. See also O. Patterson, *Slavery and Social Death: a comparative study* (Harvard University Press, Cambridge (MA) etc., 1982)
[75] Mason, *Social Death and Resurrection*, 6.

By examining social connection and solidarity, this study details another, neglected, side of the history of the slaves, KhoiSan servants, sailors, and soldiers in the Cape. This study demonstrates that different sections of the labouring poor were held together by far-reaching social bonds, a shared experience of oppression, exploitation, and violence, and united on numerous occasions to oppose colonialism and forced and un-free labour.

This study does not only detail the struggle for freedom and equality, but also aims to highlight the multi-racial and multi-national nature of under-class social connections. The actions of the labouring poor in the eighteenth-century Cape show that such connections were possible, and that South African society was not always simply determined by race. It should be kept in mind that the inclusive forms of belonging created by the labouring poor were not necessarily encouraged by the state and the upper-classes. In this sense, these inclusive forms of belonging can be seen as the rejection of upper-class values and a form of resistance against racial discrimination and colonialism.

The writing of a non-racial past focused on class relations should not be used as a means to forget the uncomfortable horrors of a colonial past and of racial violence. Rather, such a history needs to acknowledge the debilitating effects of indenture, slavery, and colonialism. Returning to Muyanga's ballad of a mutiny, it is necessary to remember all 'the harms of Batavia' if we wish to keep stories of men and women such as Thomas van Bengalen and his comrades alive.

Chapter Outline

Chapter One provides an overview of the VOC and Cape colonial society and examines the nature of class and colonial rule during the first half of the eighteenth

century. Chapter Two examines the forms of belonging and communities created by the labouring poor in the Cape. Special attention is paid to family, deviant social networks, fellowship, and to practices of mutual aid. In Chapter Three, the traditions of protests in the first half of the eighteenth century are surveyed. Key modes of protest are identified, including withholding labour, desertion, arson, the verbal and physical assault of masters, and insurrections, including mutiny and armed, anti-colonial rebellion.

Chapter Four and Five deal with the Cape Colony during the Age of Revolution and War (1776 – 1815). Chapter Four investigates the way in which class and colonial rule changed, especially under the British and Batavian administrations. Here the contributions of under-class protest to the decline of the VOC are also examined. Chapter Five examines the way in which forms of belonging and protest changed. Three major upheavals are discussed: the 1797 mutinies in Simons and Table Bay, the 1799-1803 Servant Rebellion, and the 1808 Revolt against slavery. Rebels' understandings of rights and of the state, as well as the strategies they developed to claim these rights, are analysed.

CHAPTER ONE

Merchant Colonialism: Colonial and Class Rule.

In a letter, dated 24 June 1716, the *Heren* XVII, the Seventeen Lords of the Council that governed the VOC, requested the opinion of the Cape governor, M.P. de Chavonnes, and his Council on a range of issues relating to coal, agricultural production, trade, and labour. In terms of labour, the *Heren* XVII wanted to know whether the immigration of free European labour would be preferable to the current reliance on slaves.

The Governor believed that free, European farm-labour would be more expensive and troublesome than slaves. He reported that:

> Wages would have to cover all work to be done, not only in the fields but also the daily work performed by slaves, - work too, which could not be demanded of a European in this climate. The Company would find it more useful and cheaper to keep slaves. Further, as wine and other strong drinks are fairly cheap, all workmen, drivers and the lower classes are addicted to drink, and it is extremely difficult to restrain them and keep them to their duties. …we are amply provided with drunkards who keep our hands full. [76]

[76] M.P. De Chavonnes, n/d, *The Reports of Chavonnes and his Council, and of Van Imhoff, on the Cape* (Van Riebeeck Society, Cape Town, 1918), 87-88.

C. van Beaumont agreed that 'one will not find Europeans of nearly as much use as slaves, especially in the daily menial tasks; besides it is more fitting that slaves rather than Europeans should be used'.[77] Similarly J. Cruse wrote, 'one can accomplish everything with slaves (who require only food and little clothing)' and 'Your Honours are fully aware of the trouble with which the few masons and carpenters, who are here already, are kept in check and under control'.[78]

It was not only access to cheap wine that presented difficulties, and H. van der Meer Pietersoon believed insubordination could become a problem.

> We need not even mention the great difference in obedience and subjection in the relations between slave and master and between free-born servant and master. There are many farmers owning 10, 15, 20 or more slaves who would prefer their work done by a labourer. But supposing that many of these lived together on a farm…would there not be reason to fear that these labourers would always be the master, would one servant if ordered to do so by his master, dare to bind and punish the other if the latter had displeased his master? I do not think so; the slaves do this, however, when ordered to do so, always remembering who they are, in the hope that by means of good service they may one day earn their freedom.[79]

K.J. Slotsboo was more concerned with the limits of European labour in the context of slavery. He reminded the *Heren* XVII that Europeans in Africa and India were not as industrious in carrying on their trades as in the land of their birth.

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[77] C. Van Beaumont, 10 February 1717, *The Reports of Chavonnes*, 101.
[78] J. Cruse, 10 February 1717, in *The Reports of Chavonnes*, 112.
[79] H. Van De Meer Pietersoon, 10 February 1717, *The Reports of Chavonnes*, 126.

> No matter how poor a person is, he will not accustom himself to perform the work of slaves, as he thinks in this way to distinguish himself from a slave. Moreover, the fact that they have left their country makes them think that they should lead an easier life than at home; in addition…the majority accustom themselves to a life of dissipation…and gradually become vagabonds.[80]

This exchange raises a range of questions about colonial rule and labour relations at the Cape of Good Hope. The *Heren* XVII elicited advice from local Company men, showing that issues of production and labour were not simply imposed by a board of directors in the distant Netherlands, but were constructed out of a combination of colonial and local concerns and possibilities. The criteria of what was considered to be effective labour at the time are also outlined. In addition to the costs of labour, the control of labour emerged as a central concern. This highlights the political aspects of class, drawing attention to the need for, and limitations of, regulation.

These Councillors depicted lower-class Europeans as disorderly drunkards and truculent inferiors. At the same time, it is quite clear that race was far from absent in their considerations, as indicated by the suggestion that certain menial tasks are not suited for free labour or Europeans. The way in which these high-ranking officials linked labour, race, and colonialism reveals subtle strategies of exclusion and inclusion. The race and class considerations here are at odds with the widespread view amongst historians that, up until the late eighteenth century, Cape colonial society was socially flat and racially open.

[80] K.J. Slotsboo, 10 February 1717, *The Reports of Chavonnes*, 121.

In the *Many-Headed Hydra*, Linebaugh and Rediker argue that the labouring poor in the north Atlantic were ideologically construed as 'monstrosity', worthy of imprisonment, banishment, torture, and death, and integrated into violent, global regime of labour based on terror and dispossession through land enclosure in Europe and colonialism there and abroad. Interested if similar processes were at work in the VOC-Cape, especially before the 1770s, this chapter examines the making of the labouring poor 'from above'. Paying special attention to the relationship between the relations of production and state making, the Cape's economy, political institutions, and social relations are firmly located within the merchant colonialism of the VOC. This allows for a much fuller appreciation of both Cape and imperial forms of labour and the intersection of local and global labour regimes.

The aims of the chapter are to provide an overview of the framework in which the resistance of the labouring poor took place (see Chapter Two and Three) and establish a basis from which to trace the economic and institutional changes that accompanied the 'Age of Revolution and War',c.1776-1815 (see Chapter Four).

The Political Economy of Merchant Colonialism

Scholars are only just beginning to locate the early colonial Cape in a transnational context, and already debates are arising and distinctions are being drawn between micro- and macro-analysis, between structure and identity, and between the economic and political.

In his latest article on the historiography of the early colonial Cape, Nigel Worden raises concerns about the use of the term 'merchant colonialism', used interchangeably with merchant capitalism. He rejects both as unduly 'overarching'

labels.[81] Citing Kerry Ward's recently published work on the forced migration of political prisoners incarcerated at the Cape[82], Worden argues that the 'VOC empire did not represent a single form of 'merchant colonialism'.[83]

The term 'merchant capitalism', often used by historians to describe mercantilism and charter companies like the VOC, has been criticized by British Marxist Historians for defining capitalism too loosely, and by reference to the circulation of goods and the market as opposed to production, and for lacking historical specificity.[84]

Here the term 'merchant colonialism' is used as a distinct term, and does not assume that the VOC was capitalist. It is also meant to emphasise the political aspects of charter companies that governed territories and people. In addition to being agents of cross-continental trade, these companies developed systems of rule predicated on colonial conquest. These merchant companies fused state and corporate power.

While the term 'merchant colonialism' implies commonality, as all definitions do, it does not follow that internal variation or temporal dynamism are automatically erased. By paying attention to broad commonalities *and* to variation, historians are able to identify key characteristics, to distinguish between entities or phenomena, and to examine the nature and levels of difference. We are then able to compare and contrast the colonies within the VOC, the VOC with other charter companies such as the Honourable English East India Company (HEIC), and merchant companies with the modern, state-led, imperialism of the nineteenth century.

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[81] N. Worden, 'After Race and Class: Recent Trends in the Historiography of Early Colonial Cape Society', *South African Historical Journal*, 62:3 (2010), 589-602, 595.
[82] K. Ward, *Networks of Empire: Forced Migration in the Dutch East India Company* (Cambridge University Press, Cambridge, 2009).
[83] *Ibid.*
[84] H. Kaye, *The British Marxist Historians* (Polity Press, Cambridge, 1984), 161-2. See especially E. J. Hobsbawm, *The Age of Revolution*. (Sphere, London, 1977), *The Age of Capital: 1848-1875* (Sphere, London, 1977), *The Age of Empire: 1875-1914* (Wedenfeld and Nicholson, London, 1987).

The edges may blur, and there are always exceptions. Yet, the privileging of difference and the fetish of 'isims' suggests that there is nothing especially distinctive about the colonial rule of merchant charter companies in general, or the VOC specifically. The complex internal workings of the Company and its ability to function as a historically distinct entity that existed for almost two centuries are obscured.

Julia Adams, who investigates the rise of the United Provinces of the Netherlands as the 'first truly global commercial power', demonstrates the analytical nuances that overarching approaches offer.[85] Instead of the 'strong states', identified as a prerequisite for economic success by World Systems Theory, Adams argues that early modern European states were patrimonial in nature. This means that these states were not fully constituted sovereign entities, but nascent systems of rule based on the 'segmentation or parcelization of sovereign power among the ruler (or rulers) and corporate elites'.[86]

The patrimonial ruler relied on self-governing corporations (estates, guilds, chartered companies) charged with key economic and political obligations. Corporate elites enforced collectively binding decisions on those under their jurisdiction in exchange for economic resources, symbolic legitimacy, and political representation. The system of rule was based on complex interdependencies, and was underpinned by permanent tensions and competition between rulers and corporate bodies, and between the corporations themselves.

Adams argues that the particular 'estatist' (as opposed to the absolutist) patrimonial arrangements of the United Provinces, based on the States-General and

[85] J. Adams, 'Trading States, Trading Places: The Role of Patrimonialism in Early Modern Dutch Development', *Comparative Studies in Society and History*, 36: 2 (1994), 319-355, 319, 'Principals and Agents, Colonialists and Company Men: The Decay of Colonial Control in the Dutch East Indies', *American Sociological Review*, 61:1 (1996), 12-28,12.
[86] Adams, 'Trading States, Trading Places', 326.

powerful regents, contributed to the ascendancy of the Dutch.[87] The relationship between the States-General and the VOC was determined by the success of the Company, which was able to secure a great deal of autonomy. It is within this context that the VOC was seen as a state in its own right.

Adams argues that the power of the *Heren* XVII was curbed by distance that delayed the relay of information between the Netherlands and the East Indies, and the VOC's multi-step organisational structure.[88] The intermediary position of the headquarters established in Batavia complicated arrangements, and no one actor was able to establish centrality. Thus, the 'mutual and symmetrical dependency inscribed in the heart of the VOC's hierarchy undercut the potential power advantage of the metropole'.[89] Adams contrasts this colonial arrangement to that of the HEIC, in which Company structures in the metropole managed to exercise direct control over multiple headquarters.

It is a truism that variations, autonomies and contestations can be found within chartered companies such as the VOC or the HEIC. However, the source, nature, and potential outcomes of such variance were differentiated and, due to the specific configuration of institutional and colonial relationships, were more likely to be found within the VOC. The notion that the VOC did not consist of a single merchant colonialism, but of many merchant colonialisms, obscures rather than elucidates such complexities, since it elides the larger institutional context.

Although Ward adopts a much closer focus, she actually bases her analysis on Adam's overarching approach.[90] She considers the way in which shared institutions, policies, and practices that cut across the Company (referred to in her work as

[87] Adams, 'Trading States, Trading Places', 327.
[88] Adams, 'Principals and Agents', 19, 25.
[89] Adams, 'Principals and Agents', 20.
[90] K. Ward, "The Bounds of Bondage": Forced Migration from Batavia to the Cape of Good Hope during the Dutch East India Company era c. 1652 -1795' (PhD, University of Michigan, 2002), 6.

'circuits of empire'), operated in the politically fragmented realm of the larger VOC.[91] In addition to examining the negotiation of the rule of law as a major circuit of empire, she argues that legal outcomes were the consequences of cross-cultural negotiations between the Company and indigenous polities.

Ward's insights are echoed in scholarship on the VOC that emphasises the partial and plural nature of Company rule and law. In spite of the VOC's military prowess, trade and colonial relations were shaped by intricate and shifting regional balances of power. Almost as a rule, the Company was dependent on local alliances and its reach was limited. This suggests that, similar to the patrimonial state of the United Provinces, from which it emerged, the VOC relied on other bodies and groups to secure economic and political advantage.

According to Anjana Singh, who investigates Cochin, and Heather Sutherland, who studies Makassar, this partiality or segmentation of power had important institutional consequences.[92] The VOC's legal framework existed alongside local legal systems. They argue that at times local inhabitants exploited this plurality, and registered grievances or loans with a VOC court rather than with their 'own' polities. This confirms that issues of inclusion or court jurisdiction were not unilaterally determined by the VOC, but continually negotiated by various actors.

According to Ward, in the Cape the Company was able to impose its law and sovereignty over the local KhoiSan relatively quickly, who she claims were 'recognised as free and equal before the law, but increasingly not as being sovereign

[91] Ward, "The Bounds of Bondage", 3.
[92] A. Singh, 'From Amsterdam via Batavia to Cochin: Mid-Eighteenth Century Individuals and Institutions of the VOC' in N. Worden (ed.) *Contingent Lives: Social Identity and Material Culture in the VOC World* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town and Pretoria, 2007), 209-231; and H. Sutherland, 'Performing Personas: Identity in VOC Makassar' in Worden (ed.) *Contingent Lives,* 345-370.

subjects of their own independent polities'.[93] She argues that it was left to the Cape burgher community to challenge the Company's political authority and demand representation.

All these studies draw our attention to the political aspects of merchant colonialism, specifically the nature of the Company's institutional and political arrangements. Focusing mainly on the law, they explore how the VOC related to the States-General of United Provinces, how different stations or colonies related to each other, and how the VOC related to local polities and merchants.

However, in noting this, we also need to be careful of bending the proverbial stick too far, and perpetuating a narrow conception of power in which contestation over the control of people and territories and meanings of justice are seen to be solely located in the state and law. Issues related to the economy (trade, production, and labour) get pushed aside, while the different branches of the law are dislocated from broader institutional relations and social conflicts within colonial society.

For instance, Ward does not consider why KhoiSan were incorporated into the criminal justice system, which as we will see is a major component of labour regulation, but excluded from other institutions such as the Orphan Chamber that dealt with estates and inheritance. This indicates that imposition of Company rule was uneven, and that KhoiSan were not, in fact, included as fully-fledged or 'equal' subjects.

Wayne Dooling's work, which investigates colonial rule in relation to slavery reminds us that authority does not only reside in officialdom and is intricately linked to class and labour.[94] Cape slavery was based on Roman law, which recognised slaves as humans. Slave owners did not have the right of life over death and slaves were

[93] Ward, "The Bounds of Bondage", 97
[94] W. Dooling, *Slavery, Emancipation and Colonial Rule in South Africa* (University of KwaZulu-Natal Press, Scottsville, 2007).

granted basic rights in that they could complain to authorities in cases of abuse. Dooling argues that the institution of slavery was dependent on the institutional and legal framework provided by the state, but that leading slave-owners, or the gentry, resented and contested restrictions on their authority. Through capturing key positions in local government, forging alliances with VOC officials, and exploiting legal ambiguities, they were able 'to give specific content and particular meaning to the rule of law'.[95] Dooling argues that their mediation of the law was rooted in their 'moral community', which placed reputation above deeds committed, and ensured that honourable slave-owners were not heavily penalised by the court for violent excesses against slaves.[96] This did not mean that slave-owners had free reign over their slaves and, Dooling argues, those who violated the norms of acceptable treatment established by the moral community could be punished or forced out.

Dooling demonstrates that colonial domination, which included key state institutions such as the legal system, and the relations between the gentry and the Company, moulded the forms and regulation of labour. At the same time, conflict between masters and the Company, especially over questions of authority, shaped the interpretation and operation of the rule of law.

These insights can be extended to an examination of other labour forms and regimes of control, including those that cut across the VOC as a circuit of empire in their own right, and other localised forms of labour specific to the Cape. Within this context, class and labour – understood to be structured by both relations of production and of domination– can provide analytical lenses that neither artificially conflate, nor separate the politico-economic power of the VOC, which was at once a trading company and a state.

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[95] Dooling, *Slavery, Emancipation and Colonial Rule*, 45
[96] Dooling, *Slavery, Emancipation and Colonial Rule*, 10.

In line with this study's utilisation of a broader, more 'political' conception of class, the VOC lends itself to an examination of the intersections between relations of production and relations of domination. Not necessarily limited to the law, domination can also be realised through cultural and economic influence over state institutions, and struggles over the interpretation of law and meanings of justice.

A Flat and Open Society?

Since the 1970s and 1980s historians interested in social formation in the Cape debated whether it was race or class that proved the most salient factor that determined an individual's rank and status in society.[97] This has been replaced by what seems to be a consensus amongst historians that, at least until the 1770s and 1780s, Cape colonial society was both socially flat and racially open.[98] Historians argue that the main categories of differentiation were not 'black' and 'white', but were based on the mainly cultural (as opposed to theological) categories of 'Christian' and 'heathen'.

Historical archaeologist Antonia Malan writes that Cape colonial society was 'a face-to-face society', and it was only from the 1730s that spatial and social separation and distinction became noticeable.[99] Historians Nigel Worden, Elizabeth van Heyningen, and Vivian Bickford-Smith (hereafter Worden *et al*) concur. They argue that it was from the 1730s, when the colonial population is thought to have been mainly locally born, colonial society became much more stratified along economic

[97] See essays in R. Elphick and H. Giliomee (eds.) *The Shaping of South African Society, 1652-1840*, Second Edition, (Maskew, Miller, and Longman, Cape Town, 1989).
[98] N. Worden, E. van Heyningen, V. Bickford- Smith, *Cape Town: the Making of a City: an Illustrated History* (David Philips, Kenilworth, 2004), 67-70.
[99] A. Malan, 'Identifying Buildings and Buildings Lives at the Cape the Early VOC period', in Worden (ed.), *Contingent Lives*, 23-53, 33.

lines.[100] Yet, even so, they claim that it was not until the nineteenth century that the divide between the very wealthy and a permanently impoverished sector of the urban population became apparent.[101]

Cape colonial society can not solely be read off the growing community of burghers, or the locally born. As I will demonstrate in this study, the class hierarchies of the VOC were replicated at the Cape, and from the outset a distinct under-class of slaves and low- ranking Company sailors, soldiers, and labourers could be found at the Cape Colony.

It is often thought that one of the key features of merchant colonialism was that it was relatively open in terms of race, especially when compared to the segregation linked to scientific racism that emerged with modern imperialism in the nineteenth century. There is some evidence of this. Notably, in Batavia high-ranking Company men were encouraged to take wives from the Asian elite.[102] These women were considered to be much more suitable than the low-ranking Dutch women, who were briefly exported to VOC colonies.

At first glance it may appear that the same openness can be seen in the Cape. Jan van Riebeeck, the first commander of the Cape station, mentored a young KhoiSan woman, Eva (or Krotoa), daughter of a *Cochoqua* chief who later married a Danish surgeon.[103] Willem Adriaan van der Stel, Governor of the Cape between 1699 and 1707, was of partial Asian ancestry, while a number of free black women married into leading burgher families including the Bassons and Vermeulens.[104]

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[100] L. Guelke, 'Freehold Farmers and Frontier Settlers, 1657-1780', in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 66 -108, 82.
[101] Worden *et al*, *Cape Town*, 67.
[102] J.G. Taylor, *The Social World of Batavia: European and Eurasian in Dutch Asia* (University of Wisconsin Press, Madison, 1983) xxii, 2-30.
[103] Worden *et al*, *Cape Town,* 23; R Elphick and R. Shell, 'Intergroup Relations: Khoikhoi, Settlers, Slaves and Free Blacks, 1652 -1795', in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 184-239, 186, 187.
[104] Worden *et al*, *Cape Town*, 69.

In the literature on the early colonial Cape, race is mainly discussed in terms of acculturation and identity. It is within this context that historian Robert Ross considers the relationship between slavery and race.[105] As one of the main proponents of the open society thesis, he argues that the institution of slavery blocked, rather than generated, the development of a racial order since freedom, and not race, determined social positioning in Cape colonial society. Ross claims that once emancipated, the servile status of slaves or convicts was not inherited, and that families who had been free for more than one generation lost the stigma of servitude and were potentially equal to all other free men and women in the Colony.

To demonstrate that race and class were not identical, historians have often argued that the children of slaves who had European, or white, fathers were still regarded as slaves. Commissioner van Reede, who inspected the Cape in 1695, noted that at least half of Company slave children were of partial European parentage.[106]

Ross argues that stereotyping and social distance are important pre-conditions for racism[107], but he fails to explain why KhoiSan and the descendants of Asian and African slaves and convicts were viewed in negative stereotypical terms and socially alienated in the first place. He is also unable to explain why notions of servility were increasingly interpreted in racial, as opposed in purely class, terms.[108] In line with the literature on the early colonial Cape, Ross does not interrogate the relationship between the state and race. In failing to do so he understates early intuitional linkages between race, discrimination, and exclusion.

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[105] R. Ross, *Beyond the Pale: Essays on the History of Colonial South Africa*, (University of the Witwatersrand, Johannesburg, 1993), 5.
[106] Elphick and Shell, 'Intergroup Relations', 195.
[107] Ross, *Beyond the Pale*, 69.
[108] Ross, *Beyond the Pale*, 69.

The tragic life of Eva who became a prostitute and drunkard after her husband's death is well known.[109] Her story shows that a focus on social mobility tends to obscures a murkier reality of colonial exclusion and institutional discrimination along racial lines.

Although VOC rule was partial and contested, this should not be confused with a benevolent imperialism. The Cape was forcibly occupied and the most notable institutional discrimination was exercised against KhoiSan, who the Company subjugated and then denied any real legal status in the Colony. Subject to criminal law, they were excluded from other parts of the legal system, as noted above.

The association between race and servility was closer, and more durable, than Ross suggests. This can be seen in the creation of the category of 'free black', people of African and Asian decent who were no longer enslaved or imprisoned. This category denotes both race and legal status. Social mobility was possible as some free blacks managed to become burghers, especially through marriage. However, in practice, few free blacks had access to resources and most were destined to remain property-less and poor. In terms of a lived reality, for most free blacks their formal servile status was ended, but their location in the under-class was not. KhoiSan were not integrated into the Colony as equals, while free blacks found that their class status was inherited, and that they faced institutional discrimination.

In the early eighteenth century Ordinances were passed, and institutional practices adopted, that clearly discriminated along racial lines. For instance, in 1705 the deacons who managed the special poor-fund decided to give burghers five rixdollars a month. Free blacks, the majority of the free indigent at the Cape, only

[109] Elphick and Shell, 'Intergroup Relations', 186-7

received two rixdollars.[110] In 1722 the free blacks of Cape Town were placed in a separate militia and, unlike their burgher counterparts, were not allowed to carry arms.[111] In 1765 sumptuary laws, which aimed to carefully rank displays of affluence, forbade free black women from wearing lace and other forms of clothing associated with burgher women.[112] Ross does not interrogate the relationship between the state and race. In failing to do so he understates early intuitional linkages between race, discrimination, and exclusion.

VOC rule did not give rise to an overt or coherent racial ideology. However, colonisation and slavery were closely associated with African and Asian decent. For instance, Commissioner van Reede was quite horrified to find that such a large proportion of slave children had European fathers. [113] Also, even though some slaves may have had partial European decent, there were no slaves of entirely European descent. In these ways race did influence rank, status, and life opportunities.

Historians of the Cape need to recognise that the categories of 'Christian' and 'heathen' were fraught with racial and class tensions. These categories of difference were mediated and complicated by other markers such as 'slave', 'low class', 'savage', 'black', and 'European'. Colonial conquest, slavery, and indenture were etched onto social relations and, from the outset, society was based on a distinct under-class consisting of slaves, indentured sailors and soldiers, and dispossessed KhoiSan servants. This means that although the labouring poor in the Cape, black and white, shared a common experience of servitude, the lack of freedom, and violence, those of African and Asian decent had to face additional obstacles related to colonial oppression and racial exclusion.

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[110] Worden *et al*, *Cape Town*, 68-9.
[111] Worden *et al*, *Cape Town*, 70.
[112] Worden *et al*, *Cape Town*, 70 and R. Ross, 'Sumptuary Laws in Europe, the Netherlands and the Dutch Colonies', in Worden (ed.) *Contingent Lives*, 382-390, 388.
[113] Elphick and Shell, 'Intergroup Relations', 195.

The VOC and Regimes of Violence

During the two centuries of its operation, the VOC transported about one million people to the East.[114] These were mainly low-ranking men contracted as artisans, sailors, and soldiers.[115] As one of the largest European merchant companies, the VOC employed over 50,000 men at its height in the mid-eighteenth century.[116] In addition, the Company relied on tens of thousands of additional workers in its factories and colonies who contributed to the Company's subsistence, or were involved in the production and procurement of key commodities for trade.[117] Similar to the harsh systems of subjugation and control documented by Linebaugh and Rediker in the north Atlantic, the overwhelming majority of the labouring poor under the VOC, whether black or white, were un-free and kept in check by regimes of control based on torture and death.

Formation and Character

The VOC was established in 1602 by the States-General that aimed to curb the competition between various Dutch companies trading with the East Indies. As part of what has been called the Dutch 'Golden Age', which witnessed advances in art, science, political philosophy, technology and economic growth, Dutch merchants started to contest Spain and Portugal's control over the European trade in pepper, spice, and sugar. To break into north-European markets, merchants needed to compete directly and obtain commodities from source. [118] This was at last made possible by

[114] J. Lucassen, 'A Multinational and Its Labor Force: The Dutch East India Company, 1595-1795', *International Labor and Working-Class History*, New Approaches to Global Labor History, 66 (2004), 12-39, 17.
[115] Lucassen, 'A Multinational and Its Labor Force',17.
[116] Lucassen, 'A Multinational and Its Labor Force',15.
[117] Lucassen, 'A Multinational and Its Labor Force',15.
[118] J. Israel, *The Dutch Republic: its Rise, Greatness and Fall 1477 -1806* (Claredon Press, Oxford, 1995), 318.

advances in cartography and the dissemination of information, previously exclusive to the Portuguese, relating to nautical routes and to commodities and conditions in the Indian Ocean and the fringes of the Pacific.[119]

The VOC was granted the monopoly of trade from the Dutch Republic to the east of the Cape of Good Hope and west of the Strait of Magellan. As a joint-stock company underwritten by the government, merchants were protected from risk and the management was divided from ownership.[120] Both these features are associated with modern capitalist practices, demonstrating the commercial innovation of the Company. The Company aimed to monopolize trade and restricted the supply of key commodities to keep prices high. The Company also adopted harsh policies to regulate the involvement of Asian and African merchants and to eliminate competitors.[121]

However, as noted above, the Company was never purely commercial in nature. The VOC was given a mandate to enter into diplomatic relations, by signing treaties and making alliances, and to establish some form of civil administration in its factories and colonies.[122] In addition, the VOC was granted permission to billet troops, and military and naval commanders were required to swear double oaths of allegiance to the Company and the States-General. Trade and military force fitted hand-in-glove and proved vital for ousting the Portuguese merchants and securing a commercial presence in the East Indies.[123]

The board of directors, the *Heren* XVII in the Netherlands, was constituted by representatives of the Company's regionally based chambers (Amsterdam, Zeeland,

[119] F.S. Gaastra, *The Dutch East India Company: Expansion and Decline* (De Walburg Pers, Zutphen, 2003), 15.
[120] C.A. Bayly, *The Birth of the Modern World* (Blackwell Publishing, Massachusetts/ Oxford, 2004), 62.
[121] Adams, 'Trading States, Trading Places', 342.
[122] Israel, *The Dutch Republic*, 322 and Gaastra, *Dutch East India Company*, 23.
[123] Adams, 'Trading States, Trading Places', 334.

Rotterdam, Delf, Hoorn and Enkuizen). In 1609 the *Heren* XVII appointed a Governor-General to administer their trade-factories and settlements in the East Indies. The exercise of power was based on a consultative procedure and the Governor-General was required to act jointly with a *raad* (or political council) referred to as the Council of India.[124] This structure would be replicated in the various VOC settlements, including the Cape.

The VOC was a peculiar mixture of modern and pre-modern forms. The States-General favoured a rational bureaucracy and sought to eliminate venal office holding.[125] The same impulses coursed through the VOC. Jonathan Israel, author of the most comprehensive history of the Dutch Republic in English, argues that the *Heren* XVII prioritised competence and experience over social status.[126] Consequently, some Governor-Generals came from relatively modest family backgrounds. In addition, the Governors of the VOC were the only heads of European colonies at the time who were not nobles.

However, these modern features of the VOC should not be overstated. Rational notions of administration became entangled with feudal and traditional relations and practices.[127] The Company was rife with nepotism. Directors, who were deeply immersed in government politics and closely tied to the ruling oligarchy of regents in the Netherlands, exercised their influence over the Company on behalf of friends and relatives, to gain access to trade and procure posts.[128] Company officials were also expected to supplement their salaries through private trade, or through

[124] Israel, *The Dutch Republic*, 947.
[125] Adams, 'Trading States, Trading Places', 329.
[126] Israel, *The Dutch Republic*, 323, 948-9.
[127] Adams, 'Trading States, Trading Places', 332.
[128] Israel, *The Dutch Republic*, 948 and Gaastra, *Dutch East India Company*, 31.

raising funds through their offices by skimming fines and taxes. Within this context fraud and bribery became a core part of the VOC's operation.[129]

The VOC's Empire

The Company built an extensive inter-Asian trade network.[130] Cotton textiles were shipped from south India to Indonesia, raw silk from Taiwan to Japan in exchange for Japanese silver and copper, and Indonesian spices to India and Persia to help pay for Indian textiles and Persian silk destined for Europe.[131]

In the late seventeenth century the trading strategy of the Company shifted. In response to the changing consumer demands in Europe, the Company concentrated on importing cottons, muslin, raw silk, tea, and coffee.[132] Inter-Asian trade decreased, while direct trade between the Netherlands and Batavia expanded. This change in strategy placed the VOC in direct competition with English and French merchants.

In 1619 the VOC seized Jakarta, which was renamed Batavia. As the rendezvous for Dutch ships converging from parts of the Indonesian archipelago, India, the China sea, and Japan, Batavia rapidly developed into the leading European military, naval and commercial base in Asia.[133] Following the example of the Portuguese in Goa, Batavia served as the Company's central administrative hub in the region.

By the mid seventeenth century (1640s) the VOC was solidly entrenched in the Indian subcontinent, the Malaysian peninsula, and the Indonesian archipelago. It had established fortified bases in Pulicat (Fort Geldria), Batticaloa and Galle,

[129] Adams, 'Trading States, Trading Places', 344.
[130] Israel, *The Dutch Republic*, 941.
[131] *Ibid.*
[132] Israel, *The Dutch Republic*, 940.
[133] Israel, *The Dutch Republic*, 324.

Malacca, Ternate, Tidore Amboina and Fort Nassau.[134] The Company had also established a permanent base in Mauritius and claimed St. Helena Island in 1633, although this Atlantic base was never really occupied.[135]

During the second half of the seventeenth century the Company expanded even further. In the 1650s and 1660s the VOC seized Colombo, completing the conquest of coastal Ceylon and gaining control of the entire cinnamon-producing zone of the island, and annexed a string of Portuguese bases around the tip of the Indian sub-continent, including Negapatnam, Tuticorin, Cannanore, Craganore and Cochin.[136] The Company meanwhile made inroads into southern Africa with the establishment of a station at the Cape of Good Hope in 1652.

By the beginning of the eighteenth century, the VOC also made important gains in Indonesia by conquering Makassar in 1667, and annexing Bantam in 1682. It also boasted a string of trade factories in north India, Siam and held the only European factory in Japan.[137]

Regimes of Labour

The Company was a hierarchical institution utilising multiple forms of labour. The ruling elite consisted of high-ranking officials, mainly of Dutch origin, intent on carving-out a lucrative career.[138] These included governors, merchants, military commanders, captains, and admirals. The Company also employed a small number of skilled workers, professionals, and artisans, like *predikanten* (church officials of the

[134] Israel, *The Dutch Republic*, 937.
[135] S. Selvon, *A Comprehensive History of Mauritius* (Mauritius Printing Specialists, 2001) 30-2; H. Trotter, 'Sailors as Scribes: Travel Discourse and the (Con)textualisation of the Khoikhoi at the Cape of Good Hope, 1649 -90' *The Journal of African Travel Writing*, 8 & 9 (2001), 30-44, 33.
[136] Israel, *The Dutch Republic*, 936.
[137] Israel, *The Dutch Republic*, 939.
[138] Worden *et al*, *Cape Town*, 50-51.

Dutch Reformed Church), school teachers, surgeons, wagon drivers, carpenters, bakers, smiths, skilled builders, and engineers.

The overwhelming majority of Company servants consisted of sailors and unqualified soldiers who were recruited from the under-class of northern Europe, and who were bonded by three- to seven- year contracts. Any attempt to break the contract, or to desert, was met with severe punishment and, in some cases, death. It is for this reason that these contracts can be characterised as a form of indenture and the majority of the VOC's European employees were, in fact, un-free labour. In the eighteenth century, especially towards its end, the Company also recruited and employed increasing numbers of Asian sailors and soldiers.

Jan Lucassen provides one of the few overviews of VOC labour. He notes that when slave numbers are compared with the total number of VOC staff, the VOC's own direct usage of slaves was modest.[139] However, while Company slaves may have only numbered in the thousands, the number of slaves owned by the private parties from which the Company purchased monopoly products totalled tens of thousands. Like other mercantile societies, the Company's economy relied on enslaved labour, at least indirectly.

Finally, in many VOC settlements the Company also made use of free wage labour, a relatively small number, mainly recruited from the descendents of Company servants born in Asia and Africa. According to Lucassen, two-thirds of civil servants in Ceylon were locally born, or from the East Indies.[140]

Much like other merchant companies, the VOC's labour practices can be defined by a reliance on un-free labour, which was in turn predicated on a system of

[139] Lucassen, 'A Multinational and its Labour Force', 26.
[140] Lucassen, 'A Multinational and its Labour Force', 19.

physical violence and coercion and what appears to be the sheer wastefulness of human life.

Ships were at sea for months at a time and, while temporary and translocal, they functioned as micro-societies. In the case of British ships in the Atlantic, Rediker and Linebaugh argue that the work, cooperation, and discipline of the ship made it a prototype of the factory.[141]

VOC sailors and soldiers were likewise subject to a regimented system of coercive control that cut across the Company and that was based on a hierarchy of officers, strict routine, and a set of regulations (*Artikelsbrief*).[142]

Sailors and soldiers could be beaten by their officers for minor offences. Those suspected of more serious offences, such as assault, would be arrested and charged by the provost, with the assistance of the quartermasters, and tried by a ship's council made up of officers. Punishments included the deduction of wages, and fines, as well as imprisonment, the lash, and keel-hauling. More disorderly acts, such as sodomy and desertion, which were punishable by death, were tried by a *Brede Raad*, a general council that consisted of merchants and officers from the fleet and that served as a higher court.

This maritime regime of control operated in parallel with, but also intersected with the VOC's land-based criminal courts, which usually fell under the office of the settlement's Fiscal and the Council of Justice. Cases of mutiny and sodomy were often referred to such courts and sailors and soldiers in harbours and ports fell under their jurisdiction. It has been estimated that up to ninety percent of criminal cases in

[141] P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Beacon Press, Boston, 2000), 151.
[142] R. van Gelder, *Naporra's Omveg: het Leven van een VOC- Matroos (1731-1793*), (Atlas, Amsterdam, 2003), 220-225.

Batavia, and at least half of the criminal cases in Ternate and Timor, involved VOC sailors and soldiers.[143]

Criminal courts further institutionalised and entrenched violence. In addition to forced labour and imprisonment, punishments, usually carried out in public, included whipping, brandings, face-mutilation, strangulation, drowning, running the gauntlet, and hanging. Dissidents could even be punished after death. Their corpses could be quartered, hung-out in public, and left in the open to rot.

Other labour regimes that operated in the Company included the use of convict labour and slavery. The institutional frameworks for these systems were developed by the Company in Batavia. Batavia was particularly reliant on the labour of Chinese debtors, who built much of the Company's infrastructure, but it also used African exiled convicts to assist the police and executioners with corporal punishments.[144]

Regulations governing slaves –an institution that remained illegal in the Netherlands, but was used by the VOC abroad –were codified by the Batavian administrators in the Statutes of India of 1642 and 1766. These codes, which stipulated offences and punishments, were used in other slave-holding colonies, such as the Cape. As in the case of sailors and soldiers, slave codes were backed up by the criminal justice system, and more serious offences and disorderly acts were tried by the criminal court.

Under the VOC there was no pretence of equality under the law, and the legal system was consciously and explicitly based on entrenching and maintaining hierarchies and inequalities of class and status. The most gruesome and violent punishments were reserved for slaves. For instance, they could be broken on the wheel, burnt alive, or have their heels and noses cut off.

[143] P. A. McVay, "I am the Devil's Own': Class and Identity in the Seventeenth Century Dutch East Indies' (PhD, University of Illinois, 1995), 78.
[144] Ward, 'The Bounds of Bondage', 230, 252-256.

As a Company, the VOC was directly involved in the control and discipline of its labour force and created the necessary institutional edifice needed to control the labouring poor. The VOC's courts at sea and on land served as the ultimate disciplinary bodies, when possible, had legal power over the life and limbs of the labouring poor under their jurisdiction. Moreover, even when ship captains, commanders, and officials overstepped their bounds and excessively abused, or killed, those under their control, the courts rarely intervened. The same proved true of private slave owners.

In addition to violent regimes of control and discipline, the African, Asian and European labouring poor of charter companies, including the VOC, had to contend with the omnipresence of death, through accident, shipwreck, war, and disease.

The wastage of human life is best illustrated by the high mortality rates of sailors and their human cargo in the transatlantic slave trade. For instance, it has been estimated that of the nine million slaves shipped to the New World before British abolition in 1807/08, five million died in Africa, on ships, or in the first year of labour.[145] Half of all the Europeans who travelled to West Africa, mostly seamen, died within a year, and it has been demonstrated that the crews of slave ships often died in greater proportions than the enslaved themselves.[146]

As Lucassen points out, those employed by the VOC also suffered high death rates. It has been estimated that of the roughly one million men who travelled to the East Indies with the VOC during the seventeenth and eighteenth centuries, only one third (33.1 %) returned.[147] Most of those who did not return had died either *en route*, or in hospital. As many as 95, 000 men died in Batavia's hospital between 1725 and

[145] Rediker, *The Slave Ship*, 347.
[146] Rediker, *The Slave Ship*, 244.
[147] Lucassen, 'A Multinational and Its Labor Force', 14 -15.

1786.[148] Batavia soon gained the reputation of being '*het kerkhof der Europeanen*' (European churchyard/ graveyard).[149] (These high death rates were replicated by other merchant companies operating in the East Indies. It has been estimated that only one out of four cadets sent from Britain to Bengal returned alive).[150]

High mortality can be attributed to the lack of medical knowledge, the prevalence of disease in the tropics, and the poor health of the men recruited by the VOC, but ill-treatment, abuse, malnutrition, war, and capital punishment also played key roles. Labour had to be constantly replenished and new recruits or slaves disciplined into their new roles. As Linebaugh and Rediker indicate, such human wastage was simply part of business.[151] The constant presence of death was an important element of the emerging global system of labour, with its regimes of control against the un-free predicated on violence and terror.

An African Conquest

Leendert Janssen and Matthys Proot, castaways from the *Haerlem* shipwrecked in 1648 when rounding the southernmost tip of Africa, urged the VOC to establish a base at the Cape of Good Hope, which they considered more suitable as a post than St. Helena Island.[152]

Janssen and Proot provided the *Heren* XVII with paradisiacal descriptions of the Cape to support their argument. They wrote:

> The natives come with all friendliness to trade with us at the fort …bringing cattle and sheep in numbers – for when the Princesse Royael arrived with 80 –

[148] Lucassen, 'A Multinational and Its Labor Force', 16.
[149] Van Gelder, *Naporra's Omveg*, 166.
[150] Lucassen, 'A Multinational and Its Labor Force', 16.
[151] Rediker, *The Slave Ship,* 6.
[152] Worden *et al*, *Cape Town*, 15 and Trotter, 'Sailors as Scribes', 33.

> 90 sick we could provide it with so much cattle and sheep which we had at hand and so many birds shot daily, that nearly all the sick were restored to health.[153]

Once the Colony began, however, the KhoiSan failed to conform to these utopian claims. The attempt of the Company to remedy this disappointment played an important part in shaping future relationships in the Cape, as we will see below. Overall, social relations in the VOC-Cape were founded on colonial occupation and the imposition of un-free forms of labour that closely matched VOC practices elsewhere, and cannot be understood in isolation.

Refreshment Station

Ships sailing under the Portuguese flag had been stopping at the Cape since the early 1500s, but did not officially claim the area.[154] By the seventeenth century ships sailing under British, Dutch, and French flags also regularly visited Table Bay, which served as a source of fresh water, and as a place to leave messages and dispatches. As noted in Janssen and Proot's descriptions, attempts were also made to trade with Cape peninsular KhoiSan, mainly to obtain cattle and sheep to supply meat for crews.

Worden *et al* argue that the VOC's occupation of the Cape was a pre-emptive move to exclude the English, with which the United Provinces was then at war (the First Anglo-Dutch war, 1652-1654).[155] From the outset then, the Cape Colony was embroiled in the conflicts between the Dutch States-General and the English and French crowns which, with the assistance of their merchant companies, attempted to gain economic and political control in the Indian Ocean.

[153] Quoted in Trotter, 'Sailors as Scribes', 34.
[154] Worden *et al*, *Cape Town*, 12, 14.
[155] Worden *et al*, *Cape Town*, 14-5

The expedition fitted-out to set up the VOC station at the Cape consisted of 181 men under van Riebeeck. They were under instructions to establish a fort and garden, representing the dual role of the station as a defensive military post, against both 'natives' and European rivals, and as a supply point for VOC fleets.[156]

With the diversification of VOC trade and shipping in the late seventeenth century, increasing numbers of ships were deployed in long-distance trade between the Netherlands and Batavia. VOC shipping from the Netherlands to the East Indies doubled from 117 journeys a decade in the 1620s, to 235 per decade in the 1690s.[157] The VOC also became more dependent on the large, heavily manned and well-armed vessels needed for long voyages.[158] As a result of these changes, more ships stopped at the Cape every year. Between 1652 and 1700 an average of 33 ships docked at the Cape per year. This doubled to an average of 69 ships per annum between 1715 and 1740.[159]

The south-east route through the southern Indian Ocean was preferred by the *Heren* XVII, and it became obligatory for all VOC ships travelling the south-east route to the East Indies to stop at the Cape.[160] To prevent officers from circumventing the Cape, waiting days spent at the Cape were not included in the calculation of the bounties officers received for speedy voyages. [161]As much as ninety-three percent of all VOC ships leaving the Netherlands for the East Indies dropped anchor at the Cape and stayed for several weeks.[162] The Cape was, in other words, deeply embedded in

[156] Worden *et al*, *Cape Town*, 17.
[157] Israel, *The Dutch Republic*, 942.
[158] *Ibid.*
[159] Israel, *The Dutch Republic*, 938.
[160] W. H. Boshoff and J. Fourie, 'Explaining Ship Traffic Fluctuations in the Early Cape Settlement: 1652-1793', Stellenbosch Economic Working Papers, 01/08,11.
[161] Boshoff and Fourie, 'Explaining Ship Traffic Fluctuations', 11.
[162] Boshoff and Fourie, 'Explaining Ship Traffic Fluctuations', 5.

the transnational world of the VOC, and a large part of its population at any given point comprised transient sailors and soldiers.

Shipping rhythms were set by the monsoon seasons of the north Indian Ocean. Most outward-bound ships arrived between March and May, while homeward-bound ships arrived between December and April. Table Bay was, however, prone to violent storms and winds, leading to some notable shipping disasters. In May 1737, for instance, eight out of the ten ships of the homeward-bound fleet were wrecked by a sudden north-westerly wind.[163] In rough weather ships were sailed to one of the self-supplying outposts established at Saldana Bay, Paarden Island, Milnerton, Simonstown, Tulbach, Riebeeck-Kasteel, and Robben Island to help service ships.[164]

Although figures are not as comprehensive, a number of foreign ships also stopped at the Cape. In addition to anchorage fees, these ships had to pay dearly for provisions and these were at times denied altogether. Economic and labour historians Willem Boshoff and Johan Fourie estimate that up until the 1760s, VOC ships comprised more than 60% of ship arrivals.[165] This means that just under 40% of the ships that stopped at the Cape were foreign. These included ships sailing under the colours of Portugal, Austria, Prussia, Sweden, France, and England. This, again, underlines the Cape's critical role location in the transnational world of merchant colonialism.

Apart from an attack by the French on Saldana in 1670, the Cape was not threatened militarily until the British conquered the Colony in 1795.[166] At times, however, the Cape served a military function. For instance, in 1748 the Cape provided the rendezvous for the joint Anglo-Dutch fleet on their way to attack French

[163] Boshoff and Fourie, 'Explaining Ship Traffic Fluctuations', 12.
[164] Boshoff and Fourie, 'Explaining Ship Traffic Fluctuations', 12.
[165] Boshoff and Fourie, 'Explaining Ship Traffic Fluctuations', 3.
[166] Worden *et al*, *Cape Town*, 38.

possessions in the Mascarenes and India.[167] The Cape's role as a strategic military outpost would become more pronounced during the Napoleonic Wars.

Ideologies of Conquest

For the VOC the suitability of the Cape as an outpost, and concerns with the exclusion of other European rivals justified occupation. Van Riebeeck was instructed to develop trade relations with KhoiSan polities, which were pastoral and hunter-gatherer clans or chiefdoms.[168]

The socially flat and egalitarian KhoiSan polities must have been unintelligible to high-ranking, ambitious VOC merchants such as van Riebeeck. Not only did they fail to comply with Company expectations by refusing to part with and trade their cattle in large enough numbers, but their egalitarian societies lacked the mechanisms that created a large and permanent pool of labour.

Relations with the KhoiSan soon became strained. Van Riebeeck believed that the KhoiSan were idle, godless savages and 'a brutal gang living without any conscience'.[169] On a number of occasions he petitioned the VOC for permission to enslave the KhoiSan and to confiscate their cattle.[170] Much like the native people of America, dispossessed commoners, political dissents and renegades, and rebellious women, or 'Amazons', in the north Atlantic[171], men like van Riebeeck construed the KhoiSan as monstrosities worthy of destruction.

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[167] Worden *et al*, *Cape Town*, 53.
[168] R. Elphick and V.C. Malherbe, 'The Khoisan to 1828' in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 3-65, 10.
[169] Trotter,' Sailors as Scribes', 33.
[170] Elphick and Malherbe, 'The Khoisan', 11.
[171] Linebaugh and Rediker, *The Many Headed Hydra*, 39.

The *Heren* XVII refused and, according to Ward, instructed local officials to treat the KhoiSan respectfully as a trading nation.[172] However, when placed in a context of colonial occupation, this rhetoric of benign trade quickly gives way to a reality of territorial enclosure and political subjugation.

