

**Contracted Chattel:
Indentured and Apprenticed Labor in Cape Town,
c.1808-1840**

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Abstract

This thesis examines indentured and apprenticed labor in Cape Town between the years 1808 and 1840. Through analysis of primary material such as the South African Commercial Advertiser, the Colonist, and the Mediator, as well as contemporary travel accounts, contracts of indenture and apprenticeship, and an examination of the records of the Cape Town Magistrates, this study explores the attitudes and perceptions towards indentured and apprenticed labor by both employers and indentured and apprenticed servants. This study hopes to add to the existing literature pertaining to nineteenth-century Cape Colony labor.

This thesis commences with an examination of the different indenture and apprenticeship systems which existed in Cape Town between the years 1808 and 1840. It explores the issue of how employers and the government sought to maintain a constant supply of labor in the city as the prominence of urban slavery declined. It also discusses the important issue of how employers defined the terms apprentice and indenture. Chapter two explores the topic of child apprenticeship in Cape Town between the years 1812 to 1840, and illustrates that the notion of child apprenticeship was understood in different ways between employers and parents of apprenticed children. Chapter three investigates the stereotypes Cape Town's English speaking employers held towards the city's indentured and apprenticed laborers. The final chapter explores the

question of status and incorporation into Cape Town society for the city's indentured and apprenticed laborers, and demonstrates that laborers did not enjoy equal status to the city's slaves.

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Introduction

This thesis explores the long neglected topic of indentured and apprenticed labor in Cape Town between the years 1808 and 1840. Most work on indentured and apprenticed labor has examined it from a structural standpoint, or what Michael Twaddle has referred to as the 'hows' and 'whys', explaining how different groups were indentured, under what terms, and why this was done.¹ The few historians who have researched indentured and apprenticed labor in the nineteenth-century Cape Colony such as Christopher Saunders, who has examined Prize Negro apprenticeship, and Edna Bradlow who wrote about English children apprenticed at the Cape by the Children's Friends Society in England, have adopted this approach.² While such a method is useful, this thesis has chosen not to follow this well worn path, but rather attempts to chart a new course into the more nebulous and less concrete world of - for a lack of better phrasing - the 'who' and 'what' of indenture and apprenticeship. Specifically, this thesis explores the attitudes and perceptions towards indenture and apprenticeship of Cape Town's employers and their indentured and apprenticed servants.

¹M. Twaddle, 'Visible and Invisible Hands' in M. Twaddle, ed., The Wages of Slavery, (London, 1993), p. 1.

²See E. Bradlow, 'The Children's Friends Society at the Cape of Good Hope' Victorian Studies (Winter 1984), pp. 155-177; C.C. Saunders, 'Liberated Africans in the Cape Colony in the First Half of the Nineteenth Century', International Journal of African Historical Studies 18 (1985) pp. 223-239; 'Free Yet Slaves: the Prize Negroes at the Cape Revisited' in N. Worden and C. Crais, eds., Breaking the Chains: Slavery and its Legacy in the Nineteenth - Century Cape Colony, (Johannesburg, 1994), pp. 99-116.. As of yet, no one has undertaken an exploration of Khoi living in Cape Town during this period. All discussion of Khoi indenture has been rurally based.

Significant strides in this regard have already been made in slave studies through the work of Wayne Dooling and John Mason.³ Dooling has focused on the ways in which the notions of law and community dictated the relationship between masters and slaves in the eighteenth-century Cape colony.⁴ Mason, by working primarily with the records of the Slave Protector's Office, has not only formulated theories of how the master viewed his role as the patriarch of the household, but also how slaves saw the world around them. He has effectively demonstrated that far from being reduced to laboring drones, Cape slaves at times exhibited a keen understanding of such issues as paternalism and liberalism, and used this to their best possible advantage within the framework of their enslavement. Thus Mason has given nineteenth century Cape slave historiography a valuable social history which goes some way to recapture slaveholder ideology, as well as the perceptions of slaves.

Dooling, Mason and other historians of Cape slavery have had access to a rich collection of primary material. Not only are the attitudes of slaveholders captured in Cape Town's three major newspapers the South African Commercial Advertiser, the Zuid

³See in particular J.E. Mason, 'Hendrick Albertus and His ex- Slave Mey: A Drama in Three Acts', Journal of African History 31, 3 (1990); J.E. Mason, 'Paternalism Under Siege: Slavery in Theory and Practice During the Era of Reform, c. 1825 Through Emancipation' in Worden and Crais, Breaking the Chains, pp.45-78; J.E. Mason, "'Fit For Freedom": The Slaves, Slavery, and Emancipation in the Cape Colony, South Africa, 1806 to 1842 (Ph.D. thesis, Yale University, 1992).

⁴W. Dooling, 'Law and Community in the Stellenbosch District' (M.A. thesis, University of Cape Town, 1992); W. Dooling "'The Good Opinion of Others": Law, Slavery, and Community in the Cape Colony, c1760-1830' in Worden and Crais, Breaking the Chains, pp. 24-44

Afrikaan, and Mediator, but also in many memorials filed with the government in opposition to slave amelioration. Furthermore, the power struggle between master and slave was played out on the pages of the Slave Protector's day book. It is the records of the Slave Protector which are the most important source in providing a human picture of slaves. However, as Mason himself has noted they are not a source without faults. This is particularly true with regard to painting a true picture of the slaves. One of the major problems is that none of the testimony given to the Slave Protector was 'taken down verbatim', but rather paraphrased. Within these paraphrased accounts are the details that were important to the slave protector rather than to the slave. As Mason notes, the paraphrasing was necessary because nearly every case that came before the Slave Protector required interpretation because slaves rarely spoke English. Thus the picture that emerges of the slave is less than pure. Just as important as the language barrier was the power dynamic. Slaves who provided testimony always did so in front of social superiors. These imperfections, Mason argues, allow slaves only to be 'seen dimly as through a fog'.⁵

Still, these sources are breathtakingly rich in providing a vehicle for traveling inside the minds of both masters and slaves. Few such sources exist for indentured and apprenticed laborers. Nigel Worden has used the records of the Special Justice to create a similar picture for apprenticed slaves between 1834 and 1838.⁶ Yet these records exist only because these apprentices

⁵Mason 'Hendrick Albertus and His ex -Slave Mey', p. 427.

⁶N. Worden, 'Slave Apprenticeship in Cape Town, 1834 -1838' in E. Van Heyningen,

were former slaves. As we will see in chapter four, the existence of such material reflects the fact that Cape Town's slaves were incorporated into the legal system to a far greater extent than were either Khoi or Prize Negroes.⁷

Most of the primary material available on indentured and apprenticed labor in Cape Town reflects the views of employers. Like slaveholders, they expressed their views in newspapers, travel books, and memorials. The abundance of employer class material says a great deal about the extent to which indentured and apprenticed laborers were marginalized within Cape Town. Fortunately however, as we will see in the chapters that follow, there is enough primary source material to provide at least a glimpse of how indentured and apprenticed laborers saw themselves.

Though this thesis focuses on indentured and apprenticed labor in Cape Town, it fully embraces Sharon Salinger's contention that 'indentured labor cannot be studied as an isolated labor institution'.⁸ Any examination of indentured and apprenticed labor in Cape Town must recognize that it existed alongside slavery. As we shall see throughout this study, slavery's spectre did much to shape attitudes towards and perceptions of

ed., Studies in the History of Cape Town, Vol. 6, 1994, pp. 32-44; 'Between Slavery and Freedom: The Apprenticeship Period, 1834-1838' in Worden and Crais, Breaking the Chains, pp. 117-144.

⁷For an examination of slaves, slaveholders and the law see Dooling, 'Law and Community' i; Dooling, "'The Good Opinion of Others'".

⁸S. Salinger, To Serve Well and Faithfully: Labor and Indentured Servants in Pennsylvania, 1652-1800. (New York, 1987), p. 1.

indentured and apprenticed labor. Slave historians have tended to examine nineteenth century slavery in isolation without contextualizing it in terms of the wider labor structure. While it is true that most work which has focused on slavery has noted Khoi indenture, with the exception of Robert Ross it has not sufficiently connected these two labor forms and has instead left the reader with the impression that in the rural areas, slaves and Khoi operated in two entirely separate spheres.⁹ Yet, in the rural areas Khoi and slaves not only worked together. Like their urban counterparts they often had the same master. Khoi and slaves socialized together in the rural areas and even intermarried. In the case of the Bokkeveld uprising of 1825 Khoi and slaves conspired together to overthrow their master.¹⁰

Because most historians of nineteenth - century Cape Colony labor have focused on slavery, indentured and apprenticed labor has been largely ignored. Its historiographical marginalization is particularly curious with regard to work covering the post-ameliorative slave period. Following the promulgation of measures such as Somerset's Proclamation and Ordinance 19, discussion amongst liberal members of Cape Town's employer class and the colonial government focused on the expected make up of the city's post emancipation labor force. As Mason has noted, liberals and government officials saw amelioration as preparing slaves for freedom and for work as responsible free

⁹R. Ross, Beyond the Pale: Essays on the History of Colonial South Africa. (Johannesburg, 1993); R. Ross, "'Rather Mental than Physical': Emancipation and the Economy' in Worden and Crais, Breaking the Chains, pp. 145-168.

¹⁰See P. van der Spuy, 'A Collection of Discrete Essays with the Common Theme of Gender and Slavery' (M.A. thesis, University of Cape Town, 1992), Chapter Five.

wage laborers.¹¹ Cape Town's liberals shared with British abolitionists a similar vision of post - emancipation labor. According to David Brion Davis, British abolitionists hoped to 'transform black slaves into cheerful, obedient, and grateful laborers whose wants could be satisfied only by working voluntarily for wages'.¹² In effect, Cape liberals and colonial officials wished to convert slaves into proto-proletarians.¹³

But the commencement of proto-proletarianization had to wait until the conclusion of slave apprenticeship which stretched from 1834 - 1838.¹⁴ While Cape liberals and British abolitionists looked forward to a time when emancipated slaves sold their labor, Prize Negroes and Khoi in both Cape Town and the rural areas were already doing so. By virtue of the Caledon Code, the Khoi had been effectively stripped of possessing land and livestock and forcibly reduced to selling the only commodity they had left: their labor. Prize Negroes were in a more severe situation being, as we will see in more detail in chapter four, strangers to the colony and whose labor was perceived by the city's employers as their only valuable attribute.

¹¹Mason, 'Paternalism Under Siege', pp. 53 - 54.

¹²D.B. Davis, 'Reflections on Abolitionism and Ideological Hegemony', American Historical Review 92, 4 (1987), p. 800.

¹³For a discussion of this concept with regard to the West Indies see Twaddle, 'Visible and Invisible Hands', pp. 2 -3.

¹⁴See. N. Worden, 'Adjusting to Emancipation: Freed Slaves and Farmers in the Mid - Nineteenth - Century South - Western Cape' in W.G. James and M. Simons, eds., The Angry Divide: Social and Economic History of the Western Cape (Cape Town, 1989), pp. 31-39; N. Worden 'Between Slavery and Freedom: The Apprenticeship Period 1834-1838' in Worden and Crais, Breaking the Chains.