The VOC occupied territory on which *Goringhaicona*, or 'Standlopers' (beachcombers) relied for their marine-based hunter-gathering, and that also formed part of the grazing routes of pastoralists such as the *Goringhaiqua* and the *Cochoqua*.[173] KhoiSan were increasingly prevented from accessing this land and were designated as foreigners. At first the Company grew hedges to keep KhoiSan and their cattle out. At one stage the *Heren* XVII even wondered if it would be possible to dig a channel between the Salt and Liesbeek rivers with a view of separating the Colony from the African continent.[174]

KhoiSan groups became increasing concerned about the permanence and growth of the outpost, and in 1659 open conflict broke out between them and the Company. After what is referred to as the First Dutch-KhoiSan War, the justification of settlement appears to have shifted. Now Company men argued that they had won the territory through war.

Another shift in the justification of occupation occurred in the 1670s, at about the time that the Company's shifting trade policy brought it into direct competition with French and British merchants. The VOC now re-asserted its claim over the Cape through a land sale. The 'Cape district and its dependencies' was bought for goods with an estimated value of 115 rixdollars from Schagger (*Osingkhimma*), Captain of the *Goringghaiqua*.[175] Since the territory had been 'lawfully sold and ceded', the

[172] Ward, 'Bounds of Bondage', 84-88.
[173] Worden *et al*, *Cape Town*, 21.
[174] Worden *et al*, *Cape Town*, 25.
[175] Ward, "The Bounds of Bondage", 91.

Company claimed to have firmly established its right of property.[176] This was no ordinary 'treaty' between nations, but shows that the assertion of private property rights was fundamental to imperial claims of ownership at the time, and that the notion of private property was engrained in the colonial conquest of the Cape.

After the 'land sale', territorial and political inclusion became possible for KhoiSan polities, but strictly on Company terms. After the Second KhoiSan-Dutch War (1673-1677) the defeated Gonnema, leader of the *Cochoqua*, was expected to pay a tribute of thirty cattle a year. At about the same time, the Company asserted its right to adjudicate disputes between different clans within its territory.[177] Governor Simon van der Stel (1679-1699) also developed a practice whereby he would officially recognise loyal KhoiSan chiefs or captains and bestow on them a ceremonial staff and a classical name (such as Hercules or Hannibal).[178] Such officially sanctioned leaders were able to retain access to land and grazing within the Colony.

While some polities were thus brought under Company control, patriarchs were known to change their allegiances, and many groups continued to resist Company rule, and moved out of its immediate reach. Continuing colonial dispossession of access to water and grazing, together with disease, undermined the independent existence of the KhoiSan, ultimately destroying the peninsular groups. Yet, throughout the VOC period the political subjugation of KhoiSan proved incomplete and contested.

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[176] *Ibid.*
[177] Elphick and Malherbe, 'The Khoikhoi', 14.
[178] *Ibid.*

Early Forms of Labour

Although the Cape station remained relatively small for the first two decades, the forms of labour that were introduced at this time provided the foundation for subsequent regimes of labour control.

Initially, the station was run by a small number of Company servants, consisting of skilled workers and artisans, general labourers, a small garrison, and a smattering of domestic slaves owned by high-ranking Company officials.[179] They were accommodated within the walls of the fort. Soldiers together with passing sailors were expected to assist these Company servants with chopping wood, with the construction of infrastructure, with clearing land and attending the gardens, and with caring for the sick and weak after a long sea voyage.

The Cape was dependent on supplies from the Netherlands and Batavia, and did not have the necessary labour power needed to grow enough fresh fruit and vegetables. As a solution, the VOC promoted independent farming. As early as 1657 the VOC directors approved an arrangement whereby Company servants could be released from their contracts, granted freehold lands along the Liesbeek River to cultivate, and be provided with seed and tools on credit.[180]

The freedom of these burghers (or citizens) was quite limited. Although released from their Company contracts, they could be reinstated as servants at the Company's behest. Burghers were also obliged to sell their produce to the Company at fixed prices, and were not permitted to trade privately with the KhoiSan. On the other hand, the status of 'burgher' provided access to land and to other people's labour and so was, for many, an opportunity for advancement and autonomy. Burghers were also allowed to marry, thus giving them further access to family

[179] Worden *et al*, *Cape Town*, 17.
[180] L.Guelke, 'Freehold Farmers and Frontier Settlers', Elphick and Giliomee (eds.) *The Shaping of South African Society*, 66-108, 70 and Worden *et al*, *Cape Town*, 20.

labour, and to material and social 'capital' in the forms of inheritance and networks of access to credit.

As in other VOC colonies, the Cape economy also used slave and convict labour widely. From 1658 slaves were imported into the Cape.[181] Some slaves were kept by the Company, while others were distributed to burghers, initially on credit, and were privately owned. In the 1690s there were already over 300 privately owned slaves.[182] Convict labour, which included Company servants, slaves, exiled criminals, and political prisoners, was used to labour on the public works.[183] Mirroring developments in Batavia, Asian exiled convicts were also used as police and executioners' assistants.[184]

Meanwhile, new forms of labour emerged alongside those introduced by the Company. In spite of the *Heren* XVII's instructions to treat KhoiSan as foreign traders, and local officials' attempts to minimise the presence of KhoiSan in the emerging town, KhoiSan were increasingly drawn into the station as labourers. They were employed as cook aids, domestics, builders, and runners.[185]

Traditionally KhoiSan used relations of dependency and clientelism to acquire dogs, cattle, or weapons, but such relationships remained fluid.[186] Dependents could leave to become autonomous or to enter into another dependency relationship. Now, even when forced to find work in VOC controlled territory, KhoiSan sought to maintain their independence, and attempted to keep their dependency limited by refusing to enter into long-term contracts.

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[181] J. Armstrong and N. Worden, 'The Slaves, 1652 -1834', in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 109-183, 111.
[182] N. Worden, *Slavery in Dutch South Africa* (Cambridge University Press, London etc., 1985), 9.
[183] Armstrong and Worden, 'The Slaves', 123.
[184] Ward, 'The Bounds of Bondage', 230, 252-256.
[185] Elphick and Malherbe,' The Khoisan', 16.
[186] M.Legassick, 'The Northern Frontier to c. 1840: the Rise and Decline of the Griqua People', Elphick and Giliomee (eds.) *The Shaping of South African Society*, 358-420, 367.

These KhoiSan servants did not conform to official categories –be they Company servant, burgher, slave, convict, or subjugated KhoiSan under a loyal Company patriarch – and had no clear legal status. Due to their rejection of long-term contracts, they became casual migrant labourers, and returned to their polities after their contacts were complete. Since clans often moved to secure the best pasturage for their animals, KhoiSan servants were, in this sense, doubly mobile.

The first few decades of the Cape station provide us with some insights into the nature of colonial and class rule under the VOC in the late seventeenth century. Although the Cape station was established to service VOC fleets, the development of infrastructure, international and local trade, and agricultural production proved necessary to fulfil this role. The social and institutional relations underpinning these activities were partly inherited from, or imposed by, the Company but were also shaped by relationships with local communities. The Company relied on arguments relating to the spoils of war and private property to justify its occupation and, from the outset, the Cape colony was predicated on practices like bonded labour and slavery, the bullying of local traders, and colonial occupation and dispossession.

The Cape Colony

With the shift in the Company's trade policy towards the end of the seventeenth century, which rendered the Cape all the more valuable, the Company became willing to dedicate increasing resources and people to the station. In the 1670s the *Heren* XVII adopted a policy of expansion and, until 1707, actively encouraged immigration from Europe.[187] The small African station grew and diversified, giving rise to several, interconnected, regional economies dependent on specific labour markets. Established

[187] Guelke, 'Freehold Farmers and Frontier Settlers', 73.

VOC policies and practices left a notable imprint on determining the forms of labour, regimes of control, and on relations between the court and commanders, high-ranking officials, and private masters.

Economies, Labour and Colonial Expansion

The Company remained the single largest employer in the Colony. Of the million men who sailed on VOC fleets past the Cape, the majority were low-ranking sailors and soldiers who were vital for shipping, for operating the port, and for providing military defence. Sailors usually stayed on their ships at night, but were usually granted shore-leave, while soldiers usually stayed on shore for the duration of their stay.[188] Ships would stay for several weeks, allowing sailors and soldiers to visit, and spend their money, at drinking houses and canteens.[189] They proved vital to the town's economy, and were a regular feature of port-town life.

A number of VOC sailors and soldiers were deployed to the Cape from passing ships, where they were expected to serve out their contracts.[190] They staffed the Company's shipyards, the small local fleet, and the garrison. There appear to have always been more soldiers than sailors stationed at the Cape. The number of Company servants stationed at the Cape reached about 1000 by the 1730s, and grew to about 3000 by 1795.[191] Those soldiers and sailors with skills were permitted to become *pasganger*s, which meant that they were allowed to pay others to take over their usual duties while they earned extra money by engaging in a wide range of activities

[188] N. Worden, 'Sailors Ashore: Seafarer Experience and Identity in Mid-18th Century Cape Town' in N. Worden (ed.) *Contingent Lives*, 589-600, 590.
[189] Van Gelder, *Naporra's Omveg*, 285,287.
[190] Van Gelder, *Naporra's Omveg*, 288.
[191] Worden *et al*, *Cape Town*, 49.

ranging from wig making to carpentry.[192] Many were also employed to teach burghers' children or serve as *knechten* (farm supervisors/ overseers).

The Company continued to rely on slaves and convicts to work on the port and public works. Some slaves were also employed on Company farms and outposts. The number of Company slaves never increased beyond a thousand during the VOC period.[193] From 1679 Company slaves were mainly housed in the Slave Lodge in Cape Town.[194]

Few of the Company servants who were released to become burghers had any experience in farming. Farming required a relatively large capital and labour investment, and many burghers, mostly from humble backgrounds, soon became heavily indebted to the Company. By 1707 some forty percent of the 570 burghers whose fate is known had either returned to Company service, or simply deserted.[195] Others retained their status, but avoided the uncertainties of agriculture by becoming independent artisans or small-scale manufacturers who serviced the town and surrounding hinterland. A number of burghers secured lucrative retail licences, or tapped into the market provided by the regular influx of visitors from the sea, and ran eating, lodging houses, and taverns.[196] Before long the Cape earned the reputation of being 'the tavern of the seas'.

By the late seventeenth century, the urban burgher population was augmented by a small number of 'free blacks', who had been emancipated from slavery or who had completed their sentences as convicts. Some emancipated slaves applied for permission to return home, but many remained at the Cape. Worden *et al* argue that

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[192] Worden *et al*, *Cape Town*, 52.
[193] J. Armstrong and N. Worden, 'The Slaves', 123.
[194] H.Vollgraaf, *The Dutch East India Company's Slave Lodge at the Cape* (SA Cultural History Museum, Cape Town, 1997).
[195] Worden *et al*, *Cape Town*, 20.
[196] Worden *et al*, *Cape Town*, 28.

although the term 'free black' was current in the late seventeenth century, free blacks were only listed separately in the population records from the 1720s when they were removed from the burgher militia lists.[197]

Free blacks were involved in similar occupations to those of many poorer burghers. They rented rooms, ran eating houses, grew and sold vegetables, or practiced a craft. Worden *et al* note that most free blacks were involved in fishing, and formed the first identifiable 'occupational labouring community'.[198] Like small-scale manufacture or farming, fishing required a capital outlay. Free blacks pooled their resources, and relied on the support of their family for labour and for access to money to procure boats and nets.

Not all burghers or free blacks were self-supporting and it is out of these groups that we seen the emergence of the Colony's free and urban labouring poor. Like sailors and soldiers, burghers who were unable to sustain an independent living were hired as *knechten,* and as farm workers. Free blacks were hired by small-scale manufacturers, and in various other capacities. These burghers and free blacks formed the small pool of the Colony's free labourers.

There was also a visible number of poor burghers and free blacks, who were indigent. In the 1670s and 1680s the Company provided free rice for the poor without food.[199] The church also set up a poor relief fund that gave regular grants to the poor, and to widows and the disabled who had no family support.[200]

Emancipated slaves and convicts had few resources, and a large number of free blacks were poor and dependent on church charity. In 1708 Commissioner Cornelis Joan Simons ruled that owners could only manumit their slaves upon

[197] Worden *et al*, *Cape Town*, 64.
[198] Worden *et al*, *Cape Town*, 64.
[199] Worden *et al*, *Cape Town*, 68.
[200] Worden *et al*, *Cape Town*, 68.

guaranteeing that for ten years their freed slaves would not become charges of the poor fund.[201] From 1767 an owner was compelled to pay twenty rixdollars to the poor fund before each manumission. A decade later this amount was increased to fifty rixdollars, and by the late eighteenth century to 100 rixdollars.[202]

The incidence of slave ownership was relatively high, but holdings were small in the urban area. Most slave-owning households owned less than five slaves, although there were some that owned up to ten.[203] Slaves were mostly used for domestic work, but could be found in all sectors of the urban economy, including skilled work and manufacture.

Slaves were not only used directly for labour and many were expected to generate an income for their masters in other ways. Slaves were often hired out, while others were expected to earn a certain amount of money, or '*koelie-geld*', by hawking goods or catching fish on their owners' behalf.

The majority of slaves were based in the arable farming districts of the surrounding hinterland. From the 1670s intensive agriculture, based on the cultivation of small plots of land, was replaced with extensive agriculture. According to Leonard Guelke, who investigates the burgher farming community, extensive agriculture substituted land for capital and labour, and thereby minimised costs.[204]

Land in the new district of Stellenbosch, established in 1679, was made available. This time the Company did not limit the size of an individual's claim, but insisted that the land needed to be cultivated within three years.[205] Land-holding was also opened in the new areas of Paarl, Franschhoek, Tijgerberg, Wagenmakers valley,

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[201] R.Elphick and R. Shell, 'Intergroup Relations', Elphick and Giliomee (eds.) *The Shaping of South African Society,* 204.
[202] *Ibid.*
[203] Worden *et al*, *Cape Town*, 61.
[204] Guelke, 'Freehold Farmers and Frontier Settlers', 66-108.
[205] Guelke, 'Freehold Farmers and Frontier Settlers', 73.

the Land of Waveren, and Paardeberg. In the upper Berg River Valley there was a slight change in policy in that farmers were limited to rectangular grants of 50.5 hectares. Extensive arable or mixed farming (many grain and grape farmers also kept cattle) created its own problems. Sparse settlement meant that fewer people could share infrastructure and transport costs.[206]

In spite of these obstacles, by the 1690s the Cape was sufficiently productive to export wheat regularly to Batavia.[207]

Arable and mixed farming still required substantial investments in equipment, stock and labour and, after the Company stopped issuing any more land in freehold in 1717, land became more expensive.[208] While small cultivators found it increasingly difficult to secure a reasonable turnover on their invested capital, large producers became exceptionally wealthy.[209] Together with the licensed retailers, or *pacht* holders, and high-ranking VOC officials, successful wine and grain producers joined the colonial elite.

This sector of agriculture was heavily dependent on the labour of slaves for sowing, harvesting, domestic work, tending animals, clearing land, construction and maintenance, and the transportation of produce. Even so, slave holdings remained relatively small. Unlike the large plantation economies of the Americas, few farmers in the Cape owned more than fifty slaves at a time.[210]

High death rates and low birth rates meant that the Company and burghers were continually dependent on the importation of 'fresh' or 'green' slaves. Slaves were sourced from various parts of the Indian Ocean basin. Armstrong and Worden

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[206] Guelke, 'Freehold Farmers and Frontier Settlers', 74, 75.
[207] Israel, *The Dutch Republic*, 938.
[208] Guelke, 'Freehold Farmers and Frontier Settlers', 78.
[209] Guelke, 'Freehold Farmers and Frontier Settlers', 82.
[210] Armstrong and Worden, 'The Slaves', 136 and Worden, *Slavery in Dutch South Africa*, 31.

note that slaves came to the Colony in three ways.[211] Some were imported by VOC-sponsored voyages that secured relatively large numbers of slaves from Madagascar, and later from Mozambique and the East African Coast. Second, return fleets from Batavia usually brought a few slaves procured from a variety of different places in India and Indonesia. Many slaves were also sold-off at the Cape by officials on their way to the Netherlands, contributing to a robust private trade in slaves, which went on without the knowledge (or approval) of the *Heren* XVII. In the third instance, slaves were procured from the foreign slavers that frequently stopped at the Cape on their way to Brazil and other parts of South America. Such slaves were mostly sold to burghers or Company officials for their private use.

Many farmers also hired a small number of KhoiSan servants. For smaller mixed-farms, KhoiSan labourers provided a cheap alternative to slaves, who needed a substantial capital outlay.[212] The owners of larger farms would also hire additional slaves, or employ KhoiSan, during peak production periods.[213] At first KhoiSan were mainly employed as herders and shepherds, but they became increasingly involved in the cultivation of crops, completing the same tasks as slaves, and working alongside them.[214]

As noted by Guelke, under the administration of Willem Adriaan van der Stel (1699-1707), free grazing permits, or 'loan farms', were made available for a small annual rent, giving potential farmers access to a minimum of 2,420 ha.[215] These permits laid the foundation for the growth of stock farming, which required substantially less capital and labour than arable farming. More and more loan farms were taken out at ever increasing distances from Cape Town. The VOC progressively

[211] Armstrong and Worden, 'The Slaves', 112-11 8.
[212] Worden, *Slavery in Dutch South Africa*, 12, 34-35.
[213] N.Worden, *Slavery in Dutch South Africa*, 25.
[214] Elphick and Malherbe, 'The Khoisan', 17.
[215] Guelke, 'Freehold Farmers and Frontier Settlers', 78.

lost control of land allocation on the expanding frontier, where burghers transformed commons into private property through occupation, retroactively ratified by land titles granted by the VOC. While the number of arable farmers grew slowly, there was a rapid increase in the number of stock farmers, many of whom were pastoralists. In 1746 there were approximately 225 pastoralists. By 1770, this number had grown to 600.[216]

Compared to arable and mixed-farming, the returns on stock farming were relatively low. Few of these farmers were wealthy, and travellers often commentated on pastoralists' more modest life-style.[217] For instance, the scientist Dr Anders Sparrman, who travelled to Cape in the 1770s and wrote about his experiences, complained that the homes of pastoralist farmers on the eastern frontier were small, consisting of no more than two rooms that were dirty and congested. Travellers would have to share the floor of the kitchen with KhoiSan farm servants at night. [218] Many pastoralist farmers were unable to eke-out a basic subsistence, and became dependents who lived and worked on other farmers' land as *bijwoners* (tenant farmers or labour tenants).

Although there were stock farmers or pastoralists who owned one or two slaves, they were mostly dependent on the labour of KhoiSan servants, who were skilled in handling animals. KhoiSan also acted as domestic labourers, interpreters, and drivers of oxen. On the distant and open frontier, in which no one particular group was able to establish outright political or cultural dominance[219], labour arrangements were influenced by local traditions of dependence and clientelism. Some KhoiSan

[216] Guelke, 'Freehold Farmers and Frontier Settlers', 85.
[217] Guelke, 'Freehold Farmers and Frontier Settlers', 89, 92.
[218] Sparrman, *A Voyage to the Cape of Good Hope,* Vol. I., 137.
[219] See M. Legassick and H. Giliomee on the notions of the frontier zone and open frontier. H. Giliomee, 'The Eastern Frontier', in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 421-471; M. Legassick, 'The Northern Frontier to c. 1840: The Rise and Decline of the Griqua People' in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 358-420.

who had lost their cattle and access to pasturage would attach themselves to a farmer, often adopting Christianity and the Dutch language. Such dependents, known as '*Oorlams'*, would be rewarded with a cow or two and even a horse or a gun.[220]

These farmers could also rely on '*Bastaard*s', people of mixed European-KhoiSan descent, or the distinct category of '*Bastaard-Hottentots'*, specifically referring to people with slave fathers and KhoiSan mothers. Reflecting complex racial and class hierarchies, *Bastaards* tended to have a higher status that of *Bastaard-Hottentots* or *Oorlams*. As noted by Martin Legassick, who developed the notion of the 'frontier zone' to understand the Cape's geographical and social borderlands[221], the *Bastaards* gravitated towards less menial jobs and were often day labourers, craftspeople, or transport riders.[222] Some *Bastaards* were able to gain access to land title *and* burgher status and engaged in small-scale farming. Like *Oorlams*, they also adopted the Christian faith and Dutch language, and were known as 'swarthy Hollanders'.[223]

Trusted KhoiSan and *Bastaards* did not only provide farm labour, but in many instances farmers would send these dependents on commando (militia) duty as their substitutes.[224]

In addition to the core economy of the Cape, geared towards servicing the needs of the Company, two unsanctioned economies book-ended the Colony. The very existence of these economies demonstrated that the Company's authority was partial, especially at the porous colonial boundaries but even within Cape Town itself.

An underground, shadow economy based on the illicit sale in stolen or smuggled goods, operated from Cape Town's drinking houses and canteens, which

[220] Legassick, 'The Northern Frontier', 368.
[221] Legassick, 'The Northern Frontier', 360.
[222] Legassick, 'The Northern Frontier', 370.
[223] *Ibid*.
[224] *Ibid.*

were frequented by members of the under-class. It seems that slaves and free blacks, especially the small Chinese community (see below), played a leading role in the procurement and distribution of illegal goods.

Meanwhile, Legassick notes, communities on the frontier – including renegade burghers and their *Oorlam* dependents, and also the leading *Bastaard* families – effectively usurped much of the VOC's role in trading with KhoiSan and other Bantu-speaking African communities in the interior.[225] They traded to gain cattle and products of the hunt, mostly ivory.

This trade was predicated on local commandos, which were dependent on the Colony for the supply of guns and ammunition. It soon evolved into more unregulated hunting and raiding. Legassick notes that frontier farmers often bought ivory with guns, which quickly diffused fire-arms. To avoid legal problems with the colonial authorities, some 'respectable' frontiersmen would retain commandos/bands, supplying them with arms and ammunition, and then sell their captured cattle and other goods within the Colony.[226] These commandos/bands were responsible for fuelling much of the violence on the frontier.

As stock farming expanded, the boundaries of the colony were pushed further north and east. In 1745 a new district, Swellendam south of the Langeberg Mountains, was established. By the 1770s stock farmers and pastoralists occupied areas to the north and east of the Sneeuwberg Mountains, and to the southeast the country behind Bruinteshoogte.[227]

In addition to the thousands of sailors and soldiers who passed through the Cape between December and May of each year, by 1770 the Colony's 'settled' population was 17,959. This consisted of approximately 1000 Company servants,

[225] Legassick, 'The Northern Frontier', 368-69, 371-2.
[226] Legassick, 'The Northern Frontier', 369.
[227] Guelke, 'Freehold Farmers and Frontier Settlers', 85.

7736 burghers and 352 free blacks, 8200 privately owned slaves, 559 Company owned slaves and 112 convicts.[228] This does *not* include the KhoiSan in the Colony, which historians think may have already reached 23000 by the 1780s.[229]

Political Institutions and Labour Regulation

At first, the outpost was little more than an extension of the VOC, and replicated the Company's internal hierarchies and administration. Van Riebeeck as commander headed the Council of Policy, which met weekly at the fort and carried out 'all functions of government' on land.[230] The Cape's administration and law was modelled on those of Batavia, supplemented with local *plakkaten* (or ordinances).

From as early as 1658 burghers were given some representation, and two (later three) representatives were incorporated onto the Council when cases involving burghers were heard.[231] In 1685 a separate judicial body, the Council of Justice, was created. The Council of Justice remained the highest court of law, and dealt with all the serious civil and criminal cases. The chief legal officer was called the Fiscal.[232] From 1688 he answered directly to the *Heren* XVII, not to the governor, and was expected to investigate all serious cases and to serve as the public prosecutor.

Initially the Cape fell under the direction of a chief merchant, and it was only in 1690 that Simon van der Stel was appointed to the post of 'governor'.[233] As the Colony expanded, local government was extended and additional minor courts were created. From 1682 the '*Collegie van heemraden*' served as the chief administrative

[228] R. Elphick and H. Giliomee, 'The Origins and Entrenchment of European Domination at the Cape, 1652-c.1840', in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 521-566, 524.
[229] Worden, *Slavery in Dutch South Africa*, 11.
[230] Worden *et al*, *Cape Town*, 29.
[231] N. Worden and G. Groenewald, *Trails of Slavery: selected documents concerning slaves from the criminal records of the Council of Justice at the Cape of Good Hope*, 1705 – 1794 (Van Riebeeck Society, Cape Town, 2005), xxxi.
[232] Worden and Groenewald, *Trials of Slavery*, xii.
[233] G. Schutte, 'Company and Colonists at the Cape, 1652-1795', in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 283 – 323, 296.

body of Stellenbosch and Drakenstein. The *landdrost*, a VOC official who also served on the Council of Policy, presided over the *heemraden*, which were able to deal with minor civil cases, involving disputes in which claims did not exceed fifty rixdollars, and the *landdrost* had to prosecute those crimes committed in his district before the Council of Justice.

These institutions provided the legal and administrative framework for regulating the work of the labouring poor and were also used to monitor their leisure and movements. Authorities feared that any fellowship amongst the labouring poor would automatically lead to criminal activity, or more seriously, to seditious plotting and conspiracies. A number of proclamations were passed to control the movement and gatherings of the under-class. In the 1730s a curfew was applied to all low ranking Company servants (artisans, labourers, sailors, and soldiers) as well as to convicts, and slaves, who were forbidden on the streets after ten o'clock at night.[234]

The Batavian Statutes of India of were supplemented with local ordinances that were collected and promulgated as a slave code in 1754. [235] In addition to a curfew, slaves were forbidden from riding horses or wagons on the streets, singing or making noise in the evening, and gathering on holidays. The code also forbade slaves from treating their masters 'with despise', and proclaimed that any slave who laid a hand on a mistress or master, with or without a weapon, would be punished with death. After a *droster* gang murdered Michiel Smuts and his family in 1760, spreading panic across the Colony, the regulation of slaves was tightened.[236]

The legal status of KhoiSan servants was left relatively ambiguous and no official codes were developed for their regulation. However, as with other sections of the labouring poor, KhoiSan and *Bastaard-Hottentots* were increasingly subjected to

[234]Worden and Groenewald, *Trials of Slavery*, 149.
[235] Worden, *Slavery in Dutch South Africa*, 104, and Armstrong and Worden, 'The Slaves',152.
[236] C 138, 348-357, 15 July, 1760, TANAP, C138-140, 629.

the discipline of the criminal justice system. From the 1730s a number of cases involving KhoiSan men appear in the *sententiën*, which document the most serious crimes in the Colony.[237] Their crimes included cattle or stock theft that appears to have involved murder. From the 1740s, cases involving KhoiSan women also appear in the *sententiën*. Contradicting the latter-day stereotypes of KhoiSan women as passive victims of colonialism, two of the four KhoiSan women tried for serious crimes in the 1740s were found guilty of attacking a *knecht*.[238]

As in the case of other VOC factories and colonies, the criminal court made no pretence of equality before the law, and the courts were used to reinforce rank and status. Reflecting complicated strategies of inclusion and exclusion, any association with people of low-status influenced the way in which the court dealt with, and punished a person.

This was especially true of those free blacks who maintained social and family linkages with slaves. In 1738, for instance, two free blacks, Pieter Coridon and Jan van Ceijlon, were found drinking with slaves after curfew. The curfew did not apply to free people, but because Coridon and Jan van Ceijlon were drinking with slaves, they were immediately suspected of plotting at night.[239] All the accused, free blacks and slaves alike, were sentenced to be 'thoroughly whipped' and sent home.[240]

There may have been rare instances in which individual slaves or servants found themselves in a more paternalistic arrangements with their masters or

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[237] See Addendum II and III in H.F. Heese, *Reg en Onreg: Kaapse Regspraak in die Agtiende Eeu* (Insituut vir Historiese Navorsing, University van Wes- Kaapland, Cape Town, 1994), 122 -271. Eleven cases against KhoiSan are listed: Ruyter,1735, CJ 786.1, Toonje, 1735, CJ 785,41; Varken, 1735, CJ 785, 41, Dirk, 1736, CJ 786, 2; Jantje, 1736, CJ 786,1; Platje, 1736, CJ 786,2; Witbooy, 1736, CJ 786, 2; Ruyter, 1736, CJ 786,1; Wiltschut, 1738, CJ 786, 32; Witbooy, 1738, CJ 786, 31, David, 1738, CJ 786, 31.
[238] Maria *et a*l, 1746, CJ 787, 22 cited in Heese, *Reg en Onreg*, 196, 232.
[239] CJ 342, Criminele Process Stukken, 1738, ff. 1-2v, translated in Worden and Groenewald, *Trials of Slavery,* 153.
[240] CJ 342 Criminele Process Stukken, 1738, ff, 1-2v, translated in Worden and Groenewald, *Trials of Slavery*, 153.

commanders.[241] This may especially be true of the dependency relationships on the distant frontier.

However, for the most part, class and labour relations were based on open, physical violence, ritualised and entrenched by the spectacularly gruesome punishments meted out by the courts. Corporal and capital punishments were visible, and meant to serve as a lesson to others and to demonstrate the power and authority of the state. Yet, Douglas Hay cautions that historians should not simply focus on the spectacle of judicial violence. He argues that the power of mercy also served as an effective display of power and authority.[242]

In the case of the Cape, official acts of mercy were embedded in the actual acts of punishments. For instance, slave prisoners could be granted a mercy-blow, which rendered them dead or unconscious before their bodies were broken on the wheel. Company sailors and soldiers could be sentenced to be shot at, but over their heads, indicating that due to the mercy of the court they had escape death.

Private slave-owners were bound by Company rules and regulations. According Batavian law, slaves could not be kept in leg-irons, tortured or killed unless so ordered by the court.[243] In addition, the death of a slave had to be reported to authorities, and witnesses had to determine the cause of death before a slave could be buried. However, local authorities were not always available and, as Dooling argues, neighbours or the broader 'moral community' of the elite determined and regulated acceptable forms of punishment and the treatment of slaves.[244]

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[241] M. Legassick, 'Slavery Came First'. SAROB, 43 (1996), http:// web.uct.ac.za/depts/sarb/X0026_Legassick.html, 5/26/ 2010.
[242] D. Hay, 'Property, Authority and the Criminal Law', in D. Hay, P. Linebaugh, J. Rule, E.P. Thompson, and C. Winslow (eds.) *Albion's Fatal Tree: Crime and Society in Eighteenth Century England* (Pantheon Books, London, 1975), 17 -64.
[243] Worden, *Slavery in Dutch South Africa*, 11.
[244] Dooling, *Slavery, Emancipation, and Colonial Rule*, 10.

This community seems to have been operational relatively early on. In October 1740 the court heard the testimony of the soldier Jan Christoffel Fabricius, who attempted to intervene when a burgher with whom he was lodging severely beat and cursed a slave woman. Familiar with the importance of maintaining a good reputation in the wider community, Fabricius declared 'You ought to be ashamed of yourself, what sort of life is this in this house, what would the neighbours think?'[245] The burgher, Michiel Daniel Lorich answered, 'That is none of your business, she is my slave, the thievish whore has earned it'.[246] The court later ruled that Lorich was a useless subject, and he was sent back to the Netherlands at his own cost.

Such interventions were rare, as the court only really acted against those masters who openly and deliberately flouted either their neighbours or official procedure. This is best demonstrated by Jan de Thuilot who, in 1707, beat to death two of his labourers, a slave and KhoiSan servant, for stealing his keys.[247] He rejected the advice of a visiting farmer who urged him to turn the culprits over to authorities to be punished, and then later fled before he could be arrested. Thuilot was sentenced to death *in absentia* for a crime that was usually punished through a fine.

In the absence of any official codes for KhoiSan servants, masters of these labourers developed their own instruments of labour control. In direct contradiction to the initial instruction of the *Heren* XVII not to enslave KhoiSan, many masters used a system of apprenticing the children of KhoiSan mothers and slave fathers, as well as KhoiSan 'orphans' (children kidnapped in raids on the frontier). In opposition to the flexible work arrangements preferred by KhoiSan servants, masters were also known

[245] CJ 345 Criminele Process Stukken, 1740, ff. 581 -83, translated in Worden and Groenewald, *Trials of Slavery*, 183.
[246] *Ibid.*
[247] Worden and Groenewald, *Trials of Slavery*, 9.

to withhold remuneration in order to recover debts, seize livestock, chase runaways, and to on occasion hold children hostage to force their parent/s to return to work.[248]

The archival record is always much thinner with regards to KhoiSan workers than the slaves and Company servants, and it is difficult to gauge the limits on their masters' authority. From the 1760s, the *sententiën* list cases in which burghers were brought to trial for the murder or cruel treatment of KhoiSan servants. For instance, in 1765 Jan Otto Diedericks was sentenced to be whipped and imprisoned on Robben Island for twenty-five years.[249] Such prosecutions may represent initial attempts by the colonial government to intervene more decisively in the relationship between masters and their KhoiSan servants, reflecting an important shift in the labour regulation towards the end of the eighteenth century.

Summary

In the reports sent to *Heren* XVII in 1717 in response to the question of whether the immigration of free European labour would be preferable to slavery, there was one dissenting voice. D.M Pasques De Chavonnes, the Governor's brother, favoured free European labour, whom he regarded as competent and able to perform Company work, whilst contributing to the Cape's security and prosperity. He noted that:

> …one must consider the tranquillity enjoyed by the inhabitant who is served by his own people, and the hold he would have on their wages in the case of unfaithfulness and neglect. I should also like to point to the dangers, expense and troubles which residents in the country districts have to endure because of the slaves, e.g. conspiracies among the slaves, who run away in bands –

[248] Elphick and Malherbe, 'The Khoisan', 31.
[249] Diedericks, 1765, CJ 791 in Heese,' *Reg en Onreg*', 130.

> generally in harvest time – and leave their masters in the lurch…Clothes, tobacco and food, whether in service or not, the never-ending sicknesses, accidents, maiming, death, burials, whatever is stolen or neglected by this class of person [slaves], and the fact that 3 slaves are required to do the work of 2 Europeans, - all add to the expense, and it will be therefore acknowledged that I am right in saying that that a farm-labourer, earning 8, 9 or 10 guldens a month and his food, will be more useful to the country.[250]

These views were out of sync with the policies, institutions, and practices adopted in the VOC and the Cape. To understand the conventions that surrounded class and labour in the Cape and other VOC colonies, a broader appreciation of merchant colonialism as a temporally and structurally distinct form of European imperialism is required. The VOC was both a company and a state. Here, instead of drawing distinctions between the economic and political, we must examine the intersection of relations of production and state-making.

Using this framework we can see that VOC rule was uneven and contested and that the Company relied on other groups, local merchants, and elites, to gain trade advantages and to govern. This partiality should not be read as a sign of a benign government or a 'reluctant' imperialism.[251] Resembling labour systems in the north Atlantic, the VOC was predicated on a harsh and violent class order and colonial conquest and dispossession. Nor should the limits of VOC power in these circumstances be misread to mean that the Company was incoherent, or that there the VOC was merely an ensemble of 'many' merchant colonialisms. The VOC was structured by consistent patterns of power, rule and exploitation that need to be

[250] Marius Pasques de Chavonnes, Cape of Good Hope, Council of Policy, 10 February 1717, *The Reports of Chavonnes*, 104.
[251] Gaastra, *The Dutch East India Company*, 60.

understood. Of course, local specificity is important, but it must be examined in relation to general trends. Close micro-analysis is often enabled by macro-historical approaches.

The Cape Colony inherited the systems of rule and labour practices of the Company. Colonial society was not as racially open or socially flat as some authors have contended, and indigenous polities and races were certainly not integrated into the Colony as equals. Colonialism, based on territorial enclosure and political subjugation, and forced and bonded labour, especially slavery, were etched onto social relations. Complicating categories such as 'Christian' and 'heathen', class, race, and colonialism informed the gradated hierarchies of rank and status as well as state strategies of inclusion and exclusion.

All of these variations were structured by a hierarchy of exploitation and domination. These helped constitute a distinct under-class in the Cape. Slaves, low ranking Company men, the poor, labourers, and servants shared an experience of violence, death, and the lack of control over their own lives. Even in the absence of a coherent racial ideology, the under-class of African and Asian descent faced additional obstacles. An important consequence of uneven colonial rule was that KhoiSan were increasingly integrated into the Colony as servants, but were denied any real legal status. Slavery was synonymous with 'black', not only 'heathen', while free blacks found that their servile status was inheritable, and were also systematically discriminated against by church and state.

Production, trade, and the development of infrastructure were required for the Cape to fulfil its role as a replenishing station for VOC fleets, giving rise to a regionally diverse, but interconnected, economies based on specific labour markets. In some instances, especially on the more distant pastoralist frontier, new forms of

labour emerged, which were partly rooted in traditional African practices of dependency.

The Cape was heavily dependent on the labour of indentured sailors and soldiers, on convicts, on slaves regulated through codes and the criminal justice system, and on free and un-free workers, urban and rural.

The courts were the ultimate disciplinary authority, with the legal monopoly over the life and limb of Company servants and subjects. Although the Company created the institutional framework for discipline and punishment, commanders and masters were responsible for the daily management of the labouring poor. They were granted a great deal of autonomy with regards to corporal 'correction'. It is only when the courts or authority of the Company was directly flouted that commanders or masters were censured. Due to the ambivalent legal status of KhoiSan servants, masters had to develop their own mechanisms of control.

It was within this historical context that the labouring poor in the Cape were integrated into the political economy of the VOC and thrown together. This context would shape their forms of belongings as well as their traditions of protest.

CHAPTER TWO

Counter Culture: Belongings and Community of the Labouring Poor.

In 1737, the *sententiën* summarised the crimes of the deserter slave, Aron van Madagascar, as follows:

> The prisoner, more than several years ago… was searching for wood on Table Mountain with a bondsman by the name of Jannuarij. The same Jannuarij had told the prisoner that Leander Boegies [imported from Bugis in East Asia], head of the rogues who resided at Vishoek, was present on Table Mountain and had given him, Jannuarij, two *dubbeltjes* [two stuivers] with which to buy flint- stones; which two *dubbeljjes* that slave Jannuarij then handed to the prisoner to buy the flint stones for him…That the prisoner, more than a full year ago, ran away from his masters house and, taking off with some *jongens* [boys/slaves] from *Rio de la Goa* [Mozambique], in the direction of the beach, eventually arrived above Vishoek, where they took residence. Which is where the prisoner saw his comrades eating snakes, because of which, as he asserts, he moved to leave them and continue on his journey hither, meeting along the way the slaves Joumat, Adam and the recently executed Jamboe, from whom the prisoner, after staying there for two or three days, went away and came

back to the Cape with the kettle of the aforesaid Jamboe, which he had stolen from him. [1]

This passage can be read in a number of ways. Some scholars may view Aron's apparent individualism as evidence of the lack of solidarity amongst slaves and social fragmentation. He seemed to abandon his fellows at a whim, and even stole a kettle from one of his comrades.

At the same time the passage reveals significant connections, networks and intersections. Aron's encounter with Leander van Boegis[2], a notorious rogue, sheds light on a hidden, illicit world of deserters that interfaced with the formal economy and that was enabled by seemingly compliant slaves. His experience of desertion goes on to highlight the malleability of *droster* (runaway/deserter) networks, and the mobility of *droster* gangs, allowing Aron to meet and briefly cohabit with other runaways as he moved from one part of the Colony to another.

This Chapter and the next (Chapter Three) examine the labouring poor 'from below' by focusing on resistance. Resistance is conceptualised as having two key components: the creation of autonomous, oppositional forms of belonging or communities (or counter culture), and traditions of protest. This chapter examines key sites of social connection, including family, fellowship, alternative social networks and communities, and practices of mutual aid, to establish the nature of the forms of belonging and communities created by the labouring poor in the Cape in the first half of the eighteenth century.

[1] CJ 786, *Sententiën* 1736 – 1743, ff 88 – 93, translated in N. Worden and G. Groenewald, *Trials of Slavery: Selected Documents Concerning Slaves from the Criminal Records of the Council of Justice at the Cape of Good Hope*, 1705-1794 (Van Riebeeck Society, Cape Town, 2005), 141.
[2] The original spelling of toponyms will be used.

Class, Belongings, and Community

For Linebaugh and Rediker, the metaphor of the hydra is a means of exploring the multiplicity of the mobile yet connected labouring poor.[3] The labouring poor was 'motley', and the many heads of the hydra represent the different types of workers and commoners drawn from different genders, races, ethnicities, and nations. However, Linebaugh and Rediker maintain that these 'heads' were connected by a broader, shared conception of an egalitarian, multi-ethnic humanity.

The labouring poor that lived and moved through the Cape was also motley and included Company sailors, soldiers, artisans, drawn from across northern Europe, the urban and rural poor, free labourers of European and Asian decent, KhoiSan servants and dependents, slaves from Madagascar, Indonesia, India, and parts of Africa, and convicts.

What were the relations between these groups? Echoing a common view amongst historians, Nigel Worden insists that evidence of the class solidarities of the transatlantic working class as detailed by Linebaugh and Rediker, is simply not present for the eighteenth-century Cape.[4]

Worden writes from a tradition of stressing disconnection, discord and difference; in this framework, the labouring poor in the Cape are not examined as a whole, but as separate population groups that are also seen to lack social and political coherence. KhoiSan servants, who are simultaneously members of a specific class and indigenous polities, are viewed as belonging to disintegrating communities in the face of colonial expansion. Slaves, on the other hand, are cast in a mould of social and geographical dislocation, drawn from many areas but without a common 'culture'.

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[3] P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Beacon Press, Boston, 2000), 6.
[4] N. Worden, 'After Race and Class: Recent Trends in the Historiography of Early Colonial Cape Society', *South African Historical Journal*, 62: 3 (2010), 589 – 602, 594.

In such a framework, writers have argued that ethnic and linguistic diversity, small workplaces separated by spatial distance, and tight mechanisms of social and labour control prevented slaves in the Cape from forming a distinct culture.[5] Slaves are also seen to be fragmented along gender lines, and it is argued that slave women identified with their masters' household – rather than a slave or popular community – and, in this way, were separated from slave men.[6]

The court records provide ample evidence that slaves, low-ranking Company men, KhoiSan servants, and convicts stole from one another, informed on one another, abandoned one another, and even beat and killed one another. However, this is only part of a more complex past – a past of connections and solidarities that is obscured by a one-sided stress on difference, division, and fracture.

The archival record, read differently and from a framework informed by the *Many-Headed Hydra*, is littered with evidence of connection and cooperation amongst the labouring poor that transcended social difference and geographical distance. Andrew Bank and Jonathan Mason have started to make sense of this evidence for slaves in the nineteenth century.[7] They argue, respectively, that slaves were part of a broad under-class culture and contributed to the making of a community of shared beliefs that validated resistance.

In the case of the eighteenth-century Cape, especially before the 1770s, these patterns have been ignored by historians, or dismissed as insignificant. The current work on identity has helped reinforce an older stress on fragmentation. According to

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[5] R. Ross, *Cape of Torments: Slavery and Resistance in South Africa* (Routledge and Kegan Paul, London, 1983); Worden and Groenewald, *Trials of Slavery*, 21-22; N. Worden, 'Revolt in Cape Colony slave society' in E. Alpers, G. Campbell and M. Salman (eds.) *Resisting Bondage in Indian Ocean Africa and Asia* (Routledge, London etc., 2007), 10-23.
[6] R. Shell, *Children of Bondage: A Social History of the Slave Society at the Cape of Good Hope, 1652-1838* (University of the Witwatersrand Press, Johannesburg, 2001), 328-329.
[7] J. Mason, *Social Death and Resurrection: Slavery and Emancipation in South Africa* (University of Virginia Press, Charlottesville, etc., 2003), 1-11 and A. Bank, *The Decline of Urban Slavery at the Cape* (Centre for African Studies, University of Cape Town, 1991), 98-142.

Worden, identity should be viewed as result of negotiations between where people place themselves and are placed within social networks and between what is possible and forbidden.[8] Through 'performance' people protect and promote their identities. Thus, Worden argues, social attitudes, patterns of work, living space and leisure, language, dress and gesture, consumption, and material belongings provide valuable inroads into the study of social consciousness.[9]

Worden denies that the stress on identity has displaced class, since an examination of the similarities and differences of the performance of identity across and within class has not been precluded. However, he stresses that such examinations should aim to complicate and contest social categories long taken for granted, and move beyond 'single category history' based on a vision of static and homogenous population groups such as 'slaves', 'KhoiSan' or 'burghers'.[10] This allows Cape society to be viewed as site of diffuse, multiple, and dynamic identities expressed through particular life-style choices and public displays.

The stress on social difference, division, and discord, which previously occupied historians of the Cape, has not been questioned. Rather, the divisions have simply been re-drawn and the labouring poor remain portrayed as fractious. Their identities, regarded as multiple and conflicting, are accorded no special significance other than taking their place alongside all other identities, demonstrating heterogeneity within social categories and the particularities of specific groups.

The more contingent and performance-focused approach to identity may appear at first glance especially well suited to Cape society, which was based on finely gradated hierarchies of rank and status. Worden's approach has significant

[8] Worden, 'After Race and Class', 593
[9] *Ibid.*
[10] Worden, 'Introduction', in N. Worden (ed.) *Contingent Lives: social identity and material culture in the VOC world* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town and Pretoria, 2007), x.

implications for studying the identity of the labouring poor. He argues that Company sailors and soldiers occupied different ranks and statuses on board ships and on land, developed their own exclusive occupational cultures, and, as temporary visitors, were not integrated into under-class networks at the Cape.[11]

However, this 'identity' approach still tends to downplay the broader social and political relations within which these various ranks and statuses are negotiated, enabled, and experienced. Identities are not simply individual choices, freely performed, but are deeply embedded in lived experiences and histories, including those of oppression by class and race. The impact that colonial conquest, harsh regimes of class discipline and punishment, and the racial distribution of state and church resources may have had on the formation of social networks or the limits of possibility (or what is forbidden and what is possible) are not easily considered through a stress on 'performance', consumption, and life-style.

Equally, class is used in a narrow sense. Class is understood in the 'identity' framework as basically an economic category, which provides material constraints on cultural autonomy. Class identity is downplayed, since it is thought to obscure, rather than intersect and interact with other identities based on gender, ethnicity, age, or belief.

Within a 'new cultural history' approach the detail offered by a micro-analysis is also often mistaken for complexity; and it is often assumed that heterogeneity invalidates or minimises the significance of broader social categories. The project often centres on producing even more studies which prove that identities are unstable, ambiguous and vary across space and time.

[11] N. Worden, 'Sailors Ashore: Seafarer Experience and Identity in Mid-18th Century Cape Town' in Worden (eds.) *Contingent Lives*, 589-600.

This approach is not particularly new, nor is it especially generative. As identity becomes more relative, and is presented as ever more fractured, it becomes increasingly difficult to assign importance to variables, to identify cultural patterns, and to establish the level of social division or distance within the larger society.

An acknowledgement of class and colonialism is also necessary when it comes to understanding the structure of the archive and reading archival texts. Slaves, KhoiSan servants, sailors, and soldiers had a very different relationship to the state and church than the free and citizens, and were not constructed or coded in the same way as burghers and elites. Social networks that were autonomous or oppositional were usually forbidden. As demonstrated by Aron's case, evidence of social networks created by the labouring poor is usually embedded in the very records meant to document their moral corruption and violence. Analysing the identity/ies of the labouring poor requires a reading of historical sources that is sensitive to this particular context of social transgression and dissidence.

A focus on the connections within and between different sections of the labouring poor, as opposed to performed identity, reveals an entirely different picture of the labouring poor in the Cape from that presented in the 'identity' approach. Although Dooling studies the gentry, his emphasis on experience and human relations and definition of community as a network of social relations marked by mutuality and emotional bonds is especially useful to a consideration of the labouring poor.[12]

Class, as both a lived reality and as a structural relationship, can provide the basis for belonging or community as well as shape other forms of belonging based on race, ethnicity, nation or gender. In this way, class can give rise to multiple forms of

[12] W. Dooling, 'The Good Opinion of Others': Law, Slavery and Community in the Cape Colony, c.1760-1830', in N. Worden and C. Crais (eds.), *Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony* (University of the Witwatersrand Press, Johannesburg, 1994), 25-44, 31.

belonging, cultural expressions, and communities that may or may not be class conscious or based on class alone. Equally, it can give rise to class resistance, and to the making of autonomous class-based communities, based on a shared experience of dispossession and exploitation.

It is widely accepted in the literature on resistance that autonomous communities are significant because they shelter the marginalised from the brutality of their condition and allow them to express their humanity and reclaim their dignity.[13] James Scott, the leading scholar of everyday resistance, and Mason, who examines everyday resistance in the early nineteenth-century Cape, note that autonomous communities have further political importance in that they can create a supportive environment for resistance. In the words of Mason, they create an 'ethos of resistance'.[14] It is the combination of being autonomous and oppositional, social as well as political, that provides the basis for a counter culture.

In the case of the Atlantic, Linebaugh and Rediker note that the formation of oppositional, proletarian forms of belonging and solidarities was slow, uneven, and difficult to trace.[15] Continuing the Hercules versus the hydra metaphor, they note that the making of an alternative common moral order was challenged by decapitation almost every time it reared one of its heads.

The labouring poor in the Cape experienced similar difficulties. Their connections, seen as a threat by masters, commanders, and colonial authorities, were un-sanctioned and vulnerable and, as noted in the previous Chapter, potentially undermined by real divisions along racial lines. Reflecting the death and uncertainty that characterised their lives, the social connections they forged were often unstable and transient in nature.

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[13] Bank, *The Decline of Urban Slavery*, 99, 101
[14] Mason, *Social Death and Resurrection*, 156.
[15] Linebaugh and Rediker, *The Many Headed Hydra*,154.

However, this study demonstrates that the labouring poor managed to create distinct, autonomous social worlds. It rejects the notion that the labouring poor in the Cape were socially dislocated, with no common class identity, or struggles. That the social worlds of labouring poor were multiple and complicated should not be interpreted as yet more evidence of difference, or of social and political fragmentation. On the contrary, their families, fellowships, networks, and practices of mutual aid were inclusive and *malleable* enough to deal with mobility and diversity, and created *overlapping* and *interconnected* communities. Much like the heads of the Atlantic hydra, under-class forms of belonging and communities were part of something bigger and provided the basis for solidarities organised around a shared experience of exploitation and oppression. This contributed to 'an ethos of resistance' and a multiracial, multi-ethnic translocal counter culture that included both men and women.

Autonomy and Mobility

The labouring poor had very little control over their own lives. The threat of punishment, starvation, disease and death was pervasive. For any form of separate belonging or community to be possible, the labouring poor had to secure a degree of autonomy and mobility to access social relationships or cultural practices other than those provided by their masters, commanders, and colonial authorities.

Yet, even in the eighteenth century Cape, the labouring poor were able to escape the supervision of their masters or commanders. Visiting Company sailors who obtained shore-leave were not directly supervised by their ship's officers, while those sailors and soldiers stationed at the Cape escaped surveillance during their time-off.[16]

[16] Worden, 'Sailors Ashore', 594.

Even slaves were able to secure some freedoms. It appears that most were permitted free time, usually on Sundays.

The lives of the labouring poor were also not static, nor entirely stationary, and the effects of the opportunity for movement and travel across the Colony have not been adequately acknowledged by historians of the early colonial Cape. Labourers in the Cape would often change their work, giving them an opportunity to move and stay in different parts of the Colony. Slaves and KhoiSan servants, in town and the countryside, were hired-out regularly. Company sailors and soldiers stationed at the Cape were not confined to the shore or military bases and, as *pasgangers*, would look for additional work on country farms.

Added to this, certain labourers were expected to travel widely. Company sailors and KhoiSan servants who were constantly on the move and travelled across great distances are the most notable. There were also guides and wagon drivers, occupations dominated by KhoiSan, *Bastaards* and *Bastaard-Hottentots*. Slaves who collected firewood, earned money by selling goods, or transported goods to the market without their masters or overseers also had to be granted some freedom of movement to fulfil their tasks.

Much of the free time and travel of the labouring poor was sanctioned by masters and authorities. In spite of social regulations, and the introduction of a pass system in the late eighteenth century, such activities were not easily controlled. François Valentyn, a minister of religion for the Company who travelled to the Cape in the late seventeenth and early eighteenth centuries, noted that *pasgangers* would often take advantage of their liberties and desert, often joining other *drosters* and bands. He recommended that ‘readjustment should be made as regards the farm hands

lent the colonists…many of whom run from their employers, going out as vagabonds and doing much harm.'[17]

Similarly, on his journey to Paarl in 1772 Dr. Anders Sparrman noted the disorderly behaviours of slaves transporting goods to market. He noted:

> Among the wagons that overtook us, there was one drawn by six pair of oxen, after a fashion of the country. In this a slave lay asleep as a drunk sow, likewise in a great measure after the country fashion. Another however more sober than he, sat at the helm, with a whip. [18]

In 1801 British colonial authorities also expressed concern about slaves transporting wine to Cape Town. Slaves partook of the wine in casks opened for inspection, 'tending to produce riotous and disorderly behaviour in this class of people'.[19]

Free time and movement allowed the labouring poor to expand their social horizons and networks. They were able to establish social contact with others within, and beyond, their particular workplaces, and in other parts of the Colony. Largely due to the regular presence of transient sailors and soldiers, such networks were also profoundly transnational, and stretched into other parts of the world.

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[17] F. Valentyn, *Description of the Cape of Good Hope with the Matters Concerning it,* Amsterdam 1726, edited by P. Setton, R. Raven-Hart, W.J. de Kock, E.H. Raidt and translated by R. Raven-Hart, (Van Riebeeck Society, Cape Town, 1791), Vol. II., 231.

[18] A. Sparrman, *A Voyage to the Cape of Good Hope, towards the Antarctic Polar Circle, around the World and to the Country of the Hottentots and the Caffers from the Year 1772 -1776*, Vols. I and II, edited by V.S. Forbes and translated by J & I Rudner, (Van Riebeeck Society, Reprint Series, Cape Town, 2007), Vol. 1., 87.

[19] Proclamation by Major General Francis Dundas, 14 August 1801, in G.M. Theal, (eds.) *Records of the Cape Colony*, Vols. I-VII, 1793-1811, (Manuscript Documents in the Public Record Office, London, Printed for the Government of the Cape Colony, 1897-1899) [hereafter RCC], Vol. IV., 63-4.

Family Ties

Carl Peter Thunberg travelled to the Cape in the early 1770s. He commented relatively extensively on the labouring poor. About Company soldiers he noted the following:

> A soldier here is not at liberty to marry, lest, as in this case he must live with his wife out of the citadel, he should run in debt in town, and, in consequence of this, incur the usual punishment, which is transportation to Batavia. Although it would be much better that a soldier or corporal should be at liberty to marry, and receiving his pay, do his duty, and on those days when he is exempt from duty earn his livelihood by teaching, or some other trade, and although many, as daily experience evinces, for want of this regulation, fall into bad courses, and ruin themselves by connecxions with black women…[20]

Thunberg reminds us that domestic arrangements are not private matters, but, as Anne Stoler claims, political and economic affairs that sharpen (or mute) the categories of ruler and ruled.[21] Officially-sanctioned marriage was as a privilege associated with being free, a burgher, and of high-rank. (This is true even of those officers and gentlemen who travelled alone, although many chose to travel with their wives and children). As documented in recent studies by Laura Mitchell, who details the genealogy of Cape burghers, and Gerald Groenewald, who examines the rise of a

[20] P. Thunberg, *Travels at the Cape of Good Hope, 1777-1775*, edited by V.S. Forbes and revised translation by J and I. Runder, (Van Riebeeck Society, Cape Town 1986), 51.
[21] A. Stoler, 'Rethinking Colonial Categories: European Communities and Borders of Rule', in N. Dirks, *Colonialism and Culture* (university of Michigan, Ann Arbor, 1994), 319-352, 323.

merchant elite, marriage also played a central role in the formation of community identity and in securing and protecting wealth and inheritance.[22]

On the other hand, slaves were 'socially dead', which means that slaves were stripped of all rights and all claims of birth and family and were connected to society only through their masters.[23] And, as Thunberg demonstrates, low-ranking Company men were treated as bachelors. This is true even of those sailors and soldiers who were married. Unlike their officers, they were not paid enough to support their families and a lot less care was taken to protect their inheritance.[24]

For instance, of the VOC sailors and soldiers who died on land at the Cape, Thunberg notes:

> The effects of the sailors and soldiers who have been taken into the hospital, and died there, are sold by auction…In general the corpse is sewed up in cloth, and carried out in a hearse; but if the effects of the deceased, after the best part of them have been misappropriated, still amount to a small sum of money, a coffin is bestowed upon him of ten rix-dollars value. If what the defunct has left behind him amounts to still more money, it is expected in wine at the funeral; and great care is always taken, that nothing should be left for his relations and heirs.[25]

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[22] L.J. Mitchell, *Belongings: Property and Identity in Colonial South Africa (an Exploration of Frontiers, 1725-c.1830* (Columbia University Press, New York, 2009) and G.J. Groenewald, 'Kinship, Entrepreneurship and Social Capital: Alcohol *Pachters* and The Making of a Free-Burgher Society In Cape Town, 1652-1795' (PhD Thesis, University of Cape Town, 2009).
[23] Mason, *Social Death and Resurrection*, 7.
[24] R. van Gelder, *Naporra's Omveg: het Leven van een VOC- Matroos (1731-1793*), (Atlas, Amsterdam, 2003), 216.
[25] Thunberg, *Travels at the Cape of Good Hope*, 127

It appears that it was not until 1779 that the estates of soldiers from the Netherlands at the Cape were administered by the Orphan Chamber.[26] By this time, however, most VOC soldiers were drawn not from the Netherlands, but from other parts of Europe and the world.

Considering their general exclusion from 'Christian' or respectable society, it is likely that many of the labouring poor did not consolidate their long-term unions through officially sanctioned or Christian marriage. This includes Company sailors who, due to their close associations with 'heathen' slaves and servants and belief in magic, were not regarded as proper Christians.[27] Many of the unions of the labouring poor would therefore not be included in official marriage statistics.

Since the intimate partnerships and familial relations of the labouring poor often lacked official sanction or recognition, their connections were more vulnerable as they could and were torn asunder. These relations are also much more difficult to trace in the archival record and we have to rely on different kinds of sources, such as court records and travellers accounts, for evidence of under-class connection.

Court cases include numerous references to slave 'husbands' and 'wives'. In 1721 Anthonij van Goa, a farm slave in the arable districts of the Colony, was accused of attacking the slave women Jannetie whom he told the court was 'my own wife' who had sworn never to take another man as long as he lived.[28] Numerous slave owners also referred to the 'wives' or 'husbands' of their slaves.[29] Some masters even 'married out' their slaves, a practice whereby an owner would procure a woman slave

[26] Resolutions of the Council of Policy (of the Cape, 1752-1795) [hereafter C], transcribed and digitised by Towards a New Age of Partnership, Nationaal Archief, The Hague [hereafter TANAP], C 157, 174-197, 13 April 1797 (TANAP, C151-160, 499-502).
[27] N. Worden, 'Sailors Ashore', 592.
[28] CJ 325, Criminele Process Stukken, 1721 ff 57 – 64, translated in Worden and Groenewald, *Trials of Slavery*, 93.
[29] 1/ STB 3/11, Criminele Verklaringen, 1759 – 1782, translation in Worden and Groenewald, *Trials of Slavery*, 493.

to keep a faithful house-hold slave company, preventing illicit visiting and further securing loyalty.[30] These references indicate that, in spite of their legal 'natal alienation' that denied all claims of matrimony and kinship[31], in practice masters and colonial authorities were compelled to accept the existence of slave partnerships.

However, historians have questioned the extent and depth of the intimate relationships of slaves. One argument is that the skewed gender ratios of slaves prevented the creation of slave families.[32] Competition for women was further intensified by the integration of slave women into the intimate domestic arrangements of their masters' households and, in many instances, slave women became the concubines of their masters.

For those who managed to establish intimate partnerships, historians argue that slave relations were marred by sexual promiscuity and violence. Although disreputable burgher women, free black, and KhoiSan women were known to offer 'commercial companionship' to the transient population of sailors and soldiers, it was mainly slave women who were portrayed as the whores of the Colony and the vectors of venereal diseases.[33] The Company Slave Lodge earned the reputation of being 'the finest little whorehouse in town'[34] and O.F. Mentzel, who lived in the Cape during the 1730s, claimed that:

> Venereal disease … very often affect sailors, soldiers and slaves, who are in all cases infected by dissolute female slaves. Some allege that these harlots,

[30] Worden and Groenewald, *Trial of Slavery*, 166 n. 3
[31] Mason, *Social Death and Resurrection*, 210.
[32] Bank, *The Decline of Urban Slavery*, 101-110, J. Armstrong and N. Worden, 'The Slaves', R. Elphick and H. Giliomee (eds) *The Shaping of South African Society, 1652 – 1840*, Second Edition, (Maskew, Miller and Longman, Cape Town, 1989), 109-183, 147; Shell, *Children of Bondage* , 285-329.
[33] H. Trotter, 'Dockside Prostitution in South African Ports' *History Compass*, 6:3 (2008), 673-690, 673.
[34] Quoted in Trotter, 'Dockside Prostitution', 676.

> without being infected themselves, have a trick of infecting those who have not paid them well enough, or those with whom they cohabit but from whom they do not receive enough pleasure, or of whom they have got tired.[35]

Added to this, there are numerous cases in the criminal records in which slave women were attacked and sometimes even killed because their partners suspected them of infidelity. Cases in the *sententiën* include Jephta van Batavia, who stabbed Maria van Ceylon in the chest for being unfaithful in 1729, Alexander van Bengalen, who murdered the slave women Flora in 1740 for being unfaithful, and Sirman van Batavia who also attacked and murdered the slave Lena in 1787 for being untrue.[36]

Such violence also seemed to be characteristic the partnerships of KhoiSan servants. Cases in *sententiën* include Class who appeared before the court in 1751 for murdering his wife with a knife and Abraham de Vries who was tried in 1782 for assaulting his wife, who later died from her injuries.[37] Not all such violence was perpetrated by men and 1769 the court found the KhoiSan woman Catryn from the Swellendam district guilty of murdering her husband and his new lover.[38]

However, it is problematic to characterise the partnerships of slaves, or other sections of the labouring poor, as routinely violent and promiscuous. First, is difficult to asses the level of violence that apparently plagued such partnerships, as there is no real basis for comparison. In most instances, the domestic matters of burghers were

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[35] O.F. Mentzel, *Geographical and Topographical Description of the Cape Of Good Hope*, Part Three/ Vol. II of the German Edition, translated by G.V. Marias and J. Hoge (Van Riebeeck Society, Cape Town, 1944), 256 see also 99.
[36] Jephta CJ 785, 22, 1729 in Heese, '*Reg en Onreg'*, 220; Alexander, CJ 786, 48, 1740 in Heese, '*Reg en Onreg*', 162; and Sirman, CJ 795, 51, 1787 in Heese, '*Reg en Onreg*', 259.
[37] CJ 788, 10, 1751 (Class) in Heese, '*Reg en Onreg*', 184; CJ 795, 6, 1782, (Abraham de Vries) in Heese, '*Reg en Onreg*', 160.
[38] CJ 792, 12, 1769 in Heese, '*Reg en Onreg*', 182.

dealt with and recorded by the church or the Council of Policy. This was true even of indigent burghers, including unmarried mothers.[39]

Out of the 1157 cases with *sententiën*, only two cases involve burghers brought to trial for violence against their partners or sexual deviance. This included the famous case of Maria Mouton who, with the assistance of her slave lover, murdered her husband in 1714. The second case in 1776 involved Jan Adam Bauer who was accused of committing incest with the child of the *Bastaard-Hottentot* women with whom he lived.[40] In both cases under-class individuals were involved, confirming that an association with the labouring poor influenced the way in which dissidents were punished.

On the other hand, since criminal records provide some of the only evidence of the partnerships and marriages of the labouring poor, their domestic affairs often necessarily come into historians' view as criminal cases.

This context of criminality distorts our perception, and helps generate unsupported generalisations. Added to this, criminal records by their nature obscure the more gentle aspects of intimate partnerships and families. At best, their love and commitment is portrayed as uncontrolled jealousy. Even those partnerships that proved unstable and ended in violence provided the labouring poor with meaningful social contact. As will be demonstrated in the next Chapter, slaves would risk all to protect their partnerships and were known to threaten, attack, and even murder those masters who dared to interfere.

Second, under-class men were routinely portrayed by the court as violent and sexually deviant. Soldiers and sailors were associated with sodomy, including

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[39] See G. Groenewald, '*Een Spoorloos Vrouwspersoon*: Unmarried Mothers, Moral Regulation and the Church at the Cape of Good Hope, c. 1652-1795' Unpublished paper, 2009.
[40] CJ 783, 3, 1714 (Maria Mouton) and CJ 793, 20, 1776 (Jan Adam Bauer), cited in Heese, '*Reg en Onreg*', 123.

bestiality, slaves with violence against women and with the rape of women and children, and KhoiSan servant men with incest and assault.[41] This formed part of their construction as an innately wicked, monstrous, under-class in need of firm correction by elites.

Third, the 'loose' association between slave women and sailors and soldiers, as well as criminal cases involving slave women who were assaulted by their partners, can be read as evidence of connection. Even those slave women who were integrated into the domestic relations of their masters retained contact with under-class men and were integral to under-class life.

Finally, the focus on skewed gender ratios amongst slaves tends to obscure the intimate partnerships that slaves developed with *other* sections of the labouring poor; slaves did not merely associate with slaves, so the family life of slaves cannot simply be inferred from slaves' gender ratio.

KhoiSan women worked in close proximity to slave men. As noted by Mentzel, 'Hottentot women, in the service of the colonists, do not dislike the slaves, and easily let themselves be persuaded to live with them'. [42] There are numerous references in the court records to slave men who had developed lasting partnerships with KhoiSan servant women, confirming Mentzel's claims. For instance Mieta, a KhoiSan woman from Roodezand who appeared before the court in 1798, had thirteen children with the slave Felix van Boegis.[43]

Mentzel goes on to note that 'Children born of such union are always free, although their father is a slave', indicating that such unions were not only interracial and multi-lingual, but that families often spanned the enslaved-free divide, not just the

[41] For sailors and soldiers see CJ 782, 30 (1717), 791, 7 (1764), 784, 27 (1723) and slaves see (rape) CJ 782, 48 (1713), 785, 31 (1732), 791, 8 (1764) and (violence) CJ 786, 48 (1740), 789, 32 (1760), 795, 11 (1778).
[42] Mentzel *Geographical and Topographical Description*, 300.
[43] CJ 797, 45 in Heese, '*Reg en Onreg*', 236.

slave/servant divide. Largely due to their exclusion from the official record, and historians' tendency to study the labouring poor as distinct fractured groups, the central role that KhoiSan women servants played in the creation of under-class families and community has been obscured.

Slaves, men and women, also developed partnerships with free blacks and low-ranking Europeans. Richard Elphick and Robert Shell who investigate 'intergroup relations' in Cape colonial society note that Chinese slave-owners usually specified that they would marry the slave women they manumitted.[44] It has also been well documented that in the late seventeenth century VOC officials were concerned about the large percentage of slave children with European fathers. The travel writer R. Percival, who visited the Cape at the end of the eighteenth century, noted that the high costs involved prevented many poor European men from manumitting and marrying slaves.[45]

Much like slaves, low-ranking Company men imposed the existence of their partnerships onto the Company. In spite of their meagre earnings, sailors and soldiers frequently requested that the Council of Policy remit their wages to wives, children, or mothers in the Netherlands.[46] Such family ties were not only transnational, but also represent an economic strategy designed to ensure that sailors' and soldiers' families benefited from their earnings. Such ties question the extent to which we can view the Cape underclass as isolated and disconnected from each other and the wider world.

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[44] R. Elphick and R. Shell, 'Intergroup Relations', Elphick and Giliomee (eds.) *The Shaping of South African Society*, 184-230, 209.
[45] R. Elphick and H. Giliomee, 'The Origins and Entrenchment of European Dominance', Elphick and Giliomee (eds.) *The Shaping of South African Society*, 521-566, 540.
[46] See for instance C. 139, 94 -114, 3 February 1761 (TANAP, 130-141, 678); C 142. 49 -64, 17 January 1764 (TANAP, 141-150, 78) C 142, 93-137, 14 February, 1764 (TANAP, 141-150, 93); C 138, 500-513, 23 December (TANAP, 130-141, 663). For the VOC more generally see van Gelder, *Naporra's Omveg*, 216, 220.

Low-ranking Company men also established relations with women locally. A high number of Company men intent on applying for burgher status married free black women. [47] Together, both parties could be viewed as respectable and improve their social standing in Cape society. In addition, marriage between decommissioned sailors and soldiers, and free black women, was prevalent and, towards the end of the late eighteenth century, racially mixed couples tended to be based at the lower end of the social scale.[48]

While the category of *Bastaard* denotes European-KhoiSan parentage, the specific class dynamics of such relations are often unknown. However, there are early indications of connections between sailors and KhoiSan women. Wouter Schouten, a VOC ship surgeon who visited the Cape in the 1660s noted:

> They [Khoisan] are avid, both men and women, for iron, copper, tin, beads and glass rings, but above all for tobacco, for which the women will even willingly let their privy parts (which they sometimes cover a little) be seen by our coarse seamen who dare to demand such of them. Truly these sailors show by this that they are even more lewd and beastly than these wild Hottentots. [49]

It appears that in the eighteenth century such fleeting connections were often transformed into more durable partnerships, as KhoiSan women in Cape Town were known to cohabit and have children with sailors and soldiers. The most prominent example is of the iconic Saartjie Baartman, who fell in love a poor Dutch soldier,

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[47] N. Worden, 'Artisan Conflicts in a Colonial Context: the Cape Town Blacksmith Strike of 1752', *Labor History*, 46:2 (2005), 155-184, 161.
[48] W. Freund, 'Race in the Social Structure of South Africa', *Race and Class*, XVIII: 4 (1976)', 53-68, 56-59 and Worden *et al*, *Cape Town*, 70.
[49] Wouter Schouten in R. Raven-Hart, *Cape Good Hope/ 1652-1702/ The First 50 Years of Dutch Colonisation as Seen by Callers* (A.A. Balkema, Cape Town, 1971), 79-93, 85.

Hendrik van Jong, while she was working in Cape Town for a free black family.[50] According to Rachel Holmes, who has written a biography of Baartman, it is likely that Baartman shared her lover's quarters in the barracks.[51] Holmes surmises that the couple either met in church or in one of the town's drinking houses, where Baartman used to sing and dance to popular sea shanties and folksongs blended with KhoiSan and slave musical traditions.[52] Her later tragic history as an exhibited 'freak' in Europe, which highlights the themes of sexuality and race, obscures a happier past which can only be understood through a common class experience.

Strong emotional bonds extended beyond intimate partnerships and included children. It would appear that slaves were guided by a set of moral codes regarding children. Reijnier van Madagascar, who appeared before the court in 1742 for desertion, was berated by fellow slaves when he failed to protect his daughter from ongoing abuse, and even ordered her to beg the forgiveness of their owner. The slaves Hans and Patas often complained to him:

> You are such an old *jongen* [boy/ slave] and have helped to pay off this farm, you can plough and do all sorts of other work so well, and yet you can endure such maltreatment – if this *meijd* [girl]had been our daughter, we would have taught the *baas* differently.[53]

Hans' and Patas' complaints indicate that slaves believed that there were ways in which slaves could 'teach' their masters how to treat them and that such influence

[50] J.Murry, 'Book Review', *South African Historical Journal*, 62: 3 (2010) 606-607, 606.
[51] R. Holmes, *The Hottentot Venus: The Life And Death Of Saartjie Baartman: Born 1789 - Buried 2002* (Jonathan Ball, Johannesburg, 2007), 36, 39.
[52] Holmes, *Hottentot Venus*, 34.
[53] CJ 357, Criminele Process Stukken, 1749, ff. 7-9v. translated in Worden and Groenewald, *Trials of Slavery*, 267.

should be used to protect children from abuse. They were appalled that Reijnier van Madagascar chose to ignore his obligations to his child in favour of being loyal to his master, a strategy that they believed yielded scant reward and that was, moreover, against the mores of the masses.

Glimpses of parent-child bonds can also be found in the records detailing manumission. There are numerous incidences of free black women who emancipated their children. In 1761 Josina van Madagascar petitioned for the freedom of her four-year old son, Joseph, owned by the Company.[54] Joseph had apparently been baptised and could speak Dutch, and Joisna had to pay 100 rixdollars for his manumission. In 1762 Cathrijn van de Caab had to follow the same procedure to liberate her young son, named Frederik.[55]

Low-ranking Company servants were also known to manumit slave children – presumably their own. For instance, in 1776 the soldier Johan Michaël Greiner petitioned for the freedom of a young girl child, Anna, for which he was also expected to pay 100 rixdollars.[56] In the same year Cornelis Andriesz, the *hoeker* for the *Zon*, manumitted Jacoba, a slave girl aged twelve.[57] Once again, such records demonstrate that families often transcended race and legal status.

The labouring poor also cherished and relied on other family members, including siblings and parents. In 1705 Cinna, a relatively old slave owned by a farmer in the Stellenbosch district, ran away to his sister in Cape Town when he could no longer endure ill-treatment.[58] In spite of the distance, he had obviously kept track of her, and she assisted him with clothes and tobacco. In 1770 the Fiscal displayed

[54] C. 139, 94-114, 3 February 1761 (TANAP, 131-140, 680).
[55] C. 140, 248-264, 10 August, 1762 (TANAP, 131-140, 814).
[56] C. 154, 35-38, 2 January 1776 (TANAP, 151-160, 245).
[57] C. 154, 70-93, 13 February 1776 (TANAP, 151-160, 256).
[58] 1/ STB 3/11, Criminele Verklaringen, 1702-1749, translation in Worden and Groenewald, *Trials of Slavery*, 3-4.

some leniency when Jephta van de Kaap accidentally killed his father when he intervened in a brawl. The Fiscal informed that court that:

> by coming to the aid of his father, he had after all only done that which love for his father inspired him to do, since the bonds of nature could not tolerate that his aged father be beaten by another, therefore coming to the aid of his father can in no ways be considered an unreasonable matter, and therefore the blow he dealt his father, as appears from the course of the particulars of the disagreement in question, could certainly only have been done by accident.[59]

In spite of its tendency to view the labouring poor as socially debased, the court was constantly forced to acknowledge their humanity, and the depth and durability of their emotional connections.

We know the least about the familial relations of KhoiSan servants employed by mainly pastoralist farmers on the outskirts of the Colony. Because some farmers held children captive to force their parents into longer contracts, however, we do know that KhoiSan servants brought family members with them whilst working on farms. We can also assume that since KhoiSan often returned to their communities once their contracts were completed, that they also maintain ties with other kin. Even though KhoiSan communities were under increasing threat as they lost access to land and grazing for their cattle, servants sought ways in which to retain their familial connections.

The evidence of the partnerships and families of the labouring poor is then, fragmented, sparse, and mostly embedded in a context of criminality. However, there

[59] CJ 397, Criminele Process Stukken, 1770, ff. 172 -81v, translated in Worden and Groenewald, *Trials of Slavery*, 453.

is ample evidence that they managed to form intimate connections and sustain families. Their partnerships and families cannot solely be characterised as promiscuous and violent. In place of these stereotypes, they must be acknowledged to have provided humanity, emotional meaning, and material support.

In addition, it is only by looking at the labouring poor *as a whole* that we are able to appreciate the complexity of the partnerships and families that the oppressed class created. In marked contrast to routine state discrimination, including the exclusion of the enslaved, the mutilation of the employed, and the persecution of the colonised, the love and family of the labouring poor transcended social, legal, linguistic, and geographical divides. These social connections did not develop in isolation, but constituted and contributed to the creation of inclusive, under-class forms of belonging.

Fellowship

Sometime in 1736 the *burgherwacht* came across a group of slaves in the Table Valley area:

> … sitting and eating, others gambling, while also finding there a pot of rice, one with meat and curry, and a can of *arak*; so that they were thus banqueting lustily with one another there at their masters expense. [60]

Bank has documented the existence of an under-class culture of leisure in the early nineteenth-century Cape Town including of drinking, gambling, card playing, cock-fighting, street brawling, music-making, and dancing, located in the canteens,

[60] CJ 340 Criminele Process Stukken, 1736, ff 97 -103 translated in Worden at Groenewald, *Trials of Slavery*, 137.

smuggling houses, pubs and even the open streets of Cape Town.[61] The *burgherwacht* findings suggest that this culture had deeper historical roots and emanated out of an older fellowship based on the sharing of food, tobacco, and alcohol.

Commodities such as alcohol and tobacco symbolised the inclusion of the labouring poor into the global economy, and were often used as mechanisms of discipline and control. Mentzel noted that alcohol was often given as a reward and,

> during the harvest, after the vintage, or for work on Sundays and other special days, well meaning masters would give their slaves wine which has the immediate refreshing effect on their tired limbs.[62]

Similarly, Thunberg believed that 'The Hottentot loves nothing so well as tobacco and with no other thing can he so easily be enticed into a man's service'. Khoisan had

> become so distractedly fond of this poisonous plant, and that for it and brandy they could be induced to sell to the Dutch a considerable portion of their land near the Cape; a transaction which cost them so dear, both with respect to their liberty and to the land of their forefathers.[63]

Sparrman tried to turn this dependency to his advantage by using tobacco to entice KhoiSan into service and instil discipline. He told his readers that he would only give his KhoiSan servants enough tobacco for two or three pipes at a time, and none at all to those who neglected their duty'. [64]

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[61] Banks, *The Decline of Urban Slavery*, 120.
[62] Mentzel, *Geographical and Topographical Description*, 110.
[63] Thunberg, *Travels at the Cape of Good Hope*, 89.
[64] Sparrman, *A Voyage to the Cape*, Vol. II., 62.

Drinking and smoking were not, however, merely commodities used for control and simultaneously served a significant social function for the under-class, which they helped unite it socially. In addition to providing an escape from the drudgery of work, the sharing of tobacco, brandy, and food were often the only comfort or hospitality that low-ranking Company men, slaves, servants, and labourers were able to share, and was integral to their leisure and, in many instances, also their survival. It was in this context that communal drinking and smoking was often excessive, destructive, and, at times, rebellious.

The leisure activities associated with Company sailors and soldiers remain the most prominent example of an under-class fellowship, and, especially, of communal drinking. Worden notes that, once ashore, seamen visiting the Cape tended to congregate in the town's canteens and drinking houses.[65] Here, sailors were likely to meet off-duty VOC soldiers who were also on their way to the East or back to Europe. Worden argues that this predominantly male environment gave rise to 'rough' work cultures, whoring, hard drinking, foul-mouthed language, knife fighting, and brawling.

Worden's research indicates that fighting between sailors and soldiers was common, but there is at least one case (in 1712) of violent confrontation between sailors and a group of slaves.[66] He interprets these conflicts as signs of division and rivalry between groups.

However, much like the court cases dealing with domestic disputes amongst slaves and KhoiSan servants, violence in this instance can also be read as evidence of *connection*. For instance, brawling between, or with burghers would not be tolerated.

[65] Worden, 'Sailors Ashore', 591, 594.
[66] See Cobo *et al*, CJ 782, 50 in Heese, '*Reg en Onreg*', 187.

The fighting between sailors and soldiers points to their social proximity, and indicates that they were part of a common social world with shared cultural practices.

Communal drinking and smoking and the sharing of food featured significantly in the fellowship of urban slaves. In the 1730s, colonial authorities expressed concern about slave gatherings in Table Valley, and other gardens or vegetable plots in Cape Town.[67] Authorities believed any unsupervised slave was a threat, and viewed their fellowship as fertile ground for mischief and conspiracy.

On the 22 March 1736 the Fiscal, D. van den Hegel, warned that the 'rogues …sitting there at night, gambling and tippling away' could start fires accidentally. Since 'neither masters nor their *knechten* are to be found' in the vicinity, slaves 'could play the master as they please'.[68] The Fiscal believed that slaves also stole fresh fruit and vegetables from the gardens, which they later sold without the knowledge of their masters.

In addition to fire and theft, the Fiscal was worried about 'the wicked agreements which these dregs reach there with one another and, at times, act out'. [69] He recommended tighter supervision and limiting slaves 'opportunities for walking around freely at night to go vagabonding and to form plots in other people's houses.'[70]

Not only did sailors and soldiers, as well as slaves, socialise, but their social circles commonly overlapped. The convergent leisure activities of sailors, soldiers, and urban slaves gave rise to a distinctive urban, under-class fellowship.

In 1752 burgher councillors complained about canteens situated in the middle of Cape Town, arguing that 'honest citizens' were being 'exposed to great dangers by

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[67] Worden and Groenewald, *Trials of Slavery*, 133.
[68] CJ 340 Criminele Process Stukken, 1736, ff 97 -103 translated in Worden at Groenewald, *Trials of Slavery*, 137.
[69] *Ibid*.
[70] CJ 340 Criminele Process Stukken, 1736, ff 97 -103 translated in Worden at Groenewald, *Trials of Slavery*, 138.

…all sorts of excesses being committed by the baser Europeans and slaves under the influence of drink'.[71] Although their campaign to limit retail licences along the shore-line was unsuccessful, a number of ordinances were passed to regulate drinking houses and canteens. For instance, card playing and dice were prohibited, and all drinking houses had to stop serving at nine o'clock at night and close by curfew at ten o'clock.[72]

Such laws did not stifle under-class culture, for, writing of the Cape in the early 1770s, Thunberg noted that there were 'public houses' specifically for:

> the lower class of people, though very different from those which abound so much in our more refined quarter of the globe; being designed not so much for drinking and tippling, of which drunkenness, noise and riotous disorder are the frequent concomitants as for mere diversion and recreation. The inferior kinds of public houses therefore are at the same time dancing houses, where every evening musicians are to be found, and the guests, by paying for their wine only (but at a very dear rate) have every opportunity for dancing. [73]

One striking feature of this under-class culture was its inclusiveness; it does not conform with the image of popular fragmentation that is common in the literature. In addition to slaves from India, Indonesia and Africa, and Company sailors and soldiers drawn from northern Europe, free blacks, including Chinese traders, and poor burghers all participated. Cape scholars admit that this racially mixed under-class culture 'broke down the formal legal distinctions of slave and free'.[74]

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[71] Quoted in Worden *et al*, *Cape Town*, 79.
[72] Worden *et al*, *Cape Town*, 79.
[73] Thunberg, *Travels at the Cape of Good Hope*, 271.
[74] Worden *et al*, *Cape Town*, 79.

Country-based slaves and servants travelling to Cape Town, often transporting goods to market, were also known to visit drinking houses and canteens. This means that the rural-urban divide was similarly breached, bringing labourers and the poor from across the Colony together. In addition, largely due to the presence of sailors and soldiers, the locally-born and the foreign drank, danced, and gambled together. This under-class culture was also transnational in character.

Slaves and servants in the rural areas did not have the same opportunities for social interaction as their urban counterparts. However, this did not mean that they were totally secluded, or that they were left with no options other than to identify with, and adopt, the culture of their masters.

While it is often assumed that slaves in the rural parts of the Colony were more closely controlled than their urban counterparts, there are many references to slaves who were awarded an astounding degree of independence.

In 1742, authorities received complaints about the burgher Jan Hendrik Hop in the Piketberg area, who had left his slaves and a woman KhoiSan servant unattended and with access to guns.[75] Complainants were alarmed that Hop's unsupervised slaves were able to ride into the *veld* with a wagon to shoot game, to practice shooting at targets, and that they even wore white shirts. Masters often left their farms in the care of trusted slaves or servants, but considering the complaints from other burghers, the freedom Hop granted his slaves and servants was obviously regarded as unusual.

Even in instances of tighter control, country slaves and servants were able to carve out separate social spaces. Writing of the country districts, Mentzel observed that on moonlit summer evenings, slaves would gather together and sing, dance, and

[75] Worden and Groenewald, *Trials of Slavery*, 214. See translated letters 1/STB 3/9 Criminele Verklaringen, 1740-1746, 217-220.

play instruments. 'But on the winter evenings they sit around the fire with a pipe of tobacco and tell each other stories of their fatherland in Portuguese', a *lingua franca*.[76]

For Mentzel these social gatherings, grounded in a quaint nostalgia, confirmed that farm slaves and servants were 'quite happy with their bondage'.[77] A more critical appraisal suggests that such fellowship instead allowed slaves and servants to nurture connections amongst themselves, and to participate in the collective remembering of an alternative existence of freedom. The 1754 slave code, which prohibited the gathering of farm slaves on holidays[78], indicates that such fellowship was relatively widespread.

Travel writers shed light onto the fellowship that emerged around the sanctioned, yet not necessarily easily controlled, travel of slaves and servants. For instance, in his journey to the arable farming region of Paarl, Sparrman took advantage of the renowned hospitality of farmers, and sought shelter and food from them at night. He notes that his *Bastaard* guide was welcomed by the slaves and servants on the farms that they visited, and was integrated into their social world. Regardless of their differences, free-born, indentured, and enslaved mingled and conversed freely. In one instance Sparrman notes that, '[m]y servant, together with the house-slave, and another that looked after the cattle, stirred together a quite pleasant meal of lard and coarse bread.'[79] Sparrman also notes they deliberated for some time in Portuguese.

The anecdotes of Mentzel and Sparrman give us some insight into the way in which the labouring poor dealt with linguistic diversity. Sparrman suggests that Malay, Dutch and Portuguese were the main languages spoken at the Cape at this

[76] Mentzel, *Geographical and Topographical Description*, 109.
[77] *Ibid.*
[78] Armstrong and Worden, 'The Slaves', 156.
[79] Sparrman, *A Voyage to the Cape*, Vol. I., 89.

time. These were not only spoken in the cosmopolitan town or hinterland, for as Sparrman approached the frontier he encountered a group of KhoiSan who could speak both Dutch and Portuguese.[80]

On his journey to the even more remote eastern frontier, Sparrman hired KhoiSan to assist him with his wagon and oxen. Similar to his previous 'pilot', they also participated in broader, multi-racial fellowship as they travelled. On route to Riet Valley, Sparrman encountered a 'drunken European', who offered to become his servant. Sparrman writes that this European 'acknowledged that, in company with my Hottentot, he had been getting drunk with the contents of my brandy-cask.'[81] Sparrman discovered that his KhoiSan driver, who had driven ahead and unyoked the oxen, had also invited 'a bastard and a slave' from the nearby farm to partake in the brandy.

The KhoiSan driver, the European vagabond, the *Bastaard* and the slave drank themselves into a state of frenzy. Fearing that they may take 'murderous' revenge if parted with their brandy, Sparrman had to wait until morning when the drinking festivities were over, before proceeding with his journey. Sparrman's experience indicates that it was not that easy to establish firm control over the social relations and the leisure activities of the labouring poor.

On other evenings Sparrman wrote that his KhoiSan were often 'merry and talkative' amongst each other. Sparrman suspected that he and his travel companion, a Mr. Immelman, were 'the subjects of their gibes, jokes, and laughter.' [82] Fearful that they would desert him, he decided not to confront them. Much like colonial authorities in Cape Town, Sparrman felt threatened by the autonomous sociality of his servants.

[80] Sparrman, *A Voyage to the Cape*, Vol. I., 280.
[81] Sparrman, *A Voyage to the Cape*, Vol. I., 178.
[82] Sparrman, *A Voyage to the Cape*, Vol. II., 61.

In addition to socialising around drink and food, the labouring poor were also identified and drawn together by excessive smoking. Peter Kolben, who visited the Cape between 1705 and 1712 and wrote extensively on the culture of the KhoiSan, noted that ‘’tis with great Difficulty that either Hottentot, or Dutch Sailor, if they have Tobacco, and they are rarely without, can forbear Smoaking while they are awake (sic)’.[83]

Smoking was not reserved for under-class men. In the arable farming region of Paarl, Thunberg came across a widow who had three KhoiSan women in service, whom, he noted, were fond of smoking tobacco in a short pipe. [84] Excessive tobacco smoking appeared to be a universal under-class practice. Sparrman notably points to the similarities between the smoking habits of KhoiSan and those of the poor in Sweden. He described the communal smoking of KhoiSan as follows:

> He then hands the delicious horn to his next neighbour, that he may, in like manner, have the pleasure of fumigating his lungs; and in this way the horn circulates among them, women as well as men, just as the pipe does in Sweden, among the company of old women sitting under the chimney in alms-houses.[85]

Much like the families created by the labouring poor, the under-class fellowship that centred on activities like communal drinking, smoking and the sharing of food, served to connect different sections of the labouring poor. This fellowship also operated across a wide geographical terrain and extended from the port town to the colonial interior and the frontier. The wide geographical reach together with the

[83] Kolben, *The Present State of the Cape*, Vol. I.. 347.
[84] Thunberg, *Travels at the Cape of Good Hope,* 46.
[85] Sparrman, *A Voyage to the Cape*, Vol. I., 221.

malleability and inclusiveness of this fellowship points to the existence of shared social world and the existence of a common under-class identity.

Alternative Social Networks and Communities

Sparrman writes of the 'fugitive Hottentots' who came to beg tobacco of his KhoiSan servants near the Lange Kloof on the eastern frontier. He noted they were:

> of both sexes, who were now no longer pursued, partly on account of their age and infirmities, and partly because it was not worth any colonist's while to lay hold of them, as they would be liable to be demanded back by their former masters.[86]

Fugitive groupings or communities were not entirely integrated into the Colony. They consisted of *drosters* (runaways), remnant KhoiSan communities not yet fully subjugated, hunter-gatherer-raiders – including those often distinguished from other KhoiSan and referred to as San or Bushmen –and vagabonds of various kinds.

In his examination of *droster* gangs, Nigel Penn examines fugitive groupings located within the hunting-raiding economy that emerged on the Cape's terrestrial frontier zone. Often armed, violent, and eager to survive, he argues that fugitives adopted a 'parasitic existence' and preyed off the other societies of the frontier zone, including KhoiSan polities, pastoralist burgher farmers, and the interracial communities dominated by *Bastaard* families.[87] Ultimately, he argues, fugitive

[86] Sparrman, *A Voyage to the Cape*, Vol. I., 282.
[87] N.Penn, *Rogues, Rebels and Runaways :Eighteenth-Century Cape Characters* (David Philip Publishers, Cape Town, 2003), 81.

groupings served to extend the colonial frontier, 'for they, unwittingly, took the colony with them'.[88]

Although many fugitives were certainly drawn into this more embattled life, on its own Penn's characterisation can obscure a more complex story. Fugitive groupings also served as an example of alternative, often dissident, networks and communities, and are particularly revealing with regards to the connections established by the labouring poor.

Although located in far-to-reach places, fugitive groupings were not confined to the frontier and were often relatively close to Cape Town and to other more populated areas of the Colony. Fugitives also often retained contact with the Colony, and the social and economic relations they established with other slaves and servants still under their masters' authority were not necessarily based on force or violence.

Sparrman admitted to being 'rather ashamed' of the behaviour of one of his marksmen, the KhoiSan Plaatje, who paid no respect to a KhoiSan patriarch they came across near the Gamtoos River.[89] Plaatje 'went uninvited and sat himself down…, at the same time filling his pipe out of the other's pouch, and calling about him for milk to drink'.[90] To Sparrman's surprise, this behaviour was not considered rude and Plaatje received his milk. Mentzel also commented on the 'Hospitality among Hottentots', noting that travellers were made to feel 'as much at home as with their own families'.[91]

Although some KhoiSan communities may have attacked or captured and returned runaways, as Penn notes, in many instances KhoiSan extended their hospitality to runaways and other vagabonds. Small groups of runaways often arrived

[88] Penn, *Rogues, Rebels and Runaways*, 98.
[89] Sparrman, Voyage, Vol. II., 12.
[90] *Ibid.*
[91] Mentzel, *Geographical and Topographical Description*, 327.

with their own guns and ammunition (which were either earned or stolen), and KhoiSan communities welcomed the additional fire-power.[92] In these instances, independent KhoiSan communities contributed to the making of alternative under-class communities.

The court testimonies of runaways provide a rich source of information on *droster* gangs, shedding a great deal of light on the nature of these alternative, dissident forms of belonging. The 1760 case involving raids on farms which culminated in the murder of Michiel Smuts and his family, who lived on the foot of Table Mountain – that is next to Cape Town –alarmed authorities, and is even described by some historians as a mini-slave uprising. [93] This case draws attention the importance that common origin played in social connections.

Most members of the *droster* gang responsible were executed by the commando when caught, and those slaves suspected of providing the gang with shelter and food were tried. Their testimony points to a slave, named September, who was respected by other slaves and 'acted as a doctor amongst the slaves of the Bugis [East Asian] nation'.[94] September was apparently visited by Bugis slaves from other farms to get advice and letters written in the Bugis language for healing purposes. The interrogation of September also revealed that it 'was custom' amongst the Bugis to refer to each other as 'brother'.[95]

The group of Bugis slaves developed relations with and interacted with other sections of the labouring poor. For instance, one of the slaves recruited to join the gang claimed that he could speak 'Hottentot', and September told the court that he

[92] S. Marks, 'Khoisan Resistance to the Dutch in the Seventeenth and Eighteenth Centuries', *The Journal of African History*, 13:1 (1972), 55-80, 75.
[93] Groenewald and Worden, *Trials of Slavery*, 355 (summary of case: 1760 Achilles van de West Cust) and see also M. Cairns, 'The Smuts Family Murders', *CARBO*, 2:3 (1980), 13-16.
[94] CJ 789, 1756 -70, ff 268 -93 translated in Worden and Groenewald, *Trials of Slavery*, 371.
[95] CJ 1760, Deel 2, ff. 85 -95v translated in Worden and Groenewald, *Trials of Slavery*, 378.

was in close contact with a Chinese woman named Sila.[96] However, in this instance common origin created the basis for a broader social network.

Other groups were much more diverse, including men and women from different races, ethnicities, and legal status. For instance, in 1712 two European convicts and a slave were prosecuted for theft and desertion[97] and, in the same year, Joudan Tappa (known as 'Paap'), who resided on the Groot Constantia farm, led a group of twenty three deserters.[98] Tappa, a political exile from Batavia was no doubt already regarded as a political dissident. His company of *drosters* included convicts as well as runaway privately owned and Company slaves, who were also from different places of origin. This suggests pre-existing social connections that reached beyond specific workplaces. Much like Thomas van Bengalen's company (discussed in the introduction), this group was well organised. The group organised food, guns, and discussed the possibility of organising a guide to lead them safely into the interior. A party was organised to hunt the deserters down: seven were caught and brought to the Cape to stand trial.[99]

Those who did not runaway as a group often joined others on their flight, and, importantly, relied on the support of other slaves and servants to survive. Spanilje van Siam's experience is similar to that of Aron van Madagascar (discussed above). He deserted alone in 1785, but was later joined by two other slaves when he travelled to the Hanglip/ Hangklip region. This group was mobile and travelled to the Kalk Bay region, where they broke into, and stole money and clothes from, a butcher shop. The

[96] CJ 789, 1756 -70, ff 268 -93 translated in Worden and Groenewald, *Trials of Slavery*, 380.
[97] CJ 782 in Heese, '*Reg en Onreg*', 178.
[98] CJ 782, 53 in Heese,'*Reg en Onreg*', 224 and M. Paulse, 'Escape form Constantia', UWC, South African Contemporary Society and Humanities Seminar, Paper No. 21, 2004, in the African Studies Library, University of Cape Town.
[99] Paulse, 'Escape form Constantia', 3.

three slaves split their booty and decided to go their separate ways. Much like Aron van Madagascar, Spanilje had joined other deserters as he moved across the Colony.

As in other parts of the under-class fellowship, this malleability and inclusiveness suggests the existence of a broader, shared identity. (Spanilje lacked the experience of Leander van Boegis when it came to interacting with those still officially part of the Colony, and was caught when he frequented a tavern in the Kalk Bay area).

Fugitive groupings are probably the most obvious examples of the social networks and communities forged by the labouring poor. In the case of *droster* gangs, these were by their very nature dissident and forbidden. Such groups, which were not fully integrated into colonial society, demonstrated the limits of the power of the ruling class, and served as symbols of an independent, if very modest, way of life. They also point to the complex connections forged by the under-class, and draw attention to solidarities and practices of mutual aid.

Mutual Aid

Embedded within family, fellowship, and alternative networks are constant references to the practice of mutual aid and support. Families looked after each other, strangers in town and in the country were welcomed to sit next to the fire, have a meal, a smoke and a drink, and runaways received food and shelter from other slaves and servants.

There are numerous additional examples of such mutual aid, pointing to a broad sense of solidarity amongst the labouring poor. There are many cases in which slaves, servants, sailors, and soldiers would either actively assist, or passively look the other way, so that their fellows could escape, or avoid punishment.

For instance, in 1706 Ari told the court that he had received tobacco and bread from two slaves when he ran away.[100] They could not sustain him for too long, but Ari soon made contact with other runaways with whom he committed arson. Ari refused to give the court information about his comrades, and was placed on Robben Island until he was more forthcoming.[101] In another instance the court heard how Adam, a KhoiSan servant, who was tasked to escort a runaway slave called Fortuijn van Bengalen in 1742, let his prisoner go. When Adam reached the Paardeberg, he told Fortuijn: 'I shall sleep, if you want to get away, you could do so…'.[102]

Mutual aid was often the only insurance against disaster for the poor, and it proved vital for under-class survival. On his voyage to the Cape on the *Louisa* (a Swedish East Indiaman), Sparrman encountered the *Duinenberg* (a Dutch East Indiaman). The *Duinenberg* had lost a rudder in a storm and then veered off-course. The crew 'were emaciated to a great degree, and in want both of water and provisions'.[103] The Commander of the *Louisa* supplied them with as much as the two long-boats could carry and, Sparrman noted that, 'our common sailors not only shewed (sic) great compassion on their parts, but assisted them effectually out of their own stock of tobacco, and other refreshments' (probably brandy).[104] Food and water were never guaranteed on board ships, but these sailors were quite willing to share their meagre rations with fellow sailors, albeit from another fleet and charter company.