Andrew Bank has pointed studies of early nineteenth century labor in the right direction. He has recognized that Cape slavery, and in particular urban slavery, must be studied within the wider context of a greater labor structure which included not only slaves but indentured and apprenticed laborers as well. Bank argued that slavery in Cape Town differed from its rural counterparts . Following the abolition of the slave trade in 1808, the number of slaves within the city declined rapidly. The abolition of the slave trade precipitated a labor crisis throughout the colony, and led many urban slaveholders to sell off their chattel to rural farmers for large profits. But while the number of urban slaves declined, they were replaced by indentured Khoi, Prize Negroes, white adult apprentices, and English children apprenticed by the Children's Friends Society.¹⁵

Like most slave historians, those who have examined indentured and apprenticed labor in Cape Town, such as Saunders and Bradlow have favored a compartmental approach and have chosen to explore only one particular group of laborers in isolation without contextualizing them in terms of other labor systems.¹⁶ Only Malherbe has attempted to focus on indenture and apprentice in a holistic manner. However Malherbe's study was interested in sorting out the differences between the two labor systems. She argued that the primary difference between indenture and apprenticeship was that indenture was designed to increase the labor supply without any promise of instruction imparted to the

¹⁵See A. Bank, 'The Erosion of Urban Slavery at the Cape', in Worden and Crais, Breaking the Chains, pp. 79-98.

¹⁶See Saunders, 'Free Yet Slaves'; Bradlow, 'The Children's Friends Society at the Cape of Good Hope'.

laborer. Apprenticeship did not add to the labor supply and held out the possibility of instruction in a skill but - in the case of mostly white apprentices - labor could be exchanged for land or wages. While Malherbe's work attempted to incorporate every form of indentured and apprenticed labor from the Khoi in the Eastern Cape to Indians in the Natal sugar fields, she did not acknowledge interaction between groups and the effect it had on perceptions of indentured and apprenticed labor.¹⁷

While the study of indentured and apprenticed labor could easily embrace the entire colony, this thesis will be confined to Cape Town. The reason for this is primarily spatial. Within the city, as Bank has already demonstrated, was a vibrant and diverse labor market, with slaves, Khoi, Prize Negroes, white indentures, and children working side by side. Rather than existing in the open expanses of the hinterland, Cape Town's laborers were squeezed into the confines of a city which made living conditions extremely intimate and increased the level of interaction between them. A second reason for limiting the scope of this work to Cape Town stems from the fact that the city represented what passed as the intellectual hub of the Cape Colony. The city's employers certainly did not see themselves as a group of rough frontiersmen, but rather a refined people attempting to bring the light of civilization to a dark continent.¹⁸ It was within Cape Town, in its coffee houses, and societies and on the pages of its

¹⁷V.C. Malherbe, 'Indentured and Unfree Labour: Towards an Understanding' South African Historical Journal 24 (1991), pp. 3-30.

¹⁸For a discussion of middle class identity see K. MacKenzie 'The South African Commercial Advertiser and the Making of Middle Class Identity in Early Nineteenth - Century Cape Town', (M.A. thesis, University of Cape Town, 1993).

three major papers that much of the passionate discussion surrounding the city's laboring class took place. As we shall see throughout this thesis, Cape Town's employers were concerned with a whole range of issues regarding the city's indentured and apprenticed laborers, such as their work ethic, drinking habits, perceived criminal nature, child raising ability, and most importantly legal status and the level in which they were incorporated into the wider colonial society.¹⁹

The first two chapters of this thesis set out the structural framework of indentured and apprenticed labor in both Cape Town and the rest of the colony. Chapter one will examine what the different indenture and apprenticeship schemes were, exactly who was working within them, and under what terms. As we shall see, with the abolition of the slave trade in 1807, employers increasingly believed that a supply of indentured and apprenticed labor was essential for Cape Town and the entire colony to be economically prosperous. Chapter one will also explore the ways in which employers defined indenture and apprenticeship. Though the indenture and apprenticeship schemes in operation at the Cape were seen by some contemporary observers as 'particularly servile'²⁰, employers throughout the colony considered it to be free labor. To early nineteenth - century employers, the definition of free labor was quite different from what it has come to denote in the late twentieth - century. To be a free laborer in Cape Town in the early nineteenth -century meant only that a laborer was

¹⁹K. Elks, 'Crime, Community and the Police in Cape Town, 1825-1850' (M.A. thesis, University of Cape Town, 1986); McKenzie, 'Making of Middle Class Identity'.

²⁰J.W.D. Moodie, Ten Years in Southern Africa (London, 1835), p.52.

not a slave. 'Free labor' without any restrictions on movement and landholding rights would have been unthinkable to early nineteenth century employers. Employers' perceptions of free labor survived well after the abolition of Khoi indenture in 1828 and slavery a decade later. Employers continued to use coercive methods to secure labor for themselves. Such actions culminated first in the promulgation of the Masters and Servants Ordinance of 1841 and later ⁱⁿ the more stringent Masters and Servants Act of 1853.

Chapter two completes the examination of the colony's indentured and apprenticed labor structure by focusing on the widespread practice of child apprenticeship in Cape Town. Within the city, employers had female slave children apprenticed to them by the Cape Philanthropic Society. Like British abolitionists, the Cape Philanthropic Society wished to uplift slaves and create a steady, dependable free wage labor force for the future. The Society apprenticed female slave children between three and ten years of age until their sixteenth birthday. Other Capetonians had in their service children who came to the Cape from England via the Children's Friends Society. In addition to these two groups, the children of Khoi and Prize Negroes were also apprenticed throughout the city. As we shall see child apprenticeship was interpreted in different ways by philanthropists, employers, and parents.

Chapter three focuses on the stereotypes Cape Town's English speaking employers held towards the city's indentured and apprenticed laborers. Most employers perceived indentured and

apprenticed laborers to be ineffectual workers with a penchant for drink, dice, and other forms of debauchery. Shirley Judges has argued that such views were class- rather than race-based. This chapter, drawing on new work from Bank, demonstrates that race played an increasingly important role in the way employers perceived indentured and apprenticed laborers.²¹

The last chapter tells the story of Mrs. Yzell, a Cape Town innkeeper, and her slave Wilhelmina Rosina Hendrickson. In 1816, shortly before her death, Yzell granted her slave a very unusual request, which has larger repercussions for the way historians of slavery and indenture labor must examine questions of status and incorporation in the future. This chapter will argue that the fact that Wilhelmina was granted her request clearly illustrates that at the Cape for the very specific period of the early nineteenth century, slaves enjoyed a superior legal, social, and paternal status to the Khoi and Prize Negroes who labored alongside of them. As we shall see, Wilhelmina's case challenges many of the assumptions made by the existing nineteenth century Cape historiography.

²¹S. Judges, 'Poverty, Living Conditions and Social Relations -Aspects of Life in Cape Town in the 1830s', (M.A. thesis, University of Cape Town, 1977); A. Bank, 'Liberals and Their Enemies: Racial Ideology at the Cape of Good Hope 1820 to 1850' (Ph.D. thesis Cambridge University, 1995).

Chapter One

The Want of Free Labor: The Creation of Indenture and Apprenticeship Systems in Cape Town, 1808 - 1838.

The progressive 'erosion of urban slavery'¹ throughout the early nineteenth century reinforced the importance of indentured and apprenticed laborers to Cape Town's employer class. Slavery was not the only labor system that operated in Cape Town during the first half of the nineteenth century. Working alongside urban slaves during this period were indentured and apprenticed laborers. This chapter will focus on the creation of these labor systems and outline the people who were indentured and apprenticed, and under what terms. It will also explore the question of what Cape Town's employers understood indentured and apprenticed labor to be.

The re-establishment of the Cape Colony under British control in 1806 and the abolition of the slave trade two years later fundamentally altered Cape Town's labor structure. Cape Town was the colony's only major port and until the abolition of the slave trade, slaves were its most important import.² The last twelve years of the slave trade saw a large increase in the numbers of human cargo landing in Table Bay. During the first British occupation

¹See A. Bank. 'The Erosion of Urban Slavery at the Cape' in N. Worden and C. Crais, eds., Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony (Johannesburg, 1994).

²R. Ross. 'The Cape of Good Hope and the World Economy, 1652 - 1835' in R. Elphick and H. Giliomee, eds., The Shaping of South African Society, 1652 - 1840 (Cape Town, 1989), p. 256.

from 1795 to 1803 approximately 2, 000 slaves, or 250 per year were brought to the Cape. A further 1000 made their way to Table Bay during the years of the Batavian Republic, 1803 - 1806. When the British re-occupied the Cape, they imported a further 500 slaves before slave trading was abolished in 1808.³

At the start of the nineteenth century slave labor drove Cape Town's economy. Colonists living in Cape Town had depended upon slaves to fill its labor needs since the Dutch introduced them shortly after their arrival in 1652.⁴ During the Dutch colonial period, urban slaves worked primarily in service capacities, the main areas of which were domestic service, transport and retail. By far the largest number of slaves worked in the domestic sphere. Domestic slaves cleaned colonists' homes, cooked their food, served them coffee, kept their gardens green and flourishing, and looked after their children. In addition, they tended to the travelers and tradesmen who stayed temporarily in their masters' homes as boarders . Those in the transportation sector, the second largest area of service, labored as boatmen and porters [also known as coolies], fetching cargo and people from the ships docked in Table

³J. Armstrong and N. Worden, 'The Slaves, 1652 -1834', in Elphick and Giliomee, eds., The Shaping of South African Society, 1652 - 1840, p. 120

⁴ Khoi also lived and worked in Cape Town during the eighteenth century. Though it is difficult to know exactly how many. The first census of Cape Town which acknowledged Khoi was recorded in 1797. It indicates that the number for the end of the century was small, recording only 626. It is unclear as to what kind of labor they were performing. However, it was probably unskilled, since Ross has argued that slaves in Cape Town dominated skilled labor during this period. See R. Ross, 'The Occupations of Slaves in Eighteenth - Century Cape Town', Studies in the History of Cape Town, 2, (1984), p. 9.

Bay. Others toiled as woodcutters chopping timber from the base of Table Mountain and hauling it back to their master's property where it was either used or sold. A small group of slaves worked in retail as clerks in city shops.⁵

By the nineteenth century urban slaves were also engaged in fields of production, and were increasingly part of a skilled labor force. Many worked in the craft industry, making shoes, tanning leather and the like. Ross has argued that this was also true to a limited extent for the eighteenth century. He found that slaves not only dominated skilled occupations, particularly craftwork, during this period, but that they were also major producers as fishermen.⁶ Bank however believes there is little evidence to suggest that this was numerically substantial.⁷

The abolition of the slave trade forced Cape Town to adjust and lessen its dependence on slave labor. From 1808 the number of slaves in Cape Town steadily declined. In 1806 slaves represented over half of Cape Town's population (excluding troops). They also represented well over 80 percent of the city's labor force. By the time of emancipation in 1834, slaves were under a quarter of the total urban population and represented less than half of the total labor force.⁸ Abolition inflated the prices of slaves significantly,

⁵Bank, 'Erosion of Urban Slavery', pp. 79-80.

⁶Ross, 'The Occupations of Slaves', p. 9.

⁷Bank, 'Erosion of Urban Slavery', p. 80.