On returning to Cape Town from his voyages with Captain Cook, Sparrman was told of another catastrophe involving sailors, namely the wreck of the *Jong*

[100] CJ 2961 Minuut Justtieële Attestatiën, Actens etc., 1706, ff, 73-6, translated in Worden and Groenewald, *Trials of Slavery*, 7-9.
[101] Worden and Groenewald, *Trials of Slavery*, 5.
[102] CJ 786, Sententiën, 1736 -1743, ff 377-83 translated in Worden and Groenewald, *Trials of Slavery*, 210.
[103] Sparrman, *A Voyage to the Cape*, Vol. I., 40.
[104] Sparrman, *A Voyage to the Cape*, Vol. I., 41.

Thomas in Table Bay.[105] The weather was foul and the ship was in trouble. Eager to protect any washed-up merchandise from being stolen, the DEIC prohibited anyone from approaching either the shore or the ship. The ship was wrecked close to the shore, and the crew's cries could be heard by those in the Bay.

Nothing was done by the Company while the ship broke against the strand and those who tried to swim to safety were either 'dashed to pieces' on the rocks or drowned.[106] Apparently unaware of the prohibition, 'Volemad' (Wolraad Woltemade)[107], one of the keepers of the Company's menagerie, seated himself on his horse, which held steady against the swells, and plunged over to the ship. He rescued fourteen people before his horse was pulled under and he was drowned.

Although Woltemade's bravery was later applauded by the *Heren* XVII of the VOC in Holland, Sparrman questions the morals of Company officials in his telling of the darker, less well-known, part of the tale. Sailors rescued from *Jong Thomas* were tired, wet and hungry, but '[u]nder the pretence of preventing the people belonging to the ship from being plundered', they were placed under guard without refreshment.[108] 'For several days after this they were seen wandering up and down the streets begging for clothes and victuals.'[109] One sailor, who emerged almost naked from the wreck, opened the chest he managed to salvage to find clothing. He was, however,

> not only hindered in so doing by a young chit of an officer, but was obliged to put up with a few strokes of a cane into the bargain; being told at the same time, that he was liable to be hanged without delay on one of the newly-

[105] Sparrman, *A Voyage to the Cape*, Vol. I., 126.
[106] *Ibid.*
[107] Woltemade, which some historians claim was at some point a dairy farmer, was appropriated by Afrikaaner nationalists as folk-hero and between 1970 -2002 the Woltemade Cross for Bravery was the highest decoration for civilian bravery in South Africa.
[108] Sparrman, *A Voyage to the Cape*, Vol. I., 128.
[109] *Ibid.*

> erected gibbets; as, directly contrary to the express prohibition of the government, he had presumed to meddle with goods saved from the wreck. The sailor excused himself with saying, that it was impossible for him not to be ignorant of the prohibition, and that he could clearly prove himself to be the right owner of the chest…Notwithstanding all this, it was with great difficulty that he saved his neck from the gallows. [110]

Sparrman was appalled by the uncharitable response of the Company, which protected wealth before life. Much like the sailors who gave up their rations to another fleet, the Company servant Woltemade's bravery and sacrifice signifies the rejection of the moral codes of the Company.

Support could also take more subtle forms and include a sense of sympathy. For instance, travelling through the arable farming districts Sparrman passed a 'shepherd that was regaling himself with roast lamb at his master's expense'.[111] His *Bastaard* guide 'who knew the full value of his liberty', sympathised with the slave's plight and 'expressed great satisfaction at finding, that poor slaves had sometimes an opportunity of revenging themselves on their tyrants by a breach of trust'.[112]

Through family, fellowship, dissident networks, the labouring poor in the Cape claimed autonomous social spaces, and developed distinct cultural practices. These were partly based on a rejection of upper class values. Also most notable was the inclusive nature of under-class forms of belonging and community that did not replicate racial discrimination or exclusion. Practices of mutual aid and solidarity also signified the creation of a common identity based on a shared experience of exploitation and oppression.

[110] Sparrman, *A Voyage to the Cape*, Vol. I., 128-9.
[111] Sparrman, *A Voyage to the Cape*, Vol. I., 92.
[112] Sparrman, *A Voyage to the Cape*, Vol. I., 93.

Summary

As long as historians focus on division, discord and difference, the connections based on emotional support and mutuality, developed by the labouring poor will be dismissed as insignificant. The misleading picture of a socially and geographically dislocated labouring poor will persist.

A focus on connection reveals a different more complex picture of under-class relations. Although often located in a context of violence and criminality, there are indications that the labouring poor formed autonomous social bonds that allowed them to create their own families, develop a widespread, inclusive fellowship, and sustain alternative social networks. The labouring poor were not necessarily greedy and individualistic, but often provided each other with emotional support and nourishment.

The lives of the labouring poor were uncertain and transient. The connections they established were shaped by, and designed to deal with this reality and they proved both malleable and inclusive. Relationships, including family bonds, transcended divisions based on race, language, place of origin, and legal status. Even though common origin may have provided the basis for a unity, social networks overlapped and were part of a common social world with a shared identity and social practice. The evidence indicates that the labouring poor, especially when examined across categories like slave, servant and sailor, created a broader sense of belonging and common class community. This would suggest that the labouring poor in the Cape and VOC had much more in common with the transatlantic working class than historians have previously recognised.

The labouring poor also often rejected the moral world view promoted by masters and colonial authorities. Connections, communities and certain social practices were potentially political, or oppositional, forming the basis of a counter culture. *Droster* gangs are obvious examples, but there are more subtle forms of oppositions, such as sympathy for those who took revenge upon their masters. This alterative social world may well have contributed to what Mason terms a 'community of beliefs and values that validate individual acts of resistance' or an 'ethos of resistance'.[113]

Masters, commanders and colonial authorities were, for their part, profoundly anxious about the autonomous social worlds created by those under their direction, which they suspected provided the context for mischief and disorder. As will be discussed in the next chapter, they had good reason to be concerned.

[113] Bank, *The Decline of* Slavery, 155, 156.

CHAPTER THREE

Direct Action: Surveying the Protest of the Labouring Poor.

The religious man and travel writer, François Valentyn related the following story of disorder to his readers:

> In 1659 there was an occurrence here [the Cape] which might readily have been the ruin of the Colony. The ship Erasmus had arrived in the roads here in a very bad condition, after having endured a heavy storm. No sooner was she perceived by the soldiers of the garrison, than some of them, for the most part English, Scots and Irish, made a plot to kill the weak and worn-out crew of this ship when they should come ashore to cut firewood. After doing this, their plan was to go to the Castle and kill off the Commandeur (sic) and all the Dutch and Freeman, but leaving alive the women, whom they wished to keep for themselves …then go to Angola and sell her [the ship] to the Portuguese, or if this did not succeed, their intent was to sail to Portugal with her.[1]

The cadet soldier Johan Jacob Saar also heard about the revolt, but from members of the *Erasmus* crew. Unlike Valentyn, he did not see the revolt as mindless bloodlust, and instead provided his readers with a more sympathetic interpretation. Apparently the commander, van Riebeeck, had treated these 'poor soldiers…as

[1] F. Valentyn, *Description of the Cape of Good Hope with the matters concerning it,* Amsterdam 1726, Edited by P. Setton, R. Raven-Hart, W.J. de Kock, E.H. Raidt and translated by R. Raven-Hart, (Van Riebeeck Society, Cape Town, 1791, Vol. II., 163-4

harshly and miserably as if they had been less than serfs or slaves'.[2] Some, he maintains, 'became so desperate at this severe repression that they decided to make an attack'.[3] The soldiers were not alone, but supported by 'a black convict', 'two servants of freemen' and some slaves. The plot was apparently betrayed and the ringleaders were rounded up. Saar notes that the commander wanted the soldiers harshly punished, but the Vice-Admiral adopted a 'more intelligent view'.[4] He sent the guilty to Batavia with a recommendation for merciful treatment.

The *Erasmus* plot was one of the first recorded collective rebellions at the Cape, and it was the harbinger of revolts to follow. This chapter surveys the protest action of the labouring poor in the Colony during the first half of the eighteenth century. Influenced by Linebaugh and Rediker's *The Many-Headed Hydra*, this chapter challenges the binaries and teleologies that still inform understandings of resistance, and develops the notion of direct action as an alternative approach to resistance. In so doing, traditional characterisations of the Cape's labouring poor as politically unformed, and as primarily engaged in individualised and uncoordinated modes of protest, are questioned.

Teleology and Binaries of Resistance

There is a rich literature outlining the main features of the collective protests of English peasants and commoners, as well as on the everyday resistance of slaves, 'Third Word' peasants, and colonised workers. The difficulty with this literature is that approaches to resistance are often infused with narrow binaries, a simplistic

[2] Johan Jacob Saar in R. Raven-Hart, *Cape Good Hope/ 1652-1702/ The First 50 Years of Dutch Colonisation as Seen by Callers* (A.A. Balkema, Cape Town, 1971), 58-67,64.
[3] Saar, *Cape Good Hope/ 1652-1702*, 64.
[4] Saar, *Cape Good Hope/ 1652-1702*, 65.

teleology of protest, and an emphasis on the limits of resistance by certain kinds of labourers.

Linebaugh and Rediker use the hydra as a metaphor of proletarian disorder in the north Atlantic. They argue that, like the hydra's heads, the number and locations of protest by the motley transatlantic working class of slaves, sailors, soldiers, felons, pirates, religious radicals, and commoners were multiple. A particularly unsettling feature of the hydra was that if one head was chopped off, two would grow back in its place.[5] They argue that the same also proved true of under-class resistance. In spite of severe and often fatal consequences, protest multiplied, spread and gave rise to global cycles of revolt.

Their model contradicts established approaches to resistance within social and labour history that claim that the protests of specific sections of the under-class (peasants, the rural poor, commoners, and the urban mob) are, by their very nature, limited. This is especially true of protest in the pre-capitalist or pre-industrial age.

Working in a Marxist paradigm, these historians often argue that while peasants, the urban mob, and other pre-modern oppressed classes may have been historical agents, it is only the industrial, wage-earning *working class* under capitalism that can be truly revolutionary and bring about profound change. Within this context organised protest led by communist intellectuals is applauded as one of the most effective means of political expression. For instance, in *The Condition of the Working Class* (1844) Friedrich Engels argued that earlier stages of workers struggle, including theft, crime, and machine breaking, were primitive and crude, belonging to a past era, and a hindrance to workers' political struggle for state power.[6]

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[5] Linebaugh and Rediker, *Many Headed Hydra*, 2-3, 328-329 in M. van der Linden, 'Labour History as the History of Multitudes', *Labour/Le Travail*, 52 (2003), 235-43, 238.
[6] See discussion of Engels in S. Salerno, (ed.) *Direct Action and Sabotage: three classic IWW Pamphlets from the 1910* (Charles H. Kerr, Chicago, 1997), 3.

Influenced by these arguments, Eric Hobsbawm and George Rudé argue that rural revolts in nineteenth century England were rooted in tradition, and focused on customary rights, natural justice, and the law. These rebels placed their faith in higher authorities, especially the King, and sought regulation rather than the subversion of the existing order. [7] Relying on ritual, their protests tended to be locally-focused, spontaneous, sporadic, and usually coincided with times of dearth and high prices. It is within this framework of limitation that Hobsbawm locates social bandits, and other 'primitive rebels'.[8]

Similar sentiments are echoed by E.P. Thompson, who argue that while commoners in eighteenth century England were rebellious, they were not class conscious, and were deeply constrained by the traditions of their masters. He claims that commoners' grievances operated within 'a popular consensus as to what were legitimate and what were illegitimate practices'.[9] This consensus was based on 'a consistent traditional view of social norms and obligations, of the proper economic functions of several parties within the community, which taken together, can be said to constitute the moral economy of the poor'.[10]

From the 1970s, scholars of slaves, colonised African workers, and 'Third-World' peasants have drawn attention to more hidden and ambiguous modes of resistance.[11] James Scott argues that for most subordinate classes throughout history, open, organised, collective political activity has proven dangerous – if not suicidal.[12]

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[7] E.J. Hobsbawm and G. Rudé, *Captain Swing* (Pimlico, London, 1969), 11 – 19.
[8] E. Hobsbawm, *Primitive Rebels: Studies in Archaic Forms Of Social Movement In The 19th and 20th Centuries* (Manchester University Press, Manchester, 1971).
[9] E.P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', *Past and Present*, 50, 1971, 79.
[10] Thompson, 'The Moral Economy', 79
[11] J. Scott, *Weapons of the Weak: everyday forms of peasant resistance* (Yale University Press, New Haven / New York, 1995) and R. Cohen, 'Resistance and Hidden forms of Consciousness Amongst African Workers', *Review of African Political Economy*, 7 (19), 1980, 8 -22.
[12] Scott, *Weapons of the Weak*, xv.

For slaves and peasants, collective action was rendered even more difficult by their geographical dispersion and social isolation.

For Scott the lack of organised political activity did not mean compliance. Rather, scholars from this tradition argued that slaves, peasants, and colonised workers engaged in various forms of 'passive', 'informal' or 'everyday' protest. This form of resistance consisted of such means as foot dragging, false compliance, pilfering, feigned ignorance, slander, deception, desertion, and subtle sabotage – all designed to avoid direct confrontation with state officials, land lords, employers, or masters, and was generally carried out by individuals. Its basic character precluded a thorough ideological rupture with the master class.

Modifying E.P. Thompson's notion of the 'moral economy', Scott argued that everyday resistance was not simply an individual act of masked defiance, but was rooted in a broader 'sub culture' that validated resistance. He argues that everyday resistance forms part of a careful negotiation over acceptable behaviour and a broader symbolic order; the maintenance of which was as problematic as its change and requires constant ideological repair and renovation.[13] For Scott, this type of resistance was part of a '*cold* war', since the participants 'have important shared interests that would be jeopardized in an all-out confrontation'.[14]

Within this framework, Scott views slave rebellions and peasant uprisings as brave, yet desperate acts that are foredoomed to fail. He argues that open rebellions can achieve little, except invite violent repression. Open rebellion is considered little more than brief, violent explosions that occur when everyday resistance fails.

Taken together, all these approaches entrench sharp distinctions between urban and rural, as well as between pre-capitalist and modern, protest, reinforcing the

[13] Scott, *Weapons of the Weak*, p. 23.
[14] Scott, *Weapons of the Weak*, p. 22.

notion that only a select section of the lower classes – the modern industrial proletariat – can bring about profound social change.

Here collective protest is often simply equated with formal organisation, and the link between covert protest, individual protest, and informal protest is often taken as automatic. A whole range of protests are obscured. Little room is left, for example, for revolts or mutinies that are spontaneous, or for individual acts of open defiance.

Rebels' own views of the potential of their protest are also not adequately considered. Men and women who took part in collective forms of protest were severely punished and often lost their lives as a result. However, this does not necessarily mean that they were consumed by irrationality. On the contrary, they rebelled because they believed fundamental change was possible and that rebellion had to take a decisive form. Their efforts should not be interpreted as suicidal and foolhardy, simply because they operated in difficult and dangerous conditions. Most importantly, their actions simply do not fit the teleology and the binaries of resistance that structure the literature.

Linebaugh and Rediker face a difficulty: on the one hand, they recover a history of profound revolt by a wide range of pre-modern under-class sectors; on the other hand, they still operate within the framework that the modern working class, alone, is genuinely revolutionary. They attempt to deal with this difficulty by expanding the definition of working class. First, they argue that between 1600 and 1800 the transatlantic 'working class' was integral to the emergence of a new global order of modern 'capitalism'. In the second instance, they extend the definition of 'working class' to include all the different parts of the motley proletariat, not just waged or industrial workers, but also slaves, indentured servants, felons, and commoners into their definition of the working class.

While Linebaugh and Rediker push the temporal line of revolutionary protest back to the 1600s, they appear to leave the teleology of protest in place. They suggest that dispossessed commoners, transported felons, indentured servants, religious radicals, pirates, urban labourers, soldiers, sailors and slaves in the north Atlantic were revolutionary *because* they were, in essence, part of the capitalist working class.

But how meaningful are these conceptualisations, and do they apply to the VOC Cape? Even if we accept that various forms of un-free labour are compatible with capitalism, especially in regions such as Africa and India, the fact remains that many process in the north Atlantic, in eighteenth century Africa, and in the Indian Ocean cannot easily be characterised as 'capitalist'. This also applies to the Cape. Capitalist agriculture only emerged after the 1820s and capitalist relations only became dominant with the mineral revolution in the 1860s.[15] In the VOC period, the system was not predominantly capitalist, although it was deeply shaped by merchant colonialism.

What, then, does this mean for understanding resistance? Was the mainly pre-capitalist, pre-industrial class of labouring poor in the Cape Colony thoroughly constrained by tradition, and marked by an inability to imagine an alternative social and political order? If not, how do we explain any resemblance between the resistance of the transatlantic working class, and that of the labouring poor in the Cape?

Resistance in the Cape

Historians of resistance in the Cape argue that, at least until the 1770s, the political protests of the under-class were essentially defensive. At best, some rebels can be

[15] T. Keegan, *Colonial South Africa and the Origins of the Racial Order* (David Philip, Cape Town etc.,1996), 37-74 and W. Dooling, *Slavery, Emancipation and Colonial Rule in South Africa* (Scottsville: University of KwaZulu-Natal Press, 2007), 3-12.

regarded as primitive social bandits, motivated by vengeance and individual grievances.

Discussions of slave resistance have followed a similar line. Nigel Worden and James Armstrong note that slaves engaged in diverse resistance, but insist that desertion and escape was the main form. Any direct strikes against masters are viewed as spontaneous, desperate acts. They argue, in fact, that it was only with the 'creolization' of the slaves in the early nineteenth century, creating the basis for the first time for a 'slave culture', that collective rebellion amongst slaves became possible at all.

Similar arguments are made by Robert Ross in his *Cape of Torments*. He claims that slaves mainly fought as individuals to improve their personal lot.[16] They apparently knew that open collective rebellion would result in death. According to Ross, the only feasible method of escaping the rigors of slavery was through individual action.

In line with the stress on popular fragmentation (see previous chapter), narratives of resistance by different sections of the labouring poor have been structured around discreet, exclusive narratives of group resistance. The collective action of KhoiSan, for example, is conceptualised as the resistance of indigenous communities opposed to colonial expansion, taking the form of 'frontier wars' or raids by independent bands on colonial farms.[17]

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[16] R. Ross, *Cape of Torments: Slavery and Resistance in South Africa* (Routledge and Kegan Paul, London, 1983). 5.

[17] S. Marks 'KhoiSan Resistance to the Dutch in the Seventeenth and Eighteenth Centuries', *Journal of African History*, 13 (1), 1972, pp. 55-80 remains one of the most comprehensive overviews of KhoiSan resistance. See also R. Elphick and Malherbe, 'The Khoisan to 1828', in R. Elphick and H. Giliomee (eds) *The Shaping of South African Society, 1652 – 1840*, Second Edition, (Maskew, Miller and Longman, Cape Town, 1989), 3 -65 and S. Newton-King and V.C. Malherbe, *The Khoikhoi Rebellion in the Eastern Cape* (1799-1803) (Centre for African Studies, University of Cape Town, 1981).

In general, the struggles of the large population of sailors, soldiers and the urban poor more generally have been ignored entirely. Reflecting the trend towards transnational study, however, historians of the Cape have now turned their attention towards sailors and soldiers, and individual episodes of maritime resistance have been examined. Studies include Andrew Alexander's unpublished study of the 1766 mutiny by Malagasy slaves on the *Meermin*, Nigel Worden's work on the 1732 mutiny of sailors and soldiers on the *Loenderveen*, and Nigel Penn's investigation of the mass desertion of soldiers in the 1720s.[18]

To date, however, there has been little attempt to locate these episodes in a broader tradition of resistance, or to link the slave, servants, soldier and sailor struggles.

The recent interest in the Indian Ocean region as a framing device does not seem likely to address this issue. Some historians have started looking to Indian Ocean studies for a better understanding of labour and resistance, but on the grounds that Atlantic-centred historiographies obscure the specificities of the region. For instance, Edward Alpers and Gwyn Campbell warn that Atlantic-centred historiographies are often unable to account for the more subtle distinctions between free and un-free labour, and the looser associations between slavery and race in Indian Ocean Africa and Asia.[19]

However, this valid stress on regional specificity is often linked to an insistence that the revolutionary under-class movements and ideas of the Atlantic

[18] A. Alexander, 'The Mutiny of the Meermin' (Honours dissertation, University of Cape Town); N. Worden, 'Artisan Conflicts', 155 -184 and 'Below the Line the Devil Reigns': Death and Dissent aboard a VOC Vessel', *South African Historical Journal,* 61 (4) 2009, 702 -730; N. Penn, 'Great Escapes: deserting soldiers during Nood's Cape Governorship, 1727-1729', in Worden (ed.) *Contingent Lives*, 559 -588.

[19] E. Alpers and G. Campbell, 'Introduction: Slavery, Forced Labour and Resistance in Indian Ocean Africa and Asia', in E. Alpers, G. Campbell and M. Salman (eds.) *Slavery and Resistance in Africa and Asia* (New York: Routledge, 2005), 1–9.

world are alien to the Indian Ocean world. Thus, Alpers and Campbell maintain that resistance in this region tended to be smaller in scale and more muted than in the Atlantic. In other words, the danger is that this focus on the Indian Ocean will be used to simply confirm a focus on small-scale, muted, 'informal' everyday resistance, rather than to open up new avenues of enquiry that engage with the collective and radical nature of some of the struggles at the Cape.

This means that the binaries and teleology of protest remain in tact. Unless we develop a new model of under-class resistance for this period, our view of the political traditions of the labouring poor will remain restricted.

Towards a New Approach

To broaden our understanding of resistance, we need to review our understanding of history, or at least of what is possible at any particular historical juncture. This can be done by turning to other socialist approaches of resistance. Most notably, the notion of direct action and sabotage, refined by anarcho-syndicalists in the late nineteenth century, allows us to reject a simplistic teleology, and provides a framework that is able to capture the complexity and transformative role of under-class resistance in a pre-capitalist or pre-industrial setting.

The terms 'direct initiative' or 'direct action' were coined by Ferdinand Pelloutier and Emile Pouget, leading activists in the anarcho-syndicalist Confederation *Generale du Travil* (CGT), the main French union centre, in the 1890s. It was subsequently developed by other like-minded unions, with the Industrial Workers of the World (IWW, the 'Wobblies') being the most notable.[20]

[20] S. Salerno, 'Introduction', in S. Salerno (ed.) *Direct Action and Sabotage: Three Classic IWW Pamphlets from the 1910* (Charles H. Kerr, Chicago, 1997), 1-18.

Briefly, 'direct action' refers to the immediate and deliberate actions of working people against their exploiters and oppressors. Direct Action includes sabotage, the withdrawal of labour or efficiency, non-compliance, and the participation in 'mass action on direct lines'.[21] In the industrial setting, direct action consists of countless forms of strikes (the general strike, irritation strike, sympathy strike, the sit down strike etc.), misdirecting the transportation and delivery of goods, disassembling machines, breaking or destroying equipment, interfering with the quality of goods, work to rule, poor work, the suspension of initiative and ingenuity, giving overweight to consumers, and 'open-mouth' sabotage in which workers publicise defects in goods or expose short-cuts in production.[22] Some unionists also include the boycott, various forms of propaganda, parades, demonstrations, and, more controversially, armed resistance of various sorts.[23]

Direct action is often used in conjunction with sabotage. This term originates with French workers in the nineteenth century. It is not clear if it comes from silk weavers in Lyons who used their wooden shoes, or *sabots*, to break machinery during their 1834 strike. The term could also have initially referred to the clumsy work of *sabot*-clad scabs recruited from the countryside, denoting the motto 'bad wages, bad work'.[24]

Direct action can be undertaken in order to enact radical change, to make slight ameliorations, or exact revenge, but it always aims to curtail the profit and undermine the power of employers and authorities. The corrosiveness of inefficiency and non-compliance has already been documented by scholars such as Scott. Direct

[21] Rocker, *Anarcho- Syndicalism* , 113, 119, 120
[22] Salerno 'Introduction', 1-18.
[23] Rocker, *Anarcho- Syndicalism*, 115-117.
[24] R. Rocker, *Anarcho- Syndicalism* (1938) (Pluto Press, London, 1989), 126.

action and sabotage also have a added symbolic effect, and draw attention to the limits of upper-class control, whilst highlighting the reach and power of working people.

Early advocates sought to further develop an accepted usage of direct action. William Trautmann, a 'Wobbly', argued that direct action methods should never be used against other workers – by, for example, securing job reservation or craft privileges –or to harm consumers.[25] While there was some debate over the use of violence itself, these labour activists argued that direct action should be based on the rejection of the employers' moral code – the fetish of private property –and to ensure the protection and advancement of working people as a whole.

It is important to note that these theorists of direct action and sabotage in industrial and other modern workplace settings recognised that these forms of protest had a much longer history, and emerged in opposition to injustices related to serfdom, slavery, imperial conquest, enclosure, and the rise of industrial capitalism. In 1913 Elizabeth Gurley Flynn, one of the key organisers of the IWW's free-speech campaigns, wrote that sabotage was 'an old-fashioned working class practice from time immemorial'.[26] Similarly, Rudolph Rocker, one of the main German theorists of syndicalism, argued that strikes in the industrial age played the same role as the uprisings of peasants in the feudal era.[27]

The advocacy of direct action rests on two key arguments. First, the notions that history moves along a continuum towards a predetermined outcome, and that only a very specific section of the labouring poor –industrial waged workers – could be

[25] W. E. Trautman, *Direct Action and Sabotage* (1912) S. Salerno (ed.) *Direct Action and Sabotage: Three classic IWW Pamphlets from the 1910* (Charles H. Kerr, Chicago, 1997), 57-90.
[26] E. Gurley Flynn, *Sabotage: the Conscious Withdrawal of Workers' Industrial Efficiency (1916), in* S. Salerno (ed.) *Direct Action and Sabotage: Three Classic IWW Pamphlets from the 1910* (Charles H. Kerr, Chicago, 1997), 91-121, 12.
[27] Rocker, *Anarcho-Syndicalism* ,116.

truly transformative are questioned.[28] It is only by rejecting teleology, which continues to influence our perceptions of resistance, that the revolutionary possibilities presented by different societies at different times can be properly appreciated, and the continuities between the modern working class and its plebeian forebears can be appreciated.

In the second instance, proponents of direct action argue that the political activity of the labouring poor is not, and should not, be limited to parliamentary action, to political party formation, or to electoral politics. The political activity of the under-class, it is stressed, often takes place entirely outside of these forms. This includes the assumption that political rights do not originate in legislative bodies, but are forced upon states from without, and, indeed, parliamentary activity is regarded as one of the most indirect, or weakest, forms of political struggle.

The notion of 'direct action' will be used as a means to re-examine earlier modes of protest, without the inherited teleology and rigid binaries embedded within other approaches. Direct action is used to refer to immediate acts denoting deliberate objections to injustice and challenges of authority.

Such resistance is messy, taking on a variety of different, intermeshing, forms and is not easily characterised into neat binaries of 'everyday' versus formal, individual versus collective, or pre-modern versus working class. The direct action of the labouring poor can take the form of outright defiance, such as mutiny, insubordination, and murder. It can also be more hidden and based on individuals, small or large groups; it can be spontaneous, involve some pre-planning; or be directed by democratic organisation; it can be focussed on ameliorating immediate

[28] L. van der Walt and M. Schmidt, *Black Flame: the revolutionary class politics of Anarchism and Syndicalism* (AK Press, Oakland, 2009), 95 and D. Miller, *Anarchism* (J.M. Dent & Sons, London, 1984), 79.

evils; it can involve a campaign of winning reforms, and it can be insurrectionary or revolutionary.

Within this framework we do not have to assume that under-class resistance in the eighteenth century Cape was somehow by its very nature defensive, reactionary, individualist, driven by the need to survive, or ineffective. Rather, we can examine political traditions with fresh eyes, and explore previously unconsidered possibilities.

The Limit of Reformism

In a letter (dated 29 March 1790) the leading Cape burgher, Hendrik Cloete noted an incident in which a KhoiSan servant ran from his masters when passing the Fiscal's house to complain about ill treatment.[29] It would seem that, even though there were not specific regulations for KhoiSan servants, this servant believed that the court would offer him protection against abuse and mistreatment. When his master tried to forcibly remove the servant from the Fiscal's house, he was fined a hefty 1500 rixdollars. It is not known what happened to the un-named servant, but it would appear that the severe fine had less to do with his complaint of ill-treatment, and more to do with the burghers' disrespect for an officer of the law.

The emphasis on the impossibility of rebellion has tended to obscure the limits of developing reformist, or legally-based political strategies of amelioration under the VOC. Like many others who attempted appeal to the court, this KhoiSan servant soon learned that the Company did not have the power, or the inclination to hinder masters and commanders, especially those operating at a distance. The Fiscal would only really act when the court's own authority was being overtly challenged.

[29] Letter from H. Cloete to Swellengebel, 29 March 1790 in *BriefWisseling van Hendrik Swellengrebel Jr Oor Kaapse Sake, 1778-1792*, translated by A.J. Böeseken (Van Riebeeeck Society, Cape Town, 1982), 411.

There may have been incidents in which individual masters, Company officials, or ship Captains treated the labouring poor with a fatherly care. However paternalism did not define master-labour-state relations in the VOC-Cape.[30] In a society based on colonial conquest and on the widespread use of bonded and slave labour, military might and physical violence served as the main legitimising components of the state and master class. Any overt challenge to the authority of masters and colonial authorities was met with violent repression. More often than not, the ring leaders of rebellions or mutinies were put to death, their corpses desecrated, and denied proper burial.

Within this context it was difficult to establish a moral economy in the Thompsonian sense, since this requires participation by the upper-class which was not forthcoming. With no real shared notions of traditional obligations, the labouring poor were unable to use resistance as a (tacitly sanctioned) leverage for relief that enforced (widely accepted) cross-class norms.

The use of the law to evoke protection also yielded few favourable results. Those who dared to complain about punishment or ill-treatment without the backing of another slave-owner, or irrefutable proof, were usually punished.[31] At best, the court would order that they be sold to a new master.

The labouring poor in the Cape devised other modes of protest to either strike back at their exploiters and oppressors, or to improve or to change their living and working conditions for the better. This chapter, which surveys secondary sources,

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[30] M. Legassick makes this point about slavery in the Cape. M. Legassick, 'Slavery Came First'. SAROB, 43 (1996), http:// web.uct.ac.za/depts/sarb/X0026_Legassick.html, 5/26/ 2010.

[31] W. Dooling, 'The Good Opinion of Others': Law, Slavery and Community in the Cape Colony, c.1760-1830', in N. Worden and C. Crais, *Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony* (University of the Witwatersrand Press, Johannesburg, 1994), 25-44 and Dooling, *Slavery, Emancipation*, 45-49.

combined with court records, and travellers' accounts, shows that the labouring poor in the Cape developed a rich and varied tradition of resistance.

The resistance of the labouring poor consisted of everyday and 'informal' resistance. Slaves, KhoiSan servants, low-ranking Company servants were all known to loaf when possible, work poorly, damage equipment, malinger, feign stupidity, and purposely misinterpret instructions.[32] Such protest was often purposely ambiguous, or shrouded in a cloak of compliance and deference.

However, this chapter focuses on more direct challenges of authority and objections to injustice. This includes withholding labour, desertion, arson, the assault and murder of masters, and collective insurgency. Such acts demonstrate that the moral codes of the upper-classes were not necessarily hegemonic and shed light on the labouring poor's conception of justice.

Withholding Labour

One of the most noted forms of resistance associated with KhoiSan servants was their refusal to enter into long-term service contracts. This was part of their strategy to retain their independence, and to determine the terms on which they would be integrated into the political economy of the Cape and VOC.

Masters and colonial authorities could not understand why KhoiSan would rather retain their modest life-styles and independence, than enter into long-service agreements. Consequently, KhoiSan soon earned the reputation of being indolent. Mentzel described KhoiSan as 'idle and lazy, timid and shy or stupid, slow and indecisive when in doubt; filthy in their habits and swinish at their meals; ignorant

[32] For instance see J. Mason, *Social Death and Resurrection: Slavery and Emancipation in South Africa* (University of Virginia Press, Charlottesville, etc.,2003), 158-164.

and not eager to learn anything'.[33] Similarly Thunberg wrote that 'Idleness is so predominant amongst the greatest part of the Hottentots that few of the animals without souls surpass them in this vice'.[34]

In his search for KhoiSan to drive his wagon and serve as guides, Sparrman similarly complained of the 'indolence' and 'cavalier' disposition of a young man with whom he entered negotiations near Swellendam.[35] Whilst the young man lay resting on his mat in his hut, Sparrman offered a good grade of tobacco and variety of commodities of 'uncommon value' in exchange for a half-year of service.[36] To Sparrman's annoyance, the young man remained 'absolutely immovable in soul as well as body'.[37] It was not until Sparrman shortened the length of service to a few days that the young man agreed to join him. Such brazen refusal to comply with the labour demands of masters and colonial authorities, and with their expectations of deferential behaviour, can be regarded as a direct challenge to colonial and class authority.

The rejection of long-term service contracts continued into the late eighteenth century, but it became more difficult as increasing numbers of KhoiSan found that their servitude had become permanent. The rejection of contracts rested on the viability of traditional societies, which was rapidly eroding. However, KhoiSan formed connections with other sections of the labouring poor and participated in the other modes of protest commonly practiced at the Cape.

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[33] O.F. Mentzel, *Geographical and Topographical Description of the Cape Of Good Hope*, Part Three/ Vol. II of the German Edition, translated by G.V. Marias and J. Hoge, (Van Riebeeck Society, Cape Town, 1944), 264.
[34] P. Thunberg, *Travels at the Cape of Good Hope, 177-1775*, edited by V.S. Forbes and revised translation by J and I. Runder, (Van Riebeeck Society, 1986), 316.
[35] A. Sparrman, *A Voyage to the Cape of Good Hope, towards the Antarctic Polar Circle, around the World and to the Country of the Hottentots and the Caffers from the Year 1772 -1776*, Vols. I and II, edited by V.S. Forbes and translated by J & I Rudner (Van Riebeeck Society, Reprint Series, Cape Town, 2007), Vol. I., 209.
[36] Sparrman, *A Voyage to the Cape*, Vol. I., 208.
[37] Sparrman, *A Voyage to the Cape*, Vol. I., 209.

Desertion

In 1746 a group of nine slaves from a variety of owners gathered in one of the town's taverns to finalise their plans for escape.[38] They wanted to travel to more distant African communities. To prepare for their escape they stole supplies, including a sail and a mast from a burgher's farm, and raided the Company garden for fresh fruit and vegetables. Unfortunately their plan was foiled when the boat they stole proved un-seaworthy. They tried to walk the rest of the way along the shore-line, but were spotted and caught.

Desertion is often simply dismissed as a form of 'escape', and thus seen as an individual's desperate, but often ineffective, attempt to avoid punishment.

Yet, it was through desertion, more than any other form of protest, that the labouring poor were able to improve and change their conditions, reject their servitude, and pursue alternative lives of relative autonomy.

In addition, desertion was often a planned collective act, [39] not an individual work of desperation, and often also linked to other disorderly acts, including attacks on owners, theft, raids on farms, arson and rebellion. The constant bleeding of labour from the Colony through desertion points to constant restlessness amongst the labouring poor. Unsurprisingly, *drosters* were considered a dangerous threat to the Colony. In all these respects, desertion should rather be regarded as form of direct action.

[38] CJ Criminele Process Stukken, 1746, Deel 2, ff. 464-67 in N. Worden and G. Groenewald, *Trials of Slavery: selected documents concerning slaves from the criminal records of the Council of Justice at the Cape of Good Hope*, 1705-1794 (Van Riebeeck Society, Cape Town, 2005), 257.
[39] Mason also makes this point. Mason, *Social Death and Resurrection*, 165-175, 165-175.

Some runaway groups were large. The *sententiën* refer to a case in 1709 involving a group of 39 runaways.[40] As noted in the previous Chapter, groups were often racially and ethnically diverse, and often the runaways came from different owners. Many deserters stayed close to or within the Colony. Hanglip/Hangklip remained relatively secluded and was a popular spot for runaways into the nineteenth century.[41] Demonstrating the limits of Company power, Table Mountain, situated adjacent to the Castle, was also inhabited by *droster* communities and served as a prominent symbol of disorder.

Other groups attempted to leave and travel to distant lands where they believed they could secure a better life. Some tried to reach African communities in the interior, and many Malagasy slaves apparently believed that they could reach home by travelling overland. Europe, South America, and even Turkey were also seen as possible destinations, and many slaves, sailors, and soldiers believed that desertion via ship across the sea offered the best opportunities for escape and redemption.

There are a number of cases in the criminal records, showing that slaves deserted via the shipping system. In 1750, Jan van de Caab fled on the ship *Hof d'Uno* to the Netherlands.[42] He made his way to Zeeland where he apparently married. He returned to the Cape in 1751 as a sailor by the pseudonym of Jan Harmensz Grutter of St. Helena, but he was caught. Jacob van de Caab also changed his name (to Jacobus Claasz) after he managed to flee to the Netherlands on a ship, and subsequently signed-up as a ship's 'boy'.[43] He was also discovered when he returned to the Cape.

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[40] CJ 782, 32, in H.F. Heese, *Reg en Onreg: Kaapse Regspraak in die Agtiende Eeu*, C-Reeks: Narvorsingspublikasies, No.6, (Insituut vir Historiese Narvorsing, Universiteit van Wes-Kaapland, Bellville, 1994), 172.
[41] Ross, *Cape of Torments*, 54-72.
[42] CJ 33, *Criminele Regtsrolle*, 1751, ff. 3-3, translated in Worden and Groenewald, *Trials of Slavery*, 287.
[43] CJ 34, *Criminele Regtsrolle*, 1752, ff. 28-30 translated in Worden and Groenewald, *Trials of Slavery*, 303-4.

In 1778, the Council of Policy noted the discovery of five deserters who had stowed away on a ship, including four '*Swarte Slaven*' (black slaves) and one sailor. [44] These cases demonstrate that slaves and sailors established close linkages.

Desertion via ships, especially foreign ships, was probably more common than the records reflect. Captains whose crews were decimated by disease or disaster were willing to take on new hands without asking too many questions. There are indications that drunken VOC sailors were press-ganged by British or Danish ships stopping over at the Cape, but many sailors also deserted willingly, illegally breaking their contracts. For instance, in 1777 Jan de Boer, a sailor, deserted and joined a French ship travelling to Mauritius after he was involved in a brawl.[45] He deserted to escape punishment, but later returned.

There were also cases when sailors from foreign ships deserted at the Cape. In 1779 the Council of Policy noted an incident where a Danish ship was searched for English deserters.[46] There were no English deserters, but a group of between twelve and fourteen slaves was discovered. It is not clear if these slaves were being impressed and/ or if they were attempting to desert.

Perhaps believing that deserters were by their nature and acts scoundrels, the court did not pay much attention to reasons given for desertion. Consequently, it is more difficult to gauge deserters' conceptions of injustice, since the reasons for their desertion were rarely recorded.

However, it would appear that harsh punishment and maltreatment were two key grievances, and potent motivations for desertion. While some owners treated their slaves relatively well, many slaves, especially those who were privately owned, were underfed, poorly clothed, overworked, harshly punished, and abused by their masters.

[44] C. 156, 202-261, 24 March 1778 (TANAP, C 151-160, 420).
[45] C. 155, 90-139, 18 March 177 (TANAP, C151-160, 339).
[46] C. 157, 386-423, 11 October 1779 (TANAP, C 151-160, 551).

KhoiSan servants and Company sailors and soldiers were not treated much better. Thunberg noted that:

> …sailors and soldiers, are in many respects treated worse and with less compassion, than the very slaves themselves. With respect to the latter, the owner not only takes care that they are clothed and fed, but likewise, when they are sick that they are well nursed and have proper medical attendance. The former go as they can, viz. with naked torsos or dressed in tattered clothes, which, perhaps, after all, do not fit them; and when one of them dies, it is a common saying, that the Company gets another for nine guilders.[47]

A spate of desertions by VOC sailors stationed in the Cape and Rio de Lagoa (present day Delagoa Bay, and occupied by the VOC from 1724 to 1730) in the late 1720s indicate that social connections, especially between the disgruntled and dissident, played an important part in desertion. George Davis Beijer, who was involved in the unsuccessful desertion from the Cape in 1727, was thought to play leading role in the 1728 plot in which one third of the Rio de Lagoa garrison – 62 out of 186 men – planned to ransack the Company store and march overland to the Portuguese station at Inhambane.[48] According to Penn, Beijer apparently boasted that he had previously been involved in an earlier *complot* (conspiracy) against the Company. Reportedly, he crowed that 'At the Cape I have successfully outtalked them; should I not be able to do the same here at Rio de la Goa?'[49]

Stories of success motivated those who were fed up with their lot. The Rio de la Goa plot came fast on the heels of news that a group of thirteen soldiers had

[47] Thunberg, *Travels at the Cape of Good Hope*, 152-3.
[48] Penn, 'Great Escapes', 573, 574.
[49] Qouted in Penn, 'Great Escapes', 574.

successfully reached Inhambane. Similarly, in 1751 a group of thirteen slaves agreed to band together and run away when they were told that 'there had recently been a group [of] slaves who had also taken flight and who had recently arrived safely at a free village of blacks or even in Madagascar'.[50]

Since desertion was so closely linked with other crimes, the punishment of runaways varied. April van de Caab deserted for a number of months, passing himself off as a free *Bastard-Hottentot*.[51] His deception was exposed when he tried to take up employment at another farm. Unwilling to give up his new-found status he mortally injured one of his captors, and escaped again. He 'fell into the hands of justice' a few days later, and in June 1752 was sentenced to be 'hanged upon the gallows, to remain thus until being consumed by the air and birds in heaven'. [52] The punishment of Patientie van Manacabo and December van Bougies was relatively more lenient but still harsh.[53] For stealing guns and ammunition and desertion, they were tied to a stake, severely whipped, branded, and placed in chains for a period of ten years. They could be returned to their masters, provided that their masters paid for the 'costs and expenditure of justice'.[54]

Sparrman's discussion of his stay with a Hanoverian bailiff (or farm manager) on his journey to Paarl, illustrates that deserters were regarded a public threat. Sparrman and the bailiff bolted the door and hung 'five loaded pieces' over their heads when they retired for the evening, because they feared 'runaway and rebel

[50] CJ 788, *Sententiën*, 1750 – 1755, ff. 58-67, translated in Worden and Groenewald, *Trials of Slavery*, 295.
[51] CJ 788, *Sententiën*, 1750-1755 ff. 103-8, translated in Groenewald and Worden, *Trials of Slavery*, 300-302.
[52] CJ 788, *Sententiën*, 1750-1755 ff. 103-8, translated in Groenewald and Worden, *Trials of Slavery*, 302.
[53] CJ 788, *Sententiën*, 1750- 1755, 212-19, translated in Groenewald and Worden, *Trials of Slavery*, 333-336.
[54] CJ 788, *Sententiën*, 1750- 1755, 212-19, translated in Groenewald and Worden, *Trials of Slavery*, 336.

slaves' who continually wandered about, 'in order to plunder houses for victuals and fire-arms, or else to draw others to their party'.[55]

Because of the danger associated with desertion, citizens were allowed to execute runaways on the spot. In the sentencing of a deserter in 1737, the court declared, 'If the master of the house would find an unknown black *jongen* [boy/slave] at night in his house, he could, and totally in accordance with the law, stab to death or shoot the same'. [56] Company militia mobilised to capture groups of armed runaways also often shot and killed runaways, especially when they resisted arrest.

Desertion in the Cape was endemic. Since neither the Company nor masters were especially interested in improving living and working conditions and rather resorted to harsh punishment to keep the labouring poor in line, desertion was often the only remedy for an unbearable existence. Rather than simply a form of escape, desertion was itself an act of reform, as it was the only way in which the labouring poor were able to bring about drastic change in their own lives. Running away was not only widely practiced, but was also widely supported and news of successful desertions further contributed to the hope and possibility of a better life.

Arson

On the 12 Match 1736 a fire started on the southern edge of Cape Town. With dry thatched roofs and strong south-east wind, five houses were quickly engulfed and burned to the ground.[57] Authorities immediately suspected arson. The culprits were identified as Leander van Boegis and his gang of runaways (the very same Leander van Boegis who appeared in the previous Chapter). There had already been a few

[55] Sparrman, *A Voyage to the Cape*, Vol. I., 102.
[56] CJ 341 Criminele Process Stukken, 1737, ff. 394 -96, translated in Groenewald and Worden, *Trials of Slavery*, 147.
[57] Ross, *Cape of Torments*, 54.

other arson attempts, and the 1736 fire caused masters and colonial authorities to panic. A number of commandos were ordered to round up runaways and there was a marked increase in the number of desertion cases before the court.[58]

Such fires strengthened the association between arson and the labouring poor, especially rebellious slaves and dissident servants. Fire could utterly ruin the town or a farming district. Just a few spectacular fires reminded authorities that the labouring poor were willing to strike back, and exploit this vulnerability. This kind of sabotage served as powerful symbol of the devastation that accompanied disorder and caused a great deal of anxiety amongst colonial authorities and masters.

Throughout the seventeenth and eighteenth centuries numerous ordinances were passed that warned against the danger of fire, and that outlined the horrific punishments awaiting arsonists. Meeting fire with fire, arsonists were often burned alive. Peter Kolben provides the following description:

> A slave at the Cape, in my time there, attempted more than once to burn down his master's house. For this, being seized, he was sentenced to be roasted alive: and the execution was performed in the following manner. A stout post being fix'd upright in the ground, he was fastened to it by a chain…Then was kindled a large fire round about him, just beyond the stretch of the chain. The flames rose high; the heat was vehement. He ran for some time to and again about the post; but gave not one cry. Being half roasted he sunk down.[59]

Such spectacularly gruesome punishment was not only retributive, but also served as a warning to others.

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[58] *Ibid.*
[59] Quoted in R. Shell, *Children of Bondage: A Social History of the Slave Society at the Cape of Good Hope, 1652-1838* (University of the Witwatersrand Press, Johannesburg, 2001), 365.

Robert Shell argues that the fear of fire and threat of arson left a distinct imprint on local architecture.[60] For instance, the Company forbade the construction of urban houses with low eaves, which authorities believed were easily ignited by malicious slaves and KhoiSan. In the early eighteenth century the Company further encouraged 'arson-proof' flat roofs on homes and other buildings.[61]

Even the possibility of accidental fire setting alarmed authorities. Kolben noted that the shelters the Company erected on both side of the streets to protect passengers in rainy weather were taken down because '[s]ailors and *Hottentots* were continually crowding and smoking their Pipes under them, and sometimes, thro' Carelessness, set 'em on Fire'.[62] He claimed that an Ordinance was passed, 'that no *Hottentot* or Common sailor should smoak (sic)in the Streets' and that a declaration had been passed that those sailors or KhoiSan servants caught doing so would be tied to a post and lashed.[63] The persistence vibrant under-class fellowship on the streets of Cape Town suggests that this ordinance was not – and perhaps could not be – very strictly implemented.

Labourers and the poor who set fires accidentally were also punished. In 1741 Juli van Bengalen, who accidentally set the *veld* alight when he made a fire in a porcupine hole to cook fish, was severely whipped. He was also warned that should he make the same mistake again, he would be punished 'with the rope on the gallows until death followed.'[64]

Much like desertion, arson was often committed in conjunction with other disorderly acts, and is difficult to examine on its own. Due to this study's reliance on

[60] Shell, *Children of Bondage*, 265.
[61] Shell, *Children of Bondage*, 286.
[62] P. Kolben, *The Present State of the Cape of Good Hope*, translated by Mr. Medley, (Johnson Reprint Corporation, New York etc., 1968), 347.
[63] *Ibid.*
[64] 1/ STB 3/8 Criminele Verklaringen, 1702-1749, translated in Worden and Groenewald, *Trials of Slavery*, 189.

court records, the identity of arsonists is known. In all of these instances, it seems that fire-setting was not an anonymous act of sabotage, but an open protest and directed protest. The records also show that arsonists were not only men. There were two women in Lander's gang who were involved in the 1736 fire, and in 1767 a slave woman set fire to her owner's house as a protest against her mistreatment.[65]

Arson cases show that the labouring poor objected to masters' attempts to violate their bodies through what they regarded as intolerable punishment, or to separate them from their loved ones. In 1717 Aaron van Bengalen told the court that he set his owner's house alight because he had grown tired of the beatings administered by his owner's step-son.[66] In his sentencing, the court noted that he should be 'punished most severely and rigorously, as a warning and deterrent to others'.[67] He was half strangled, 'scorched to death' and his corpse dragged through the streets and left to rot on the wheel.[68]

In 1724 Andries van Ceijlon, who deserted after a vicious beating for stealing brandy and wine, returned one night and set fire to his master's cellar. He told the court he committed such crimes out of 'sadness, because he never had to endure so much punishment, and also that he sought his death and wanted to be removed from the world'.[69] Andries experienced the same fate as Aaron; he was half strangled, then burned, and his remains left to rot on the wheel.