⁸ibid. p. 81

leading many urban slaveholders to sell their chattel to rural farmers for large profits.⁹ But making a profit was not the only reason for selling slaves to rural farmers. Cape Town's economic fortunes were tied to the rural areas. While Cape Town experienced limited growth in production, it was still primarily a market. As one traveller derisively, but accurately, wrote, it was 'a town of shops'.¹⁰ It was dependent upon selling goods brought from the hinterland such as wine, meat, and grain for its economic survival, goods that were produced with slave labor.

The abolition of the slave trade coincided with an economic boom in the Cape Colony. Between 1810 and 1814 the Cape developed trade links with the islands of Mauritius, Reunion, Rodrigues, on the Indian Ocean, and St. Helena in the Atlantic. Of these new trading partners St. Helena was the most significant. The island, up until Napoleon's death in 1821 was the Cape's most important market for exported produce. The implementation of preferential tariffs on Cape wines by the British government in 1813 signalled the beginning of the wine boom. Acceleration of the wine industry led rural farmers and Cape Town's increasingly significant merchant class to devote their efforts towards nurturing this growth.¹¹ Sustaining it required large amounts of labor. Without slave imports, alternatives needed

⁹ibid. p.86.

¹⁰J.Fawcett, An Account of Eighteen Months Residence at the Cape of Good Hope, (Cape Town, 1836), p. 85

¹¹J.L. Meltzer, 'The Growth of Commerce and the Role of John Fairbairn's South African Commercial Advertiser' (M.A. thesis, University of Cape Town, 1989), pp. 23-25.

to be found quickly.

In Cape Town, employers throughout the first half of the nineteenth century cried that 'There is no greater obstacle to the prosperity. . . than the want of free labour' .¹² If Cape Town was forced to wean itself from a dependence on slaves, an alternative source of labor had to be found. A labor solution for Cape Town was found through the indenture of Khoi.¹³ In addition, Prize Negroes from East Africa, European laborers, the children of slaves, Khoi, Prize Negroes, and children from England were apprenticed in Cape Town.¹⁴ But this new source was not free. As an historian of nineteenth century labor in Cuba has remarked, 'the British, who condemned slavery and pressured the French, Spanish, and Portuguese to follow their lead in ending the African slave trade, also led the way to develop, sanction, and profit from this new system of forced labor'.¹⁵

Defining Apprenticed and Indentured Labor

V.C. Malherbe has argued with some justification that historians have used 'imprecise' terms such as apprentice and indenture interchangeably. She has suggested that the definitions of

¹²Colonist 29 Nov. 1827.

¹³Of course, as we will see later in this chapter Khoi had been de facto indentured to colonists in the rural areas throughout the eighteenth - century.

¹⁴This chapter will only deal with adults. See chapter 2 for a discussion of child apprenticeship.

¹⁵Evelyn Hu - Dehart, 'Chinese Coolie Labour in Cuba in the Nineteenth - Century: Free Labour or Neo Slavery?' Slavery and Abolition 14 (1993), p. 68.

apprenticeship and indenture offered by historian Sharon Salinger may be helpful to South African historians looking to define the labor forms which emerged during the colonial period.¹⁶ According to Salinger, apprenticeship in the 'traditional sense' was a contractual relationship in which the employer provided apprentices with training to become artisans. Salinger adds that only under the apprenticeship system was education and labor combined to bring about the promise of self-employment. It did not increase the labor supply.¹⁷ On the other hand, indenture, like slavery, did increase the labor supply. Like apprenticeship, indenture was a contractual relationship. However, the master was under no obligation to provide instruction to his laborer. Under an indenture system families could exchange labor for transportation to a new land, which promised class mobility once the contract had expired.¹⁸

While these definitions may aid historians with an understanding of the traditional differences between apprenticeship and indenture, they do not ease the problems of terminology in the context of early nineteenth century Cape Town. For Malherbe overlooked the primary reason South African historians of this period have used indenture and apprentice interchangeably: - employers did. As Nigel Worden argues 'to most Cape colonists, "apprenticeship" meant indenture'. As we will see later in this chapter, the reason for this stemmed

¹⁶V.C. Malherbe, 'Indentured and Unfree Labour in South Africa: Towards an Understanding', South African Historical Journal 24 (1991), pp. 5-7.

¹⁷S. Salinger, "To Serve Well and Faithfully": Labor and Indentured Servants in Pennsylvania, 1652-1800 (New York, 1987), pp. 6-11.

¹⁸ibid.

from the eighteenth - century inboek system in which Khoi were indentured.¹⁹

In Cape Town, apprenticeship and indenture did not fit into distinct compartments. The overlap in usage of these terms becomes apparent regarding discussion of nineteenth century Khoi indenture and Prize Negro apprenticeship. As we shall see in more detail below, both systems explicitly called for education and training. However, in each case colonists who had Khoi and Prize Negroes under their charge ignored this condition with impunity. This was also true during the years of slave apprenticeship, 1834 to 1838. As Worden points out, slave apprenticeship, like Salinger's definition of indenture, merely ensured a continuous labor supply. The emancipation act of 1834 did not include any provisions for apprentices' education.²⁰ However, employers were not concerned with legal and linguistic nuances, but rather that indentured and apprenticed laborers should fill the void created by the abolition of the slave trade.

What creates a further problem in understanding apprenticeship and indenture is the issue of freedom. When employers complained about the want of free labor what did they mean? It is apparent that at the Cape free labor meant merely that one was not a slave. Even though, as we will see later, the conditions of indenture and apprenticeship

¹⁹N. Worden, 'Between Slavery and Freedom: The Apprenticeship Period 1834-1838' in Worden and Crais, Breaking the Chains p. 122.

²⁰ibid pp. 121 - 123.

may have been coerced, and restrictive of laborers' movements, employers still perceived indentured and apprenticed labor to be free labor. This was because they did not own these laborers. To employers if a person was not property, they were free.

The distinctions employers made between slave labor and indentured labor became clearer after slave amelioration. In the late 1820s, following Britain's example, liberal Capetonians led by people such as John Fairbairn, editor of the South African Commercial Advertiser, moved towards favoring free labor over slavery. But once again free labor meant only that the laborer was not human property. To liberals, free labor had to be controlled for the good of the city and the colony. Total freedom, as will be illustrated more clearly in chapter three, was not freedom, but anarchy. Controls had to be implemented not only to achieve order, but to insure that Prize Negroes, Khoi, and indentured Europeans filled the labor void. Without regulation through indenture and apprenticeship there was no security. Fairbairn aptly illustrated this sentiment. In calling for the emancipation of slaves, he noted that 'the people [slaves] are to be apprenticed or bound by indenture to serve their former master - so that the great wheel of labor shall not be stopped for a single hour'.²¹ His statement suggests that in order to insure that labor was performed, laws and regulations were essential. Whereas Fairbairn opposed slavery and had his ideas of liberty shaped by the Scottish enlightenment, advocating apprenticeship caused him no apparent conflict. As we shall see in the following chapter, this is

²¹Quoted in Worden 'Between Slavery and Freedom' p. 122.

most likely because he saw apprenticeship as essential for shaping character and to show laborers the way towards self - discipline.

The divide between indenture and free labor proved to be exceedingly thin and permeable, so much so as to render them indistinguishable. Free labor as created through the Masters and Servants Ordinance of 1841 was in many ways no less coercive and repressive than Prize Negro apprenticeship or the pre -Ordinance 50 status of Khoi. These perceptions however were by no means uniform.

Apprenticed and Indentured Labor Structure

Britain enforced its unilateral abolition of the slave trade through the Royal Navy whose ships patrolled the Mozambique coast in search of primarily Portuguese vessels suspected of carrying slaves. In 1808, the British parliament instructed the Royal Navy that 'all subjects or inhabitants of Africa, unlawfully carried or imported as slaves into His Majesty's colonies, should be seized , prosecuted and forfeited in the like manner and form as goods and merchandise unlawfully imported.'²² Ships found to be carrying human cargo were then captured and escorted to either Sierra Leone or the Cape of Good Hope, where they were then condemned as Prize.²³

Once captured ships had landed in Table Bay, Prize Negroes were

²²British Parliamentary Papers: Cape of Good Hope (Hereafter BPP) 71, 1826 -1827 (Shannon, 1971), p. 46.

²³For more information about Prize Negroes in Sierra Leone see J.A. Asiegbu, Slavery and the Politics of Liberation 1787-1861. A Study of Liberated African Immigration and the British Anti-Slavery Policy (London, 1969).

forced to remain aboard in often cramped and appalling conditions. One writer to the Colonist, a liberal newspaper which filled the absence created by the suspended Commercial Advertiser, commented that the manner in which Prize Negroes were treated upon arrival in Cape Town was 'almost too shocking to contemplate'. In particular, the writer referred to those aboard the captured Portuguese vessel Maria Leonora. He remarked that 'since the arrival of the Schooner [two weeks earlier], not one of the Negroes has been ashore'. The Maria Leonora, which according to the correspondent, was a 'very low, short vessel of about seventy tons' was 'ill adapted to the accommodation of - one hundred and six souls -some of them females'.²⁴ He described the Prize Negroes aboard as suffering 'exceedingly' from

close confinement, their crowded condition, the heat of the climate, and an unwholesome and insufficient diet. Ever since their arrival here, a pint of beans per diem for each person, has been their sole allowance for food. In addition to this, they have been denied what might cheaply have been conceded to them - fresh air, cleanliness, and the use of their limbs.²⁵

Such conditions were conducive to the incubation and rapid spread of deadly disease, from which Prize Negroes transported to Cape Town were not immune. A shipment of Prize Negroes which landed in Table Bay in March 1812 was afflicted with small pox. The incident was recorded by James Ewart, a British Army lieutenant.

²⁴Colonist 28 Feb. 1828.

²⁵ibid.

The instant it was discovered recourse was had to vaccination which had hitherto been much neglected. On the first day of applying it, no less than 600 people went through the hands of surgeons, some of them upwards of 50 years of age. Owing to this, and the setting in of the Winter [sic] season, it was got under, with the loss of only a few slaves.²⁶

Eventually Prize Negroes emerged from incarceration aboard the ships and were brought before the Vice Admiralty Court where they were declared free people. According to the abolition law of 1807, Prize Negroes were to be treated as slaves and property 'for the Purposes only of Seizure, Prosecution, and condemnation as Prize or as Forfeiture'. But the British government believed that to return them to their homelands would be to subject them to possible re-enslavement. At the same time, Prize Negroes could be used to satisfy the city's labor demands.²⁷ Therefore they ordered that Prize Negroes serve an apprenticeship lasting up to fourteen years. In the decade that followed the abolition of the slave trade, 108 Prize Negroes were apprenticed to the navy and 111 went to the army. One hundred and fifty -one were in government service.²⁸

But the majority of Prize Negroes, 1750, were apprenticed via the Collector of Customs, Charles Blair, to colonists, over half of whom resided in town.²⁹ The allocation of Prize Negroes became the

²⁶J. Ewart, James Ewart's Journal, (Cape Town, 1970) p. 24.

²⁷C.C. Saunders, 'Liberated Africans in the Cape Colony in the First Half of the Nineteenth Century' International Journal of African Historical Studies 18 (1985), p. 226.