Fortuijn van Bengalen resorted to arson in 1742 after the masters of his lover, Christijn, treated him badly and interfered with their relationship. Fortuijn deserted his owner to speak to Christijn. He was caught by Christijn's master, tied up and sent

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[65] CJ 791, 37, in Heese, '*Reg en Onreg*', 186.
[66] CJ 784 *Sententiën*, 1717-1725, ff. 7- 11 and CJ 321 Criminele Process Stukken, 1717, document 8, translated in Worden and Groenewald, *Trials of Slavery*, 53-56.
[67] CJ 784 *Sententiën*, 1717-1725, ff. 7- 11, translated in Worden and Groenewald, *Trials of Slavery*,53.
[68] CJ 784 *Sententiën*, 1717-1725, ff. 7- 11, translated in Worden and Groenewald, *Trials of Slavery*,54.
[69] CJ 784 *Sententiën*, 1717-1725, ff 225 -30, translated in Worden and Groenewald, *Trials of Slavery*,100.

home. This was not the first time Christijn's masters had handled him roughly and he told the court that some time ago he had also been beaten with a broom. Undeterred, Fortuijn deserted again. This time he managed to contact Christijn, only to be told that she did not want to have a relationship any longer 'because my *baas* (master/boss) and *juffrow* (mistress) do not understand it'.[70] Angry, Fortuijn retaliated by setting Christijn's master's home alight. For his trouble Fortuijn was sentenced to be chained to a stake, burned alive, his remains to be placed on the wheel, with the added feature of having an iron pot placed over his head to denote arson.[71] Such harsh punishment did not deter the labouring poor who would go to great lengths to protect their intimate partnerships and families.

Just like the gruesome punishment meted out to arsonists, the deliberate setting of fires by the labouring poor was symbolic. The devastation and destruction of deliberate fire setting posed a real threat to the security of the colony, and was even etched onto Cape architecture. Arson reminded masters and colonial authorities that there were limits to under-class degradation.

Threats of Violence and Attack

Baatjoe van Mandhaar was prosecuted for threatening to kill his owner and for resisting arrest in 1757.[72] After having being ill for a couple of days (which the court interpreted as malingering), Baatjoe had barricaded himself into the attic and, speaking in Portuguese, threatened to kill his owner. The *geweldiger* (provost), who was called by the neighbours to assist, also ordered Baatjoe down from the attic.

[70] CJ 347 Criminele Process Stukken, 1742, ff. 18 -19 v, translated in Worden and Groenewald, *Trials of Slavery*, 213.
[71] CJ 786 *Sententiën*, 1736 – 1743, ff. 377 -83, translated in Worden and Groenewald, *Trials of Slavery*, 212.
[72] Worden and Groenewald, summary of CJ 789, *Sententiën*, 1756-1760, ff 80-91, Baatjoe van Mandhaar, 337 translated in Worden and Groenewald, *Trials of Slavery*, 340 -344.

Baatjoe responded 'I am a Mandhaar, you come up to me'.[73] Baatjoe resisted capture, 'frantically throwing bottles, stones and everything that he could find at the people who came towards the attic'.[74] When Baatjoe was eventually subdued, he apparently declared that he would rather be punished by justice than by his master. The motives behind Baatjoe's actions were never revealed, but it appears that he had enough of the indignities of slavery.

Elites tended to construe such attacks as acts of madness. This is especially true of East Asian slaves who, usually in an advanced state of intoxication, were known for being particularly dangerous and 'running amok'.[75] Partly for this reason the Company in the Cape forbade the importation of East Asian slaves to the Cape. Even if this proclamation was strictly enforced, attacks on the persons of masters would not necessarily be eradicated as other slaves and sections of the labouring poor also frequently resorted to such extreme acts.

As in the case Baatjoe van Mandhaar, such attacks were not only corporal, but often included verbal assaults and threats. It is not clear whether such insults were specifically recorded by the court in order to demonstrate that the culprit was insolent from the start. Nevertheless, these recordings of insults are fortunate for the historian. Such outbursts indicate that slaves did not necessarily respect their masters, nor accept the system in which they found themselves.

In addition to harsh punishment, poor living conditions, and masters' attempts to interfere with intimate relationships, assault cases draw attention to conflicts that centred on work, authority, freedom, and practices of solidarity amongst the labouring poor.

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[73] CJ 789, Sententien, 1756 – 1760, ff 80 -91, Baatjoe van Mandhaar, translated in Worden and Groenewald, *Trials of Slavery*, 342.
[74] *Ibid.*
[75] J. Armstrong and N. Worden, 'The Slaves', in Elphick and Giliomee (eds.) *The Shaping of South African*, 109-183,162.

The slave Frans van Madagascar was enraged because he believed that he had been punished too severely by the *mandoor* (a slave overseer) for being too drunk to work.[76] Frans did not react immediately, but waited for the *mandoor* outside the women slaves' quarters later that night, and beat him. The *mandoor* died of his injuries. Frans may have thought that his drunkenness was sanctioned, if not encouraged, since alcohol was often supplied to slaves before they started their day. Thus, even if slaves accepted that beating was a part of their bondage, they developed their own understandings of fair treatment, and acted when these understandings were violated.

Cupido van Mallabaar, brought to trial in 1739, could no longer bear the loneliness of being the only slave in the household, and of struggling to adapt to his new cultural context.[77] Not sure of how to proceed, he vacillated between taking his own life, or that of his mistress and her young child. He told his mistress that he was not used to wearing the clothes that he had been given, and complained that he had worked alone for two years. After attempting to stab his mistress he declared, 'It would be better if I murder you, your husband and your child, and that I flay you open like flecked fish, and then do me as well'.[78] Like many of the slaves who threatened or attacked their masters, Cupido attempted to take his own life, but at this stage proved too drunk to shoot himself or cut his own throat. While some slaves my have acted to protect their intimate and family relations, Cupido objected to his cultural alienation and loneliness.

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[76] CJ 792 *Sententiën*, 1768-1771, ff. 36-42, translated in Worden and Groenewald, *Trials of Slavery*, 430-431.
[77] CJ 786 *Sententiën*, 1736-1743, ff.263-70 translated in Worden and Groenewald, *Trials of Slavery*,165-168.
[78] CJ 786, *Sententiën*, 1736 – 1745, ff. 236 – 70, 1739, Cupido van Mallabaar, translated in Worden and Groenewald, *Trials of Slavery*, 167.

In 1761 a slave named Hermanus objected to his leisure-time being violated and, with the assistance of this fellows, challenged the authority of the farm *knecht*. Hermanus was displeased when he, together with other servants, was called to work on a Sunday. At first he claimed that there were buck in the wheat fields that prevented them from working. Once the *knecht*, a soldier named Johan Spring, chased the buck away, Hermanus complained that the plough's wheel was broken. After the wheel was fixed, the rope of the plough broke – twice – and Hermanus then declared 'All the work which is done on a Sunday, is of the devil, and is accursed'.[79] A quarrel ensued, and Hermanus attacked Spring and shouted, '[y]ou mother-fucking sailor, I will get you'.[80] This insult drew attention to Spring's low status, questioning his ability to oversee the work of other servants and slaves.

When Spring ordered the other servants, a KhoiSan named Cobus and a *Bastaard-Hottentot* named Adriaan, to tie Hermanus down they refused, even after he threatened to shoot them in the legs. They claimed to be scared of Hermanus, but may well have been demonstrating solidarity with a fellow worker. Their refusal further eroded Spring's authority. Besides, they had everything to gain from refusal: Hermanus and his fellows had been successful in undermining the previous *knecht* to the extent that he was fired.[81] This strategy appears to have come to an end when Hermanus committed suicide before he was taken to the authorities in Stellenbosch for punishment.

Ontong van Boegies, who appeared before the court in 1779, also challenged the authority of the farm *knecht*, and of his master. After been given an instruction whilst cutting grapes in the vineyard, Ontong cursed the *knecht*, calling him 'a

[79] 1/ STB 3/11 Criminele Verklaringen, 1759-1782, translated in Worden and Groenewald, *Trials of Slavery*, 390.
[80] 1/ STB 3/11 Criminele Verklaringen, 1759-1782, translated in Worden and Groenewald, *Trials of Slavery*, 391.
[81] *Ibid.*

moervreeter and a child of a whore'.[82] Ontong received a beating from the *knecht* and was reprimanded by his master, Johannes Nieuwout. In response Ontong 'suddenly put his knife to his [own] throat', and said to Nieuwout, 'Come on, motherfucker, Try and beat me!'[83] Suicide was one way in which Ontong could deny his master his labour and control over his life. When his master retreated, 'Ontong went after him for some paces with a pole and a knife in his hand.[84] Ontong was treated with relative lenience by the court, and merely sentenced to a public whipping and a life of hard labour in chains on Robben Island.

There was an unexpected finale to Ontong's case. Adonis van de Caab recanted his testimony. He reported to the authorities that he had been forced by his owner to give a false statement, and insisted that Ontong 'did not abuse his owner, nor did he chase him with a knife', and that he had been unfairly beaten by the *knecht.*[85] Adonis later retracted this statement.[86] Perhaps he realised that the court did not share his notion of unfair treatment, and feared that he would be severely punished if he could not support his claim. However, he did use the opportunity to raise *another* grievance. He complained that his master, Nieuwout, had prohibited him from continuing his relationship with a KhoiSan woman servant. Once again the value that the labouring poor attached to their intimate partnerships is highlighted by the data.

It was not only overseers and masters who attracted the violent wrath of the labouring poor. Snitches and tell-tales who undermined practices of under-class solidarity were also targeted for retaliation. In 1739, Alexander van Macasser finished

[82] CJ 413, Criminele Process Stukken, 1779, Deel 2, ff 315-19, translated in Worden and Groenewald, *Trials of Slavery*, 506.
[83] *Ibid.*
[84] *Ibid.*
[85] CJ 2487 Inkoomende Brieven, 1776-1780, Deel 3, ff. 128-29, translated in Worden and Groenewald, *Trials of Slavery*, 509.
[86] CJ 2487 Inkoomende Brieven, 1776-1780, Deel 3, ff. 30 -2, translated in Worden and Groenewald, *Trials of Slavery*, 510-511.

his kitchen duties and went outside to drink 'a tot with some of his mates in the street'.[87] (Again, this gives us a glimpse of the broader under-class fellowship in Cape Town). On his return to cook the supper, another house slave named Dorinde informed the master that 'Alexander is drunk again'. Alexander subsequently got into an argument with his master. He returned to the kitchen to get a knife, apparently saying 'It is time now, let come of it what may come' and threatened the slave Diana and her children with a knife.[88] Although the court did not believe him, Alexander claimed that he did not plan anything more wicked than to beat the slave women because they accused him being drunk.

Empty promises of reward for loyal service, especially unrealised expectations of manumission, engendered bitterness and served as triggers for violent attack. After the death of his master, the slave artisan Jonas van Manado petitioned his master's wife to award him his freedom. In a letter he respectfully highlighted a decade of faithful service, in which he did not complain to anybody, and with 'knees bent' humbly appealed to his mistress' mercifulness and compassion to permit him his freedom.[89] He told his mistress that his *baas* had always told him, 'I will do good to you'. His petition was refused and Jonas declared '[t]hen I will not do good any longer'.[90] That evening Jonas attacked his mistress in her bed and attempted to slit her throat. He was not successful, and was later apprehended.

Similarly in 1779 the Council of Policy dealt with an old slave, Manuel van Bengalen, who was under the impression that he would be emancipated when his

[87] CJ 786 *Sententiën*, 1736-1743, ff. 303-11, translated in, Worden and Groenewald, *Trials of Slavery*, 172.
[88] CJ 786 *Sententiën*, 1736-1743, ff. 303-11, translated in, Worden and Groenewald, *Trials of Slavery*, 174.
[89] CJ 323 Criminele Process Stukken, 1719, f. 519 [modern pagination], translated in, Worden and Groenewald, *Trials of Slavery*, 83,
[90] CJ 323 Criminele Process Stukken, 1719, ff. 535-39, translated in Worden and Groenewald, *Trials of Slavery*, 81.

master died. When this did not transpire, Manuel apparently tired to persuade his new mistress to let him go in a 'brutaale wijze' (insolent manner), and even threatened her.[91] Considered to be a danger, Manuel was sent to Robben Island for life.

Jonas van Mana and Manuel van Bengalen must have felt horribly tricked when they learned that their faithful service and endurance was for naught, and that their masters had no intention of rewarding them with freedom. Their reasons for remaining compliant and deferential had been removed.

It is important to note that it was not only slaves who threatened, attacked or killed their masters and other authorities, and this practice was also used by other sections of the labouring poor. For instance, in 1704 a soldier, Gerrit De Kemp was tried for murdering an official.[92] In 1746 Hartebees, a KhoiSan servant, was prosecuted for murdering the farmer for whom he worked.[93]

Women also resorted to such measures. In 1746 two KhoiSan women, Eva and Maria, appeared in court for their involvement in an attack on a *knecht*.[94] The *knecht*, Simon Ingolt, was apparently attacked when he attempted to beat Maria and her slave 'husband' came to her rescue. In 1750 Amarantia van Mozambique hired the convict, Lantiep van Java, to murder her master, and in 1799 two KhoiSan women, Mietje and Sara, attempted to poison their masters.[95]

Sometimes attacks on overseers and masters were carried out by groups. Sparrman writes of a group of slaves who chopped their owner's head off with an axe.[96] Attacks, including group attacks, continued into the early nineteenth century and Henry Lichtenstein, who travelled through the Cape in the Batavian period, refers

[91] C. 157, 457-502, 7 December 1779 (TANAP, C151-160, 567).
[92] CJ, 781, 29 in Heese, '*Reg en Onreg*', 129.
[93] CJ 789, 22, in Heese, '*Reg en Onreg*', 207.
[94] CJ 787, 22, in Heese, '*Reg en Onreg*', 196 and 232
[95] CJ 788,2 in Heese, '*Reg en Onreg*', 164 and CJ 798, 4 in Heese, '*Reg en Onreg*', 236, 254.
[96] Sparrman, *A Voyage to the Cape*, Vol. II., 255.

to at least three separate cases. This includes the murder of a burgher family by a group of KhoiSan servants and slaves in the Matjesfontien area.[97]

Threats and the physical attack of masters subverted the class order, and caused a great deal of fear. Sparrman, for instance, noted that 'every body in this country is obliged to bolt the door of the chamber at night, and keep loaded firearms by him for fear of the revengeful disposition of slaves.'[98] The perpetrators of such violence were punished harshly. Slaves could be expected to be broken on the wheel, while others had to face the firing squad, or endure life sentences of imprisonment on Robben Island (or the Slave Lodge in the case of KhoiSan women).[99]

Slaves, KhoiSan servants, sailors and soldiers who threatened, attacked and insulted their masters or commanders were usually drunk or intoxicated, but their acts were not necessarily mindless. They questioned the authority of their masters and overseers, and acted when their conceptions of free treatment, companionship, leisure time, solidarity, and fair reward were violated. To avoid the pain and public humiliation of punishments bestowed by the court, many of those who threatened, attacked, or killed their masters took their own lives. It may be for this reason that historians regard such attacks as irrational and ineffective. Yet, for many slaves, farm servants, sailors and soldiers, a life of hardship and servitude was worse than death.

Insurgency

As noted, the *Erasamus* plot of 1699 – in which soldiers tired of harsh treatment plotted with convicts, servants, and slaves to commandeer the ship and sail to Angola – was not an isolated eruption, but part of a tradition of collective insurgency in the

[97] H. Lichtenstein, *Travels in Southern Africa, in the years 1803,1804,1805,1806*, Vols. I and II., translated by Anne Plumptre (British and Foreign Public Library, 1815), Vol. I. 12-5, for other cases see Vo. 2, 196 and 237.
[98] Sparrman, *A Voyage to the Cape*, Vol. I. 73
[99] CJ 788,2 in Heese, '*Reg en Onreg*', 164 and CJ 798, 4 in Heese, '*Reg en Onreg*', 236, 254.

Cape. This tradition consisted of armed rebellion, mass desertion via ship, and strike at sea and on land. As with other modes of protest, insurrection was messy, and was often based on the combination of different acts of disorder. Insurrection was not necessarily 'primitive'; it was used to object to high mortality rates, to economic and political corruption, and to colonial occupation. Insurrection struck at the authority of masters and authorities, overtly raising calls for freedom.

The Barbier Rebellion

Due to Nigel Penn's popular account, the rebellion led by the soldier Estienne Barbier in the late 1730s is well known.[100] Barbier first came to the attention of the authorities when he accused several of his superiors of corruption. Corruption (politely, 'private trade') was part of the VOC's functioning, a tacitly sanctioned practice that enabled officials to supplement their relatively low incomes. Corruption could, however, have very negative impacts on the labouring poor when it was *their* food or clothing rations that were siphoned off, or when they had to compete with private 're-sale' goods for space on ships.

After a protracted legal battle, which Barbier was doomed to lose, he escaped from the Cape Town Castle where he was being held. A year later, in March 1738, Barbier reappeared 'at the head of a group of armed and mounted men to read a seditious statement to the congregation of the church of Drakenstein', a statement which he subsequently affixed to the church door.[101]

Penn asserts that Barbier championed the rights of poorer farmers, questioning the costs of loan farms and the Company's perceived unwillingness to protect frontier burghers from KhoiSan attacks. Penn argues that Barbier fits Eric Hobsbawm's

[100] N.Penn, *Rogues, Rebels and Runaways :Eighteenth-Century Cape Characters* (David Philip Publishers, Cape Town, 2003), 101-129.
[101] Penn, *Rogues, Rebels and Runaways*, 101.

definition of a 'social bandit', and his rebellion little more than ' a cry for vengeance on the rich and the oppressors, a vague dream of some curb on them, a righting of individual wrongs'.[102]

Penn uses the concept of social banditry in the colonial context, but his usage loses the class dimension of Hobsbawm's formulations. In spite of his humble beginnings, Barbier in fact sided with a relatively privileged sector of Cape colonial society: citizens with the legal right to land and access to labour.

While many pastoralist farmers lived modestly, even poorly, especially when compared to the wine and grain farming elite, they were not part of the multiracial rural labouring poor of burgher *bijwooners*, *knechts*, KhoiSan servants, and slaves, who lived and worked on land controlled by others.[103] The Barbier rebellion was clearly part of the chronic social struggles that wracked the frontier in 1730s, but it was the wealthier burghers with whom Barbier sided, against the Company, but also against KhoiSan rebels.

Armed Anti-Colonial Rebellion

KhoiSan armed rebellion was not a vague lashing-out, but part of a protracted struggle against VOC occupation. As noted in the previous chapter, Cape Peninsular groupings became increasingly alarmed about the permanence of Company settlement and between 1659-1660 united to take up arms against the VOC. As Jan van Riebeeck reported, the KhoiSan 'insisted that we had been appropriating more of their land,

[102] Hobsbawm quoted in Penn, *Rogues, Rebels and Runaways*, 103.
[103] The rural poor include *bijwooners* who may have been *burghers* but had become dependents and lived as farm-tenants on other burghers' land.

which had been theirs all these centuries …They asked if they would be allowed to do such a thing supposing they went to Holland?'.[104]

War broke out again between 1673 and 1677 when the Company led campaigns against the *Cochoqua* under 'chief' Gonnema. Unable to match the military power of the Company, Gonnema adopted a guerrilla strategy, and ordered his forces to disperse and 'melt into the bush' when Company militias approached.[105]

Historians believe that Gonnema's defeat accelerated Company control over the KhoiSan. However, the papers of Landdrost Johannes Starrenburg, who led a trading expedition in 1705 in the vicinity of the Zwarte River, indicate that even then the KhoiSan officially recognised by the Company still refused to barter substantial numbers of cattle. Much like the *Cochoqua*, many dispersed and hid their cattle and moved out of reach upon hearing that Company traders were in the area.[106] Although this may have been a strategy of avoidance, the continued existence of relatively independent, egalitarian communities provided a model of an alternative existence and, as noted previously, provided many a runaway with shelter and food.

Shula Marks, leading South Africanist, notes that by the beginning of the eighteenth century the VOC station had grown, and had become more able to cope with the threat of KhoiSan attack, while the social systems and independence of the KhoiSan were being undermined.[107] The 1713 small pox epidemic proved especially devastating. Marks notes that the nature of KhoiSan protest changed at this time, increasingly taking the form of raids on outlying colonial farms.[108] These groupings

[104] Quoted in N. Worden, E. van Heyningen, V. Bickford- Smith, *Cape Town: the Making of a City: an illustrated history* (David Philips, Kenilworth, 2004), 24.
[105] Elphick and Malherbe, 'The Khoikhoi', 14.
[106] Valentyn, *Description of the Cape of Good Hope*, Vol. II., 17, 25 , 49, 51,
[107] Marks, 'Khoisan Resistance' 68-70.
[108] *Ibid.*

contributed to, and became part of, the dissident communities of the frontier and other hard-to-reach places.

Raids by KhoiSan bands and counter-raids by commandos reached fever-pitch in the 1730s.[109] Conflict seemed to die down slightly in the 1740s, but surged again in the 1750s and 1770s and, as will be discussed in Chapter Five, culminated into the Servant Rebellion of 1799-1803.

Although raids by small bands were part of the hunter-raider economy of the frontier, KhoiSan still aimed to expel the VOC from the Cape and regain their pre-colonial commons. In 1739, for instance, an interpreter explained that the purpose of a particularly large raid along the Berg River was to, 'to chase the Dutch out of their land as long as they lived on their land, and that this was but a beginning but they would do the same to all the people around there.'[110] These anti-colonial sentiments were echoed again in the 1770s and 1790s.

Mass Desertion and Mutiny

Under the seaborne empire of the VOC, under-class insurrection was not necessarily land-bound. The story of this dimension of resistance has been largely ignored by the inward-focussed South African historiography, which has largely elided the maritime frontier in the making of the region.

A number of mutinies on VOC ships took place near the Cape and at times mutineers *en route* to the Netherlands or Batavia were tried by the Cape's Council of Justice. In 1675, the English-speaking sailors of the VOC's *America* planned to

[109] See N. Penn, *The Forgotten Frontier: colonists and Khoisan on the Cape's northern frontier in the eighteenth century* (Double Storey Books and Ohio University Press, Cape Town/ Ohio, 2005), 56-78.
[110] Quoted in Marks, 'KhoiSan Resistance', 71.

overthrow the officers, kill the crew, commandeer the ship, and sail to Brazil.[111] Their plot was betrayed just a few days before the mutiny was to take place. The ringleaders were imprisoned, and the ship council decided to hand them over to the authorities at the Cape. The mutineers who appeared before the council indicated that their actions were inspired by hunger, by disease, and by the alarmingly high rate of death on the ship.

Happily for the VOC, the uncovering of conspiracies or secret plots was much more common than actual mutinies and revolts. This has led historians to focus on the betrayal of conspiracies and plots, usually by a comrade for a monetary reward. For some scholars, the role of snitches and tell-tales is simply one more indicator of social dislocation.

Yet betrayal of collective actions is only possible if there is something collective to betray; it is itself evidence of smouldering discontent, a demonstration that the labouring poor were willing to unite to object to what they perceived of as injustice. It should be kept in mind that there were always more willing participants and sympathisers in any given conspiracy than there were traitors.

J.R. Bruijn and E.S van Eyck van Heslinga, in their overview of VOC mutinies in the seventeenth and eighteenth centuries, argue that mutinies followed two main patterns.[112] First, again demonstrating the combinations of different modes of protest, mutiny was usually linked to mass desertion. Like those on the *America*, mutineers generally sought to violently overthrow the ship's officers, commandeer the

[111] A.C.J. Vermeulen, 'Onrust Ende Wederspanninheyt'; Vijf Muiterijen in de Zevebtiende Eeuw' in J.R. Bruijn en E.S. van Eyck van Heslinga (eds.) *Muiterij: Oproeren Berechting op Schepen van de VOC* (De Boer Maritiem, Haarlem, 1980), 39-40.
[112] J.R. Bruijn and E.S. van Eyck and van Heslinga, 'De Scheepvaart van de Oost-Indische Compagnie en het Verschijnsel Muiterij', in Bruijn *et al* (eds.), *Muiterij*, 9-26, 21.

ship, and desert to distant lands where they could build a better future based on freedom from masters.[113]

This was, for instance, the plan of the mainly French sailors on the *Duinenburg* in 1766.[114] Under the leadership of Jean Baptist Paradijs, who was depicted by the authorities as a blasphemer and devil-worshiper, they planned to kill the officers – as well as those crew who refused to support the mutiny – and desert. The plan was exposed before it could be carried out, and more than twenty mutineers were identified and imprisoned. They were handed over to the Council of Justice at the Cape. In their interrogations, some mutineers claimed that they participated only because they had been offered money and riches by Paradijs. But even before the voyage, there were grumblings amongst the crew, and it appears that poor treatment and hunger inspired many men to join the plot.

It was not only sailors and soldiers who mutinied for the purposes of deserting. In 1751 a small group, mainly Asian exiles and slaves on Robben Island planned to attack all the other convicts, commandeer the provision ship, and sail to their homelands.[115] The convicts did not know how to sail. They agreed to spare the lives of the sailors Michiel van Embdneeleen and Arend van den Velde to help them guide the ship. Their plot was betrayed, and fifteen of the rebels were convicted, and sentenced to be broken on the wheel.

Marking an upsurge in maritime resistance, in 1766, the same year as the *Duinenburg* plot, 140 Malagasy slaves revolted and commandeered the *Meermin*. [116] Like the Robben Island convicts, these slaves were unable to sail. They had to rely on

[113] Bruin *et al*, 'De Scheepvaart van de Oost-Indische Compagnie', 22.
[114] I. van Meurs, 'Courage, Francois: een Samenzwering op de 'Duinenburg' in 1766', in Bruijn *et a*l (eds.), *Muiterij*, 84-96.
[115] K.Ward "The Bounds of Bondage': Forced Migration from Batavia to the Cape of Good Hope during the Dutch East India Company era, c. 1652 -1795' (PhD, University of Michigan, 2002), 261-269.
[116]A. Alexander, 'The Mutiny on the Meermin'.

the crewmen they had violently attacked, and whose comrades they had killed, to take them back home. The slaves were betrayed, and the ship was wrecked on the Cape coast. The leaders of the revolt were killed, and the surviving slaves were recaptured and integrated into the Colony's slave population. Their plan to reclaim their freedom and return home had also failed.

Strikes

In the second instance, Bruijn and van Hesliga argue that there were mutinies which resembled modern strikes, in which crews withheld their labour to draw attention to injustice. Corruption, especially with regards to rations, and high rates of mortality proved key areas of concern. It appears that only one such mutiny involved the Cape, and it occurred just before the VOC station was established in 1652. In 1649 the *Spare* veered off course due to stormy and extremely cold weather.[117] Believing that they would not make it to the Cape alive, they refused to follow instructions until the ship returned to the Netherlands. The strategy brought temporary relief, and the ship briefly stopped at the island Tercera. In line with the Company's usual strategy of repression, mutineers/strikers were then identified and severely punished, and the *Spare* continued the voyage to the Cape.

A strike by skilled Company metal workers at the Cape forge in 1752 proved much more successful. Worden notes that the strike emanated from a dispute regarding the theft of spades.[118] After searching the *kists* (wooden chests) of the twenty men who worked the Company forge, the head smith Jan Hendrik Krieger withdrew their daily hour of free time until someone admitted to being the culprit.

[117] Vermeulen, 'Onrust Ende Wederspanninheyt', 41 -3.
[118] The only account of this strike is given by N. Worden, 'Artisan Conflicts in a Colonial Context: the Cape Town Blacksmith Strike of 1752', *Labor History*, 46:2 (2005), 155-184.

The forge workers went on strike in response. On receiving a complaint of unjust treatment from the forge workers, the Governor assured them that they were regarded as 'honest men', and he requested that they return to work. They did so, but matters came to a head when Krieger again accused one of the forge workers, Godfried Malucko, of breaking equipment and theft. Malucko walked off the job, but as an indentured servant, his protest was desertion, and he was demoted to the rank of sailor. The remaining forge workers then downed tools again, refusing to work until Malucko was reinstated.

Worden argues that the forge workers' central concern was that their honour (and hence their status) was being undermined. This concern was in line with the larger struggle to defend artisans' craft regulations and job autonomy across northern Europe against the free market.[119] Although Company artisans including skilled forge workers were incorporated into the VOC's hierarchy of the Company – rather than a guild – they were sensitive to managerial encroachments. Thus, the first recorded strike on southern African land was fought over the dignity of labour.

From the Company's point of view, the forge workers had undermined the authority of their superiors and work-place discipline. The strikers were therefore tried by the court for insolence. The three ringleaders were humiliated through a public whipping, and reduced to the rank of sailor. The remaining seventeen were fined one month's wages. Not all was lost. Krieger was replaced as head smith. It would appear, then, that the strike weapon could be used to pressure the VOC into making some improvements.

Insurgency was often a means to realise immediate change and access a life of freedom. Like arson or the attack of masters, insurrection was a violent strike against

[119] Worden, 'Artisan Conflicts', 159.

authority and control. These collective, relatively dramatic forms of protest show that it was not true the labouring poor necessarily lacked political imagination, but rather, that they had not yet managed to shift the Company's policy of violent repression. In some instances, insurrection could be used to fight for far-reaching political change and could force masters and colonial authorities into a limited form of negotiation. While significant changes may not have been immediate, the collective confrontations by the labouring poor eroded the master–class's power, and would ultimately contribute to the major social and political crisis of the Age of Revolution and War.

Summary

The notion of direct action has been used in this chapter to develop an alternative approach to understanding the resistance of the labouring poor in the old Cape. Direct action rejects the teleology of protest, and the notion that only industrial workers under capitalism can be transformative class agents, as well as the distinctions drawn between 'informal', everyday, hidden protests of individuals and collective, organised forms of resistance. Defined as immediate, deliberate objections to injustice, or challenges of authority, 'direct action' resistance is viewed as messy, taking on a variety of different, and often intermeshing, forms. Direct action, which ranges from covert yet disorderly acts of individuals to large-scale rebellion, has the potential to be transformative. Correcting the previous focus on the limits of resistance by slaves, commoners, peasants, and colonised workers, direct action draws attention to the ongoing struggles and solidarities of the labouring poor against their masters and colonial authorities. The struggles had limits; solidarities were imperfect in many cases; but the image of fragmentation and foredoomed failure that is pervasive in the existing literature needs to be questioned.

This analytical framework reveals that under the VOC, which was based on a regime of physical violence as a means of labour control, the development of reformist, legally-based political strategies was not viable. The labouring poor had to find other ways in which to improve or change their conditions. In so doing, they developed a rich tradition of protest. Through withholding labour, through desertion, through arson, through the verbal and physical assault of masters, through mutiny, through striking, and through rebellion, slaves, servants, sailors, and soldiers question the moral codes of their masters and colonial authorities. In so doing, they rejected their condition of servitude, pursued a life of freedom, created their own independent class communities, questioned poor living conditions, refused to work on Sundays, developed their own understanding of fair punishment, protected their relationships with others, challenged the authority of their masters and overseers in the workplace, refused to accept high rates of mortality, exposed corruption, and fought fervently against colonial conquest and resource enclosure.

Such protests were met with violent repression and public, corporal punishment, and usually resulted in ring leaders being put to death. Yet, in spite of such dire consequences, the labouring poor in the Cape continued to engage in various forms of protest. Like the many headed hydra in the north Atlantic, the resistance of the labouring poor in the Cape re-emerged in multiple sites, and did not die out.

Slaves, servants, sailors and soldiers were not simply concerned about improving their own lot in life, as historians of the early colonial Cape have argued, but contributed to a collective understanding of justice that promoted the protection of the labouring poor, and an improvement in basic conditions.

Constant repression should not necessarily be interpreted as a history of defeat and ineffectiveness. Some forms of direct action, such as withholding labour and

desertion, actually brought immediate relief. Combined with the creation of independent communities that existed beyond colonial control, like those of the *drosters* and KhoiSan, these acts served as living examples of an alternative life of freedom.

Arsonists and those who assaulted and killed their masters, exploited upper-class vulnerabilities and demonstrated the limits of upper-class power. These actions were powerful reminders of the devastating consequences of violence, exploitation, and oppression. Finally, armed rebellion slowed colonial expansion and enclosure, while the strike by forge workers in the 1750s indicated that, in rare instances, direct action could be used to force authorities to make slight improvements.

Partly due to such protests, whether in the north Atlantic, or at the colonial Cape, or elsewhere, the upper-classes in various parts of the world gradually started to question the humanity and effectiveness of the perennially violent regimes of labour upon which merchant companies like the VOC were based. Finally, the tradition of under-class protest in the Cape also laid the foundation for the new radical consciousness and modes of protest that emerged during the Age of Revolution and War, to which we turn in the next chapter.

CHAPTER FOUR

The Making of Modern Imperialism:

Reconfiguring Colonial and Class Rule during the Age of Revolution and War.

The travel writer John Barrow (who was also a government spy and an imperial ideologue), wrote extensively about Cape colonial society during the first British Occupation (1795-1803). Commenting on the Colony's labour force he noted:

> There is not, perhaps, any part of the world, out of Europe, where the introduction of slavery was less necessary than the Cape of Good Hope…To encourage the native Hottentot in useful labour, by giving them an interest in the produce of that labour, to make them experience the comforts of civilized life, and to feel they have a place and value in society, which their miserable policy has hitherto denied to them, would be the sure means of diminishing, and in time, of entirely removing the necessity of slavery. Few negroes, in fact, were imported during the seven years which the English kept possession of the colony. [1]

Contrary to Barrow's claims, the importation of slaves to the Cape did not diminish under British rule, but became one of the most profitable areas of trade.[2] Barrow's

[1] J. Barrow, *Travels into the Interior of Southern Africa*, Vols. I and II, Second Edition, (T.Cadell and W. Davies, London, 1806), Vol. II., 92.
[2] N. Worden, E. van Heyningen, V. Bickford- Smith, *Cape Town: the Making of a City: an illustrated history* (David Philips, Kenilworth, 2004), 82-3.

promotion of free KhoiSan labour is nonetheless significant as it points to a shift in elite conceptions of what constituted acceptable forms of labour in the Cape (and across the British Empire) at this time. Largely due to an international campaign against slavery in the late eighteenth century, certain forms of bonded labour had become morally repugnant to Enlightened men and women. While this did not neatly translate into the widespread adoption of free, waged labour in the Cape and elsewhere, existing forms of forced and un-free labour at the Cape were reformed.

This reconfiguration of labour was part of the epochal shifts associated with the Age of Revolution and War that ushered in the modern world. During this period, established forms of political and social oppression, of exploitation, and of hierarchy were contested, while new, often radical, notions of legitimate political and moral authority and social organisation gained influence.

Cape colonial society was influenced by, and contributed to, these global developments. Social relations in the Cape were shaped by the decline of merchant colonialism signalled by the fate of the VOC, whose power waned rapidly in the late eighteenth century. The Company was effectively closed in 1796 when its commercial and government affairs were handed to the Dutch state's Committee for East Indian Trade Possessions, later replaced by the *Aziatische Raad* in 1800.[3] The Cape itself came under British Occupation from 1795-1803 and 1806-1814, with an interim period of Batavian rule from 1803-1806. In 1814 the Cape was formally incorporated into the British Empire.

These developments were, in turn, precipitated by social and political conflict in the western Indian Ocean, the spread of Enlightenment ideas and practices to the VOC colonies, and the ascendancy of modern British imperialism. Elites, burghers,

[3] W. Freund, 'Society and Government in Dutch South Africa: the Cape and the Batavians, 1803-6' (PhD Thesis, Yale University, 1791), 148.

and the labouring poor were also influenced by the ideas emanating out of the Atlantic revolutions of the time, and their lives became entangled with wars that originated in Europe but that spread quickly across the globe. It was in this context that Colony's new imperial rulers sought to reform colonial governance in order to conform to changing notions of governance and establish legitimacy.

The next two chapters consider how the Cape Colony was transformed during the Age of Revolution and War. Focusing on state-making, this chapter examines the decline of the VOC's merchant colonialism, a process, I would argue, in which the struggles of the labouring poor played a central role. It goes on to examine the remaking of colonial and class rule under the British Occupations and Batavian rule.

Global Transformation

Starting with the demise of the Safavid regime in Iran and of Mughal domination in South Asia, as well as the emergence of radical religious groupings in North India, in the Persian Gulf, and in China, social conflict spread across the globe.[4] Political and social tensions were deepened by uprisings in the Caribbean, the north Atlantic, and Europe. Key events in this era include the American Revolution (1776-1783), the French Revolution (1789-1794), the Haitian Revolution (1791-1804), and uprisings such as the 1797 Nore and Spithead mutinies and 1798 Irish rebellion.[5] These were augmented by slave revolts across the Caribbean and Americas, and by the international campaign to abolish slavery.

Popular dissent was matched with military conflict, as both established and emerging ruling classes struggled over power, wealth, and territorial influence. These struggles include the Fourth Anglo-Dutch War (1780-1784), which emanated directly

[4] C.A. Bayly, *The Birth of the Modern World* (Blackwell Publishing, Massachusetts etc., 2004), 87-91.
[5] P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Beacon Press, Boston, 2000), 250, 277, 278, 288.

out of the American Revolution. From the 1790s, large-scale war became constant with the Revolutionary Wars and Napoleonic Wars. At first, the revolutionary army of the French was welcomed in the Rhineland, in Italy, in Spain, in the German states, and in the Netherlands.[6] The large French army –which grew into a fighting force of two million men – however gained a momentum of its own, transforming the revolutionary French republic into Napoleon Bonaparte's Empire.

Revolution and war reverberated across much of the globe, including the Cape, southern Africa, and the Indian Ocean, and radically altered the world.

Scholars have emphasised different outcomes of the Age of Revolution and War. Focused on the French Revolution and British Industrial Revolution, Hobsbawm emphasises the rise of 'liberal' bourgeois capitalism.[7] Although Linebaugh and Rediker are more interested in the reconstitution of the labouring poor in the late eighteenth century (which will be discussed in the next chapter), they agree that liberal capitalism was triumphant.[8] In line with their metaphor, they argue that Hercules – representing capitalist relations as well as the subjugation of women, and national and ethnic division, plus propagation of racist ideologies – finally managed to slay the many headed hydra –the multi-racial, revolutionary transatlantic 'working class'.

Changes in the relations of production, and class formation were intricately linked to changes in the relations of domination and the character of the state. Here Bayly's analysis proves useful. The emergence of the modern state, Bayly argues, was based on two interrelated political process. First, he argues, the 'creation of yet stronger and more intrusive states' proved one of the major legacies of the Age.[9]

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[6] Bayly, *The Birth of the Modern World,* 97.
[7] E. J., Hobsbawm, *The Age of Revolution* (Sphere, London, 1977), 13-16.
[8] Linebaugh and Rediker, *The Many Headed Hydra*, 333-4.
[9] Bayly, *The Birth of the Modern World*, 88, 108.

Secondly, however, there was the emergence of new, radical political imaginations. These developed alongside but also provided European domestic and colonial states with new sets of ideological tools used to justify domination.[10]

Giving us further insight into the characteristics of modernity, Bayly argues that key transformations – be they related to production, state making, or the emergence of new cultural forms and bodily practices –were underpinned by a trend towards uniformity and complexity. However, Bayly cautions that these changes should not be read as the one-way adoption of European practices.[11] Such developments, which were not entirely novel or immediate, were contested, partial, uncertain in outcome, and unfolded in different parts of the world at different paces and in different ways.

Local Change

The consolidation of the capitalist mode of production in the Cape was tentative and uncertain, and it was only in the 1820s that commercial, capitalist agriculture really emerged. Nevertheless, Cape colonial society had already started to change significantly from the late eighteenth century.

Some historians argue that class and racial disparities grew as the population increased and society became more complex.[12] Worden *et al* argue that those of higher rank became increasingly conscious of race, with wealthy men choosing wives of European descent. The emerging division was, then, between an increasingly racially homogenous wealthy, 'white', elite and a racially mixed under-class.[13] This

[10] Bayly, *The Birth of the Modern World*, 108-9.
[11] Bayly, *The Birth of the Modern World*, 20.
[12] Worden *et al*, *Cape Town*, 67 -71.
[13] Worden *et al*, *Cape Town*, 70.

is, as noted in an earlier section, explicitly contrasted with an earlier Cape that was supposedly more socially flat and racially open.

However, as noted in Chapter One, colonial conquest, a harsh system of class rule, and racial discrimination on the part of church and state had underpinned complex hierarchies of rank and status, and class and race, throughout the late seventeenth and eighteenth centuries. The changes of the late eighteenth century were not the origin of social stratification along the lines of class and race, but rather, the *reconfiguration* of these relations. Class and race relations are not static and their reconfiguration was part of broader changes in class formation and consolidation.

There is little evidence of the emergence of what can be described as a liberal bourgeoisie. Ross argues that the Cape 'gentry' was 'fully constituted' in the 1770s, as respectable and wealthy men of local birth challenged the colonial state and extended their political power and influence. He suggests that the Cape gentry increasingly asserted control over labour through the creation of a new system of justification for domination based on race. For Ross it is in this period that we can see the emergence of the white supremacy that later gave rise to twentieth-century apartheid.

However, scholars should not ignore the important role that the state and social conflict play in class formation, and in the assertion of power. Dooling argues that even though a section of the local elite clashed with the VOC over issues of political representation, strong linkages were established between the 'gentry' and the colonial state, especially under British rule. Dooling is also critical of analyses which suggest that the Cape gentry remained largely uncontested, and that draw a direct

relationship between settler farming and commercial agriculture, or between slavery and apartheid.[14]

Dooling argues, moreover, English merchants, and the slaves themselves were important agents of contestation, and contributed to a 'thoroughgoing revolution in productive relations' in the nineteenth century. The investment of capital by English merchants, and access to international markets planted the seeds of agricultural transformation, while slaves 'imbibed the ideology of the "age of revolution"' prompted a 'crisis of labour' that altered relations between masters, the state, and labour.

When using the Age of Revolution and War as a temporal frame, then, it becomes apparent that this 'crisis of labour', in which both colonial and class rule were challenged, originated in the late *eighteenth* century, and itself contributed to the remaking of the colonial state.

Bill Freund, one of the few scholars to examine the Cape under Batavian rule, notes that there was a great deal of institutional continuity during this period of political instability.[15] However, he does acknowledge that there were some institutional reforms, resulting in the centralisation of political power and in the expansion of the colonial administration and bureaucracy. When located within the global transformations taking places at the time, it becomes evident that such institutional reforms were part of the making of the modern and imperial state. This state form, exemplified by Britain, was markedly different in capacity, structure and aspiration from the state form of merchant colonialism, exemplified by the VOC.

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[14] W. Dooling, *Slavery, Emancipation and Colonial Rule in South Africa* (Scottsville, University of KwaZulu-Natal Press, 2007), 1-15.
[15] W. Freund, 'The Cape Under the Transitional Governments, 1795-1814', in R. Elphick and H. Giliomee (eds) *The Shaping of South African Society, 1652 – 1840*, Second Edition, (Maskew, Miller and Longman, Cape Town, 1989), 324-357.

Freund also identifies the introduction of missionaries in the Colony as a new development. This, too, has to be understood as part of a global trend towards Christian evangelism in Europe and the diffusion of Christian missionaries across the globe. Although the state expanded into new areas, it was the missionaries who spearheaded social and cultural intervention in under-class lives. They played an important part in reshaping the cultural practices and forms of belonging of the labouring poor, especially in the articulation of new religious and national identities.

Decline of Merchant Colonialism

The French traveller François Le Vaillant, arrived at the Cape in December 1780, at the 'very eve of the English declaration of war on Holland', that is, the Fourth Anglo-Dutch War. Le Vaillant is considered to be an Enlightened thinker with a penchant for Rousseau's notion of 'nature' as 'freedom'.[16] In a passage berating VOC governors as greedy, corrupt, and failing to innovate or act in the long-term interests of the Colony, he wrote:

> But frankly, in colonies where the general good is subordinated to the private advantages of a few united entrepreneurs, interested in stifling any conception that might tend to diminish their profits, what is a Governor? An apathetic being, idle as to the general good, who has no interest or energy except for his private fortune… I think that colonies belonging to private companies are like those public vehicles circulating all over Europe, carrying goods and travellers at once. As long as they arrive at their destination, the entrepreneurs couldn't

[16] D. Johnson, 'Representing the Cape 'Hottentots' from the French Enlightenment to Post-apartheid South Africa', *Eighteenth-Century Studies*, 40: 4 (2007), 525-552.

care less if the poor wretches who emerge from the carriage still have their arms and legs. [17]

Le Vaillant's criticism reflects the widespread disillusionment with merchant colonialism, a system that had lost substantial legitimacy with the successful revolt against English rule in North America. In addition to dealing with the political and social strife in the Indian Ocean, and growing competition from the HEIC, VOC officials also had to ward off political challenges waged by those under Company authority.

Much has been made in the literature of the challenge spearheaded by the local Patriots in the Cape, a key expression of local gentry's push at this time for greater representation. Yet, as in the case of the American Revolution, where the labouring poor played a pivotal role, the under-class played central part in contesting VOC rule and the Company's violent regime of class and labour control at the Cape.

Global Crisis and Dutch Decline

From the mid 1700s, the Dutch 'Golden Age' was beginning to lose its lustre. Widespread popular discontent erupted in the United Provinces between 1747 and 1751.[18] The monarchy managed to use these struggles to regain institutional power, and key popular demands, such as strengthening popular participation in civic government, were not met. In addition to the challenge of popular political restlessness, the United Provinces was also losing its commercial footing. Most notably, the profitability of the VOC, viewed as a measure of confidence in Dutch

[17] F. Le Vaillant, *Travels into the Interior of Africa via the Cape of Good Hope*, Vols. I and II., translated by I. Glenn, C. Du Plessis, and I. Farlam (Van Riebeeck Society, Cape Town, 2007), Vol. I., 97.
[18] J. Israel, *The Dutch Republic: its Rise, Greatness and Fall 1477-1806* (Claredon Press, Oxford, 1995), 1067-1078.

trade and shipping, reached a notable low in 1750 when the value of its shares at Amsterdam slipped from 584 to 492 percent.[19]

The fortunes of the VOC were, in part, linked to the fall of the Mughal Empire and the Safavid dynasty in 1722, which Bayly identifies as key precipitators of the Age of Revolution and War. The VOC was squeezed out of Surat by its English competitors, and was unable to maintain direct trade relations with the Persian Gulf.[20]

All was not immediately lost, as the Company managed to exploit political conflict in Java to strengthen its hold over this region. Yet the loss of position in the western Indian Ocean, and Britain's growing imperial dominance, together with the Company's unsound financial practices and a growing debt, all marked the beginning of it's decline.

Israel argues that by the late 1770s the United Provinces faced an economic, political, and imperial crisis: this generated ideological tension and rendered Dutch society vulnerable to turmoil.[21] The American Revolution aroused sympathy amongst substantial sections of the Dutch population, as well as in the Dutch colonies. Radical men of property and profession were inspired by the notion that the government should be held accountable through popular organs such as citizens' militias. Such men came together to form the Patriot movement in the 1780s that opposed the monarchy's newly gained institutional influence.

The United Provinces were officially aligned with Britain, but Dutch merchants and officials in the Dutch West India Company were sympathetic to the republican, anti-colonial cause of the North Americans.[22] They supplied them with arms via St. Eustatius. When the States-General failed to halt this supply, the British

[19] Israel, *The Dutch Republic*, 1079.
[20] F.S. Gaastra, *The Dutch East India Company: Expansion and Decline* (De Walburg Pers, Zutphen, 2003), 59.
[21] Israel, *The Dutch Republic*, 1095.
[22] Israel, *The Dutch Republic*, 1096.

attacked a Dutch convoy bound for the West Indies, leading to the Fourth Anglo-Dutch War.