²⁸ibid.

source of much controversy by the 1820s. Those who received the bulk of Prize Negroes were either friends of Blair or people to whom he owed money.³⁰ The terms of apprenticeship were printed on a contract, signed by Blair, his colleague William Wilberforce Bird and the Prize Negro's eventual master. The absence of any mark of approval upon the contract by Prize Negroes is telling. Though technically free, so-called liberated Africans had no power to control their own destiny once condemned as "Prize". They were at the total mercy of Blair, Bird, and then whoever employed them. The reason for this was that the Abolition Act considered Africans to be minors. This was what made it possible for them to be bound to any master without their consent.³¹ Fourteen years was to be the maximum period of apprenticeship. Thompson argues that this length of time was originally intended to apply only to young children under the age of four.³² At the Cape, all Prize Negroes received the maximum without exception.³³

Employers of Prize Negroes were supposed to be 'prudent and humane' and teach their apprentices 'handicrafts' , or employ them in jobs 'they may seem most fit for'.³⁴ Vileelagani, who was

²⁹ibid.

³⁰C.C. Saunders, 'Free Yet Slaves: Prize Negroes at the Cape Revisited' in Worden and Crais, Breaking the Chains pp. 104 -106. See chapter four of this thesis for a broader discussion of this issue.

³¹ibid, p. 126.

³²A.O. Thompson, "'African Recaptives" under Apprenticeship in the British West Indies 1807-1828' Immigrants and Minorities 9,2 (July 1990), pp. 128 -129.

³³Saunders,'Liberated Africans', p. 224.

³⁴Saunders, 'Free Yet Slaves' p. 103.

apprenticed to Captain Henry Smart of the Royal Engineers, was to be trained as a house servant. Jaquene, apprenticed to a Mr. Walshand, was supposed to be trained as a shopman.³⁵ Another Prize Negro, named Cappitta, bound to J.O. Williams, was to learn carpentry.³⁶ In addition, employers were expected to provide religious instruction and 'sufficient and comfortable Food, Clothing, and other Necessities during the stipulated Time of Service'. They were not to be treated with undue 'hardship or severity'. While employers were forbidden to sell their apprentice into slavery or apprentice them to another person, they often hired them out in *the* same manner as they did with slaves.³⁷

Most employers ignored their contractual obligations. Saunders has argued that no instruction was imparted to Prize Negroes and that they merely served as unskilled laborers.³⁸ Contemporary evidence would seem to attest to this. One Cape Town employer J. B. Hoffman noted that 'few have been instructed in trades'.³⁹ Another Capetonian when asked if he thought Prize Negroes had been given any instruction replied, 'By no means, I consider they [masters] had been utterly indifferent to the situation of the Prize Negroes'.⁴⁰ That instruction was ignored partially explains why people without

³⁵C.A. CCT 381 Indenture of Apprenticeship-Prize Negroes 1812-1814, 25 March 1815.

³⁶*ibid.*, 20 May 1812.

³⁷Saunders, p. 105

³⁸ *ibid.*, pp. 100 -101.

³⁹BPP 71 1826 -1827, Testimony of J.B. Hoffman, 9 May 1825, p. 505.

⁴⁰*ibid.*, Testimony of Thomas Thwaites, 10 May 1825, p. 507.

any discernible trade to teach were able to obtain fairly significant numbers of Prize Negroes. For example, John Merrington a notary public had eight. A clerk named James Dick had five Prize Negroes. Johannes de Wet, who also had five Prize Negroes did 'niets' or literally nothing for a living.⁴¹ Yet some masters claimed to be providing Prize Negroes with training. John Amber, a resident of Cape Town stated, 'I have a cook, a houseservant [sic], and a coachman, the others work in the garden; I have taught them myself what they know'.⁴² Mr. E. Sheppard, another Capetonian said 'as house servants, the females have been taught needlework, and they are very expert'.⁴³ But with the exception of John Lawrence who claimed to have instructed his Prize Negroes in blacksmithing, none of these apprentices were taught a trade.⁴⁴ Employers treated their charges poorly. The Prize Negro Jean Elle complained of one of his employers, Samuel Murray that he 'used me ill, he kept me without clothes, and gave me nothing'.⁴⁵ Another Prize Negro named Malmo when asked if his master treated him well responded, 'he does not treat me well, he very often knocks me about'.⁴⁶

Prize Negroes had few means by which to resist their exploitation. Many had no idea how long their apprenticeship would last. As

⁴¹C.A. Raad der Germeete 121 Opaagafolle von Inwonners en Vry-swartes in Kaapstaaad Nov. 1820.

⁴²~~ibid.~~ ^{RPP 71 1826-1827} Testimony of John Amber 12 May 1825. p. 522.

⁴³ibid. Testimony of E. Sheppard, 18 May 1825. p. 523

⁴⁴ibid. Testimony of John Lawrence, 19 May 1825. p. 523.

⁴⁵ibid. Testimony of Jean Elle, 7 May 1825, p. 503

⁴⁶ibid. Testimony of Malmo, 8 June 1825, p. 545.

Saunders notes, many masters deliberately concealed this information from them. This included the Controller of Customs, Charles Blair. According to one observer, 'on a very recent occasion a William Cousins, who had served him for fourteen years, and had been on a voyage with him to England, on applying for a certificate of the expiration of his apprenticeship was told he should never have it unless he would return to his service'.⁴⁷ The colonial government did however begin publishing lists in the government gazette of Prize Negroes whose apprenticeships were nearly complete.

Prize Negroes did attempt to fight their situation. Some chose the legal route. For example, one Prize Negro named Charles complained to the Clerk of Peace, Daniel Cloete, that Blair had been 'beating him with a lantern'.⁴⁸ Others chose to take matters into their own hands. Robert Owen of Hottentot Hollands informed Cloete that two 'free blacks' had appeared at the home of his mother and had demanded the release of her Prize Negro and her two children on the grounds that their apprenticeship had long since expired. Owen's mother informed them she would only release them with a letter of consent from Charles Blair. Clearly the two free black men were aware of Blair's reputation. For later that evening, around nine o'clock, they returned, without a note, and took the Prize Negro woman and her two children back to Cape Town, where they stayed with Fredrick Dreyer, the 'master' of one of the free blacks, Manual.⁴⁹

⁴⁷South African Commercial Advertiser (Hereafter S.A.C.A.), 3 March 1824.

⁴⁸C.A. CP 31 Complaints Noted and Issue of Receipts, 14 Feb. 1828.

Prize Negroes or liberated Africans were perceived in many ways at the Cape. Legally they were free people, while at the same time they were engaged in an apprenticeship. Though Thompson has argued in the case of the West Indies that the original intent of their apprenticeship had been modeled upon the traditional definition described by Salinger, at the Cape their apprenticeship was really synonymous with indenture because few, if any, skills were ever imparted to them. To complicate the picture further, Cape colonists, like their counterparts in the West Indies, saw them as being closer to slaves than to freedmen. Part of the reason Cape Town's employers may have identified them more closely with slaves was that they shared a common ethnicity. Of the 4,300 slaves that were imported to the Cape between 1652 and 1786, 66 percent were from Mozambique and Madagascar.⁵⁰ From 1795 to the end of the slave trade, slaves came almost exclusively from these areas.⁵¹ Even the colonial government considered them closer to slaves than to free people. Government records often listed them as 'prize slaves'. Enslaving them was not an option, though doubtlessly this is what many of Cape Town's employers would have preferred. Britain would have lost any authority in halting the slave trade if it had seized other countries' slaves only to re-enslave them at the Cape. However, the reality was that Prize Negroes differed little from

⁴⁹ibid. 12 Feb. 1828.

⁵⁰R. Ross, 'The Last Years of the Slave Trade to the Cape Colony', Slavery and Abolition, (1988) p. 211.

⁵¹J. Armstrong and N. Worden, 'The Slaves, 1652 -1834' in Elphick and Giliomee, The Shaping of South African Society, p. 120.

slaves. As we shall see in detail in chapter four, many contemporary observers considered Prize Negroes to be in a condition worse than slavery.

Working in Cape Town, in addition to Prize Negroes, were indentured Khoi. As alluded to earlier, Khoi had been subjugated from the colony's founding. Since 1652 the Khoi had been made increasingly subservient to colonists who saw them as a vital supplement to slave labor. Since the time of van Riebeeck, Khoi had worked for the VOC as cooks' aids, domestics, building laborers and dispatch runners. When the colony began to expand eastward, the need for Khoi labor became greater. By the 1690s the Khoi had experienced a rapid decline in wealth and security due to Dutch expansion and turned to employment by colonists as a means to survival. Most of those who entered colonists' employment did so on farms, working as herders and shepherds. By the middle of the 1690s many Khoi were engaged in permanent employment on farms living with their families on the farmers' land.⁵² In addition the VOC, Batavian, and British colonial authorities all instituted some form of restriction on Khoi movement. For example, In Stellenbosch officials required all 'free Bastard Hottentots' to carry passes. Within Cape Town during the late 1780s, movement for Khoi, Bastards [offspring of European and Khoi miscegenation], and Bastard - Hottentots [off spring of

⁵²R. Elphick and V.C. Malherbe, 'The Khoisan to 1828' in Elphick and Giliomee, The Shaping of South African Society, pp. 16 - 17. See also S. Newton - King, 'The Enemy Within: The Struggle for Ascendancy on the Cape Eastern Frontier, 1760 - 1799, (Ph.D. thesis, University of London, 1992).

African and Khoi miscegenation] was restricted. At the same time, a lapsed law dating from 1755 was revived which forced Bastard - Hottentot women to be domiciled with burgers. The law was then extended to include men as well.⁵³ During the Batavian period, the government stressed the importance of Khoi labor on the farms and in 1803 established a contract system which bound them to an employer for a maximum of one year. Under the system not only were field cornets authorized to approve labor contracts, but so too were local employers. In this way the system heavily favored masters over servants.⁵⁴ Yet despite the restrictions placed upon the Khoi by the VOC and Batavian governments, they were still considered to be an independent people.⁵⁵ The Heren XVII had forbidden van Riebeeck from enslaving the Khoi, an order that had never been revoked.

In 1808 the Governor of the Cape Colony, the Earl of Caledon, had dispatched Lt. Colonel Edward Collins into the hinterland to report on the state of the colony. On 6 August 1809, Lt. Collins delivered his report to Caledon . One of his most significant recommendations for the colony's improvement was that

Hottentots may be rendered useful to themselves and to the rest of the community, I conceive that they should all be sent to reside with the inhabitants . . . Their masters should be obliged to instruct them in the general principles of religion and morality,

⁵³Elphick and Malherbe, 'The Khoisan to 1828', p. 32.

⁵⁴W. Freund, 'The Cape Under the Transitional Governments, 1795 -1814' in Elphick and Giliomee, The Shaping of South African Society, 1652 -1840, p. 336

⁵⁵R.Ross, 'The Changing Legal Position of the Khoisan in the Cape Colony, 1652 - 1795', African Perspectives 2 (1979), p. 2.

to treat them well and and to give them wholesome and sufficient food.⁵⁶

This recommendation formed the heart of the Governor's 'Caledon Code' promulgated in November 1809. According to the new law, Khoi 'should find encouragement for preferring entering into the service of the inhabitants to leading an indolent life'. The law stipulated that Khoi 'should be subject to proper regularity in regard to their places of abode and occupation'.⁵⁷ It further called for the compulsory indenture of Khoi throughout the colony through renewable one month contracts. As both Collins and Caledon were doubtlessly aware, the Caledon Code had many similarities with the VOC's plakaat of 27 June 1787 designed to combat and control 'the irregular ways of living of Hottentots'.⁵⁸ Under the plakaat, both Khoi and Bastaard Hottentots were required to register themselves by name as well as to state their address. If their address changed, they had to notify their nearest colonial authority. As the Caledon Code reinforced, wandering Khoi faced serious repercussions if apprehended. All 'vagabond' Khoi were arrested and placed in the Slave Lodge at Cape Town, where they labored on public works projects for two months.⁵⁹

⁵⁶G.M. Theal, Records of the Cape Colony (Hereafter RCC), Vol. VII, Lt. Collins to the Earl of Caledon, p. 111.

⁵⁷ibid., p. 211.

⁵⁸V.C. Malherbe, 'Diversification and Mobility of Khoikhoi Labour in the Eastern Districts of the Cape Colony Prior to the Labour Law of 1 Nov. 1809' (M.A. thesis, University of Cape Town, 1978), p. 6.

⁵⁹ibid., pp. 6-7.

As with the Caledon Code, Khoi and Bastards were forced to carry passes under the 1787 plakaat. Much as Caledon and Collins would later do, passes under this earlier system were justified by the British Colonial government as protection for the Khoi. Malherbe argues that this system suited both the government and the employers. It attempted to eradicate the widely held perception that Khoi were wandering and idle, while bringing stability to the colonial labor force.⁶⁰

Ironically, this measure was designed to protect Khoi laborers from the exploitation of their Dutch employers. In making his recommendations to Caledon, Collins wrote

The measure I conceive to be of the first importance to the protection for the Hottentot and to the improvement of his situation, is a sacred observation of his annual engagement. A Hottentot can now seldom get away at the expiration of his term. If he should happen not to be in debt to his master, which he must have more caution than is characteristic of his race to prevent, he is not allowed to take his children, or he is detained under some frivolous pretence, such as that of cattle having died through his neglect, and he is not permitted to satisfy any demands of this nature otherwise than by personal service.⁶¹

But while Collins called for government support of the 'Helpless Hottentot' and suggested that 'moral and religious principles might be inculcated', he made it quite clear that the Khoi should be groomed to become part of a permanent labor force in the service of

⁶⁰ibid.

⁶¹Theal, RCC, Vol. VII, Collins to Caledon, p. 111.

colonists. 'I do not think however that reading and writing should form any part of their instruction; but a knowledge of mechanical arts, except that of gunsmith, should be encouraged . . . enabling the members of it [Khoi] to gain a future livelihood by being useful to others'.⁶²

Under the Caledon Code, labor contracts were drafted in the presence of the Fiscal.⁶³ Employers were to provide along with wages 'the necessities of life' which included board and lodging. Under the new law the dop system, or payment through the distribution of alcohol, was made illegal. Khoi men were permitted to have their wives and children with them while they were indentured. But the employer was not entitled to their labor unless they also entered into contracts. If the indentured Khoi died before his service was completed, his family was free to leave as well as retrieve his personal property.⁶⁴ Upon completion of service, the master was to release his worker and provide him with a pass. Whatever initial good intentions the British government had when it promulgated the Caledon Code quickly faded into abject coercion. What made indenture under the Caledon Code so restrictive was the addition of two new laws in 1812 and 1819, which allowed employers to apprentice Khoi children until they reached the age of 21. These laws essentially tied Khoi parents to their children's employer. This

⁶²ibid.

⁶³C.A. 1/CT 13/1, 13/2, 13/3, 13/4 Contracts of Hiring and Service of Hottentots 1809-1827.

⁶⁴ibid.

of course was one of the very things Collins was trying to avoid when he made his recommendation to Caledon.⁶⁵

The Caledon Code had a much greater impact in the rural areas than in Cape Town, where the Khoi population never exceeded 452 during the period between 1809 and 1828. A clear picture of Cape Town's indentured Khoi is far more difficult to attain than that of their rural counterparts. Neither the surviving contracts of indenture nor the registers of Khoi in the Western Cape distinguish between Cape Town and the Cape District. It appears that there were few Khoi working within the city. The Raad der Gameente for the year 1820 suggested that most employers in Cape Town preferred Prize Negroes and slaves to Khoi. The 1820 census reveals [see Table 1] that there were 851 Prize Negroes working in Cape Town compared to the mere 343 Khoi. Few employers had both in their service.⁶⁶

Indentured Khoi were expected to 'diligently and honestly serve their masters 'with proper submission'. Penalties for insubordination were enforced by the fiscal and ranged from the confiscation of wages to imprisonment to 'severe domestic corporal punishment'.⁶⁷ Many indentured Khoi suffered brutal physical abuse or had masters who ignored the terms of indenture. Some took legal action. Piet, indentured to Adrian Deneys, went to the Clerk of Peace and accused Deneys of 'withholding wages due to him, and refusing to grant him a

⁶⁵For an in depth discussion of child apprenticeship please see chapter three.

⁶⁶See RDG 121.

⁶⁷Theal, RCC Vol. VII pp. 211 -215.

pass, his period of contract having some months expired'.⁶⁸ It is not known if Piet's claim was successful. If it was, Piet would have been freed and Deneys would have been fined anywhere between ten and fifty rixdollars. Taking legal action against a master was a double edged sword. If successful, it could provide Khoi with redress but if an accused master was found to be innocent, the Caledon Code stipulated that the plaintive Khoi receive 'such correction as the nature of the case require'. Undoubtedly correction was a euphemism for beating. The Caledon Code was vague with regard to physical punishment. The only limitation it spelled out was there could not be any 'mutilation or injury done to any part or limb which the complainant may be deprived of use thereof for some time or forever'.⁶⁹ The courage of the Khoi who did take legal action against their masters cannot be overstated. The Clerk of Peace and the Fiscal were interested in maintaining a level of control over the labor force and therefore were more likely to side with employers in the majority of cases.

According to Elphick and Malherbe, the introduction of the Caledon Code merely enshrined, on a colony-wide basis, restrictive practices against the Khoi which had been upheld either by custom or by local statute.⁷⁰ The colonial government had two reasons for adopting the Caledon Code. Firstly, it believed that the Khoi should be constantly employed. Secondly, Cape Town's demand for meat

⁶⁸C.A. CP 31 Complaints Noted and Issue of Receipts, 8 Feb. 1828.

⁶⁹Theal RCC Vol. VII p. 214.

⁷⁰Elphick and Malherbe, 'The Khoisan to 1828' p. 40.

dramatically increased following the first British occupation in 1795. To satisfy this demand it was essential to have a docile and regulated workforce, especially after the abolition of the slave trade. For the British government, which was increasingly seized with anti-slavery sentiment, the indenture system posed no problem and was viewed as quite acceptable. Coercive labor, as long as it did not involve outright ownership of one person by another, was not perceived as problematic.⁷¹

By the end of the 1820s the Colonial Office in London began to see the indenture of Khoi as coercive and essentially unfree. In a letter to the new governor of the Cape, Sir Lowry Cole, the Colonial Secretary George Murray informed him that the House of Commons had requested 'that directions might be given for effectively securing to all Natives of South Africa the same freedom and protection as are enjoyed by the free people residing at the Cape, whether they be English or Dutch'.⁷² The Colonist described the Khoi position as one where

the Hottentots are nominally free, that they cannot be bound but for a term and by their own consent, but putting out of view the present case, it is by no means difficult to conceive that efforts may be made to evade the law by inducing them to acknowledge himself a debtor for sums which he could never discharge.⁷³

But despite their unhappy situation, the legal status of the Khoi was

⁷¹H. Giliomee, 'The Eastern Frontier, 1770 - 1812' in Elphick and H. Giliomee, The Shaping of South African Society, 1652 -1840, pp. 451 -452.

⁷²C.A. GH 1/ 170 . G.Murray to L. Cole 1017 No. 15, 2 Aug. 1828.

⁷³Colonist 13 March 1828.

never in doubt as far as the British government was concerned. Napier reminded Cole that 'the original natives of South Africa have always been regarded by the British Government as a free people having a lawful abode in the colony, and that the British government has promised to protect their persons, property, and possessions'.⁷⁴

The differences between the meanings of indenture and free labor became more confused after the promulgation of Ordinance 50 in July, 1828. Ordinance 50 removed many of the Caledon Code's restrictive clauses, and re-established Khoi with freedom of movement. Though it did not 'affect or annul any Contracts or Indentures entered into prior' to its institution, 'no Hottentot or any other free person of colour, lawfully residing in the Colony' was 'subjected to compulsory service'.⁷⁵ In addition Khoi were no longer liable to 'any hinderance, molestation, fine, imprisonment, or punishment of any kind whatsoever, under the pretence that such a person has been guilty of vagrancy'.⁷⁶ The new law also stipulated that Khoi and other free people of color had the right to purchase and possess land.⁷⁷ Though free from indenture, little land existed for Khoi to purchase, making their pastoral existence impossible to recapture. These realities forced many to remain in the service of colonists. This also applied to Prize Negroes who, following the end of their apprenticeships had few alternatives, than to sell their

⁷⁴C.A. GH 1/170 Murray to Cole 1017 No. 15 2 Aug. 1828.

⁷⁵Cape of Good Hope Government Gazette 25 July 1828.

⁷⁶ibid.

⁷⁷ibid.

labor as contracted servants.⁷⁸ Those former Prize Negroes who did not enter the labor force ended up as destitute dependents of the government. Napier noted to the colonial office shortly before the end of slave apprenticeship that 'the only poor who are supported by the government that I am aware of are some old prize apprentices in the government slave lodge in Cape Town'.⁷⁹

Under Ordinance 50 if an employer and a 'person of color' found it 'mutually desirous' to enter into a labor agreement for longer than a month, then a contract would be drafted and signed in the presence of the Superintendent of Police, Clerk of Peace or Justice of the Peace. In Cape Town this was overseen by the Clerk of Peace Daniel J. Cloete.⁸⁰ The contract bound the laborer to his employer for no less than two months and no more than a year. Most of the people who entered into contracts were employed as laborers, though others worked as herdsman, house servants, wagonmakers, groomsmen, butchers and gardeners [see Table 2].⁸¹

Laborers received a monthly salary that ranged anywhere from five to fifteen rixdollars. Skilled laborers in addition to a monthly wage,

⁷⁸C.A. 1/CT 13/6 Contracts of Hiring and Service of Hottentots and Free People of Colour, 16 April 1845. Only one Prize Negro is listed as having been a contract labor. However it is plausible that many others were contracted as free people of color or as one of the many whose ethnicity was never noted.

⁷⁹C.A. GH 26/96 Napier to Secretary of State, Dispatch No. 40, p. 147, 22 June 1838.