The VOC was unable to protect its factories and settlements from British invasion, and called on the Dutch navy for assistance.[23] However, for decades the States-General had neglected spending money on the military, and its navy was too thinly spread to adequately defend the VOC. Numerous VOC possessions were lost, and it was only with the assistance of the French troops that an attack on the Cape in 1780 was thwarted, allowing local VOC rule to be extended for a further decade and a half.

Reform and Labour at the Cape

According to Adams, the fractured nature of the VOC's administration and its reliance on other actors – features that had once allowed the Company to gain power – now prevented it from responding to the rapidly changing economic and political climate.[24]

However, at least in the case of Company rule at the Cape, there were some indicators that the colonial state was starting to reform and modernise, especially in relation to the regulation of the labouring poor.

The Company started to intrude much more noticeably in the relations between masters and servants. For the first time regulations for KhoiSan servants were developed. In 1775 the Company approved a regulation in Stellenbosch that allowed *Bastaard-Hottentot* children to be apprenticed to age twenty-five.[25] Reflecting a more paternal attitude towards labour, this '*inboek*' system, which was eventually applied to all KhoiSan children, contained provisions that offered some

[23] Israel, *The Dutch Republic*, 1094-5.
[24] J. Adams, 'Trading States, Trading Places: The Role of Patrimonialism in Early Modern Dutch Development', *Comparative Studies in Society and History*, 36: 2 (1994), 319-355, 342-347.
[25] R. Elphick and V.C. Malherbe, 'The Khoisan to 1828' in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 3-65, 32.

protection for apprentices.[26] Attempts were also made to restrict the movement of KhoiSan. For instance, in 1787 the Company revived and reworked an older proclamation that required all men and women KhoiSan and *Bastaards* in the town to be domiciled with burghers.[27]

It was not just farmers who had an interest in binding KhoiSan labour. Increasing numbers of KhoiSan, *Bastaard-Hottentots* and *Bastaards* living in the Colony were recruited into military service in a desperate attempt to augment the Company's military prowess, especially through the commandos. In 1781 the first KhoiSan and *Bastaards* were called up to serve in a unit of their own. According to Elphick and Malherbe, such measures marked the erosion of the *Bastaards'* status, as they were now increasingly conflated with other KhoiSan and slaves.[28]

Le Vaillant himself noted that slaves who were abused or harshly punished by their masters could lodge a complaint with the Fiscal. Even so, slave masters were still given a great deal of free reign with regards to domestic correction, and he noted that 'These wise laws are indeed a credit of the Dutch Government, but how many ways there are to evade them'.[29]

There are though signs that some VOC officials sought to reform the Company's harsh labour regimes by curbing the authority of masters and commanders. In 1793, for instance, instructions were given by the visiting Commissioner-Generals S.C Nederburgh and S.H. Frijkenius to local officials to provide oversight on all domestic punishment of slaves, and to investigate if maltreatment was suspected.[30]

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[26] Elphick and Malherbe, 'The KhoiSan', 32.
[27] Elphick and Malherbe, 'The KhoiSan', 32.
[28] Elphick and Malherbe, 'The KhoiSan', 32.
[29] Le Vaillant, *Travels into the Interior of Africa*, 51.
[30] Armstrong and Worden, 'The Slaves', in in Elphick and Giliomee (eds.) *The Shaping of South African Society,* 109-183, 154.

Both the binding of KhoiSan labour and the curbing of slave-owners' authority would prove difficult. Learning different lessons from the revolutionary Americans and French, the gentry, the burghers, and the labouring poor contested Company authority.

Enlightenment, Free Trade, and Republicanism

Although still concerned with larger issues of political sovereignty and of the source of government legitimacy, contemporary Dutch intellectuals such as Elie Luzac and Johan de Witt increasingly focused their attentions on the Netherlands' internal difficulties.[31]

While Dutch thinkers turned their thoughts inwards, the Enlightenment spread to VOC's settlements.[32] The Cape, and southern Africa more generally, became an object of scientific curiosity. In the 1770s and 1780s a number of scientists from Europe visited the Cape in order to contribute to the modern study of the natural world. These included Sparrman, Thunberg, and Le Vaillant.

Religious and cultural rigidity was also challenged by the emergence of a more tolerant and intellectually active culture in the VOC world.[33] In the 1740s, the large German community in Batavia was given permission to organise a Lutheran congregation. The new tolerance of religions other than the officially sanctioned Dutch Reformed Church took a while longer to take root at the Cape and it was not until the 1780s that Lutherans were allowed to establish their own church and school.[34] Religious tolerance, in fact, went beyond the acceptance of other Protestant Christian dominations. Although Company authorities did not necessarily welcome

[31] Israel, *The Dutch Republic*, 1064.
[32] Israel, *The Dutch Republic*, 1057-1062.
[33] Israel, *The Dutch Republic*, 1057.
[34] Israel, *The Dutch Republic*, 1059.

Islam, they did little to stop its open religious practice. Muslims were known to congregate in private houses, and by the 1790s were holding open-air Friday services in a quarry just outside of Cape Town.[35]

Sparrman – a student of Linnaeus (Carl von Linné), who is responsible for the modern scientific classification of plants – believed that the African-born colonists were intellectually dull. He described a Cape physician with whom he tried to discuss his plant collection as 'neither polite nor intelligent enough' to assent to what he said.[36] He 'therefore left above half the plants untouched, and turned the discourse to the subject of commerce and shipping, upon which the conversation became more lively'.[37]

This is not an entirely accurate reflection of the intellectual and cultural activities in the Colony. A Freemason's Lodge was established in Cape Town in 1772, a few years before the Society for Arts and Sciences was founded in Batavia. Israel also identifies two notable Enlightenment figures active at the Cape.[38] These were Joachim van Dessin, secretary of the Cape Town orphanage in 1737-1757 who established a library consisting of more than 4000 books and fifty paintings, and J.H. Redelinghuys, a Cape schoolmaster and able political propagandist who later emerged as a leading Jacobin when he returned to Amsterdam.

Economically, there were also new developments. The additional French troops and mercenaries hired to bolster the defence of the Cape, together with the increasing number of ships that dropped anchor at Table Bay, stimulated demand for

[35] J. Mason, "Some Religion He Must Have": Slaves, Sufism and Conversion to Islam at the Cape', unpublished paper presented to Southern Regional Seminar in African Studies, October 1999, 5.
[36] A. Sparrman, *A Voyage to the Cape of Good Hope, towards the Antarctic Polar Circle, around the World and to the Country of the Hottentots and the Caffers from the Year 1772 -1776*, Vols. I and II, edited by V.S. Forbes and translated by J & I Rudner, (Van Riebeeck Society, Reprint Series, Cape Town, 2007), Vol. I., 83.
[37] *Ibid*.
[38] Israel, *The Dutch Republic*, 1060.

Cape goods. While the VOC was dragged further into debt, the Colony itself experienced an economic Indian summer. The economy boomed, and farmers and merchants with close ties to the Company elite became even wealthier.

Burghers disaffected by their economic exclusion gained in political confidence, and challenged the VOC. Inspired by the American Revolution and by the Patriots in the Netherlands, these burghers demanded an end the Company's monopolistic trade policies, as well as more representation in government. In 1784 the Cape Patriots petitioned the States-General, winning some concessions such as trade with foreign ships, albeit only after the Company's needs were satisfied.[39]

By the 1790s, political turmoil had spread to burghers on the frontier. At war with Britain, the VOC attempted to exact the burghers' military obligations. However, those residing in the Graaff-Reinet district, which had been established in 1786, were reluctant to leave their farms and families as raids by local KhoiSan and Xhosa groups had intensified in response to expanding colonial settlement. Left to their own defences, that is, without state protection, they believed that they no longer owed the Company their allegiance. British spies reported that these burghers were informed by the 'ridiculous notion, that like America, they could exist as an independent state'.[40] However, the republicanism of these burghers was exclusive and narrow. They did not generalise their beliefs in freedom, equality, and fraternity to other sections of the population, least of all their slaves or KhoiSan servants.

The Labouring Poor and the Challenge From Below

While the gentry was becoming more racially homogenous, the labouring poor diversified and expanded. Operating in the context of war, the VOC was in desperate

[39] Worden *et al*, *Cape Town*, 82.
[40] Memorandum on the Condition of the Colony, F. Kersteins, n/d, in the Records of the Cape Colony RCC, Vol. I., 168.

need of more sailors and soldiers and recruited widely. As early as 1760 there were more non-Dutch sailors in the Cape than seamen from Holland, Zealand and Frisia.[41] In addition to recruiting men from across Europe, especially Germany, the VOC relied on Asian sailors to crew homeward bound ships. Out the 1417 sailors who sailed from Asia to Cape Town in 1792, as many as 233 were Indians, 101 Javanese, 504 Chinese; only 579 were Europeans.[42] Adding to this mix, multiracial crews of foreign ships also stopped at the Cape, like those belonging to American ships.[43]

The military contingents onboard VOC vessels were even more diverse than sailors. It has been estimated that by 1770, more than 80% of VOC soldiers were of foreign (but European) origin.[44] Adding to the normal contingent of soldiers stationed at the Cape, were the French garrison and the hired mercenaries of the Luxembourg, Swiss, and Wurtemberg regiments. As noted above, the VOC also encouraged locals to enlist, setting up a separate KhoiSan regiment later known as the 'Hottentot Corps'. Even European convicts were promised their freedom in return for military service.[45] The Cape seems to have been teeming with soldiers and, since the Company was unable to accommodate them all, many soldiers were quartered with local inhabitants.[46]

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[41] J. Parmentier and J. de Bock, 'Sailors and soldiers in the Cape: an analysis of the maritime and military population in the Cape Colony during the first half of the eighteenth century', in N. Worden (ed.) *Contingent Lives: social identity and material culture in the VOC world* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town and Pretoria, 2007), 549-558. 553.
[42] Worden *et al*, *Cape Town*, 51.
[43] K. Atkins, 'The "Black Atlantic Communication Network": African American Sailors and the Cape of Good Hope Connection', *Issue: A Journal of Opinion*, 24: 2 (1996), 23-25.
[44] Parmentier and de Bock, 'Soldiers and Sailors, 556.
[45] C. 159, 205-233, 2 April 1781 (TANAP, C 151-160, 683).
[46] C. 160, 93-97, 18 September 1781 (TANAP, C 151-160, 742) and C 160, 98-176, 9 October 1781 (TANAP, C 151-10, 743).

By the 1770s the number of privately owned slaves had increased to over 8000 and diversified.[47] Increasing numbers of slaves were Cape-born: these, according to Le Vaillant, were the most highly valued, and fetched high prices.[48] Slaves continued to be imported, but instead of India and the East Indies, they were now mainly brought from East Africa, especially Mozambique.

The only group of workers that did not seem to increase were the free labourers. In the minutes of the Council of Policy, Company officials lamented the chronic shortage of especially skilled labourers, many of whom returned to the Netherlands because working conditions at the Cape were so poor.[49]

It was not just the privileged classes that were influenced by Enlightenment ideas, or that questioned long-established notions of rule. Inspired by the courageous acts of the labouring poor elsewhere, and by the popular radicalism circulating the globe, the labouring poor in the Cape played a central role in contesting merchant colonialism.

The labouring poor started to articulate their demands in a new language of rights, while their protests intensified, and became more collective and more openly confrontational.

Reflecting the mood of radicalism amongst the labouring poor, slaves challenged established practices of deference. In 1792 Tieleman Roos Jansz told the *heemraden* that the slave Mentor van Mozambique refused to greet him. When asked why he refused to greet a 'Christian', Mentor replied that he was only required to

[47] R. Elphick and H Giliomee, 'The Origins and Entrenchment of European Domination at the Cape, 1652-c.1840', and Giliomee (eds.) *The Shaping of South African Society*, 521-566, 524.
[48] Le Vaillant, *Travels into the Interior*, 49.
[49] C. 154. 182-206, 14 May 1776 (TANAP C 151-160, 276) and C. 156, 53-104, 20 January 1778 (TANAP C 151-160, 390).

greet his owner and mistress.[50] For more than a century slavery was enforced and maintained by the broader community of slave-owners. By arguing that he only had to be respectful towards his masters, Mentor challenged the authority of the broader community to entrench his bondage on a daily basis.

In 1794, Abraham van Macassar also pushed beyond the boundaries of acceptable social practice when he refused to greet his master. When questioned, he replied 'If I do my work during the day and come home in the evening, that is enough'.[51] Abraham believed that his master was entitled to his labour, but not much else. Abraham was beaten for being insolent, but retaliated by setting the house on fire to force his owner out, so that he could kill him.

Most astounding were the actions of Caesar from Madagascar, who on 'several occasions employed outrageous and improper expressions' with regards to his master, Daniel Malan.[52] One evening in June 1793, Malan asked Caesar and two other of his fellow workers why they had not yet gone to bed, as they were expected to get up early and plough the fields. Caesar replied: 'I am going to make my bed just now, there is enough time, I will span the cattle early tomorrow'.[53] Malan ordered Caesar to be silent, but Caesar insisted that 'I must have my right to speak'.[54] Malan retaliated by beating Caesar with a broom. Yet, Caesar insisted 'I do not want to be silent, and I must retain my right to speak', while adding, '*Baas* must stop beating me like this'.[55] Caesar asserted his ability to manage his own time[56], and, strikingly, also

[50] 1/ STB/ 3/12 Criminele Verklarringen, 1786-1793, translated in Worden and Groenewald, *Trials of Slavery*, 608.
[51] CJ 499 Criminele Process Stukken, 1792-1794, ff 419-21, translated in Groenewald and Worden, *Trials of Slavery*, 618.
[52] CJ 796 *Sententiën*, 1790-1794, ff. 279-84, translated in Groenewald and Worden, *Trials of Slavery*, 614.
[53] *Ibid.*
[54] *Ibid.*
[55] CJ 796 *Sententiën*, 1790-1794, ff. 279-84, translated in Groenewald and Worden, *Trials of Slavery*, 615.
[56] Worden and Groenewald, *Trials of Slavery*, 612.

claimed that even though he was a slave, he had certain inalienable 'rights'. This claim indicates that slaves like Caesar were influenced by the prevailing political climate, in which the language of rights was widespread. For him the notion of inalienable rights contradicted his state of bondage.

Frustrated with Caesar's refusal to submit, Malan fetched a *sjambok* (a small whip used to herd cattle) with which to beat his insolent slave. Caesar held the *sjambok* tight with his left hand, and then cut it with a knife'.[57] Instead of resorting to violence, Caesar thus sought to destroy one of the most symbolic instruments used to discipline and punish slaves. In so doing, Caesar also challenged Malan's right to beat him.

In 1789 soldiers attached to the regiment of Wurtemberg also revolted against their commanders.[58] They demanded an improvement in their basic conditions, and demanded better food and the same pay as the regular VOC garrison. The ringleaders were identified. Although two were condemned to be shot, their punishment was stayed at the last moment. It would appear that the command feared that the harsh punishment of mutineers would only serve to 're-animating the discontent'[59], and, in so doing, conceded that the balance of class forces was shifting in important ways.

VOC sailors were also growing restless at the time. Reflecting the increasing number of Asian men included in VOC crews, the *Java* –which sailed from Batavia to the Cape in 1784 –was manned by a number of Indonesian and Chinese sailors.[60] *En route* the Chinese sailors mutinied. A contemporary pamphlet was later published that

[57] CJ 796 *Sententiën*, 1790-1794, ff. 279-84, translated in Groenewald and Worden, *Trials of Slavery*, 615.
[58] Worden *et al*, *Cape Town*, 81.
[59] Letter form H. Cloete to Swellengrebel, 29.3.1790, in *Briefwisseling van Hendrik Swellengrebel Jr. Oor Kaapse Sake, 1778 – 1792* (Van Riebeeck Society, Cape Town, 1982), 410.
[60] K. van der Tempel, 'Wij Hebben Amok in Ons Schip': Aziaten in opstand tijdens drie terugreizen of het Einde van de Achttiende Eeuw' in in J.R. Bruijn en E.S. van Eyck van Heslinga (eds.) *Muiterij: oproeren berechting op schepen van de VOC* (De Boer Maritiem, Haarlem, 1980), 123-147.

detailed the event.[61] According to its author, an after-dinner conversation was suddenly disrupted when,

> …the most terrible shrieking mingled with the horrifying cries of *'Amok! Amok!*' was heard from below the half deck, and at the same moment … Chinese sailors were seen rushing onto the deck, armed with *krises* [long, asymmetrical Asian blades], knives and other murderous weapons and now began a horrible slaughter with the continual cry of *Amok*!.[62]

As in other cases involving Asian slaves, the attack of the Chinese sailors is depicted here as a mindless case of running 'amok'. However, a closer look at the victims indicates that there was some forethought and the sailors picked their targets carefully. Out of the five who were mortally wounded, three were senior officers. The author of the pamphlet noted that once everyone recovered from the shock, 'the monsters were sought out, some being found in their bunks and others sitting quietly together as if nothing had happened, their bloodlust now sated'.[63] The execution of the rebels was swift. Twenty-five Chinese sailors were rendered unconscious with a blow to the head, and summarily thrown from the stern into the sea.

The author ended off by noting that '[i]t is surprising when so many cases occur of surprise attacks and mutinies in ships of the Hon. Company, that better care is not taken'.[64]

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[61] Anonymous, Egt Relass van den Geweldigen Opstant en Vreesschelye Moord op het Ed. Comp. Schip Java, Zeilende van Batavia naar Cabo de Goede Hoop. In een Missive van een der Scheepelingen, Don Collection, Durban Municipal Library. Translated by Major R. Raven-Hart and published in *Quarterly Bulletin of the South African Library*, 24 (1969-1970), 243-247.
[62] Anon, Egt Relass, 245.
[63] Anon, Egt Relass, 246.
[64] Anon, Egt Relass, 246.

No doubt, the pamphlet sensationalised the events to titillate its readers. Nevertheless, it points to the growing anxieties amongst officials about controlling the Asian crewmen upon which the Company was growing ever more dependent, as well as larger anxieties about disorder within the VOC military and fleets. For instance, a conspiracy was also uncovered amongst slaves on the *Slot ter Hoeg*, which was travelling in the same fleet as the *Java*.[65] Senior officers were particularly concerned that the conspiracy had spread to Asian sailors. These incidents prompted an inquest. Although the reasons for mutiny or conspiracy were not investigated, the Company henceforth decided to minimise the use of Asian sailors on long-voyages, and on those destined for the Netherlands.

It was not only the VOC that struggled to maintain order. In 1786 the relatively small crew of a French ship, *La Rosette*, mutinied just off the coast of False Bay.[66] The six mutineers broke open chests containing equipment and, with hammers and axes, murdered the senior officers while they slept. After stealing all the valuables and money they could find, they sabotaged the ship, swam ashore, and made their way to Cape Town. One of the officers survived, and the mutineers were caught. Cape authorities assisted with the initial inquest, and five of the six mutineers received the death penalty.

Perhaps one of the most direct challenges to VOC rule came from that of KhoiSan servants, who from the 1770s deserted in large numbers to join armed bands that raided frontier farms. By the 1780s some bands were several hundred strong, and in the 1790s there was one report of a band that had grown to almost a thousand.[67] In line with the growing republicanism of the age, they wanted to establish their

[65] Temple, 'Wij Hebben Amok in Ons Schip', 123.
[66] WCPA, CJ 795, 37, *Sententiën*, transcribed my M. Rall.
[67] S. Marks 'KhoiSan Resistance to the Dutch in the Seventeenth and Eighteenth Centuries', *Journal of African History*, 13: 1 (1972), 55-80, 74.

independence and self-government, and buck the yoke of colonial rule. Their anti-colonial aspirations continued to overlap with their labour grievances, which included ill-treatment, and probably also attempts by the Company to bind their labour through apprenticeship.

In 1771 the slave Willem van de Caab and the KhoiSan Fuik were prosecuted for spreading a rumour that the French had declared war on the Cape.[68] It was a dry year, and since food was already scarce, they encouraged their fellows to prepare for their own war; they planned to raid farms for ammunition and kill all the 'Christians'. In 1772 another rumour was spread that the commando in the Roggeveld planned to kill all the KhoiSan in independent *kraals*. Numerous servants deserted their masters when they heard the news, forming a band of about seventy men, women, and children. They planned to retaliate by killing all the 'Christens' and slaves in the area. With the help of KhoiSan loyal to the Colony, the band was captured, and the survivors transported to Cape Town for trial.

Thunberg witnessed the very same prisoners in Cape Town. He did not believe that the incident was a typical border conflict, but represented a broader response to colonial expansion. He wrote:

> They [the prisoners] did not deny their crimes, but asserted that they acted so in their own defence, the Europeans making every year fresh encroachments upon their lands and possessions, and forcing them continually farther up the country, whence they were driven back again by other Hottentots or else killed.[69]

[68] WCPA, CJ 793, 5, *Sententiën*, transcription by M. Rall.
[69] Thunberg, *Travels at the Cape of Good Hope*, 47 also quoted in Penn, *The Forgotten Frontier*, 105.

Although the activities of the Roggeveld rebels were exclusivist, pointing to growing national sentiment amongst some KhoiSan servants, many continued to identify with and mobilise the support of other sections of the labouring poor.

By the 1780s, the anti-colonial action of the KhoiSan started to take on new forms. Most notable was the movement led by the prophet Jan Parel that combined millenarianism with a vision of revolution. According to Russel Viljoen's thesis on the prophet, Parel told all who would listen of his 'revelation of revolution'.[70] After his 'encounter' with his ancestors, he felt compelled to spread the word of the imminent return of *Onse Liewe Heer* (Our Dear Lord), whom he also impersonated. Parel predicted that the world would end on 25 October 1788 (a year before the French Revolution), ushering in an era of utopian bliss and the end of colonial rule. The movement, mainly confined to the Overberg region, had more than 400 adherents. [71] These were mostly KhoiSan servants, but a number of free blacks and slaves were also recruited.

To prepare, he urged his followers to slaughter white cattle, to burn their European clothing, and to erect new straw huts with two doors. Once these rituals were complete, they were to attack the Swellendam Drosty and kill all 'Christians'. The movement did not translate into a revolt. Nevertheless, this religious community, which combined elements of Christianity with traditional beliefs, demonstrated that the cultural forms promoted by masters and colonial authorities were easily subverted and utilised for more disorderly purposes.

By the mid 1790s, the French regiments had already left. The Cape, like the rest of the VOC world, now also faced a financial crisis. The value of the paper money used to finance new buildings and pay mercenaries was uncertain, and

[70] R, Viljoen, "Revelation of a Revolution": the Prophecies of Jan Parel, Alias Onse Liewe Heer', *Kronos*, 21 (1994), 3-15, 5.
[71] Viljoen, 'Revelation of a Revolution', 6.

inflation soared. The Colony was also gripped by social and political conflict, and the future of VOC rule was uncertain.

Remaking of Colonial and Class Rule

Barrow believed that before the British Occupation the Cape inhabitants expected that the Colony would be claimed by the revolutionary French, which would allow them to achieve their various political goals. He wrote:

> The Dutch use little prudence or precaution with regards to their domestic slaves: in the same room where these are assembled to wait behind their masters' chairs, they discuss their crude opinions of liberty and equality without any reserve; yet they pretend to say that, just before the English got possession of the Cape, and when it was generally thought that the French would be before-hand with us, the slaves who carried the sedan chairs, of which no lady is without one, used very familiarity to tell their mistresses "we carry you now, but by-and-by it will be your turn to carry us".[72]

The French did not claim the Colony and the Cape's new British imperial rulers had to manage these explosive expectations of freedom. Reflecting what Bayly identifies as the rise of the modern imperial state, the British (and the Batavian) administrations had to devise new ways to legitimise colonial occupation, and subjugate the larger population.

It was in this context that imperial officials introduced reforms. These were part of new strategies of inclusion and exclusion based on novel ideologies of rule, on

[72] Barrow, *Travels into the Interior of Southern Africa*, 94-5.

the redefinition of geographical and social boundaries, and on the introduction of new labour regulations and social controls.

The Cape in Empire

The British fleet arrived in Table Bay in June 1795, just a few months after the French occupation of the Netherlands forced the Stadholder to flee and take refuge in England. The value of the Cape, which the British often referred to as 'South Africa', was contested. Many officials pointed out that, with a limited market for British goods and little significant production output, the Cape had little economic value and would actually drain British resources.[73] Reports on the state of the Cape also drew attention to the political turmoil in the Colony, and suggested that the inhabitants would be hostile to British rule.

Those officials who favoured the British occupation of the Cape highlighted the Colony's strategic geographical location for Britain's trade with India. For instance, in 1797 Earl of Macartney (Cape Governor from May 1797 to November 1798) wrote:

> Its chief importance to us arises from its geographical position, from its forming the master link of connection between the western and eastern world, from it being the great outwork of our Asiatic commerce and India Empire, and above all from the conviction, if in the hands of a powerful enemy, it

[73] See discussions of the Cape in Letter from the Right Honourable Henry Dundas, Secretary of State for the Home Department, to Lord Grenville, Whitehall, 23 April 1793, RCC, Vol. I., 10-11; Letter from Sir Francis Baring, Director of the East India Company, to the Right Honourable Dundas, Secretary of State for the War Department, Devonshire Square, 4 January 1795, RCC, Vol. I., 17-19; Letter from Sir Francis to the Right Honourable Henry Dundas, Devonshire Square, 12 January, 1795 RCC, Vol. I., 19-23.

might enable him to shake to the foundation, perhaps overturn and destroy the whole fabrick of our oriental opulence and dominion.[74]

It was also believed that the Cape surpassed St. Helena as a place of refreshment for ships, and would also provide a convenient rendezvous for ships and troops intended for the protection of the Indian possessions. [75]

As the war progressed, even officials in favour of the British occupation of the Cape increasingly believed that the territory was expendable and that, if pushed, the War Office would give up the Cape for the more important colonies needed to protect trade.[76] Such sentiments were confirmed at the Treaty of Amiens in 1802. While the British refused to relinquish Ceylon and Trinidad, the Cape Colony was handed back to the Dutch state, which was now the 'Batavian Republic' allied to revolutionary France.

By this time, the basic mechanism of Dutch imperialism had been changed and the VOC possessions incorporated under the *Aziatische Raad*.[77] Unlike the VOC, this council was directly subordinate to the Dutch state, and functioned as an instrument of state.[78]

While the British War Office may have wavered in its commitment to the holding of the Cape, the Batavians enthusiastically planned to remodel the Cape into an ideal society. General J.A de Mist, the first Batavian governor, noted that

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[74] Letter from the Earl of Macartney to the Right Honourable Henry Dundas, Castle of Good Hope, 10 July 1797, RCC, Vol. II., 114.
[75] Letter from Admiral Elphinstone to the Right Honourable Henry Dundas, HMS Monarch, Table Bay, Cape of Good Hope, 23 September 1795, RCC, V.I., 158; Letter from Sir Francis Baring, Director of the East India Company, to the Right Honourable Henry Dundas, Secretary for the State and War Department, Devonshire Square, 4 January 1794, RCC, Vol. I., 17; Letter from the Marquis of Wellesley to Sir George Yonge, Fort William, 24 October 1800, RCC, Vol. III., 343.
[76] Private Letter from the Earl of Macartney to the Right Honourable Henry Dundas, Castle of Good Hope, 4 February 1798, RCC, Vol. II., 232.
[77] W. Freund, 'Society and Government in Dutch South Africa: the Cape and the Batavians, 1803-6' (PhD Thesis, Yale University, 1791), 148.
[78] Freund, 'Society and Government', 149.

possession of the Cape was vital for trade with the East Indies.[79] The only real debate was over whether it should be run as a small refreshment station, or as a fully-fledged agricultural colony. De Mist was in favour of developing the Cape and encouraging immigration, production, and trade.

Batavian rule lasted a short three years. With the resumption of Anglo-French hostilities in 1806, the British were quick to re-take control of the Colony. Now the Cape had an added benefit in that it could also serve as a base from which to launch an attack on Buenos Aires and other Spanish settlements in South America.[80]

New Ideologies of Conquest

The first arrival of the British fleet caused a great deal of alarm amongst the burghers. Wild rumours spread that they would all be impressed to serve as sailors, or even be banished to Botany Bay, Australia.[81] Some also believed that the British would encourage slaves to rise up and revolt.

However, Vice Admiral Keith Elphinstone and Major-General Craig sought to persuade the 'inhabitants' and government to surrender, and 'invited' them to accept British rule.[82] The Napoleonic wars were deeply ideological, and Elphinstone's and Craig's letters to the Council of Policy, and their declarations and addresses to the Cape's 'inhabitants' shed much light on the British rhetoric of imperialism used at the time to justify conquest.

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[79] J.A. de Mist, *Memorandum for the Form and Administration of Government at the Cape of Good Hope, 1802* (Van Riebeeck Society, Cape Town, 1920), 194.
[80] Letter from Sir Home Popham to William Marsen, Esqre., Diadem, Table Bay, 13 April 1806, RCC, Vol. V., 395, Letter from Major General Beresford to Sir David Baird, Port of Buenos Ayres, 2 July 1806, Vol. V., 436-441.
[81] Address of Sir George Keith Elphinstone, K.B. and Major General Craig to the Governor, Council Magistrates, and Inhabitants of the Settlement and Town of the Cape of Good Hope, 24 June 1795, RCC, Vol. I., 74-75.
[82] *Ibid.*

Elphinstone and Craig portrayed the British as liberators and protectors. To the Council of Policy they stressed 'ancient alliances' between the British and Dutch, arguing that His Majesty had simply sent a military force to the Cape to secure the Colony for the States-General, and to 'defend the Inhabitants from the misery and destruction which must ensue from the French obtaining possession of it'.[83] The Dutch government had been annihilated and His Majesty 'pledged His Royal Word for the restoration of the Colony the moment their old government shall appear again'.[84]

To win the allegiances of Cape burghers, the British authorities stressed the protection of private property and free trade.[85] Craig promised that 'to create as little inconvenience and detriment as possible' the 'Laws, Customs, and usages, of the Inhabitants shall suffer no change', and he added that 'no fresh taxes shall be levied'.[86] The declaration also assured more favourable terms of trade than under the VOC, with Craig stating that 'the Inhabitants shall be permitted to Trade with the East English Company's Settlements in the same manner as the Subjects of the most favoured nation, and that with respect to all other Commerce they shall be allowed to carry on in the most advantageous manner'.[87] Viewing slaves a form of private property, they indicated that the government would act with all their force against any insurrection of slaves. [88]

The British were meanwhile quite willing to encourage VOC (and later Batavian troops) to desert and specifically targeted German soldiers, thought to be

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[83] Letter from Admiral Elphinstone and General Craig to Commissioner Sluysken and the Council of Policy, HMS Monarch, 26 June 1795, RCC, Vol.1., 77-80, 78.
[84] *Ibid*.
[85] Address To the Inhabitants of the Colony of the Cape of Good Hope, 9 September 1795, RCC, Vol. I., 117-118.
[86] Declaration by Major-General James Henry Craig, Cape Town, 18 June 1795, RCC, Vol. I., 64.
[87] *Ibid.*
[88] Address of Sire George Keith Elphinstone…, 24 June 1795, RCC, Vol. I., 75; Proclamation by the British Commanders, 19 September 1795, RCC, Vol. I., 140-141.

'kidnapped', or otherwise serving the Dutch against their will.[89] Elphinstone and Craig also reassured inhabitants by denouncing rumours of impressments or banishment.

Elphinstone and Craig were successful in their overtures. The Colony was surrendered on the 16 September 1795, and all of those who remained were required to take an oath of allegiance and fidelity to His Britannic Majesty. The promise of protection and free trade appeared to placate the gentry, creating the basis for an upper-class economic and social pact. As will be discussed in Chapter Five, the promotion of free trade and protection of private property did not address the grievances of farmers (now referred to as 'Boers') on the eastern frontier, nor did it address the urgent concerns of the labouring poor.

Borders and Intrusion

The Cape's new imperial rulers extended government administration and bureaucracy significantly, and the state improved its instruments of surveillance so as to further intrude into various aspects of colonial society.

One of the first tasks of the Cape's new imperial rulers was to secure the Colony's maritime borders. Officials frequently expressed concern over illicit trade, and, specifically, ships pretending to sail under neutral colours that were in reality supplying the enemy.

[89] Letter from Rear-Admiral Sir George Keith Elphinstone to the Right Honourable Henry Dundas, London, 14 March 1795, RCC, Vol. I., 2-37; Letter from Admiral Elphinstone and General Craig to Commissioner Sluysken, HMS Monarch, 20 June, 1795, Vol. I., 66-69; Letter from Admiral Elphinstone to the Right Honourable Henry Dundas, HMS Monarch, 12 September 1795, RCC, Vol. I., 119-121; Letter from Admiral Elphinstone to Evan Nepean, Esqre, HMS Monarch, Table Bay, 23 September 1795, RCC, Vol. I., 159-160; Letter from General Clarke to the Right Honourable Henry Dundas, Cape of Good Hope, Cape Town, 11 October 1795, RCC, Vol. I., 189-191; Letter from Sir David Baird to Viscount Castlereagh, Cape Town, 8 March 1806, RCC, Vol. V., 367-371, 370.

For instance, in 1795 Elphinstone noted that 'The seas are infested with Americans, Danes, Genoese, Tuscans &c. or in other terms, smuggling Ships, mostly belonging to Britain & Bengal, entrenched with Oaths and Infamy, who trade with the French Islands, and all the ports of India, changing flags as is most convenient to them'.[90] Added to this, ships were often carriers of seditious materials and people, and there was a great deal of official concern over foreigners and strangers. Authorities constantly warned against the danger posed by Dutch and French in the Colony. In 1806, during the Second British Occupation, Sir David Baird renewed warnings about the 'evils that must arise form the improper introduction of Strangers into the Colony'.[91]

Although British officials tended to see a Jacobin under every bed, there was undoubtedly some substance to their fears. A number of rebels managed to gain entry into the Colony, and in August 1797 the British navy intercepted a Dutch brig, the *Hare*, loaded with arms and provisions and *en route* to the Cape to support rebellious burghers in Graaff-Reinet.[92]

It is within this context that the regulation of the port – and especially of people moving into the Colony –was tightened. In May 1797, proclamations were passed compelling all foreigners, including British subjects, remaining in the Colony to either gain a special licence from officials in the Colony, or a passport from the

[90] Letter from Admiral Elphinstone to the Right Honourable Henry Dundas, HMS Monarch, 12 September 1795, RCC, Vol. 1., 119-121, 121.
[91] Proclamation by Sire David Baird, 25 February 1806, RCC, Vol. V., 354-5.
[92] Letter from Admiral Elphinstone to the Right Honourable Henry Dundas, HMS, Monarch 28 June 1795, RCC, Vol. I., 86; Declaration of Alexander Dixon, mate of the brig Hope an English Whaler, who arrived at False Bay on the 11 August 1797 in charge of the Hare Brig, a prize from the said Hope Brig, RCC, Vol. II., 149-151, 153-4, Letter from Brigadier General Fraser to the Right Honourable Henry Dundas, Cape of Good Hope, 9 January 1800, RCC, Vol. III., 19-23; Letter from Sir George Yonge to Right Honourable Henry Dundas, Cape Town, 6 January 1801, RCC, III., 389-371, 372; Letter from Secretary Andrew Barnard to William Huskisson, Esquire. Castle of Cape of Good Hope, 10 June 1801, RCC, Vol. IV., 8-9.

Secretary of State's Office in London.[93] Ships' captains were also instructed to only allow to come ashore those passengers who had secured the necessary written permission, and also to ensure that none of their passengers were left behind.[94] Similar regulations applied to the captains of neutral ships.[95]

The state extended control over other new areas. For instance, the medical profession, including the production and sale of medicine, was regulated.[96] In 1807 the colonial government extended itself into public health, by leading a small-pox vaccination campaign.[97] Although later reversed by the British, the 1804 *Kerkorde* of the Batavian government provided for a more self-supporting church administration, and allowed for civil marriage.[98] British and Batavian officials also encouraged numerous education initiatives.

Perhaps most notably, British authorities improved the census and tax records. In 1800, all inhabitants were required to appear before a *landdrost* or magistrate in their district, and to also provide full details of their servants, 'whether white persons or Hottentots', and of their property. In addition to the regular *Opgaaf* lists, the authorities compiled a list of burghers, of foreigners who had obtained the necessary passports, and of 'people of colour, bastards and other Hottentots' who were not in anyone's employment but 'living by themselves'.[99] During the Second British

[93] Proclamation by His Excellency George Earl of Macartney, 20 May 1797, RCC, Vol. II., 90.
[94] Proclamation by His Excellency George Earl of Macartney, 13 May 1797, RCC, Vol. II., 88; Proclamation by Major General Francis Dundas, 22 September 1801, RCC, Vol. IV., 74-5.
[95] Instructions Given to Lieutenant D. Ross, of the Royal Navy, Secretary's Office, 28 January 1806, RCC, Vol. V., 318-9.
[96] Proclamation by Lieutenant Governor Henry George Grey, 24 April 1807, RCC, VI., 105; Proclamation by Earl of Caledon 18 August 1807, RCC, Vol. VI., 190-194.
[97] Advertisement, 14 January 1807, RCC, Vol. VI., 79-80; Proclamation by the Earl of Caledon, 18 June 1807, RCC, VI., 160; Letter from the Earl of Caledon to Viscount Castlereagh, 25 July 1807, RCC VI., 174.
[98] Freund, 'The Cape Under the Transitional', 350.
[99] Proclamation by Sir George Yonge, Baronet etc., 28 February 1800, RCC, Vol. III., 68.

Occupation, the authorities also considered including descriptions of personal appearance in the registers of inhabitants and their families.[100]

Institutionalised racial discrimination had continued and, it would seem, intensified during the last few decades of VOC rule. For instance, in 1780 concerns were raised in the Council of Policy about the practice of using Asian convicts to assist with the public execution and punishment of Europeans.[101] However, these measures represented an intensification of earlier approaches in the first half of the eighteenth century. Obviously informed by racial views, they were not linked to a systematic racial ideology.

Of much more institutional significance under British rule was an erosion of the subtle, nuanced distinctions between certain categories. KhoiSan, *Bastaards*, *Bastaard-Hottentots*, and *Oorlams* were increasingly conflated into a single category. In the British census these groups were listed under the undifferentiated category of 'Hottentot'.[102] After 1836 free blacks, ex-slaves, and all those of KhoiSan descent were all described as 'Coloured'.[103]

In spite of the increasing Christian evangelisation by missionaries amongst the KhoiSan, the census listed the category of 'Christian' separately from that of 'Hottentot', linking it to being European or white. As such, 'Christian' was not a theological category, but increasingly differentiated along class lines with the census specifying the number of 'Christian servants'. Reflecting deeper social processes associated with the rise of the modernity – what Bayly identifies as simultaneously

[100] Letter from Viscount Castlereagh to the Earl of Caledon, Downing Street, 5 February 1806, RCC, Vol. VI., 279-281.
[101] C. 158, 241-248, 22 August 1780 (TANAP, C 151-160, 618).
[102] See for instance Returns on the Population, for 1807 RCC, Vol. VI., 247-8; for 1808, RCC, Vol. VI., 442-443; for 1809, RCC, Vol. VII., 239-243; and for 1810 RCC, Vol. VII., 477-479.
[103] Worden *et al*, *Cape Town*, 89.

increasing uniformity and complexity –official language and categories were much more systematically structured along the lines of class, nation, and race.

Institutional Reform

Drawing on the practice adopted for other new colonies, the British War Office decided to keep most of the institutions and laws inherited from the Company in place.[104] This was similar to the indirect rule used in India, and, later, other British African possessions.

However, while older institutions remained intact, the colonial administration was increasingly underpinned by a new ethos of governance that promoted efficient, and, to some extent, impartial governance.

The British War Office scrapped the Council of Policy, and centralised power.[105] Even so, the British Occupations saw a great deal of contestation between local and the international arms of the Empire, which centred on the uneasy relationship between the civil administration of the Colony, the military, and the broader imperial objectives of the War Office.

While the War Office viewed the Cape as a convenient outpost to station and replenish troops destined to defend India, the governors complained that the Cape was not adequately defended and that the civil administration was burdened with paying for the food and upkeep of those sailors and soldiers stationed at the Cape.[106]

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[104] T. Keegan, *Colonial South Africa and the Origins of the Racial Order* (David Philip, Cape Town, 1996), 43. See also Instructions to our Right Trusty and Right well Beloved Cousin and Councillor George Earl of Macartney, K: B: Our Commander in Chief and over the Settlement of Cape of Good Hope in South Africa-Given Our Court at St. James the Thirteenths Day of December, one thousand seven hundred and ninety-six, in the Thirty seventh year of our Reign, RCC, Vol. II., 3-20.

[105] Freund, 'The Cape Under Transitional Governments', 346.

[106] Letter from Major General Dundas to the Right Honourable Lord Clive and Council, Fort St. George, Castle of Good Hope, 31 January 1799, RCC, Vol. II., 352; Letter from Sir George Yonge to the Right Honourable Henry Dundas, Cape Town, 25 April 1801, RCC, Vol. III., 473-474; Letter from the Earl of Caledon to Viscount Castlereagh, Castle of Good Hope, 15 December 1807, RCC, Vol. VI., 235-6; Letter from Earl of Caledon to Viscount Castlereagh, Government House, Cape of Good Hope,

Governor Yonge, who openly challenged Major-General Dundas, soon learned to his cost that private gain from state office could be used to discredit officials, and that the military and the War Office held the upper hand. After Yonge's attempt to interfere in military matters, he was investigated and charged with several counts of corruption.[107]

Although many of the civil servants who served under the VOC were encouraged to stay, they were increasingly replaced by British officials and professionalized officials.[108] The instructions given to local government officials were also elaborated and codified.[109] The judiciary was subject to the most comprehensive changes. Judges were to be paid higher salaries, rather than encouraged to supplement their incomes from fines and other confiscations.[110]

Under the VOC, the criminal justice system was based on entrenching inequality, on gaining confessions through torture, and on gruesome public punishment. Now, many Enlightened gentlemen and gentlewomen expressed their horror of the gallows. This was most certainly the case with Barrow:

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7 January 1807, RCC, Vol. VI., 252-6; Letter from Viscount Castlereagh to the Earl of Caledon, Downing Street, 5 May 1808, RCC, Vol. VI., 322-323.

[107] Letter from Major General Dundas to William Huskisson, Esquire, Cape of Good Hope, 10 May 1800, RCC, Vol. III., 127-129; General Orders by His Excellency the Governor and Commander in Chief, Cape Town, 15 April 1800, RCC, Vol. III., 150; Letter from Sir George Yonge to the Right Honourable Henry Dundas, 15 May 1800, RCC, Vol. III., 182-184; Letter from Sir George Yonge to the Right Honourable Henry Dundas, Cape Town, 22 October 1800, RCC, Vol. III, 318-323; Letter from the Right Honourable Henry Dundas to Sir George Yonge, Downing Street, 14 January, 1801, RCC, Vol. III., 408-409; Private Letter from Sir George Yonge to the Right Honourable Henry Dundas, Cape Town 19 February 1801, RCC, Vol. III. 429-430; Letter from the Right Honourable Lord Hobart to Major General Dundas, Downing Street, 2 May 1801, RCC, III., 484-488; Proclamation by Major General Francis Dundas, 22 October 1801, RCC, Vol. IV., 84-85; Letter from Major General Dundas to the Right Honourable Lord Hobart, Cape of Good Hope, 12 December 1801, RCC, IV., 113-124; Report of the Commissioners Appointed to Investigate Charges against Sir George Yonge, 16 March 1802, RCC, Vol. IV., 221-274.

[108] Freund, 'The Cape Under Transitional Governments', 345.

[109] Freund, 'The Cape Under Transitional Governments', 346.

[110] Letter from the Earl of Macartney to Right Honourable Henry Dundas, Castle of Good Hope, 26 July 1797, RCC, Vol. II., 133-136; Letter from the Earl of Macartney to Right Honourable Henry Dundas, Castle of Good Hope, 1 May 1798, RCC, Vol. III, 248-251; Letter from the Earl of Macartney to Right Honourable Henry Dundas, Castle of Good Hope, 15 October 1798 (Revenue Return) RCC, Vol. II., 294-5; and Letter from the War Office to the Earl of Macartney, Downing Street, 15 December 1798, RCC, Vol. II., 309-313.

> The first object that presents itself to a stranger, after passing the Castle, is a large gallows flanked by wheels and engines of death – objects not well adapted for impressing a very favourable opinion either of the humanity of people or the lenity of their laws. Though the custom of most European nations may have sanctioned public punishments, as a warning against commissions of crimes, the constant exposure of the instruments of death can have little share in producing this effect. The human mind, by long habit, becomes reconciled to objects that, for a time, might have created disgust and dismay.[111]

In 1797 the War Office noted that that 'the practice of proceeding by Torture against persons suspected of Crimes and of punishment after Conviction in many Capital cases, by breaking upon the Wheel and other barbarous modes of execution prevails'.[112] The Earl of Macartney was instructed to 'abolish these forms of Trial and Punishment, and provide other more lenient and equitable proceedings'.[113]

The legitimacy of the British legal system had long rested on the notion – some would argue the illusion– of equality before the law, and the new officials were uncomfortable with the blatant impartiality of the Cape courts. For instance, Barrow reported:

> The Landrost had only the shadow of authority. The council and the country overseers were composed of farmers, who were always more ready to screen

[111] Barrow, *Travels into the Interior of Southern Africa*, Vol. II., 139.
[112] Instructions to our Right Trusty and Right well Beloved Cousin and Councillor George Earl of Macartney, K: B: Our Commander in Chief and over the Settlement of Cape of Good Hope in South Africa-Given Our Court at St. James the Thirteenths Day of December, one thousand seven hundred and ninety-six, in the Thirty seventh year of our Reign, RCC, Vol. II., 3-20, 6.
[113] *Ibid.*

> and protect their brother boors, accused of crimes, than to insist in bringing them to justice. The poor Hottentot had little chance of gaining redress for the wrongs he suffered from the boors. However willing the Landrost may be to receive his complaint, he possessed not the means of removing the grievance. To espouse the cause of the Hottentot was a sure way to lose his popularity. And the distance from the capital was a sufficient obstacle to the referring of complaints before the Court of Justice at the Cape.[114]

Much like the 'moral community' created by slave-owners (see Chapter One), it would appear that masters of KhoiSan servants had also devised ways in which to influence both the implementation and interpretation of the law. In an attempt to curb such power, an Appeal Court and Circuit Courts were established.[115] The tempering of the use of terror, and the provision of mechanisms for legal redress, also altered the operation of the criminal justice system and, in so doing, necessarily also reformed the control of, and disciplining of, labour.

Class Formation and Changing Conceptions of Labour

At the start of 1799 the Governor (now Major General Dundas) expressed his concerns about the Concordia, a social club for local gentlemen. He reported that the club was 'composed chiefly of persons who are not believed to entertain sentiments favourable to our cause'. [116] Although he had received assurances of the purity of their motives, he believed that it was still necessary to be watchful of their proceedings.

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[114] Barrow,*Travels into the Interior of Southern Africa*, Vol. II., 24.
[115] Keegan, *Colonial South Africa*, 55-56 and Freund, 'The Cape Under Transitional Governments', 347. See also Proclamation By His Excellency George Earl of Macartney, 17 July 1797, RCC, Vol. II., 124; Proclamation By His Excellency George Earl of Macartney, 24 July 1797, RCC, Vol. II., 126-128;
[116] Letter from Major General Dundas to the Right Honourable Henry Dundas, Cape of Good Hope, 23 January, 1799, RCC, Vol. II., 340-343, 442.

This distrust did not linger and, according to Cape historian Timothy Kegan, it was soon replaced with mutual relations of reliance.[117] The gentry had been freed from the monopolistic practices of the VOC. In return for their loyalty to the British colonial state, they enjoyed new opportunities for economic enterprise and for patronage. Such relations were further strengthened through intermarriage between old and new elites. .

The Cape's upper-class was also, as indicated, augmented by the arrival of new British merchants, who – through their linkages with London markets – stimulated commerce and production with access to credit and financial institutions. These gentlemen were firm Empire patriots. In 1799 a number of the 'gentlemen in the Civil Department' and the 'principal English inhabitants', including the likes of John Barrow, the slave trader Alexander Tennant, and the merchant W. Venables, issued a public letter offering their services to 'defend this valuable Colony against the Enemies of our most gracious Sovereign'.[118]

The British also introduced new labourers to the Cape. The British garrison and navy consisted of roughly 5000, and 3000, men respectively.[119] Its sailors and soldiers included Scots, Irishmen, northern Englanders, Lascars from India, and a sprinkling of sailors recruited from the West Indies, and North America. Added to this, a number of wealthy families brought servants from Britain, mainly to serve as domestic labour.

The gentry and colonial officials were under pressure to conform to globally changing conceptions of what was to be regarded as acceptable forms of labour control.