⁸⁰C.A. 1/CT 13/5, 13/6. Contracts of Hiring and Service

⁸¹ibid, see accompanying chart.

might also perform piece-work. T. F. Richter, a Cape Town wagonmaker, paid his laborer Fortin, fifteen rixdollars per month plus ninety rixdollars 'for each part of a lower wagon' he completed.⁸² Though not specifically stipulated by Ordinance 50, employers were expected to provide 'lodging and sufficient food of good and wholesome quality'. Occasionally clothing was also included as a form of payment. However, 'no Liquor or tobacco shall be admitted as payment of money due to wages'.⁸³ While the conditions above somewhat regulated contract labor, much of Ordinance 50 was ambiguous. For example, though it outlawed mistreatment of workers, it did not specifically spell out exactly what mistreatment was. Nor did it place a limit on the number of hours a laborer could work.

Employers maintained a proprietorial attitude towards their workers under contract. But servants working under Ordinance 50 contracts were not prepared to tolerate this. Johan Johannes complained to the Magistrates Court 'against his master for detaining wages and refusing to allow him to go to breakfast'.⁸⁴ As a free person who had signed a legal contract he believed he was entitled to these. His employer, accustomed to exercising arbitrary power, saw the denial of these rights as his prerogative.

The number of people entering into Ordinance 50 labor contracts

⁸²C.A. 1/CT 13/6 Contracts of Hiring and Service, 9 Jan. 1839.

⁸³Government Gazette 25 July 1828.

⁸⁴C.A. 1/CT 7/6 Complaints: Masters and Servants, 1830-1838.

grew. Between 1833 and 1838 there were only 39 contracted laborers in Cape Town.⁸⁵ However with the end of slave apprenticeship in 1838, this nearly tripled to 110.⁸⁶ There are two possible explanations. Firstly, the end of slave apprenticeship forced many former masters to replace their chattel. Though Ordinance 50 contracts had been specifically intended for Khoi, many of the people contracted after 1838 were former slaves.⁸⁷ Another explanation could be accounted for in the number of ex -slaves, Khoi, and other people of color who migrated to Cape Town from the hinterland during this period.⁸⁸

This last possibility is supported by evidence which suggests that after 1838 Cape Town was coming to be seen as a source of cheap labor. Colonists often traveled to the city from the hinterland specifically to contract workers. For example, Alexander Davidson of Beaufort, a trader beyond the Orange river, contracted six laborers between 1838 and 1845.⁸⁹ G.W. Prince and company, Cape Town businessmen, used the city as a place to hire workers for their rural

⁸⁵C.A. 1/CT 13/5 Contracts of Hiring and Service. Unfortunately there do not appear to be any surviving contracts for the period between 1828 and 1832 and so it is impossible to figure how many Khoi went into service directly following the promulgation of Ordinance 50.

⁸⁶C.A. 1/CT 13/6 Contracts of Hiring and Service.

⁸⁷None of whom however took up work with their former masters. See C.A. 1/CT 13/5 and 13/6.

⁸⁸R. Ross, 'The Origins of Capitalist Agriculture at the Cape' in W. Beinart and S. Trapido, eds. Putting a Plough to the Ground: Accumulation and Dispossession on Rural South Africa, -1850-1930 (Johannesburg, 1986), pp. 81-82.

⁸⁹P. Phillip, British Residence at the cape, 1795-1819 (Cape Town, 1981), p. 89; see C.A. 1/CT 13/6 Contracts of Hiring and Service.

farm holdings. Two of those hired were 'Hottentots' Andries and Willem who were to be

General Farm Servant(s), shepherd or Cattle Herder(s) on their stock farms in the District of Beauford under the direction of Mr. Tennant one of the said company or any other duly authorized to manage the same in the aforesaid capacity.⁹⁰

Within Cape Town, most contracted servants worked for two men - G.N. Mechau and Jan van Reenan. Of the city's 110 servants 52 were contracted to Mechau. Another 23 worked for van Reenan.⁹¹ Mechau was a butcher who operated near Bree Street.⁹² Nearly everyone he hired worked at his business. The majority were contracted as general laborers and were paid ten rixdollars a month plus board and lodging. Some such as Cobus and Piet Zeeland, and Booy Baartman worked as butchers. However they received the same wages as a laborer.⁹³ Others like Jacob Hendrikse, Carel Petersen, Cobus Afrikander, and Abraham Pretorious were herdsmen. They made only eight rixdollars a month without any board or lodging.⁹⁴

Jan Van Reenan owned two pieces of property, one in Cape Town and a farm in Rondebosch. The farm was clearly the more important of his two holdings. All but six of his contracted workers were sent there. At Rondebosch most were employed as general farm laborers,

⁹⁰C.A. 1/CT 13/6 Contracts of Hiring and Service, 16 Nov. 1842.

⁹¹See C.A. 1/CT 13/6.

⁹²Cape Almanac 1842, unpaginated.

⁹³C.A. 1/CT 13/5 Contracts of Hiring and Service, 3 and 9 May 1837, 19 Feb. 1838.

⁹⁴C.A. 1/CT 13/6 Contracts of Hiring and Service, 16 Aug. 1839; C.A. 13/5 Contracts of Hiring and Service, 2,3,17 June 1836.

though one was contracted specifically as a herdsman. Of the six who remained in Cape Town it is difficult to ascertain exactly what kind of work they performed as the contracts only say they were hired as laborers. Under van Reenan, workers received a paltry wage of between six and eight rixdollars per month with board and lodging.⁹⁵

White apprentices were also working in Cape Town. According to Susan Newton -King 'all British workers who came to the Cape between 1817 and 1823 came as indentured servants'.⁹⁶ This scheme had been utilized in other British colonies, particularly Virginia, during the seventeenth century. Like Virginia, workers brought to the Cape were people unable to find work in Britain. The first group brought to the Cape was led by Benjamin Moodie, the brother of travel writer J.W.D. Moodie. His brother came to the colony in 1817 with 200 settlers indentured to him. Moodie wrote that on Benjamin's arrival in Cape Town 'he found a considerable demand for labor and was enabled to sell several of his indentures of his people to English inhabitants'.⁹⁷ Yet Despite Benjamin Moodie's initial success, he had trouble selling the majority of his indentures. Most of these men were enticed to work for farmers outside Cape

⁹⁵ibid.

⁹⁶S. Newton - King, 'The Labour Market of the Cape Colony, 1807 - 1828.' in S. Marks and A. Atmore, eds., Economy and Society in Pre-Industrial South Africa (London, 1980) p. 182.

⁹⁷J.W.D. Moodie, Ten Years in Southern Africa (London, 1835), pp. 50 - 51. It is not known how many of these servants remained in Cape Town.

Town who indentured them illegally. He unsuccessfully took these farmers to court and very nearly bankrupt himself doing so. His brother believed his case was lost because 'most members of that court [the Court of Justice] were at this time slaveholders, not much inclined to encourage the importation of free labour'.⁹⁸ Here again the distinction between indentured and free labor is unclear. Moodie used the terms interchangeably. That the conditions were deemed to be servile, and that the laborers were derisively referred to as 'white slaves' did not matter. Because European indentured laborers were not the property of another, Moodie considered them to be free laborers.

According to J.W.D. Moodie, the terms of indenture differed for artisans and laborers. Artisans agreed to serve him for one and a half years, during which Benjamin Moodie promised to provide food and clothing. They could buy their way out of indenture by paying Moodie L30 before leaving for the Cape. If neither of these options appealed to them once he arrived at the Cape they were obligated to pay Moodie L60 in labor or money.⁹⁹ On the other hand, laborers had to serve Moodie for three years. J.W.D. Moodie noted that for those settlers who entered the Cape during this period, the terms were particularly servile, which nothing but necessity could induce them to agree to'.¹⁰⁰ So servile were the conditions in fact, that they were derided as chattel. Moodie noted sympathetically that for many

⁹⁸ibid., pp. 50 -51.

⁹⁹ibid.

¹⁰⁰ibid., p. 52. This indenture system was identical to the definition provided by Salinger.

laborers 'it was also too much for their feelings to be taunted with being "white slaves" '.¹⁰¹

The confusion over terminology was enhanced by the Colonist's call for the importation of Chinese labor. Chinese laborers, it noted, seemed 'capable of being supplied with great ease and at no great expense'.¹⁰² According to the paper:

At a certain season of the year large numbers of Chinese emigrants come down in junks from Batavia, Sincapore [sic], and other places in the Eastern Archipelago. They are commonly paupers, being whose destitution is so complete, that they are under the necessity of contracting immediately on their arrival, with some master in order to defray the expense of their passage.¹⁰³

The idea was never adopted. But it had been used before.¹⁰⁴ Jan van Riebeeck had pleaded with his superiors for the importation of Chinese labor, citing their cost effectiveness to the VOC.¹⁰⁵ Chinese laborers continued to be imported in small numbers to the Cape well

¹⁰¹ibid., p. 52.

¹⁰²Colonist 29 Nov. 1827.

¹⁰³ibid.

¹⁰⁴The importation of Chinese labor was used prodigiously in other parts of the British Empire following the end of the slave trade. In 1806, 200 Chinese were sent to Trinidad. These laborers known as coolies were indentured for five years. Though conditions were near to slavery they were legally free. While the British eventually turned to Indian labor by the 1830s most notably in Mauritius, Guyana, and Jamaica. Chinese labor flourished in Cuba. Between 1847 and 1874 as many as 125, 000 Chinese males were shipped to Cuba. See Evelyn Hu - Dehart, 'Chinese Coolie Labour in Cuba in the Nineteenth Century', pp. 67 -68.

¹⁰⁵Armstrong and Worden, 'The Slaves, 1652 - 1834' p. 111

into the eighteenth century. According to Elphick and Shell nearly all them were ex-convicts and were a small part of the colony's free black population. In 1705 Chinese laborers composed 2.4 percent of the free black population. Their numbers fell steadily throughout the eighteenth - century. By 1770 they were a .8 percent of the free black population.¹⁰⁶ The call by Cape Town's nineteenth century employers like the VOC had, a century earlier, perceived China and the Far East as a region that had limitless source of labor.

Though the Colonist believed that any Chinese imported to the Cape were to be considered free people, and advocated 'measures to prevent the slightest infringement' of their liberties, free labor still needed controls. Therefore 'certain' unspecified measures which restricted their movement were regarded as 'necessary for the preservation of order, and the due fulfilment of their contracts'.¹⁰⁷

By far the largest number of apprentices working in Cape Town were apprenticed slaves. On 1 December 1834, slaves in the Cape Colony were emancipated. Yet emancipation day did not bring freedom. Throughout the British Empire, slaves were effectively re-enslaved with an apprenticeship which lasted four years. In the Cape Colony all of these new apprentices were classified as non-*praedial* slaves, which meant that unlike apprenticed slaves in other parts of the

¹⁰⁶R. Elphick and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves, and free blacks, 1652 -1795', in Elphick and Giliomee, The Shaping of South African Society p. 220, figure 4.5.

¹⁰⁷Colonists 7 Feb. 1828.

British empire, they were not eligible for remuneration of any overtime work they may have performed.¹⁰⁸

This form of apprenticeship had quite a different meaning to the others this chapter has examined. Unlike Prize Negro apprenticeship and Khoi indenture, neither the British parliament nor former slaveholders attempted to justify slave apprenticeship as free labor. In choosing this course, parliament hoped to maintain the present levels of available labor, as well as to give slave holders an opportunity to adjust to the transformation from slave to wage labor. Abolitionists also hoped that, like Prize Negro apprenticeship, ex-slaves could use this time as a period of education and upliftment. Slaveholders viewed the apprenticeship period as a continuation of slavery. Apprentices saw their new status for what it was, another enslavement and a delay in receiving their promised freedom.¹⁰⁹

Worden estimates there were only 5, 702 apprentices in Cape Town by the end of apprenticeship in 1838.¹¹⁰ These urban apprentices enjoyed a greater sense of freedom than their rural counterparts. They saw the city as a place where they had a greater chance to slip from their master's control. This perception was carried over from the slave period. By the beginning of the nineteenth century, slaves

¹⁰⁸N. Worden, 'Slave apprenticeship in Cape Town, 1834 -1838', in E. van Heyningan, ed., Studies in the History of Cape Town, Vol. 7, p. 35.

¹⁰⁹ibid, pp. 34 -35.

¹¹⁰ibid, p. 36.

in Cape Town enjoyed much greater autonomy than their rural counterparts.¹¹¹ This was due primarily to the hiring out system and the fact that many slaves lived outside their masters' homes.¹¹² With what became an extensive free black community by the end of the 1830s, apprentices found it relatively easy to lose themselves within the city and find employment outside of their apprenticeship. While many who absconded from their employers were eventually apprehended, other escaped apprentices were able to survive in the city for as long as a year or more.¹¹³ Yet this relative freedom was not equal. Skilled apprentices who were hired out by their masters had a much better chance to escape to self-employment than unskilled apprentices. This applied only to males. Women were far more subjugated, and under closer scrutiny of the master's eye. While male apprentices were often hired out, women, by and large, were confined to domestic labor within the master's home.¹¹⁴

The entire apprenticeship period was underpinned with acrimony on the part of former slaves. Toward the end of apprenticeship the incidences of desertion increased and lasted for longer periods. Masters reported an increase in the number of thefts. In Cape Town most of the complaints brought before the Special Magistrate, George Longmore, came from masters with grievances about their apprentices. This more than anything else demonstrated the

¹¹¹A. Bank, 'Erosion of Urban Slavery', pp. 83 - 85.

¹¹²ibid.

¹¹³Worden, 'Slave Apprenticeship in Cape Town', p. 36.

¹¹⁴ibid, pp. 38 -39; P. van der Spuy, 'Slave Women and the Family in Nineteenth - Century Cape Town', South African Historical Journal 27 (1992), pp. 50-74.

restlessness apprentices felt towards this extension of slavery.¹¹⁵ The end of slave apprenticeship on 1 December 1838 was characterized by a massive exodus of newly freed apprentices from the homes and farms of their former masters.

With the end of slave apprenticeship, employers feared they would no longer have a regular supply of labor. As a result, new controls were introduced to ensure the availability of labor via the promulgation of the Masters and Servants Ordinance in 1841. The law had a stronger effect in the rural areas than in Cape Town. It stipulated labor contracts, one year for emancipated slaves, and three for Khoi. Thus it ensured the availability of labor just as indenture and apprenticeship had done. Under the Masters and Servants Ordinance unlike apprenticeship and indenture, contracts between the employer and laborer could be made orally, to the distinct disadvantage of the latter. In cases where the two parties had a dispute the Magistrate was more than likely to side with the employer.¹¹⁶ Like these other labor systems, it was restrictive and coercive. Emancipated slaves, Khoi, and other free people of color had few economic alternatives but to enter into this brand of wage labor. As Nigel Worden has pointed out, the ordinance produced low wages and indebtedness, conditions which as have been noted in this chapter, occurred during indenture under the Caledon Code.¹¹⁷ For those workers who were

¹¹⁵N. Worden, 'Slave Apprenticeship in Cape Town', pp. 40 -41.

¹¹⁶R. Ross, 'Pre Industrial and Industrial Racial Stratification in South Africa' in R. Ross, ed., Racism and Colonialism, (The Hague, 1982), 85 -87.

¹¹⁷N. Worden 'Adjusting to Emancipation: Freed Slaves and Farmers in the Mid-Nineteenth-Century South Western Cape' in W.G. James and M. Simons, eds, The Angry

unhappy with their treatment and attempted to resist, the penalties provided in the law were stringent.¹¹⁸

When the Cape Colony was granted representative government in 1853, its first measure was to strengthen the ordinance. Hence in 1856 saw the passage of the Masters and Servants Act. The act strengthened employer power over their workers, and increased the severity of punishments for deserters and expanded the range of offences against masters to include a worker's refusal to obey orders.¹¹⁹

The Masters and Servants Act was an attempt to instill labor discipline through legal means. But many of Cape Town's employers, especially those who could be classified as liberals, believed that discipline had to be ingrained from an early age. Therefore, as we shall see in the following chapter, Cape Town's employers dedicated themselves to training an honest and disciplined free labor force for the future through the institution of child apprenticeship.

Divide: Social and Economic History of the Western Cape (Cape Town, 1989) pp. 37 - 38.

¹¹⁸R. Ross, 'Racial Stratification' pp. 85 -86.

¹¹⁹ibid., pp. 85 -87.

Chapter Two

To Be of Use: Three Perceptions of Child Apprenticeship in Cape Town, c1812 - 1840

Child apprenticeship played a major role in Cape Town's social and labor history during the first half of the nineteenth century. Between 1812 and 1842, through the enactment of various proclamations and ordinances, the children of Khoi, Prize Negroes, and slaves all found themselves indentured to colonists. By the early 1830s children from England were also, in the words of one contemporary observer, 'shovelled' into the Cape Colony to serve as apprentices.¹ What exactly did child apprenticeship entail and how was it defined? As the following story suggests, the definition depended on the the 'world view' of the person asked.²

Eva was a slave girl for the first seven years of her life. She was born on 15 June 1821 and worked in the home of her master Mr. D. H. Kellerman. But in November of 1828, Eva 's status changed from a slave to an apprentice when the Cape of Good Hope Philanthropic Society purchased her freedom for L 19, 10 and then indentured her back to Kellerman.³ The Philanthropic Society, founded in June of

¹E. Bradlow, 'The Children's Friends Society at the Cape of Good Hope', Victorian Studies (Winter 1984), p. 158.

²For an examination of the role of world views in the debate over paternalism see John Mason's article 'Paternalism under Siege: Slavery in Theory and Practice in the Era of Reform c. 1825 through Emancipation' in N. Worden and C. Crais, eds., Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony (Johannesburg, 1994), pp. 45-78.

that year, purchased the freedom of female slave children between the ages of three and ten and apprenticed them either back to their original owner, as in Eva's case, or to another person. Under the terms of apprenticeship she was to remain in Kellerman's service until she became sixteen. In exchange for her labor Kellerman was expected to provide her with food and clothing, the same amenities he would have had to provide for a slave. In addition he was supposed to send her to school at least three days a week and ensure that Eva received religious instruction.⁴

In July 1830, the bargain between Kellerman and the Philanthropic Society broke down. Two years into the apprenticeship a neighbor of Kellerman, Mrs Advocate Cloete, accused him of unspecified mistreatment towards Eva.⁵ Mrs. Cloete would have been more familiar with the conditions of Eva's apprenticeship than most other Capetonians because her husband was a member of the Philanthropic Society.⁶ Following her complaint, two representatives of the Philanthropic Society, Mr F.S. Watermeyer and Dr Louis Liesching, paid Kellerman a visit and concluded that he was providing Eva with adequate education and clothing. The case appeared to be closed. But some seven months later, in March of 1831, Kellerman filed a complaint to the committee. Two weeks

³Cape Philanthropic Society, Fifth Annual Report (Cape Town, 1833), p. 13

⁴Cape of Good Hope Philanthropic Society Minute Book(Cape Town: South African Library, MSB.99), 27 June 1828.

⁵ibid., 28 July 1830.

⁶R.L. Watson, The Slave Question: Liberty and Property in South Africa, (Johannesburg, 1990), Appendix A, p. 219.

earlier he had granted Eva's father, a slave named Ian Mulder, permission to take his daughter to 'the country' for two days. However, two days became two weeks and when Kellerman finally heard from Mulder he was told that he intended to keep his daughter for another six weeks. In a letter to the Society, Mulder justified his actions by claiming, in contrast to the Philanthropic Society's opinion, that Kellerman had not properly clothed Eva, nor sent her to school. The Philanthropic Society was forced to re-open its investigation of Kellerman.⁷

Unfortunately the Philanthropic Society's minute book does not go beyond July 1831, so there is no record of how the conflict was resolved. But the story of Eva, Kellerman, the Philanthropic Society, and Ian Mulder raises the central issue of child apprenticeship in Cape Town during the 1820s 1830s and 1840s: the question of definition. This chapter will argue that there was no single definition of child apprenticeship. Liberals, slaveholders and parents all defined its meaning in fundamentally different ways.

To the Philanthropic Society and the liberals who supported it, apprenticeship was a means of securing a sober and industrious wage labor force for the future, through moral reclamation. As we will see in more detail in the following chapter, the work and moral habits of Cape Town's Khoi, Prize Negroes, and slaves were not highly regarded by the city's white middle class. Many colonists

⁷Cape of Good Hope Philanthropic Society Minute Book, 28 July and 1 Sept 1830; 2 March and 6 April 1831.

feared they were ill-disciplined and slothful, and imbued their children with the same traits.⁸ Unless intercepted, and indoctrinated through rigorous labor and religious education, these children would fail to adopt the right attitudes of industry and morality necessary to become part of a competent wage labor force for the future. To Kellerman, apprenticeship differed little from slavery. Its primary purpose was to continue to provide him with labor. Eva's 'training' in 'useful' employment, as well as her education were, at best, secondary concerns. To Ian Mulder, and others whose children were apprenticed in Cape Town, apprenticeship was a way to regain control of their children. They may also have viewed it as a vehicle for their children to attain a semblance of social mobility.

The Bible and the Spade

To the Philanthropic Society and Mrs. Cloete, apprenticeship in theory meant much more than serving a master like Kellerman. In order to become a competent and contented wage laborer, Eva also had to be educated in the habits of hard work and Protestantism. With these attributes Eva and children of similar origins would be reclaimed from the depths of debasement and depravity perceived as endemic to the city's laboring classes, and uplifted to the stage in which they could effectively and safely serve the city's better inhabitants. One Capetonian remarked that 'in the moral state of the

⁸J. Rule, The Labouring Classes in Early Industrial England, 1750 -1850 (London, 1986), p. 232.

poor the rich are deeply concerned. For their own protection . . . [they] have a right to check robbery , and murder, in the bud'.⁹ Apprenticeship was designed to do just that. Thus to the Philanthropic Society, Eva and the other 314 children it manumitted and indentured symbolized what Cape liberals hoped would lead to the maintenance of stable, civil society.¹⁰ This ideology was summed up by British philanthropist E.P. Brenton who wrote that with 'the Bible and the Spade for the boy; the Bible, broom and needle for the girl' children would be 'rapidly brought into the habits of order regularity and obedience'.¹¹

Brenton founded the Children's Friends Society in London. He had been concerned with the growing number of destitute children in Britain's urban centers. His organization, together with the Commission for Juvenile Emigrants in Cape Town, arranged for the emigration of these children to the Cape Colony where they were apprenticed.¹² Brenton's call for apprenticeship through the 'Bible and spade' served as a mantra for nascent Cape liberals during the first half of the nineteenth century. While both apprenticed children, the Philanthropic Society and the Children's Friends Society, had different aims. The Philanthropic Society's goal was to purchase female slave children between the ages of three and ten and then

⁹South African Commercial Advertiser (hereafter S.A.C.A.) 18 Feb. 1835.