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[117] Kegan, *Colonial South Africa*, 50.
[118] Letter from Messrs. John Holland, John Hooke Green and Others to Major General Dundas, 5 January 1799, RCC, Vol. II., 333.
[119] Worden *et al*, *Cape Town*, 93.

This was especially evident in the growing opposition to slavery. This opposition came from a variety of different quarters. Largely due to religious nonconformists, and to Enlightenment debates around equality, natural laws, and the inherent rights of man, increasing numbers of 'respectable' men and women were convinced of the immorality of slavery.[120]

However, as James Walvin has argued, the abolitionist campaign against slavery also needs to be located within the wider world of contemporary radicalism, and popular politics.[121] This is supported by Iain McCalman, whose study of Robbert Wedderburn, ex-slave and ultra-radical, shows that 'anti-slavery, Nonconformist and radical ideas converged in London's most plebeian and extreme radical milieu', and anti-slavery ideas were widely disseminated in the ultra radical circles of the European working poor.[122]

By far the most plebeian and radical section of the anti-slavery movement centred on the slaves themselves, in the form of armed revolts. In the British Empire, these included the 1760 Tacky Rebellion in Jamaica, and revolts in the Virgin Islands in 1790 and British-occupied St. Lucia in 1796. Revolts also took place elsewhere in the Caribbean and Americas at this time, including Berbice in 1763, Cuba in 1795, 1798, 1802 and 1805, in St. Domingue in 1791 (which led to the Haitian Revolution), in Curaçao and Venezuela in 1795, and in Virginia in 1800 and 1805.

In Britain the Abolition Committee was founded in 1787 and led by campaigners such as Granville Sharp, Thomas Clarkson, and William Wilberforce. The Committee highlighted the horrific conditions on slave ships and the high mortality rates of both slaves and the sailors involved in the transatlantic slave

[120] M. Craton, J. Walvin, and D. Wright, *Slavery, Abolition and Emancipation* (Longman, London etc., 1976), 195-199.
[121] I. McCalman, Anti Slavery and Ultra-Radicalism in Early Nineteenth- Century England: the case of Robert Wedderburn, *Slavery and Abolition*, 7 (1986), 91-116, 91-2.
[122] McCalman, Anti Slavery and Ultra-Radicalism, 100.

trade.[123] Capturing the public's imagination and widespread support, abolition of the slave trade became a major campaign. Much of the campaign centred on lobbying Parliament to change the law, and was vehemently opposed by slave-owners organized under the West Indian Committee.

By the 1790s the political climate in Britain had been transformed by the French and Haitian Revolutions. Historians of slavery Michael Craton, James Walvin, and David Wright note that while support for abolitionism grew amongst the new, radical correspondence societies, the fear of Jacobinism amongst British Lords briefly stifled the Parliamentary charge.[124] However, slavery continued to lose legitimacy, and by the end of the decade even the slave-owners started to propose the amelioration of slavery, and the campaign for abolition continued.

In the Cape, the future of KhoiSan servants and the emancipation of the slaves were intricately linked. Officials echoed Barrow's claims that if KhoiSan servants were not so cruelly treated, they could be encouraged to take on the vital work carried out by slaves, as wage labourers.

The eastern frontier was gripped by intense conflict at the time. Authorities were keen on disciplining both Boers and KhoiSan into their respective class roles, in part to secure the frontier. The Boers were depicted as indolent, unsophisticated, and cruel masters in need of state regulation, while their KhoiSan servants were viewed as 'an innocent and oppressed race of men' that required 'countenance and protection' from the British government.[125]

In addition to promoting paternalism towards KhoiSan servants, government officials believed that gainful employment, especially as soldiers or menial civil

[123] See M. Rediker, *The Slave Ship: A Human History* (Viking, New York etc., 2007).
[124] Craton, Walvin, and Wright, *Slavery, Abolition and Emancipation*, 232-233.
[125] Barrow,*Travels into the Interior of Southern Africa* , V 1., 375.

servants, could also make KhoiSan more respectable. For instance, in 1799 the Earl of Macartney wrote:

> There is, however, no doubt that the Hottentot is capable of a much greater degree of civilization than is generally imagined, and perhaps the converting him into a soldier may be one of the best steps towards it, for I observe that the Uniforms of the Hottentot corps were as clean and their arms as bright as the Regulars, and in point of Sobriety I question whether there be any difference.[126]

The problem was that slaves remained the principal source of agricultural labour in the Cape. Much like the slave-owners in the British East Indies, colonial officials and local slave-owners justified the continual reliance on slavery by arguing that their slaves were treated with tenderness and care, rather than cruelty. While the Batavian governor, de Mist, claimed that he did not wish to apologise for slavery, he argued that the lives and conditions of slaves resembled that of cattle-herds, shepherds, and farmhands in the remote Dutch districts, and that there was a great difference in the treatment of slaves in the Cape and those in the Americas.[127] He maintained:

> At the Cape they are, in the majority of cases at least, looked upon as permanent family servants…The abundance of the necessities of life and the comparatively easy work of fetching and carrying wood, herding cattle, tilling

[126] Quoted in Barrow,*Travels into the Interior of Southern Africa*, Vol.1., 371
[127] De Mist, *Memorandum for the Form and Administration of Government* , 252.

> the fields, labouring in the vineyards or attending to the daily housework, makes their lot in life quite tolerable.[128]

Although de Mist noted that there were 'good laws' regulating slavery in the Cape, he admitted that a 'higher code of morals should be instilled into the masters' to prevent the ill-treatment of both slaves and KhoiSan.[129]

The importation of slaves also continued at this time, mostly sourced from Mozambique. The reforms that the Batavians discussed, such as the emancipation of slave children, were never implemented. By 1808 the slave population had grown to 29,768.[130]

Little fuss was made of the treatment and conditions of other sections of the labouring poor, such as sailors and soldiers in the British military and navy. Rather than concern themselves with alleviating the conditions of enlisted labour, authorities and masters sought ways in which to control free servants more closely.

In July 1808 the Governor Du Pre Alexander (second Lord Caledon) lamented that there was universal complaint amongst British inhabitants who had 'suffered from the conduct' of such servants and, that, after the costs and trouble of bringing their servants to the new colony , found themselves 'without a single attendant'.[131] He argued:

> The cause is obvious. European servants, in a country where they cannot be immediately replaced, assume a consequence ill becoming a state of service, so accustomed to domineer over slaves, they become impatient of control,

[128] *Ibid.*
[129] *Ibid.*
[130] John Mason, *Social Death and Resurrection*, 17.
[131] Letter from the Earl of Caledon to Viscount Castlereagh, Castle of Good Hope, 1 July 1808, RCC, Vol. VI., 367-370, 369.

> claim a free agency which the law of the land does not allow them and which, were it otherwise, would set at large upon the colony a description of people of all others the most troublesome and useless.[132]

An example was made of Sarah Bradbury, who abandoned the service of her mistress to get married. She was arrested for breaking her contract and sent back to England to stand trial.[133] Such actions indicate that indentured labour was still seen as necessary. Free labour was regarded as disorderly, and was hardly viewed as the preferred from of labour. Rather than free labour, colonial officials and masters sought to revise their methods of labour control and discipline, but within the framework of un-free labour systems.

Thus, the Cape's new imperial rulers promoted a paternalistic rather than a liberal attitude towards labour. Un-freedom would be retained, but the brutality of the system would be limited as much as possible.

Changes in the legal system served mainly to discourage excessive violence, and also provided slightly improved mechanisms of legal redress. Labour reforms enacted by the British and Batavians provided sailors, servants and slaves with basic legal protections against their masters. As will be discussed in the next chapter, such reforms were, however, mainly prompted by the protest action of the labouring poor.

Social Control and New Identities

The government expanded into new realms, but it was mainly the missionaries who sought to change the actual cultural and social practices of the labouring poor. At first

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[132] *Ibid.*

[133] Letter from Viscount Castlereagh to the Earl of Caledon, Downing Street, 5 February 1808, RCC, VI., 281; Letter from the Earl of Caledon to Viscount Castlereagh, Castle of Good Hope, 1 July 1808, RCC, Vol. VI., 367-370; Letter from Lord Castlereagh to the Earl of Caledon, Downing Street, 12 May 1809, RCC, Vol. VI., 496-501, RCC, Vol. VI., 499, 281, 367-70.

Cape colonial authorities were sceptical of missionaries, suspecting even the moderate Moravian Brethren of Jacobinism.[134] Under Batavian rule, Governor Janssen hoped to ban missionary activity within the Colony altogether, even expelling the renowned but controversial missionary Dr. Johannes Theodorus van der Kemp from the mission station at Bethelsdorp.[135] (Van der Kemp was well known for complaining about the ill-treatment of Khoisan servants, and for calling for legal reforms. He later he married a freed slave).

Before long, however, the British rulers found that missionaries could serve as useful intermediaries. Missionaries in Africa as well as in Europe were intent on recreating the heathens and the poor in their own image, which meant that religious conversion required cultural changes. In the case of KhoiSan this meant the wearing of European clothes and adoption of square houses.

Missionaries also played a significant role in the creation of the new nation of Griqua, which formed their own political polity – a republic –just beyond colonial reach on the northern frontier. Made up of *Bastaards*, ex-slaves, renegade Europeans, and Korana, they adopted the name 'Griqua' to claim a common ancestor, and to break down ethnic and racial divisions.[136] Their trade and contact with the Colony was mainly mediated through missionaries. In line with their indirect approach to rule, British authorities treated the Griqua like the VOC had treated loyal independent KhoiSan and granted their magistrates, seen as 'chiefs', a staff of office.

The cultural and political interventions of missionaries thus also contributed to reshaping the forms of belonging and communities of the labouring poor. As we will see in the next Chapter, missionaries –viewed as the hand of international

[134] Private letter from Sir George Yonge to the Right Honourable Henry Dundas, Cape Town, 22 October 1800, 336-340.
[135] Freund, 'The Cape Under the Transitional Governments', 341.
[136] M.Legassick, 'The Northern Frontier to c. 1840: the Rise and Decline of the Griqua People', Elphick and Giliomee (eds.) *The Shaping of South African Society*, 358- 420, 382

humanitarian pressure in the Cape–also played a significant part in reshaping under-class political strategies.

Summary

The transformations unleashed by the Age of Revolution and War, including changes in the mode of production and the rise of the modern, imperial state, were uneven and contested in the Cape Colony. Yet, the institutional and ideological reforms that were implemented marked the beginnings of a new phase of colonial and class rule.

Protest by the labouring poor hastened the decline of the merchant capitalism of the VOC. Influenced by the proletarian radicalism circulating the globe, they articulated a right to freedom. Emanating out a rich tradition of direct action and sabotage, their political action became more intense and confrontational, leading to an increase in mutiny and rebellion.

The Cape's new British and Batavian imperial rulers had to grapple with the political and social conflict that continued to grip the Colony after the VOC. Thus, the colonial administration expanded into new areas, while authorities infused institutions with a new ethos of governance based on efficiency, impartiality, and geared towards the greater good. As Bayly argues, the state was not only becoming intrusive, but also drew on new global debates about legitimate political authority to justify colonial occupation and regain legitimacy. In place of the monopolistic practices of the VOC, the Cape's new imperial rulers promised free-trade and the protection of private property.

Class ideology, and conceptions of labour, were also reworked. Although little changed immediately for the labouring poor, regimes of control and punishment were being slowly reformed. Instead of the naked violence and terror of VOC rule, colonial

officials encouraged a paternalist attitude towards the labouring poor. Together with the legal reforms, especially the emphasis on impartiality, these changes would broaden political possibilities for the labouring poor. The colonial state also started to intervene more decisively in the relations between masters and servants. As we will see in the next Chapter, such legal protections were in large part only extended under pressure from the labouring poor.

Although not immediately evident to colonial officials, missionaries inspired by evangelic zeal were already also encouraging far-reaching social change amongst the labouring poor, and helped develop new forms of cultural and social discipline. Their interventions contributed to the rise to modern, cultural and bodily practices also seen in other parts of the world.

CHAPTER FIVE

Between Reform and Revolution:

Political Strategies of the Labouring Poor during the Age of Revolution and War.

In October 1797 Thomas Kelly of the carpenters' crew on the HMS *Jupiter*, under the Cape command, objected to the punishment of one of his mates. Inspired by the mutinies at Spithead and Simons Bay, he warned Captain Losack that:

> …he was a Delegate and sent by His Company and the Voice of the Ships Company was not to be played with. He said that a man's life was not so easily taken away now as it was four months ago. The Prisoner desired me to recollect Simons Bay and England, and that the Times were not now as the[y] had been.[1]

A few years later in April 1799, the traveller and spy, John Barrow, reported on a conversation he had with one of the leaders of the Servant Rebellion. Speaking about the latest encroachment of colonial settlement, Klaas Stuurman declared that,

> 'This act', continued he, 'among many other equally cruel, resolved us at once to collect a sufficient force to deprive the Boers of their arms, in which

[1] NA, UK: ADM 1/5488, T. Kelly, HMS Jupiter, 9 December 1797, 288.

> we have succeeded at every house which had fallen in our way. We have taken their superfluous clothing in lieu of wages due for our services, but have stripped none, nor injured the persons of any, though,' added he, shaking his head, 'we have yet a great deal of our blood to avenge.'[2]

Almost a decade later in October 1808, the slave Abraham van de Kaap told a woman slave, Jamina, not to cry for her master who rebels had captured and tied up. He assured her that:

> …the insurgents the next day would hoist the bloody flag and fight themselves free, and that then the slave girls could in their turn could say *jij* to their mistresses [a disrespectful expression in the Dutch language].[3]

During the Age of Revolution and War, the protests of the labouring poor in the Cape Colony were punctuated by three mighty, consecutive insurgencies: the 1797 mutinies, the 1799-1803 Servant Rebellion, and the 1808 revolt against slavery.

These protests were not isolated developments, but were tied to global cycles of protest that characterized the age. While the 1797 mutinies by British naval sailors in Simons Bay and Table Bay were directly inspired by the Spithead and Nore mutinies in Britain, the Servant Rebellion can be seen as part of the global upsurge in republican demands, anti-colonial struggle, and national sentiment.

The 1808 revolt against slavery was the most inclusive and radical of the episodes of under-class protest that gripped the Cape in this period. The revolt,

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[2] Quoted in S. Newtown King , 'Part I The Rebellion of the Khoi in Graaff Reinet: 1799-1803' in S. Newton King and V.C. Malherbe, *The Khoikhoi Rebellion in the Eastern Cape(1977-1803)* (Centre for African Studies, University of Cape Town, 1981), 12-65, 15.
[3] WCPA, CJ 802, *Sententiën*, 759.

directly related to the abolition of the slave trade in the British Empire, was inspired by the radicalism circulated by sailors across the globe, and was at the forefront of a new cycle of slave revolts sweeping the British Empire. In all these ways, these three insurgencies were a part of the 'Age of Revolution and War' in the Cape.

Although rooted in established traditions of direct action and sabotage, these insurgencies also reveal the emergence of new identities, and the development of different political strategies. Both the forms of belonging, and the protests of the labouring poor, were slowly starting to change. With an eye on these insurgencies, this chapter examines the social and political reconstitution of the labouring poor that gave rise to modern, proletarian identities and modes of protest.

Modern Protest

As the Age of Revolution and War intensified, the resistance of the labouring poor started to change as well. For instance, C.L.R. James notes that in the Haitian Revolution –the first successful slave revolt in all of history – the slaves were transformed from 'trembling in hundreds before a single white man, into a people able to organise themselves and defeat the most powerful European nations of their day'.[4]

In *The Many-Headed Hydra* Peter Linebaugh and Marcus Rediker also detail the reconstitution of the revolutionary, transatlantic 'working class'. Through their egalitarian, multi-ethnic conception of humanity and their common struggles against masters, magistrates and ministers, private property, and forced labour, the transatlantic 'working class' contributed to the revolutionary overthrow of *ancien regimes* and to the development of radical notions of freedom.

[4] CLR James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*, Second Edition (Vintage, New York, 1989), IX.

At the very same time, Linebaugh and Rediker note that the revolutions also changed the labouring poor, and that towards the end of the eighteenth century the proletariat became increasingly segmented.[5] Seduced by significant gains – including wages, property and national citizenship – industrial waged workers separated themselves from the more marginalised and unemployed. It would appear that Hercules had, if not destroyed the hydra, at least cleaved it into two, leading to mutually exclusive narratives of 'the working class' and 'black power' that, they maintain, continue to dominate proletarian politics today.

While working within established approaches to resistance (which this thesis has already critiqued), historians of the early colonial Cape note that the resistance of labouring poor in the Cape was also transformed at this time. Now, for the first time (they argue) the labouring poor established a distinct identity and culture, which was based on their shared class experience.[6] With the development of a broad, under-class culture, they contend that collective and transformative modes of resistance, especially that of slaves, had *at last* become possible.[7] This enables insurgencies to be viewed as more than ineffective or insignificant strikes of vengeance. The under-class was now, finally, able to challenge the existing order.

The literature on South Africa remains trapped within an established set of binaries, the teleology of established approaches (see Chapter Two and Three). This faces two key criticisms.

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[5] P. Linebaugh and M. Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Beacon Press, Boston, 2000), 333-334.
[6] J. Armstrong and N. Worden, 'The Slaves', R. Elphick and H. Giliomee (eds.) *The Shaping of South African Society, 1652 – 1840*, Second Edition, (Maskew, Miller and Longman, Cape Town, 1989), 109-183, 147; Shell, *Children of Bondage* , 109 -183, 138 and A. Bank, *The Decline of Urban Slavery at the Cape* (Centre for African Studies, University of Cape Town, 1991), 99-141.
[7] N. Worden, 'Revolt in Cape Colony slave society' in E. Alpers, G. Campbell and M. Salman (eds.) *Resisting Bondage in Indian Ocean Africa and Asia* (Routledge, London etc., 2007), 10-23.

In the first place, these underclass protests have not been examined in relation to the global cycles of protest during the Age of Revolution and War. In the second, the assumption of a rupture fails to recognise that the forms of belonging and modes of protest of the late eighteenth century were rooted in a rich tradition of direct action. As argued in Chapter Two and Three, the labouring poor had long developed social connections and communities based on a common experience of exploitation and oppression that transcended social divisions of race, nation, gender and legal status, and geographical divisions between town and country and between the local and international. In addition, slaves , servants, sailors, and soldiers did not necessarily act by themselves – and for themselves –but engaged in a variety of protests that challenged colonial and class rule at the Cape. This means that, even before the late eighteenth century, resistance in the Cape already had transformative and collective features that challenged the existing order.

If, however, I argue that the labouring poor had *already* developed common class-based forms of belonging and participated in protests that were already collective and confrontational, what do I mean when I argue that resistance in the Cape changed in the Age of Revolution and War? Did protest fragment along racial and class lines, as Linebaugh and Rediker suppose was the case of the transatlantic 'working class'?

To answer such questions it is necessary to concretely investigate the emergence of new forms of belonging and communities that emerged alongside, or grew out of the multiracial and multi-national class culture of the labouring poor in the Cape. The specific political strategies developed by those involved in the 1797 naval mutinies, the Servant Rebellion, and 1808 revolt also need to be examined, especially in relation to international protests.

Belongings and Community

In 1823 slaves were finally allowed to legally marry.[8] Few slaves appeared to be particularly concerned with the legislation and by 1831 there were only three legally recorded slave marriages.[9] Starting with missionaries in the late eighteenth century, attempts by the church and colonial state to discipline the cultural practices of the labouring poor and make them more respectable proved uneven and contested. The autonomous, class-based counter culture that emerged in the first half of the eighteenth not only persisted, but was also politicized. At the same time, some sections of the labouring poor adopted new forms of belonging and participated in more visibly in 'respectable' communities, contributing to the formation of distinct religious identities.

Family and Patriarchy

As in the first half of the eighteenth century, the families of the labouring poor did not conform to upper-class notions of respectability, gender, or family. Even after emancipation in 1838, the development of discreet, patriarchal, nuclear families proved tenuous.[10] Under-class families were complex, extended, and continued to transcend race, nation, legal status, and even distance.

This is perhaps best illustrated by the family arrangements of Louis van Mauritius, who was later tried as the leader of the 1808 revolt. Louis was hired by a free black woman named Anna, whom he referred to as his 'wife' in the court proceedings.[11] According to Jackie Loos, who investigates the stories and tangled

[8] T. Keegan, *Colonial South Africa and the Origins of the Racial Order* (David Philip, Cape Town, 1996), 58.
[9] Keegan, *Colonial South Africa*, 59.
[10] P. Scully, *Liberating the Family: Gender and British Slave Emancipation in the Rural Western Cape, South Africa, 1823-1853* (Heinemann, Portsmouth (NH), etc. 1997), 1-15.
[11] WCPA, CJ 516, Fist Examination of Louis, Article 5, 21.

relations forged by slaves in the nineteenth century, Anna belonged to a large family that spanned four generations.[12] It consisted of her mother, Philida, her married sisters Rachel and Coba, and their husbands, and their various children. One of Anna's daughters, Silvia, lived in Stellenbosch and was also already married with her own children. Anna's sister, Coba, was married to Abraham Anthonissen, whose parents were freed slaves. In spite of his parents' slave past, Anthonissen had fared relatively well. He supported ten children and could also afford to hire a *knecht*, Hendrik van Dyk, who later married Anthonissen's eldest daughter, Johanna. Loos paints a picture of a lively family, living in close quarters in rented premises and co-operating to generate an income.[13] Louis' family structure suggests that, as in the first half of the eighteenth century, families were often extended and transcended racial and legal divides.

It was probably due to Louis' integration into Anna's family that he was able to move around with relative autonomy, often being mistaken as a free person, and able to accumulate assets of his own. Louis owned three horses, which he hired out, and he helped his 'brother-in-law' Anthonissen run a *tapperij* (drinking-house) situated next to the family home on Strand Street.[14] We have no real knowledge of the micro-dynamics of Louis' and Anna's relationship. We do not even know if any of Anna's children were fathered by Louis, or how they made decisions, or how resources were shared.

Worden argues that slave men were emasculated by their inability to exercise patriarchal control over their families, and Louis may have been frustrated by his

[12] J. Loos *Echoes of Slavery: Voices from South Africa's Past* (David Philip, Claremont, 2004), 70.
[13] Loos, *Echoes of Slavery*, 71.
[14] Loos, *Echoes of Slavery*, 70.

dependence on Anna.[15] However, the labouring poor did not necessarily adhere to upper-class notions of gender and we can just as easily speculate that it was Louis' integration into Anna's family that gave him the confidence to take charge of his own future. Louis's family also gave him access to resources and social contacts that he drew on to organize the revolt.

Culture of Leisure

By the time the British regained the Cape in 1806, slaves born in the Cape constituted a substantial proportion, about forty percent, of slaves in the colony.[16] The trend towards creolization served to homogenize a section of the slaves. However, the rest of the under-class remained linguistically and racially diverse, and slaves continued to participate in the multiracial and multi-ethnic culture of the labouring poor.

The inclusive fellowship of the eighteenth century was partially transformed and stabilised into what Banks calls the under-class 'culture of leisure'.[17] Historians suggest that it is this culture that provided the basis for a multiracial working class culture to consolidate in the nineteenth century.[18]

Much like the modern café, dockside drinking-houses in the eighteenth and early nineteenth centuries often fulfilled important political functions.[19] In the context of global political turmoil, drinking houses across the globe increasingly became spaces of political discussion and of sedition. In the early nineteenth century England, for instance, radical political societies like as the Spencean Society, held debating

[15] N. Worden, "Armed with ostrich feathers: Order and disorder in the Cape slave uprising of 1808", presented at War and Empire and Slavery Conference, Centre for Eighteenth Century Studies, University of York, 2008, 16-18 May (revised), 17.
[16] Shell, *Children of Bondage*, p. 47; James Armstrong and Worden, et al., "The Slaves, 1652- 1834", p. 132.
[17] Bank, *The Decline of Urban Slavery*, 119.
[18] Armstrong and Worden, 'The Slave', 138 and Bank, *The Decline of Urban Slavery*, 127.
[19] T. Simpson, 'The Commercialisation of Macau's Cafes', *Ethnography*, 9 (2008), 97-234; P. Linebaugh and M. Rediker, 'The Many Headed Hydra: sailors, slaves and the Atlantic Working Class in the Eighteenth Century', *Journal of Historical Sociology*, 3 (1990), pp. 225-252, 235.

sessions in taverns.[20] Although there is no evidence of such societies in the Cape, we *do* know that sailors, servants and slaves were connected socially, as well as politically. They drank together and swapped stories of rebellion.

Alternative Networks

Desertion remained pervasive at this time, and the labouring poor continued to establish dissident social networks and alternative, autonomous communities. In the 1780s and 1790s, for example, authorities cracked down on *droster* gangs on Table Mountain, Hangklip/Hanglip and the surrounding areas.

Runaway KhoiSan and slaves were increasingly joined by European and other soldiers and sailors. Enticing enemy soldiers and sailors to desert, and to join the British forces for better wages and conditions, was also a common tactic deployed by the British military. During the First British Occupation foreign soldiers, thought to be fighting with Dutch forces against their will, were targeted. This strategy presented its own difficulties as disgruntled foreigners proved to be no more loyal to the British than their former masters. For instance, in 1806 the Commander-in-Chief of the British corps decided to make an example of three deserters from the 'Waldeckers' battalion that enlisted with the British after the Batavian defeat. The Commander hoped that the executions would check 'a systematic desertion that threatened the loss of everyman enlisted'.[21]

Other soldiers enlisted under the British flag deserted just as readily. For instance, it was thought that at least fourteen British men deserted and joined the Boer

[20] I. McCalman, 'Anti-Slavery and Ultra Radicalism', 106-107.
[21] Instructions given to Lieutenant D. Ross of the Royal Navy, Secretary's Office, 28 January 1806, RCC, Vol. V., 333.

rebel, Conrad Buys, who sought refuge with the Xhosa tribes in 1799.[22] During both the First and Second British Occupations, authorities issued proclamations offering pardons to soldiers thought to be living in country districts.[23] Yet, such measures appeared to have little effect.

Nigel Penn claims that from the 1740s white deserters, and runaway slaves, went separate ways because European deserters were more readily absorbed into the frontier farmers' communities.[24] However, although some deserters took up employment with farmers on the far-flung frontier – mainly as *knechten* and teachers – this was only one strategy. Some roamed around the Colony, relying on other slaves, servants, and soldiers for support, and others joined the free KhoiSan groupings. For instance, the impressed American sailor Joshua Penny who wrote about his desertion from the British navy at the Cape in 1795, claimed to have lived with KhoiSan for some time.[25]

Henry Lichtenstein, who travelled through the Cape during the Batavian period between 1803 and 1806, also sheds light on the strategies of deserter sailors and soldiers. He provided an account of Governor Jan Willem Janssen's encounter with English deserters:

> In the course of his journey the General met in different places with six other English deserters. Some were concealed amongst the savages, some among the colonists, and their influence upon the character of the colonists had been

[22] Letter from Major McNab to Major General Dundas, Camp at Ferrera's House, near Algoa Bay, 12 March 1799, RCC, Vol. II., 383.
[23] Proclamation by Francis Dundas, 26 February 1799, RCC, Vol. II, 375; Proclamation by Sir David Baird, 25 January, 1806, RCC, Vol. V., 307, and on 16 May 1806, RCC Vol. V., 421, and 15 August, 1806, RCC, Vol. VI., 25-6.
[24] N.Penn, *Rogues, Rebels and Runaways: Eighteenth-Century Cape Characters* (David Philip Publishers, Cape Town, 2003), 92.
[25] J. Penny, *The Life and Adventures*, originally printed by the author in 1815, (South African Library, Cape Town, 1982).

> extremely pernicious … The General therefore awarded the English deserters an abode near Cape Town, where, being an inhabited country, they might be under the constant eye of the magistrate, and gain their living in a more credible manner.[26]

Whether runaway sailors and soldiers were absorbed into burgher communities, or remained part of the multiracial under-class community, they had a radicalising effect. Authorities believed that sailors and soldiers employed as teachers and *knechten* had spread revolutionary ideas amongst the Boers, contributing to their republicanism. And as will be discussed in more detail below, two vagabond sailors were instrumental in spreading ideas of freedom and in enticing revolt amongst Cape slaves.

New Identities

Towards the late eighteenth centuries, new communities competed for the heart and souls of the labouring poor. The small Muslim community that became visible in Cape Town during the 1790s gained in coherence. At the start of the nineteenth century a *madrasah* and a mosque were opened. It is thought that the Muslim community grew from about 1000 in 1800 to about 7500 in 1842.[27]

It was not, however only or even primarily Islam that appealed to the labouring poor. Increasing numbers of KhoiSan were attracted to Christianity by missionaries. By 1808, the Moravians had established Genadendal and Grone Kloof and by 1814, the London Mission Society had set up Bethelsdorp, Zuurbraak,

[26] H. Lichtenstein, *Travels in Southern Africa, in the years 1803,1804,1805,1806*, Vols. I and II., translated by Anne Plumptre (British and Foreign Public Library, 1815), Vol. I., 391.
[27] J. Mason, "Some Religion He Must Have": Slaves, Sufism and Conversion to Islam at the Cape', unpublished paper presented to Southern Regional Seminar in African Studies, October 1999, 6.

Hoogekral and Theopolis as permanent mission stations.[28] These attracted hundreds of KhoiSan, many of whom were farm workers, as well as some *Bastaards* and freed slaves.

Together with new national identities – such as that of the newly formed Griqua nation on the northern frontier –Islam and Christianity were internally stratified and offered identities and forms of belonging that were not class specific. These communities also played a significant political role, providing the labouring poor with a new leadership and political strategies. For instance, it has been argued that, in addition to the perceived spiritual benefits, Islam offered slaves and poorer free blacks a culture and social networks that were distinct from those of their British or Dutch master and rulers.[29]

On the other hand, the conversion of KhoiSan servants and slaves undermined a 'Christian' identity closely policed by, masters and burghers in the first half of the eighteenth century. Some masters found sharing a church with slaves and KhoiSan servants repugnant.[30] The missions, which undertook some farming of their own, also provided a haven for those KhoiSan who wanted to avoid the permanent service of farmers.

Inspired by evangelical humanism, missionaries were hardly blind to the injustices experienced by the enslaved and the colonised. They assisted KhoiSan servants and slaves in articulating their grievances. By promoting a middle class notion of 'respectability', they simultaneously championed a moderate model of political action that rested on the ability of a few well-respected leaders, such as their

[28] W. Freund, 'The Cape Under the Transitional Governments, 1795-1814', in Elphick and Giliomee (eds.) *The Shaping of South African Society,*324-357, 340.
[29] Bank, *The Decline of Urban Slavery*, 110-119.
[30] Newtown King , 'Part I The Rebellion of the Khoi', 37.

champion Dr. John Philip, to lobby British and local statesmen to adopt new and progressive legislation.[31]

Indirect and Direct Action

Traditions of direct action and sabotage persisted during the Age of Revolution and War. The labouring poor in the Cape continued to desert *en masse*, to set deliberate fires, to attack and kill their masters, to mutiny, to revolt, and to rebel. During the last decades of VOC rule, the labouring poor were further influenced with a new radical consciousness of freedom, and started to articulate their demands in a language of rights.

From the 1790s, under British and Batavian rule, the labouring poor also started to develop new strategies of protest. For the first time indirect action, and a reformist, legally-based political strategy became viable. Under the VOC, very little means were available to have masters reported to the court for abuses, and slaves were often punished if they could not prove their claims sufficiently. This slowly changed with the remaking of colonial rule under Britain and Batavia which was associated with the promotion of impartial governance, a growing rejection of excessive violence in labour relations, and the fostering of a more paternalistic attitude towards labour.

Although not prepared to forgo bonded labour and slavery, masters and colonial authorities now needed to conform to international conventions of acceptable labour practice, and to find ways in which to placate, rather than simply terrorise, rebellious labourers. To do this, they were compelled to introduce somewhat

[31] See for instance Keegan, *Colonial South Africa*, 75-128.

improved conditions, and to provide basic legal protections from excessive abuse by masters and commanders.

This context at last enabled the creation of a shared understanding of mutual obligations, and of a moral economy of 'fair' treatment and punishment. It also became possible for the labouring poor to use the courts to force their masters to reform their living and working conditions. The labouring poor could now rely on missionaries, or on fair minded officials, to help them renegotiate the terms of their labour. However, Dooling cautions, this strategy was contested and it achieved limited results, as the gentry continued to wield a great deal of influence over the courts.[32]

At the same time, the direct action of the labouring poor was further deepened. The language of rights enabled the labouring poor to articulate and amplify their demands, and their visions of freedom, more clearly. Through three major struggles – the 1797 mutinies, the 1799-1803 Servant Rebellion, and the 1808 revolt against slavery– the labouring poor also raised questions about how best to realise their rights, and about the role of the colonial state in their struggle for freedom. They developed new strategies, which would later come to define modern proletarian political action in the Cape. These included the strike for reforms, in the case of the 1797 mutinies, the struggle for national liberation and for an independent nation-state in the case of the Servant Rebellion, and the fight for the creation of a profoundly alternative proletarian order, in the case of the 1808 revolt. Together these revolts allowed the labouring poor to renegotiate the terms of their labour.

[32] W. Dooling, *Slavery, Emancipation and Colonial Rule in South Africa* (University of KwaZulu-Natal Press, Scottsville, 2007) and W. Dooling, 'The Good Opinion of Others': Law, Slavery and Community in the Cape Colony, c.1760-1830', in N. Worden and C. Crais, *Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony* (University of the Witwatersrand Press, Johannesburg, 1994), 25-44.

The 1797 Mutinies

In a letter dated 15 October 1797 Lady Anne Barnard, wife of the Secretary of the Colony under the First British Occupation, noted 'There is plainly a fashion in everything on this world. The English Mutiny, of course has set a fashion here, and we have had a swinging mutiny of our own at Simon's (False) Bay'.[33] Lady Barnard was referring to one of the two mutinies that took place in Cape waters in 1797.

Inspired by the Spithead mutiny, sailors in the Cape used their democratically organised structures and actions to force Admiral Pringle to improve their basic conditions, and to prevent arbitrary punishment and abuse. Making no distinction between the 'economic' and the 'political', they sought to apply the notion of inalienable rights to their workplace, and they helped develop the new political strategy of radical reform.

The Spithead and Nore Mutinies

Since late 1796, the sailors of the Channel Fleet under the command of Lord Bridport had been petitioning the Admiralty for better pay and raising grievances about the poor quality and short measure of rations. They also sought relief from harsh and arbitrary punishment. They received no response, and on 16 April 1797 they refused to put to sea.

Probably better conceived of as a strike than a mutiny, the seamen were well organised and disciplined. Each of the sixteen line-of-battle ships appointed two delegates to a central committee, which was headquartered on the *Queen Charlotte*,

[33] Letter from Lady Anne Barnard to William Henry Wilkins, 15 October 1797 in *South Africa a Century Ago: Letters Written from the Cape of Good Hope, 1797-1801, Anne Lindsay Barnard and William Henry Wilkins* (Smith, Elder and Co.95, London, 1901), 95.

and the sailors took an oath to stay true to the cause.[34] Unpopular officers received notice to leave their ships, but those remaining were respectfully treated.[35] Ropes were hung from the yardarms as a warning to seamen that disorder and drunkenness would not be tolerated by the delegates, and the crews performed all their regular duties, except for weighing anchor.

For the seamen to build support, within their own ranks and the wider public, it was important, given the war-time conditions, that they not be perceived as traitors. So, their patriotism was publicly declared and performed through their petitions and letters. They also continued to escort cargo ships from Portsmouth to Newfoundland, and they made it known that they would face the French in any attempt at invasion.[36]

Fearful that the mutiny would develop into revolution, perhaps on French lines, and the possibility that a significant part of Britain's defence would desert to the revolutionary French, the Admiralty and government were forced to take heed of the sailors' demands. Violent repression would not suffice in the circumstances and they would have to negotiate.[37]

Although the high-level naval delegation sent to Portsmouth refused to meet the sailors' representatives directly, it made significant concessions. These included an increase in wages, the provision of rations in full measure (to be substituted with money when short), and an undertaking that wounded men would continue to receive full pay.

Reflecting what historical geographer David Featherstone refers to in his analysis of courts-martial of the Nore mutineers as 'spatially stretched knowledges', the seamen remembered the fate of the mutineers on HMS *Culloden,* who had been

[34] C. Gill, *The Naval Mutinies of 1797s* (original Manchester University Press, 1913, reprinted by General Books), 24.
[35] *Ibid.*
[36] Gill, *The Nava*l *Mutinies*, 23.
[37] Gill, *The Naval Mutinies*, 25.

hanged in spite of the promise of pardon.[38] The sailors decided not to submit until the terms of the agreement were ratified by a Royal Pardon with the King's seal, as well as an Act of Parliament.[39]

The delay in getting the Sailors' Bill passed caused the mutiny to spread and deepen. The mutinous fleet was consolidated at St. Helens, where all senior officers were put ashore, and the fleet placed under sailors' control.[40]

The Bill was quickly passed, and a Royal Pardon issued. To further placate the sailors, the Pardon was presented directly to the sailors by Lord Howe, a semi-retired war hero popularly known as the 'sailors' friend'.[41] The end of the mutiny was also marked officially by a special celebration on the 15 May, during which the delegates were invited to Prime Minister Sir William Pitt's house for refreshments, and appeared on the balcony to the crowds below.[42]

The Spithead mutinies were an astounding success and confirmed the effectiveness of the sailors' strategy. Instead of a mutiny on a single ship, the mutiny had been generalised across the fleet. United, the sailors had forced the Admiralty and the government into negotiations and had won numerous concessions. Instead of the usual hangings that accompanied the quelling of mutiny, the mutinous sailors were pardoned and their delegates were officially honoured in the celebrations that followed. Not everyone was satisfied – especially in a context in which regimes had been overthrown in several revolutions – and many sailors thought to further test their new found power, and press for more thorough reforms.

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[38] D. Featherstone, 'Counter-Insurgency, Subalternity and Spatial Relations' 775.
[39] Gill, *The Naval Mutinies*, 31.
[40] G.E. Manwaring and B. Dobree, *The Floating Republic: an Account of the Mutinies at Spithead and the Nore in 1797* (originally published in 1935, Pen and Sword Military Classics, 2004), 89.
[41] Manwaring and Dobree, *The Floating Republic*, 19.
[42] Manwaring and Dobree, *The Floating Republic*, 115.

The mutiny at Nore initially started out on the 12 May as a sympathy action in support of the Spithead mutineers. However, the Nore mutineers, who refused to return once the Spithead was favourably concluded, were at once more subversive. Officers were either imprisoned or sent ashore and the squadron was placed under the control of the sailors' delegates. Instead of going to the shore to relax, sailors held meetings in public houses and marched through the streets, dockyards and, at least once, through the garrison waving red flags.

They submitted a 'project of reforms' to Admiral Bucker on the 20 May, and demanded to deal directly with Admiralty Board.[43] Their project of reforms echoed that of the Spithead mutineers. They demanded a wage increase, shore leave, and a more reasonable disciplinary code. In addition, the Nore mutineers wanted crews to be paid any arrears in their wages due to them within six months of sailing, impressed men to receive an advance to ensure more favourable terms with slopsellers (dealers in cheap clothing), and a more equable distribution of 'prize' money from conflicts.[44] They also raised concerns around issues of authority and discipline, demanding that no officers punished for undue severity be allowed to return to a ship without the consent of the crew affected, and that all deserters who returned should be pardoned.[45] Later they added the demand for the immediate pay of bounties, and for courts-marital to be tried by a jury of marines and seamen.

The Admiralty was not prepared to accept any further assaults against their authority. The deputation sent to Sheerness refused to open any negotiations with the delegates. Their strategy was to isolate the mutineers, and to divide them. The mutineers were prevented from coming ashore, their supplies were cut, their escape routes from the harbour blocked, and soldiers were brought in from Canterbury and

[43] Gill, *The Naval Mutinies*, 88.
[44] *Ibid.*
[45] Gill, *The Naval Mutinies*, 89.

Sheerness. Laws enacting draconian punishments for mutineers were also hastily passed though Parliament.[46]

Supported by most of the North Sea Fleet, which deserted Admiral Duncan on the 29 May, the Nore mutineers consolidated their ships at the Great Nore. In a show of strength, the 'floating republic' blockaded the Thames.[47] In the face of an authority that remained unmoved by the sailors' cry for redress, class and national identities started to compete for seamen's loyalty. Tension mounted between more moderate men who wanted to surrender and access a pardon, and the radicals who remained true to the mutiny. Some believed that they would never realise their rights under the British state and debated a mass escape to France, America, or Ireland.

Without a sustainable source of supplies, however, the floating republic could not be maintained. With all the escape routes blocked, surrender became the only option. Over four hundred seamen faced courts-martial. Of these 354 were pardoned, eight were flogged and fifty-two were sentenced to death, of which twenty-four sentences were carried out.[48] The Admiralty had managed to gain the advantage and re-establish its authority, or so it appeared.

Trouble in Simons Bay

Life under the British navy at the Cape must have been difficult as the station was in short supply of even the most basic necessities. In August 1797 the commander, Rear Admiral Pringle, complained about the 'great distress of the squadron'.[49] He noted that he had 'never been able to procure bread sufficient for one month for the whole squadron and food security was placed under even more pressure by having to supply

[46] Gill, *The Naval Mutinies*, 131 and Manwaring and Dobree, *The Floating Republic*, 192.
[47] Manwaring and Dobree, *The Floating Republic*, 186.
[48] Gill, *The Naval Mutinies*, 158.
[49] NA, UK: ADM 1/ 56 1797,R62, Letter from Admiral Pringle to Evan Nepan Esq., Tremendous in Simons Bay, Cape of Good Hope, 17 August 1797 also in RCC, Vol. II., 152-5.

the ships of the HEIC on their way to St. Helena.[50] The squadron would have to be placed on short rations of bread.

Considering these shortages, it was probably just as well that squadron was short some 760 men (excluding the sixty men in hospital who he did not expect to recover and return to duty).[51] Added to this, the quality of slops, beds, and marine clothing was not adequate and Pringle complained that 'the men are totally destitute'.[52]

The Admiral or senior officers did not suspect that such hardships would result in widespread disorder. Captain George Hopewele Stephens of the HMS *Tremendous* confidently claimed that British sailors were 'esteemed for their loyalty, courage, zealous attachment to their officers and adherence to duty in even the most trying occasions'.[53] Stephens's faith in sailors' loyalty to their commanders would soon be shaken. Rebelliousness amongst sailors of the British navy was spreading quickly. Lady Barnard believed that 'delegates from the malcontents' in English waters had come out in the HMS *Arniston*, and were already 'working on the minds of the seamen' in the Cape.[54]

The first signs of mutiny started with the HMS *Vindictive* on 2 October, and with 'disturbances' on the HMS *Rattlesnake*.[55] These were quickly quelled and the *Vindictive* separated from the rest of the squadron, which only served to enflame sailors' desire for redress. Another warning of disquiet came on the 5 October in the form of an unsigned letter dropped on the deck of the HMS *Tremendous*. Addressed

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[50] *Ibid.*
[51] Letter from Admiral Pringle to Evan Nepan Esq., Tremendous in Simons Bay, Cape of Good Hope, 25 August 1797, RCC, Vol. II., 156-7.
[52] *Ibid.*
[53] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Defence, 87.
[54] Letter from Lady Anne Barnard …15 October 1797, 95.
[55] G.M. Theal, 'Digest of the Records', RCC, Vol. V. 38 and Letter from the Rattlesnake Company, it would appear that it was thrown on deck on 5 October, NA, UK: ADM R66, see also RCC, Vol. II. 163-2.

to Captain Stephens, it stated that there was abuse of seamen on the *Rattlesnake* and, that, to 'keep disturbance from the fleet', this should be righted on every ship and that there should be no 'Bad Usage'.[56]

Stephens did not appear to react, and on the 7 October a jacket was attached on the jib-boom of each naval ship lying in Simons Bay and, with the customary round of cheers, the *Tremendous*, HMS *Trusty*, HMS *Imperieuse*, HMS *Braave*, HMS *Rattlesnake*, HMS *Chichester*, HMS *Star*, and HMS *Suffolk* rose in general mutiny. While obnoxious officers, including Captain Stephens, were put to shore, the Admiral was detained on the *Tremendous*. [57]

In the days preceding the mutiny, the various ship companies busied themselves passing letters between the squadron and drawing up petitions, which served to mobilise the sailors around key demands. These letters give us some insight into the nature of the sailors' organisation.

It would appear that the company of the *Rattlesnake* initiated the correspondence. The letter addressed to their 'brothers' on the *Tremendous*, signed by 'all as one man', demonstrates the egalitarian bonds and democratic practice that had developed amongst sailors.[58] The ship's company let it be known that they have canvassed grievances amongst each other, and that the majority were determined, 'to bring the Usurpers of our rights to a just account of their future Transactions, and make or Compel them to render us justice and better usage'.[59] They called on their shipmates' support, arguing that 'having long laboured under their Yoke – we hope that on this determination of ours we will find you and our other friends agreeable to

[56] Letter dropped on the Quarterdeck of the Tremendous, 7 October 1797, NA, UK: ADM R66, see also, RCC, Vol. II., 161-2.
[57] Theal, 'Digest of the Records', 38.
[58] Letter from the Rattlesnake Company…NA, UK: ADM R66, see also RCC, Vol. II., 162.
[59] *Ibid.*

force those Usurpers into a more lenitive line'.[60] However, the *Rattlesnake*'s company reminded their brother shipmates to proceed in a disciplined manner, and noted that they would not permit 'Pillaging, Pilfering or Riot, or bad Usage given by any of us to either party'.[61]

While the *Rattlesnake* may have instigated the action, it was the company on the *Tremendous* that took the lead in coordinating the mutiny. Those on board the *Tremendous* had not experienced similar abuses, and 'had no right to complain'.[62] They, however, sympathised as 'brothers', and declared their solidarity. In their reply to the *Rattlesnake* the company wrote, 'if you have bad usage we one and all will see you righted'[63].

While sailors declared that they had 'felt so much the scourge of unlawful treatment, almost too dreadful of for the human heart to vent', they were relatively moderate and constrained.[64] Even in the letters addressed to their brothers, the sailors took care to declare their loyalty to their King and their country. The company of the *Rattlesnake* noted that 'we look on ourselves to be true and faithful Subjects to His Brittanick Majesty'.[65] They wrote another statement calling for support '[i]n the name of our Royal George 3rd King of Great Britain, France, and Ireland and Defender of the Faith'.[66] They also identified themselves as the 'lawful and true born subjects of great Britain, serving as loyal subjects for our King, Church and State'.[67]

The *Tremendous'* company proposed a slightly more cautious strategy at the start. Ensuring broad-based support amongst the sailors and in line with their

[60] *Ibid.*
[61] *Ibid.*
[62] Reply of the Tremendous to the Rattlesnake, n/d, NA, UK: ADM R66, see also RCC, Vol. II., 163-164.
[63] *Ibid.*
[64] Second Letter from the Rattlesnake Company, 5 October, NA, UK: ADM R66, see also RCC, Vol. II., 163.
[65] Letter from the Rattlesnake Company…NA, UK: ADM R66, see also RCC, Vol. II., 162.
[66] Second Letter from the Rattlesnake Company…NA, UK: ADM R66, see also RCC, Vol. II., 163.
[67] *Ibid.*

democratic practice, the company wanted to know if the *Rattlesnake* had been able to contact the rest of the ships in the fleet.[68] The company of the *Tremendous* also believed that if courts-martial should take place, it might be best to first send a letter to the Admiral denouncing any bad usage in the squadron. In the meantime, the company of the *Rattlesnake* was asked to keep quiet and do their duty.

Much like the mutineers in English waters, the sailors in the Cape were democratic and disciplined, and their solidarity was based on a shared experience of exploitation and oppression. This suggests that these sailors drew on established traditions of resistance in the British navy. It was not only their organisational practice that was similar. The Cape squadron also adopted the Spithead strategy of securing radical reforms. Instead of mass desertion or individual mutinies, these sailors sought to stand together and to pressurise their officers and commander to renegotiate and reform their living and working conditions. Like the Spithead and Nore mutineers, they were quick to express their loyalty to the British sovereign. This focus on the British imperial state also encouraged the articulation of a distinct imperial identity along a class identity.

The various ship companies elected delegates, two from each ship, to draw up petitions that outlined their grievances and demands. These were presented to the Admiral. The various companies' statements of complaint give us some insights into sailors' codes, or notions, of acceptable terms of remuneration and discipline. In terms of rations, all the companies complained about the quality of bread and beef. Those on the *Imperieuse* indicated that they had received no butter or cheese since they arrived at the Cape, but rice and sugar.[69] These were poor substitutes and were not given in adequate quantities. *Trusty'*s company complained that there were no 'greens or

[68] Reply of the Tremendous to the Rattlesnake, n/d, NA, UK: ADM R66, see also RCC, Vol. II., 164.
[69] Imperieuse Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 171-172.

vegetables to be had and that the peas have been kept back'.[70] The *Tremendous* echoed the call for more 'greens', and drew attention to the poor quality of wine and brandy.[71]

Most companies believed that weights and measures used to determine food allowance were fixed short. The seamen on the *Braave* complained that the weights and measures had been short for eight to nine months, and wanted the purser to 'refund us the same'.[72] The *Imperieuse* even declared the conduct of their purser, a Mr. Dennis, fraudulent: he 'has much abused the confidence he had gained on his superiors' to prejudice the navy.[73] Concerns were also raised that rations were being withheld without adequate restitution or payment. Of particular concern was that the liquor of all persons on the sick list –regardless of the nature of their disease – had been stopped. Although this liquor was supposed to be repaid in short allowance money within three months, some men had not been paid for a year.

The *Trusty* called for a stop to all ' unnecessary work', such as 'holy stoning and washing the decks in the middle of the day', while those on the *Braave* complained of 'very irregular hours' of work and the serving of food, which was frequently only available at very late hours.[74] The *Rattlesnake* argued that two hours washing a week was hopelessly inadequate, and that the sailors requested more washing and recreation time.

Many of the sailors wanted the authority of their officers to be limited, in order to prevent arbitrary command and abuse. While sailors were willing to put up with a certain amount of harsh language, they rejected rudeness and abusive language

[70] Trusty Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 170.
[71] Tremendous Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 164-168.
[72] Braave Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 172-3.
[73] Imperieuse Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 171-172.
[74] Trusty Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 170 and Braave Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 172-3.

when undeserved. The *Imperieuse's* company noted that of the officers sent ashore, the Master was disliked by most. He had a 'haughty and contemptuous manner'.[75] Those on the *Braave* also raised concerns about officers who 'behaved rudely to some of the ship's crew'.[76]

The *Rattlesnake's* crew complained of being 'oppressed by young and inexperienced officers, who learned command before they had learned obedience'.[77] They drew attention to the some of the tyrannical and unlawful punishments to which they had been subjected. For instance, a Mr. Steward had commanded one man to 'ride the spanker broom at sea, with a hand swab for a whip', and had other 'lashed across their shoulders and their arms extended with a twelve pound shot hung at each end'.[78] The company also chastised Mr. Syms, considered to be 'full of pride', for his 'arbitrary command and degrading speeches'.[79] At night in the harbour he would command the hoisting of boats, lowered up to three or four times, to please an 'arbitrary ambition' believed to be 'quite inconsistent with the laws of Britain'.[80]

The *Rattlesnake's* company made it clear: seamen would 'allow laws to punish', but would not tolerate 'tyrants to bear His Majesty's commission'.[81] This company demanded that 'captains or officers commanding or serving in any of His Majesty's ships shall not harass or oppress subjects of Great Britain in any scandalous or fraudulent manner, unbecoming the character of British officers'.[82] They demanded that the punishment of all misdemeanours should be referred to a majority, with the Captain as president, rather than being punished at will by officers.

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[75] Imperieuse Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 171-172.
[76] Braave Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 172-3.
[77] Rattlesnake Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II. 174-176, 174.
[78] *Ibid.*
[79] *Ibid.*
[80] Rattlesnake Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 175.
[81] *Ibid.*
[82] *Ibid.*

Finally, the sailors also questioned the privileges attached to rank. As the men on the *Rattlesnake* stated, '[w]e would wish as all defending one cause to have the same share that is allowed of provisions without any respect to be paid to any person, rank, or quality'.[83] Expressed more plainly, those on the *Trusty* wanted some 'redress respecting the different officers having the prime of the meat, and that they will have mutton only every third day the same as the ship's company'.[84] The *Braave* expressed similar sentiments about the distribution of meat, complaining that 'our officers have been found to take the advantage of us therein by choosing prime pieces'.[85]

The grievances raised by the sailors of the Cape station were similar to those raised at Spithead and Nore, and centred on the quantity and quality of provisions, on working conditions, on punishment, and on the privileges of rank. Their demands did not only deal with issues related to the belly and the pocket, however. Sailors wanted to curb the power of their commanders, and they demanded a more democratic workplace in which sailors had a say in discipline. Although sailors may have been considered rough, vulgar, and foul-mouthed, they regarded themselves as men *with rights*, and they demanded to be treated with dignity.

The Earl of Macartney now prepared troops to occupy the heights of Simons Town, in order to compel the mutineers to submit.[86] It is doubtful that this was much of a military advantage. The Admiral was detained on the *Tremendous* and, according to Lady Barnard, the ships' guns were rather formidable.[87] Much like the Admiralty at Spithead, Pringle was forced to negotiate a settlement.

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[83] *Ibid.*
[84] Trusty Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 170.
[85] Braave Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 172-3.
[86] Theal, 'Digest of the Records', 38.
[87] Letter from Lady Anne Barnard …15 October 1797, 96.

Although sailors may have wanted negotiations, their mistrust of authority ran deep. The sailors' delegates agreed to speak to the Admiral, but insisted that 'whatever you might have to say to us that you will send the same in writing and we will do the same in return'.[88] A written record would serve as protection: it could be presented as evidence at court-martial, and it prevented the Admiral from playing the respective companies against their delegates, and from reneging on his promises. The Admiral realised that it was his honour being questioned, and noted that he was 'extremely sorry to observe that the ships' companies seem to doubt his word'.[89]

Pringle's written response focused on the quality and quantity of rations, but it ignored the issues of authority and privilege entirely. Arguing that there was scarcity in the Cape Colony as a whole, and in line with naval practice or tradition, the Admiral conceded little. For instance, he explained that the poor quality of bread was due to 'the want of flour in the Colony', while 'few or none [greens] are to be got here'.[90] He explained that the serving of beef every day was 'the custom that had always taken place at the Cape of Good Hope' and that the victualling of the navy did not allow 'pease' to be issued when beef was served everyday.[91] The only concessions were that he would investigate the non-payment of the carpenters' crew, and that in future the ship surgeon would decide when it was necessary to stop the liquor allowance of the sick.

Unconvinced by the Admiral's argument's, the sailors stood firm and demanded improvement. They let him know that:

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[88] Letter of the Delegates [Enclosure R] NA, UK: ADM R66, see also RCC, Vol. II., 184.
[89] Memorandum of the Admiral, [Enclosure p.] NA, UK: ADM R66, see also RCC, Vol. II., 182-183, 182.
[90] Admiral's Response, to the Tremendous [Enclosure E] NA, UK: ADM R66, see also RCC, Vol. II., 168-170, 168.
[91] Admiral's Response, to the Tremendous [Enclosure E] NA, UK: ADM R66, see also RCC, Vol. II., 168-170, 169.

> the people of this squadron has heard something of the conduct of His Majesty's Fleet in England, and the regulations that has taken place in consequence with regard to extra allowance of pay and provisions.[92]

The companies wanted the same to be implemented in their squadron. The sailors also, like their Spithead counterparts, indicated that they would immediately return to duty should there be any sign of the enemy. In the meantime, they appealed for a speedy remedy, and demanded a general amnesty be extended to every individual in the squadron, including those on board the now absent *Vindictive*.

Pringle attempted to manipulate and use the sailors' rhetoric of respect and loyalty to his own advantage. In his reply on 9 October, he adopted the role of benevolent leader, and let the sailors know that he had had 'nothing more at heart than the welfare of the people under his command'.[93] Explanations of scarcity aside, he was now prepared to make some changes. The Admiral noted that

> It is the pursers' duty to furnish perfectly good weights and measures, and it is that of the commanders to see that they do so, consequently when any deficiency is discovered and reported to the Captain, he must correct the same immediately, as the men are not to be defrauded.[94]

Pringle claimed that a survey of bread had already been ordered and that he had given orders that the biscuit baked in future would be of the proper quality. Captain Stephens had already brought the poor quality of beef to his attention, leading

[92] General Statement of the Grievances complained of by the Different Ships' Crews of the Squadron, NA, UK: ADM R66, see also RCC, Vol. II., 177-179, 178.
[93] Admiral's Response, [Enclosure N], Tremendous in Simons Bay, 9 October 1797. NA, UK: ADM R66, see also RCC, Vol. II., 179-181,179
[94] Admiral's Response, [Enclosure N]…NA, UK: ADM R66, see also RCC, Vol. II., 179-181, 181.

to a public order in September that required the butcher and an officer from each ship to attend the killing of cattle. There was little rum left in the stores of the *Tremendous*, which could be served out if required, and should there be any complaints regarding wine and sprits, a survey would be ordered and the bad liquor condemned. The tobacco at the Cape was too expensive, but the Admiral indicated that should tobacco arrive that could be purchased at a reasonable price, it shall be procured.

Even the question of class privilege was addressed to some extent. It had long been custom in the navy for officers to have choice cuts of meat, for which one pound in seven was charged. In line with the sailors' demands, the Admiral was prepared to order 'that no such thing be permitted to take place in future'.[95]

With respect to the fleet at home, Pringle confirmed that he had had no official communications regarding an increase of pay or provisions, but 'wished to God' that the ships' companies had exercised patience and waited for such information from England, instead of turning their officers ashore and committing other acts 'highly repugnant to the laws of their country'.[96] The Admiral promised to implement official orders once received, and meanwhile appealed to the companies to recall their officers and returned to duty. This would convince him of the propriety of the sailors' intentions and, he argued, smooth the way to a general amnesty.

Bargaining continued, but eventually the sailors were satisfied that the Admiral would ensure that the quality of bread was improved, and that he would remedy other complaints. The main area of contention was still the fate of the officers sent ashore. It was 'bad usage' that initially spurred the British sailors into action.

[95] Admiral's Response, [Enclosure N]…NA, UK: ADM R66, see also RCC, Vol. II., 179-181, 180.
[96] Admiral's Response, [Enclosure N]…NA, UK: ADM R66, see also RCC, Vol. II., 181.

They believed that they had sufficient cause for complaint against obnoxious officers, and had resolved not to serve under them again 'on any terms whatever'.[97]

The Admiral was unwilling to undermine the authority of his officers. Mirroring the sailors' appeal to the law, he maintained that he did not have the authority to simply remove officers without first legally investigating the complaints made against them. Pringle appealed for the companies to recall their officers, and to bring forward complaints 'in a manly and legal way'.[98] He bargained around the general amnesty, promising that it would be granted once the sailors returned to duty. and agreed to the possible courts-martial of officers.

Like their comrades at Spithead and Nore, sailors at the Cape were distrustful of the courts. But the Admiral held firm, and it was eventually agreed that the courts-martial of officers would take place at the Cape once enough captains *not* involved in the mutiny could be assembled.

The sailors returned to duty on the 12 October. The Royal Standard was hoisted on board the *Tremendous* 'as a signal of good order ands discipline being established in the fleet'.[99] On the same day the Admiral issued a proclamation granting the pardon and general amnesty to all seamen and marines in the squadron 'who so returned to the regular and ordinary discharges of their duty'.[100] Even though sailors of the Cape squadron had not won all of their demands, they had forced the Admiral to negotiate improvements and, like their 'brothers' at Spithead, did not lose their lives in attempting to do so.

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[97] Reply of the Delegates, [Enclosure O] NA, UK: ADM R66, see also RCC, Vol. II., 183.
[98] Memorandum of the Admiral…[Enclosure p.] NA, UK: ADM R66, see also RCC, Vol. II., 182-183, 182.
[99] Letter from the Earl of Macartney to the Right Honourable Henry Dundas, Castle of Good Hope, 13 October, 1797, RCC, Vol. II., 86-187, 187.
[100] Proclamation by the Admiral [Enclosure U], RCC, Vol. II., 186.

Rights, Mutiny, and Repression

The court-martial of Captain Stephens started on 6 November onboard HMS *Sceptre* in Table Bay. His trial sheds light on the contestation between sailors and naval officers over rights and the law. As at Spithead, sailors in the Cape were influenced by the radical political debates of the age. They believed that they were entitled to basic protections, provisions, and freedoms, and they used a language of rights to bolster their claims. For instance, when the sailors of the *Rattlesnake* initially called their 'brothers' to action, they demanded that their 'Primitive Rights' should be recovered.[101] They also noted that the sailors on the *Vindictive* had done nothing wrong, other than insist on their 'Rights for Better Usage'.[102]

Sailors believed that these rights resided in – and were realised – through naval regulations and the law. These were the only protections that sailors had against arbitrary command, and against the deprivation of basic necessities for survival. Sailors wanted to ensure that these protections were not violated and, ultimately, they also wanted them extended.

Through what appears to be a narrow legalism, sailors sought to challenge officers' interpretation and implementation of naval regulations and their understandings of justice. For instance, in outlining their grievances, the sailors of the *Tremendous* objected to the list of Articles read on the quarter deck, which appeared to be different from the Articles of War. The company stated that it did not have a problem with the 'general tenor' of such Articles that dealt with good order, discipline, and cleanliness.[103] However, the sailors were of the opinion that 'no

[101] Letter from the Rattlesnake Company…NA, UK: ADM R66, see also RCC, Vol. II., 162.
[102] Second Letter from the Rattlesnake Company…NA, UK: ADM R66, see also RCC, Vol. II., 163.
[103] Tremendous Company's Grievances, NA, UK: ADM R66, see also RCC, Vol. II., 164-168 66.

authority whatever has a right to pose new laws on them except that of the British legislature'.[104]

The rejection of regulations that were not statutory questioned the adoption and promotion of practices that officers deemed to be naval 'custom'. Such 'customs' were the major issue of contention in Captain Stephens's trial. In the charges that the *Tremendous*' company brought against the Captain, they explicitly rejected such appeals to custom. They noted that:

> The Ships Company are aware that the Customs of the navy will be used in defence of this Charge and That the Ships Company does not appeal to Customs as it has been custom perhaps before the Existence of the British Navy for people in low situations to be opprest by those in power therefore the purpose of all laws has generally been to protect the weaker members of society.[105]

On the other hand, Captain Stephens relied on naval 'custom' to defend his actions. He claimed that 'most of the charges against me, has been long sanctioned by custom and recommended as well as followed by officers the most distinguished in our service'.[106] Believing that rule through custom was legitimate, Stephens was appalled that sailors now dared to question such. He argued that although sailors claimed to have long standing grievances, they had never complained because they knew it was custom and 'therefore to complain of them would appear frivolous and troublesome'.[107] The Captain clearly did not believe that the sailors' complaints were

[104] *Ibid.*
[105] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Charges, 7-8.
[106] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Defence, 76.
[107] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Defence, 76.

valid, and he maintained that they had been misled by a few mischievous individuals 'to delight in disorder and confusion' and so to follow the example of the fleet in England.[108]

Upper-class individuals such as Lady Barnard were also sorry that a general amnesty had been granted: she claimed that 'even the best-natured people wish the delegates to be made examples of to the Navy'.[109] It soon became apparent that the court-martial was not simply about restoring Captain Stephens's name, but was also a means of enabling officers and commanders to reassert their authority. On 7 November, the second day of the trial, the court held two sailors in contempt.[110] James Hay was apparently drunk, while James Willis –one the *Tremendou*s' delegates during the mutiny, was accused of 'interrupting' the court – and sentenced to one month imprisonment.

The court's actions infuriated sailors. Together with HMS *Jupiter* and HMS *Raisonable*, the *Sceptre* and had just recently returned from St. Helena. Officers picked up a mood of rebelliousness amongst sailors on these ships.[111] The imprisonment of Willis seemed to provide the necessary trigger for action and, with three cheers, sailors on the *Tremendous*, *Sceptre* and *Rattlesnake*, now all in Table Bay, mutinied. They were joined by HMS *Crescent*, quarantined off Robben Island on account of a small-pox outbreak onboard the Spanish slaver she had just taken as a prize.[112]

This time Admiral Pringle acted together with the Cape governor and Fiscal, Mr. van Rhyneveld, to repress the mutiny. It appeared that this time they had the

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[108] *Ibid.*
[109] Letter from Lady Anne Barnard …15 October 1797, 98.
[110] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Prosecution, 33, 40.
[111] NA, UK: ADM 1/5488, T. Kelly, HMS Jupiter, 9 December 1797.
[112] Theal, 'Digest of the Records', 39 and Letter from Admiral Pringle to Evan Nepean, Esqre., Tremendous, Table Bay, Cape of Good Hope, 27 November 1797, RCC, Vol. II., 206-208.

military advantage, and aimed the guns of the Amsterdam battery at the ships.[113] The mutineers were given an ultimatum: give up their leaders and return to order, or they would be fired upon. Left with little option, the leaders were surrendered. After briefly being detained in the Castle, they were tried by courts-martial.[114] Four of the ringleaders were sentenced to death, and executed.

Captain Stephens was, of course, found not guilty of oppression nor of neglect of duty, and he was honourably discharged. Together with the suppression of the Table Bay mutiny, the officers were thus able to restore their order. However even the custom-abiding Captain Stephens had to admit that relations between sailors and their officers were starting to change. He claimed, that the 1797 mutinies had

> …removed the tie of Confidence between officers and men and instead there of have taken up distrust, and now nothing is heard of but grievance and complains formerly not known of…[115]

Mutinies continued to take place in Cape waters. These included a mutiny by soldiers onboard the *Lady Shore* on route to Botany Bay; a mutiny by the crew of the *Princess Charlotte* belonging to the HEIC; and a mutiny onboard the HMS *Hope* in 1800, just off the coast of Madagascar.[116]

The 1797 mutinies in Simons Bay and Table Bay were rooted in established practices of resistance. Sailors made use of common techniques, such as oath-taking,

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[113] Letter from the Earl of Macartney to the Right Honourable Henry Dundas, 12 November 1797, RCC, Vol. II., 202-203, 202.
[114] Letter from Admiral Pringle to Evan Nepean, Esqre., Tremendous, Table Bay, Cape of Good Hope, 27 November 1797, RCC, Vol. II., 206-208.
[115] NA, UK: ADM 1/5488, Court-martial of Captain George Hopewele Stephens, Defence, 87-88.
[116] Letter from the Earl of Macartney to the Right Honourable Henry Dundas, 7 July, 1798, RCC, Vol II. 274; Letter from the War Office to the Earl of Macartney, Downing Street, 15 December, 1798, RCC, Vol. II., 312; and Letter from Major General Dundas to the Right Honourable Henry Dundas, Cape of Good Hope, 6 April, 1799, RCC, Vol. II., 418; Letter from Vice Admiral Curtis to Evan Nepean, Esqre., Lancaster, Table Bay, Cape of Good Hope, 6 January 1800, RCC, Vol. III., 18.

petitions, and the election of delegates. At the same time, the 1797 mutinies also signalled the development of new political strategies and identities. A strategy of radical reform, based on sailors using direct action to force authorities to extend their legal rights, grounded in the state, encouraged sailors to identify as *British* subjects. (It must be stressed here that a 'British' imperial identity did not necessarily mean a racial, white, identity as it could easily accommodate the multiracial and multi-national composition of sailors drawn from across the Empire, and it became therefore increasingly entangled with sailors' class-based solidarities).

The Servant Rebellion (1799 – 1803)

Barrow's reports on his encounter with 'Captain' Stuurman –active in the great Servant Rebellion – gives us some insight in the entanglement of class and national grievances by KhoiSan servants in 1799-1803 Rebellion. Barrow reported:

> …without interruption, began a long oration [of Stuurman], which contained a history of their [KhoiSan] calamities and sufferings under the yoke of the Boers; their injustice, in first depriving them of their country, and then forcing their offspring into a state of slavery, their cruel treatment on every slight occasion, which it became impossible for them to bear any longer.[117]

This rebellion was the second major uprising of the labouring poor in the Cape with which colonial authorities and masters had to contend during the Age of Revolution and War. Like the sailors in the 1797 mutinies, the KhoiSan servants were also vehemently opposed to the violent order to which they had been subjected.

[117] Newtown King, 'Part I The Rebellion of the Khoi', 15.

Instead of a strike, and demands for reforms within the existing social order, KhoiSan servants combined their class and anti-colonial aspirations, and sought to reject their servile class status *by* fighting for their national independence.

The details of Servant's Rebellion have been brilliantly outlined by Susan Newton King and V.C. Malherbe; [118] I will focus on thematic issues, and, with additional materials, locate the rising within the context of larger trends that I have discussed.

The Rebellion followed the military defeat of a Boer rebellion against the Cape's new British rulers.[119] In addition to augmenting British troops with the 'Hottentot Corps', KhoiSan servants witnesses the colonial state act against *and defeat* their masters. On the 6 April, rebellious Boers surrendered and the ringleaders were put aboard the *Rattlesnake* (which played a pivotal role in the 1797 mutinies), and transported from Algoa Bay to Cape Town to stand trial.

It is not quite clear whether British officials and military personnel sought to demoralise the Boer rebels by actively encouraging KhoiSan servants and slaves to desert.[120] If they did so, however, certainly no-one expected the mass desertions of KhoiSan servants that started taking place from 1799. Even the most loyal dependents left their masters.

These deserters joined the large bands of fugitives amassing on the Colony's eastern frontier. KhoiSan servants had a long history of participating in anti-colonial raids against frontier farms. As Stuurman hinted above, KhoiSan servants believed that their class and colonial oppression were intimately linked. The best remedy to indenture and the violent abuse they had suffered at the hands of their masters was, in

[118] S. Newton King and V.C. Malherbe, *The Khoikhoi Rebellion in the Eastern Cape(1797-1803)* Centre for African Studies, University of Cape Town, 1981).
[119] Newtown King, 'Part I The Rebellion of the Khoi', 12.
[120] Newtown King, 'Part I The Rebellion of the Khoi', 13, 14.

the words of Stuurman, to reclaim 'the country of which our fathers were despoiled by the Dutch', and to fight for their independence from their Boer masters.[121]

After briefly courting the Cape's new British rulers, rebel KhoiSan chose to rather ally with fugitive Xhosa communities on the borderlands. The latter were themselves renegades from the independent chieftaincy of the powerful Chief Ngqika in the east. Caught between Ngqika and the Cape, they often clashed with the Colony.

The growing rebel forces raided outlying farms, plundering arms, ammunition, and horses. Farmers fled the area, and by the end of July 1799 KhoiSan bands were in control of the whole south-eastern portion of the Graaff-Reinet district. They had succeeded not only in halting the latest colonial encroachments, but had managed to push the Colonial border back.

Drawing on a mixture of traditional African and Colonial commando militia forms, the KhoiSan bands were consolidated under captains – notably Klaas Stuurman, Boezak, Bovenlander, Wildeman, Jan Kaffer, Hans Trompetter – and united under a Confederacy. In September 1799 a conservative estimate of the Confederacy's size gave it as 700 men with 300 horses and 150 guns.[122] By August 1799, the Confederacy had taken the country along the Zwartskop River, and farmers from the Lange Kloof, the Baviaans River, the Outeniqua land and the eastern parts of Zwartburg were beginning to flee and desert these areas.[123]

Although troops were mobilised in the eastern districts, British authorities initially decided not to take military action against the Confederacy. This was largely because the governor doubted that a military campaign would be successful: unlike

[121] Newtown King, 'Part I The Rebellion of the Khoi', 20.
[122] Newtown King, 'Part I The Rebellion of the Khoi', 25.
[123] Newtown King, 'Part I The Rebellion of the Khoi', 25.

the clash with Boers, war against the KhoiSan rebels and their Xhosa allies might end in disgrace, and even place the entire Colony in jeopardy.[124]

Other methods would then have to be used to appease the rebels, and to negotiate peace. The British authorities were, however, unwilling to satisfy the anti-colonial aspirations of the rebels, or to recognize their independence. Unlike the Xhosa – who were in those days still largely independent – the KhoiSan were regarded as colonial subjects that needed to be subdued, and integrated in the Colony, their existing status codified and entrenched.

The British rulers adopted a three pronged strategy to quell the rebellion. First, by relinquishing any claims to territory east of the Sundays River to the Zuurveld Xhosa, officials managed to destabilize the alliance between Xhosa fugitives and the Confederacy. This was part of a broader strategy of extending state authority over complex border relations, and the borderlands, including by drawing a clear boundary between the Xhosa lands, and the Colony.[125] This was to be done by establishing a direct relationship with Xhosa communities, instead of relying on frontier Boers as intermediaries, by prohibiting Boers from using Xhosa as labourers, and by preventing Xhosa from entering the Colony without a pass. [126]

Second, land within the Colony was offered to the more prominent rebel captains.[127] Finally, believing that it was mainly the cruel treatment of KhoiSan servants that provided the impetus for rebellion, authorities focused on mediating class antagonisms.[128] Frontier Boers were now clearly subjugated through military defeat at the hands of a British state vastly more powerful and ambitious than the

[124] Newtown King, 'Part I The Rebellion of the Khoi', 26.
[125] Newtown King, 'Part I The Rebellion of the Khoi', 29.
[126] Instructions of the Landdrost of the Colony of Graaff Reinet, Frans Reinherd Bresler, according to which he is to act in present circumstances of Affairs in the Said Colony, 20 June 1797, RCC, Vol. II., 95-101; Proclamation by His Excellency George Earl Macartney, 27 June 1797, RCC, Vol. II., 107.
[127] Newtown King, 'Part I The Rebellion of the Khoi', 30.
[128] Newtown King, 'Part I The Rebellion of the Khoi', 28-29.

VOC. They did not only have to accept colonial authority in frontier districts, but would also have to accept government intrusion into their domestic relationships with their servants and slaves. Thus, in lieu of an independent national order, British rulers enticed KhoiSan servants to accept both colonial and class rule by stressing the advantages of the new regime, and, specifically, by promising basic legal protections against arbitrary violence and mistreatment by their masters.

By this time, the KhoiSan rebels had also begun to run short of ammunition. Farmers had deserted the area, and, reluctant to start a war with the British, KhoiSan captains refrained from raiding colonial troops for fresh ammunition.[129] The colonial government and Confederacy had reached an impasse. Unwilling either to surrender or go to war, the Confederacy remained entrenched between the Sundays and the Bushmans River. In the meantime, the colonial government improved the border's military defences, completing Fort Frederick at the end of 1799, and some farmers started to return to their homes in the Graaff-Reinet district.

To attract KhoiSan servants back into service, the British administration introduced measures to regulate relations between Boer masters and KhoiSan servants. In 1801 the Fiscal urged that formal contracts with KhoiSan servants be registered with the court. This system was designed to bind KhoiSan servants to their masters by preventing them from deserting, but it was also meant to stop farmers beating their servants "*ad libitum*".[130] In 1801 Governor Young reported hopefully that 'The Boers are becoming less Savage Masters, under the Eye of Government, and the poor Hottentots are returning to their masters under the Protection of the

[129] Newtown King, 'Part I The Rebellion of the Khoi', 31.
[130] Wayne Dooling, *Slavery, Emancipation and Colonial Rule in South Africa* (University of KwaZulu Natal Press, Scottsville, 2007), 66.

Government, and by a Strict administration of Justice, more useful servants, & more peaceable'.[131]

Governor Young spoke too soon. In the second half of 1801 the conflict between Boer commandos and rebel KhoiSan flared up again.[132] By this time the radical missionary Dr. van der Kemp had become an established presence in the region, and had managed to secure land for a mission station about seven miles west of Fort Frederick.[133] He played a pivotal role in the negotiations between the colonial government and Captain Stuurman.[134] Breaking ranks with the rest of the Confederacy, Stuurman eventually agreed to surrender in return for land.[135]

It soon became apparent to Stuurman that he might not get the independence and land he desired. The balance of power and alliances had shifted. Hostilities intensified as a powerful Boer commando – now supplied with ammunition by the colonial government – advanced without restraint against the rebel KhoiSan. British authorities let it be known that the commando forces would not be halted until the KhoiSan had dispersed from their stronghold, and surrendered.[136]

The rebels retaliated and, after their killing the Boer Commandant Tjaart van der Walt, the commando fell apart.[137] By the end of 1802 the whole southern portion of the Graaff-Reinet was once again deserted by farmers.[138] Since the Cape Colony had been ceded back to the Dutch at this time, the British garrison at Fort Frederick was also withdrawn. Once again the rebels had gained control of the area.

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[131] Letter from Sir George Yonge to the Right Honourable Henry Dundas, Caper Town, 5 January 1801, RCC, Vol. III., 368-389, 369.
[132] Newtown King, 'Part I The Rebellion of the Khoi', 40.
[133] Newtown King, 'Part I The Rebellion of the Khoi', 44.
[134] Newtown King, 'Part I The Rebellion of the Khoi', 45.
[135] Newtown King, 'Part I The Rebellion of the Khoi', 49.
[136] Newtown King, 'Part I The Rebellion of the Khoi', 50.
[137] Newtown King, 'Part I The Rebellion of the Khoi', 53.
[138] Newtown King, 'Part I The Rebellion of the Khoi', 54.

The Batavians, however, were also unwilling to grant the KhoiSan their independence, and, like the British, were willing to offer rebel captains a section of land within the Colony. Stuurman accepted a farm on the Little Gamtoos River.[139] The rebellion of the rest of the Confederacy was never officially ended, but rather dissipated. Farmers were encouraged to return to the area, and the new district of Uitenhage was established in the Zuurveld.

Soon after the British regained the Cape, the slave trade within the whole British Empire was abolished (see below). The stabilization of KhoiSan labour become even more urgent. The rudimentary existing measures to regulate KhoiSan workers were extended under the 1809 Caledon Code (the 'Hottentot Regulation'), and by apprenticeship legislation in 1812.[140] From 1812, too, KhoiSan had access to the so-called 'black' circuit courts, which investigated abuses and ill-treatment.

Nonetheless, violent raids flared up again in 1809, and by 1810 numerous burghers had once again evacuated and relinquished large sections of Graaff-Reinet and Uitenhage.[141]

In 1811, the British colonial government changed its policy of trying to establish peaceful relations with neighbouring Xhosa chiefdoms. Towards the end of 1811 British troops, with the support of burgher militias and the 'Hottentot Corps', expelled the Xhosa from the Zuurveld, and then established numerous military posts along the Fish River to prevent their return. [142]A central political authority was

[139] Newtown King, 'Part I The Rebellion of the Khoi', 57.
[140] R. Elphick and V.C. Malherbe, in R. Elphick and H. Giliomee (eds.) *The Shaping of South African Society, 1652-1840*, Second Edition, (Maskew, Miller and Longman, Cape Town, 1989), 3-65, 40-41; W. Freund, 'The Cape Under the Transitional Governments, 1795-1814' in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 324-357, 335.
[141] H. Giliomee, 'The Eastern Frontier', in Elphick and Giliomee (eds.) *The Shaping of South African Society*, 421-471, 447.
[142] Giliomee, 'The Eastern Frontier', 449.

established over the area, and, according to Herman Giliomee, the eastern frontier was finally closed.[143]

While KhoiSan servants had failed to realise their strategy of rejecting both class and colonial rule through national independence, they *did* make some gains. The basic protections provided by legislation and the courts was limited, but are not to be disparaged, when compared to the situation under the VOC.

These protections provided KhoiSan with some leverage against their masters. Some KhoiSan servants used this leverage to follow a strategy of indirect action and, with the help of missionaries, in which they tried to win further legal reforms through the courts. Others, as we will see, continued to engage in direct action, and joined slaves and sailors in their fight for freedom and creation of an alternative, under-class order. A key moment in this was the 1808 revolt against slavery, the Cape's largest anti-slavery uprising.

The 1808 Revolt[144]

Suppressed – kindly find material in N. Ulrich, 'Abolition from Below: the 1808 Revolt in the Cape Colony', in M. van der Linden (eds.) *Humanitarian Intervention and Changing Labour Relations: the Long Term Consequences of the Abolition of the Slave Trade* (Brill, Leiden etc., 2011), 193-222.

[143] Giliomee, 'The Eastern Frontier', 449-460.
[144] This summary of the 1808 revolt is based on N. Ulrich, 'Abolition from Below: the 1808 Revolt in the Cape Colony', in M. van der Linden (eds.) *Humanitarian Intervention and Changing Labour Relations: the Long Term Consequences of the Abolition of the Slave Trade* (Brill, Leiden etc., 2011), 193-222.

Summary

Influenced by, and contributing to, the political and social turmoil that characterised the Age of Revolution and War, the resistance of the Cape's labouring poor started to change, and to give rise to modern forms of political action and strategies.

Nor is there evidence that the labouring poor in the Cape now fragmented along the lines of race and class, as Linebaugh and Rediker claim happened to the transatlantic 'working class' at this time. Rather, a radical multiracial, multinational under-class community persisted, and existed along side new forms of belonging and communities organised around religion, empire, and nation. These new forms of belonging, which were still relatively fluid, were also often multiracial and multinational and incorporated, rather than excluded, *class* identities.

Traditions of protest also changed. For the first time, indirect action could deliver results. The trend towards paternalism and the ethos of an impartial government allowed the labouring poor to use the courts to extend protections against excessive abuse and reform their working and living conditions.

At the same time, traditions of direct action and sabotage became more complex as the labouring poor developed new strategies to realise their rights and claims for freedom. Demonstrating the intersection between local and international protest, the 1797 mutineers at the Cape drew on the radical reform of their brothers at Spithead and used their democratically organised mutiny- as opposed to missionaries and officials- to force their officers and commanders to negotiate and implement significant reforms. An approach based on realising rights through the law and imperial British state significantly influenced sailors' forms of belonging. Once reputed to be 'men of no nation', sailors were encouraged to identify as imperial, British subjects. Since the state became the institution through which rights could be

realised, identification with particular states became entangled with class claims on rights.

Through the 1799-1803 Servant Rebellion, KhoiSan servants sought, by contrast, to permanently end their exploitation and poor treatment at the hands of their masters by fighting against colonial encroachment. They believed that they could realise their rights through national independence. While successful in opposing their Boer masters, who were forced to flee and to relinquish newly claimed lands, the KhoiSan rebels were unwilling and perhaps unable to directly confront the British colonial state or troops, and failed to achieve independence. Their integration of class and (an oppressed) national identity would become increasingly ingrained as colonial rule persisted, particularly as the state became more rigorous in enforcing racial boundaries.

The most radical and inclusive challenge in the period under review came in the form of the 1808 revolt. Although focused on the issue of slavery, the revolt drew on the support of other sections of the labouring poor, who rejected forced labour in general. Instead of the model of gradual reform from above, which became increasingly important in both sailor and servant struggles, the 1808 rebels wanted their freedom despite the law, and, indeed, despite the major reforms of the Abolition Act. Their revolt was based on a military model - this was somewhat at odds with the traditional egalitarianism of the labouring poor of the Atlantic world. At the same time, they rejected contested the colonial state, and believed that their freedom could only be secured under their *own* government led by slaves and sailors.

These major insurgencies, which punctuated the direct action of the labouring poor during the Age of Revolution and War, had mixed success. Yet, regardless of whether mutineers or rebels achieved their goals, these protests contributed to the

'thoroughgoing revolution in productive relations' at the Cape and elsewhere.[145] Partly due to their radical contestation, the retributive violence and spectacular punishment of dissidents prevalent under VOC rule, were no longer viable. Masters, commanders, and the colonial state were forced to deploy a rhetoric of paternalism and basic legal protections to just about all sections of the labouring poor. In so doing, the most severe forms of bondage were profoundly changed.

[145] Dooling, *Slavery, Emancipation and Colonial Rule*, 7.

CONCLUSION

In 1910 Katie Jacobs, ninety-six years of age, was interviewed for the African People's Organisation (APO) newsletter about her life as a slave. In spite of her advanced age she still remembered the day when she received news of the emancipation of slaves:

> During the day we marched into the dining-room, and without any previous warning we were told by a magistrate that in four years we would be free. My father replied that four years was a long time, and he did not think he would live so long. The magistrate said he would communicate with *Ou Nooi* – Queen Victoria – with a view to obtaining a reduction in the terms of the apprenticeship. At a later date he again visited the farm, and told us that a reduction of one year had been granted.[1]

Katie's owners were 'somewhat irritated' by the emancipation of slaves and asked her to stay in service.[2] She remembers that:

> My missus wept at the idea of my leaving her. "No; you must stay!" she cried. "Think of my son, whom you have suckled and nursed, and who has now grown so fond of you. What will become of him? No; you must stay; you cannot go!"

[1] Quoted in http://www.iziko.org.za/sh/resources/slavery/katie.html
[2] *Ibid.*

The master of her 'husband', Jacob, was apparently a cruel man who 'sjamboked his slaves as often as he fed them'.[3] Jabob's master:

> …was mad with rage on the day of our emancipation [31 December 1838]. Early in the morning he armed himself with a gun, mounted a horse, and drove every ex-slave off his farm. At the boundary he warned them that the first one that was found trespassing on his land would be shot down.[4]

By 1838 relations between the labouring poor, masters, and the state had changed significantly across the British Empire and in the Cape. As indicated by Jacobs' master, violence against the labouring poor would persist. However, slaves were now formally free, and the powers of masters had been substantially curbed. Such changes were not simply made at the benevolent behest of magistrates or the Queen, but were also forced by the hard-fought and protracted battles of the Cape under-class of labouring poor.

This study is about economic and political tyranny, including forced labour and colonialism, and the struggle of the Cape's labouring poor (slaves, KhoiSan servants, sailors, and soldiers) for freedom.

There are already a number of studies of underclass resistance in the early colonial Cape. Drawing on the Linebaugh and Rediker's *Many-Headed Hydra*, this study further contributes to our understanding of colonialism, class, and resistance in the Cape Colony by making a number of distinct interventions.

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[3] *Ibid*.
[4] *Ibid*.

Firstly, to fully comprehend the possibilities of underclass resistance in the eighteenth century Cape, the teleology of protest or the rigid binaries – drawn between everyday/ 'informal' resistance and organised collective protest or escape and revolution, and between pre-modern oppressed classes and the modern industrial proletariat – need to be questioned. Using the notion of direct action –deliberate struggles against exploitation and oppression – this study reveals the rich tradition of protest developed by the labouring poor.

Even before the late eighteenth century the under-class challenged the authority of their masters and colonial officials and voiced their objection to colonial enclosure, forced labour, and violent punishment. During the 'Age of Revolution and War' the labouring poor added to this tradition by articulating their demands in a language of rights and developing new strategies to realise their rights and freedom. Their struggles reveal sophisticated debates about where rights reside and the role of the colonial state.

Secondly, belongings constitute an important aspect of resistance. The labouring poor included men and women from different nations and races and continents, who spoke different languages, and occupied different legal statuses, including slaves, servants, soldiers, sailors and free labourers. Historians have tended to concentrate on social discord, division, and difference between these groups, arguing that the labouring poor in the eighteenth-century Cape were socially fragmented and geographically isolated and dislocated.

A focus on social connection and, to a lesser extent, mobility reveals another reality, previously hidden from our view. The labouring poor in the Cape created relationships that transcended social divisions and bridged the distance between the local and international as well as the urban and the countryside. Overlapping and

intersecting kinship ties, networks, and communities created the basis for a class-based common sense of belonging based on a shared experience of exploitation and oppression.

Thirdly, my study stresses the importance of linking identities and subjectivities to larger social structures and processes. Recently, 'new cultural history' has helped exciting new avenues of enquiry relating to representation, to unstable and contingent identities, to ritual, symbolism, bodily practice, and to performance. The danger is that its micro-historical analysis may become dislodged from structural relations and the production of a history that is only descriptive and devoid of explanation promoted.

Linebaugh and Rediker argue against the 'violence of abstraction', when theory and statistics efface human experience. The telling of individuals' stories remains vital to understanding human experience. However, these stories need to be located in a broader conception of history and society in which durable social categories and forms of belonging also have a place.

Fourthly, class is undeniably a central component of these larger structures and processes, as well as a key determinant of lived experience, relations, and identity. But class is too often understood descriptively, or vaguely as a term to signify economic inequality. Debates that centre on political economy versus culture tend to entrench an economically determinist understanding of class. One way in which to broaden our understanding of class is to reject those approaches that reduces Marxist analysis to its crudest forms and, and to consider other socialist approaches.

Anarchist theorists draw attention to the 'political' dimensions of class, as they define class in terms of relations to production (with reference to means of production) *and* to relations of domination (including the means of coercion and

administration). Class can, from such a framework, be examined in relation to state-making, citizenship, and the law. This study stresses that a broader understanding of class helps overcome false distinctions between 'economic' and 'cultural' elements of class and inequality.

Fifthly, a more politicized concept of class also assists with the reading of archival documents or texts. It reminds us of the class biases inherent in the colonial archive and that the labouring poor have been recorded and coded differently. We need to read historical sources with *and* against the archival grain to understand, and critique the context of criminality, violence, and social debasement in which the labouring poor are recorded.

Finally, the Cape Colony was a node in globally interconnected empires, and its social system cannot be understood in isolation or simply as a chapter in South African history. It served as a gateway to Africa and located at the intersection of Atlantic, and Indian Ocean economic and political flows, and circuits. Class, colonial rule, and resistance at the Cape need, then, to be examined in relation to global events and processes. Cape colonial society was, for instance, deeply influenced by the epochal shifts associated with the 'Age of Revolution and War' that gave rise to modernity. The inhabitants, especially its labouring poor, also contributed to the political crisis that forever altered relations between imperial governments and their subjects, and between masters and servants.

The implications of these interventions are far reaching. This study suggests that class, the labouring poor, and resistance are not yet fully understood, and are still valid objects of investigation. To deepen our understanding, however, historians need to expand their conceptual approaches to class and resistance. 'New cultural history'

can only take us so far, and this study draws on a vast body of left-critique and global labour history to offer new spatial and theoretical approaches.

Within this context, the labouring poor in the Cape can be construed very differently. Instead of looking at slaves, servants, sailors, soldiers, as distinct groups belonging to the Cape, the labouring poor are examined as a whole, and as connected to other labourers and the poor in other parts of the world. We see that the class connections of the labouring poor in the Cape were part of global networks and flows of trade, labour, ideology, and culture that linked Africa to Europe, and to the East, and were also subject to the influences of global events. The labouring poor in the Cape were part of the flows of radicalism that circulated across continents and oceans.

The similarities between the transatlantic proletariat and the Cape's labouring poor are striking. Like the transatlantic proletariat documented by Linebaugh and Rediker, the social connections of the labouring poor in the Cape transcended race, ethnicity, nation, and gender, and were not nationally bounded.

The Cape's labouring poor were also not constrained by the traditions of their masters. Like the transatlantic proletariat, the Cape's motley labouring poor were thrown together and brought into productive combination. This allowed slaves, sailors, servants, and soldiers to create a class-based counter culture that rejected oppression and exploitation and promoted an alternative conception of freedom and equality. In spite of constant, violent repression, the labouring poor in the Cape created a counter power by resisting masters, magistrates, and commanders, and objected to colonial domination, the enclosure of resources and private property, and forced labour. Their protests persisted, multiplied, and spread, giving rise to the widespread social and political upheaval across the globe in the late eighteenth and early nineteenth centuries.

In all these respects, it may be suggested the Cape's labouring poor was part of the 'many-headed hydra' that extended beyond the north Atlantic and had a more global presence.

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This study is by no means comprehensive, leaving vast areas still unexplored for future research. Transnational work, especially at a PhD level, is a difficult task at best, requiring mastery of several literatures and generally an examination of multiple archives, often in different languages. Nevertheless, there are particular translocal currents/ circulations of people and commodities that beg further examination.

Historians are starting to explore the lives of sailors and soldiers in the Cape.[5] Such investigations need to include Chinese and Indonesian sailors, as well as the European foreign crews that stopped at the Cape.[6]

Our knowledge of the slave trade in the Indian Ocean is still vague. We often know at which ports slaves who were imported to the Cape were bought, but do not really know where these slaves originated. Historians are only just starting to map specific routes and relays.[7] The Portuguese slave trade also needs to be investigated. Traversing oceans and empires, this trade connected the Cape to Angola and

[5] See N. Penn, 'Great Escapes: deserting soldiers during Noodt's Cape governorship, 1727 – 1729' in N. Worden (ed.) *Contingent Lives: social identity and material culture in the VOC world* (Historical Studies Department, University of Cape Town and Royal Netherlands Embassy, Cape Town and Pretoria, 2007), 559 -588; J. Parmentier and J. de Bock, 'Sailors and soldiers in the Cape: an analysis of the maritime and military population in the Cape Colony during the first half of the eighteenth century', in Worden *Contingent Lives*, 549-558. Worden, 'Sailors Ashore: seafarer experience and identity in mid- 18th century Cape Town' in Worden (ed.) *Contingent Lives*, 590 – 601; N. Worden, 'Below the Line the Devil Reigns': Death and Dissent aboard a VOC Vessel', *South African Historical Journal,* 61 (4) 2009, 702 -730; N. Worden, 'Artisan Conflicts in a Colonial Context: the Cape Town Blacksmith Strike of 1752', *Labour History*, 46 (2), 2005, 155 -184.

[6] For foreign crews see K. Atkins, 'The "Black Atlantic Communication Network": African American Sailors and the Cape of Good Hope Connection', Issue: A Journal of Opinion, 24, 2 (1996), 23-25.

[7] see M. P.M. Vink, 'Indian Ocean Studies and the 'new thalassology' *Journal of Global History*, 2,2007, 41–62 and 'A work of Compassion?: Dutch slavery and slave trade in the Indian Ocean in the seventeenth century', in Worden (ed.) *Contingent Lives*, 463-499.

Mozambique as well as the southern Atlantic and South America.[8] Slaves were bought from Portuguese traders in the eighteenth century, but the illicit trade continued well after the British abolition and at up until 1878, when the slave trade was eventually abolished in Portuguese colonies.

Scholars should also consider the intersection of the transnationally mobile labour of sailors, soldiers and slaves with more sedentary or localised forms of labour. There are several forms of labour in the Cape that have received scant or no systematic scholarly attention that would enrich our understanding of this intersection. This includes the small number of Company artisans, free labourers, and family labour.

This study outlines the broad features of the forms of belonging and protest of the labouring poor. A closer reading of protest can shed much on traditions of resistance. In his work on the 1808 revolt, for instance, Nigel Worden investigates the cultural, linguistic, and spatial subversions of rebels.[9] This gives us insight into slaves' understandings of their bondage and their imaginations of freedom.

A more in-depth analysis of the tactics and strategies adopted by the rebellious labouring poor is also required. For instance, the 1797 mutineers demanded that all negotiations with the Admiralty be recorded in writing. How did such demands and a focus on negotiations, which required delegates who could read and write, influence the choice of leadership and democracy? Louis van Mauritius also made use of a letter/ declaration during the 1808 revolt, raising questions about the use of writing as a technology of protest.

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[8] See for instance P.Harries, Culture and Classification" a History of the Mozbieker Community in the Cape', *Social Dynamics*, 26:2 (2000), 29-54.

[9] N.Worden, 'Armed with ostrich feathers: Order and disorder in the Cape slave uprising of 1808', presented at War and Empire and Slavery Conference, Centre for Eighteenth Century Studies, University of York, 2008, 16-18 May. (see also revised version from author, 2011)

To date the work on memory in the context of southern African has focused, perhaps too narrowly, on oral history, on national (and especially nationalist) monuments, and on the recent past. It is important to explore memory in relation to written texts, slavery, and colonialism, and to class struggle more generally.

The inherent biases of official records, such as those in criminal trial transcripts, have encouraged social historians to read their sources 'against the grain'. More recently, scholars of colonial rule have found much value in reading historical sources along the grain. This has proven generative for the investigation of colonial categories and discourses. When we apply similar methods to the study of the labouring poor, certain aspects of their existence are rendered visible. For instance, there are numerous instances when slaves, KhoiSan and sailors are quoted verbatim by the court.

As yet, however, no one has examined what they have to say or why they have been quoted in these instances, and not in others. The politics of language and translation also needs to be investigated in relation to the multi-lingual environment of the eighteenth-century Cape. What was said in which language, when and by whom? What can the colonial archive tell us about the relationship between language and power?

Perhaps the most notable gap in the literature on the early Cape Colony is the contribution that women made to traditions of resistance. At best, under-class women are presented as largely passive, as victims and as, at times, complicit in their own oppression. Generally, they are portrayed as the stooges of the master class, or as tragic victims, personified in the life and death of Saartje Baartman. However, the evidence suggests that, just like men, women were integral to the formation of an autonomous, under-class community. They also challenged their exploitation,

including sexual exploitation, and their oppression both as women and as members of the under-class. Just like men, they withheld their labour, deserted, committed arson, and attempted to kill their masters. Their protests require further examination.

The emancipation of slaves did not mark the end of un-free or forced labour at the Cape, nor indeed South Africa. It would not be until 1979 that most remaining forms of bonded labour (such as the indenture system on the mines) were removed; it was almost one hundred and fifty years later that all remaining extra-economic measures and laws used to bind African, Indian, and Coloured workers were officially ended with the country's first democratic election. These workers would draw on, and develop, traditions of resistance developed in the eighteenth century in their fight against class exploitation, colonial domination, and apartheid. However, that is another story.

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