¹⁰See C. Iannini, 'Slavery Philanthropy and Hegemony: the Cape Philanthropic Society, 1828 -1834' (B.A. Honours thesis, University of Cape Town, 1993).

¹¹Quoted in Bradlow, 'Children's Friends Society', p. 156.

¹²*ibid.*, p. 156-157.

apprentice them until the age of sixteen.¹³ By sixteen, through proper education and training, these children would become safe and responsible servants. On the other hand, the Children's Friends Society aimed for a 'complete separation' of poor children from English inner cities.¹⁴ Rather than remain as urban street urchins, they could redeem themselves through hard work in the Cape Colony. These young emigrants were eagerly welcomed by colonists for their labor potential. The 1841 Cape Almanac noted that due to a smallpox outbreak the previous year

several hundreds of people [had] been carried off by it to the abode of death. Among these were some of our best mechanics and domestic servants. These losses together with other [labor] demands . . . can only be supplied by an importation of Emigrants from Europe. The Children's Friends Society . . . has done much for us, but there is an abundance of room for a more extended exertion.¹⁵

Both organizations reflected the nascent humanitarian liberalism of the period. Cape Town's liberals were seized with the fervor of evangelical christianity yet tempered by the political economy of the Scottish enlightenment.¹⁶ Thus nineteenth century Cape liberalism was a two sided coin. On one side, it took the form of middle class philanthropy, which exhibited a concern for the lower orders. On the other side it was equally concerned that upliftment be

¹³Minute Book, 27 June 1828.

¹⁴E. Hadley, 'Natives in a Strange Land:Philanthropic Discourse of Juvenile Emigration in Mid-Nineteenth-Century England', Victorian Studies (Spring 1990), p.418.

¹⁵Cape Almanac 1841.

¹⁶A. Bank, 'Liberals and Their Enemies: Racial Ideology at the Cape of Good Hope, 1820 to 1850', (Ph.D. thesis, Cambridge University, 1995), p. 91-92.

profitable.¹⁷ In Eva's case, the profit existed in the creation of a sober and industrious workforce, which preserved social tranquility. It should be clear that the notion of moral upliftment was not related to the promotion of social mobility. According to Stanley Trapido, these apparently contradictory values have led many historians to consider liberals as viewing the world through a lense tinted with 'individual hypocrisy, political naivety, and betrayal'.¹⁸ Liberalism was essentially a conservative ideology which believed that Western culture with its values of hard work and Christian morality was superior to all others. Liberals believed it was their duty to instill these values in people they perceived to be inferior and barbaric. Yet this creed did not intrude on social relationships, nor did it threaten existing class structures.¹⁹ The Philanthropic Society explicitly warned its members that

It will be highly necessary to guard against raising the expectations in the minds of apprentices beyond their respective stations in life, and the object contemplated by the committee will be best accomplished if such principles are ingrated [sic] on their minds and only such, as are calculated to render them honest and industrious members of the community.²⁰

Subordination was essential in order to prevent the disintegration of civilized society. According to George Hough, the Senior Chaplain of Cape Town's Anglican church and leading liberal

¹⁷Bradlow, 'Children's Friends Society', p. 155.

¹⁸S. Trapido, 'Friends of the Natives: Merchants, Peasants and Ideological Structure of Liberalism in the Cape, 1854 - 1910' in S. Marks and A. Atmore, eds., Economy and Society in Pre-Industrial South Africa (London, 1980), p. 247.

¹⁹P. Lewsen, 'Cape Liberal Tradition - Myth or Reality', Race 13 (1971), p. 70.

²⁰Cape Philanthropic Society, First Annual Report, p. 8.

no community can flourish without the distinction of rank and condition of power, nor can the state of things be long counteracted, without the loss or diminution of harmony, the happiness and all charities of civilized life . . . disobedience and rebellion towards lawful authority have almost always had a disastrous and fatal effect upon the tranquility of domestic life; [sic] upon the welfare of the community at large, upon the industrious and protective habits of the people, upon their intellectual and moral cultivation.²¹

These themes of rank, order, and stability dominated liberal discourse on apprenticeship and were framed within the larger picture of the colony's changing situation regarding slavery and abolition. Eva's apprenticeship was certainly an expression of this sentiment, which also played a role in the Philanthropic Society's investigation of Mrs. Cloete's complaint. The Philanthropic Society's two representatives, F.S. Watermeyer and Louis Liesching, found, after making unspecified inquiries, that Kellerman had committed no wrongs against Eva. Bradlow has remarked that early Victorian philanthropists 'showed little sensitivity to the feelings of those who received their charity'.²² Nor are the findings of the investigation strange when the ideological backgrounds of some Philanthropic Society members are taken into account. Liesching, for instance, was one of the organization's most vocal advocates of slaveholders' interests. He had once suggested that slaveholders be invited to become members of the society's executive committee.²³

²¹G. Hough, Submission to Lawful Authority: a Sermon (Cape Town, 1825), pp. 11, 14 - 15.

²²Bradlow, 'Children's Friends Society' p. 161.

²³Iannini, 'Slavery, Philanthropy and Hegemony', p. 42.

Though Liesching, as a liberal, saw apprenticeship with education as a means to producing a docile labor force, he also believed that employers such as Kellerman had to be supported to preserve existing power structures and prevent the realization of Hough's apocalyptic visions. To rule against Kellerman would have threatened order and the tenuous ruling class solidarity in their struggle for civilized society.

To the Cape Philanthropic Society, Eva was part of a watershed generation of underclass children which could either, with the right training, transform the future of labor in the colony, or, if ignored, plunge the Cape into anarchy. By the start of the 1830s, it was clear that the latter was becoming the reality. In March of 1830, the Cape governor, Sir Lowry Cole, lamented to the Colonial Secretary George Murray that 'the neglected state of the younger part of the population in this town must be apparent to the most casual observer'.²⁴ Indeed it was. One writer described Cape Town as a city awash with 'young idlers, white and coloured'.²⁵ Idle children were likely to get in trouble. A correspondent to the Commercial Advertiser expressed horror at the sight of 'groups of idle, mischievous youngsters [who] are suffered with impunity, to hunt an inoffensive dog or cat, and to glut their savage propensities with the lingering agonies of the poor animal whilst stoning it to death.'²⁶ Such reports convinced many within Cape Town's liberal

²⁴C.A. GH 26/60 Cole to Murray 20 March 1830, No. 25 pp. 72-73

²⁵S.A.C.A. 27 Jan.1830.

²⁶ibid, 20 June 1835.

community that the situation regarding the city's laboring class children was dire. The city overall was growing into a place reputed to be filled with all sorts of vices unsuitable for children. George Longmore, Cape Town's Special Magistrate, reported that the Children's Friends Society in London had requested commissioners

not to be too urgent to select tradesmen in town, more than others, to apprentice their wards to, - it having been considered more desirable to place them in the country under a careful master, than indenture them where they would be exposed to temptations, or fall in with bad companions.²⁷

Though they felt there were drawbacks to the countryside, these 'would be more than counterbalanced by the evils to which some of the apprentices . . . would be exposed, by remaining in populous neighbourhoods' where they might have encountered 'bad examples'.²⁸

Liberals hoped to use apprenticeship as a vehicle to turn so-called 'bad examples' like Eva into good examples of docile, sober and industrious servants. Richard Johnson has remarked that 'a cursory summary of the 1830s and 1840s shows that education of the poor was, indeed one of the strongest of early Victorian obsessions'.²⁹ Though Johnson was referring specifically to Britain, the same obsession was strongly prevalent amongst Cape Town's middle

²⁷British Parliamentary Papers (BPP) Cape of Good Hope, Vol. 21, (Shannon, 1971), p. 236.

²⁸ibid., p. 366.

²⁹R. Johnson, "Educational Policy and Social Control in Early Victorian England", Past and Present 49 (Nov. 1970), p. 96.

class. One liberal newspaper, the Colonist, proposed in 1828 that schools be created to teach 'religion, morality, industry, including so much needlework, and even useful learning, as might seem suited for their station in life.'³⁰

Eva and the other slave children apprenticed by the Philanthropic Society were supposed to attend the School of Industry free of charge, where they would be trained in skills such as knitting and sewing. The school was, however, only one part of a wider education boom which gripped the city. Between 1828 and 1840 numerous schools in addition to the School of Industry were erected for instructing apprentices and slave children. Previously the only school created for this purpose had been a free school established in 1813, which by the following year had over two hundred pupils. By the end of the 1830s, there were three such schools, along with several infant schools, and two schools belonging to the London Missionary Society. There were also at least eight other mission schools in the city.³¹ In other British Colonies, following the abolition of slavery, Parliament created the Negro Education Grant designed for the training of apprenticed slave children.³² However, possibly because of an already extensive school system in Cape Town, this was never established in the Cape Colony.

³⁰Colonist 12 Aug. 1828.

³¹S. Judges, 'Poverty, Living Conditions, and Social Relations: Aspects of Life in Cape Town in the 1830s' (M.A.thesis, University of Cape Town, 1977), pp. 129-31.

³²This was however established in Mauritius and in the West Indies. See C. Kella, 'The Negro Education Grant 1835-1845, Its Inception in England and Working in Mauritius' (Unpublished Paper, Mauritius Institute of Education, 1994).

The ethnic diversity of Cape Town's apprentices and slaves was reflected in the schools. The School of Industry which was designed for 'female children of the lower classes whether they be white or coloured, slave or free'.³³ Likewise the Dutch Free School at 40 Keerom Street, reported that its pupils included not only 'Christians' but slaves, 'caffers', Prize apprentices, and 'Hottentots'. George Champion, an American missionary, noted with amazement that pupils at the Infant School were 'children of every cast of complexion from jet black to perfect white'.³⁴ The Infant School Society's report for 1830 listed the racial makeup of the school as 24 free blacks, 37 English, 17 Dutch, and 75 Slaves.³⁵ The Society found 'This mixture . . . one of the distinguished excellencies' of their system. The multi-racial aspect of education does not appear to have fostered any animosity amongst pupils. The Infant school observed 'no symptom of pride, humiliation, aversion or jealousy on the account of Colour, national extraction, or language'. Bunbury claimed to have it on good authority that 'Hottentot children' were 'generally more acute and quick in learning, as well as more docile than European children' of the same age and social standing but that 'this precocious development of intellect is not long sustained'.³⁶

³³C.A. GH 26/80 Cole to Murray, 20 March 1830.

³⁴G. Champion, Journal of an American Missionary in the Cape Colony 1835, Alan R. Booth, ed. (Cape Town, 1968), p. 4

³⁵South African Infant School Society First Annual Report 1830 p. 10.

³⁶C.F.J. Bunbury, Journal of a Residence in at the Cape of Good Hope (London, 1839), p. 73.

Such schools unashamedly served as a model of social control. Cape liberals undoubtedly followed in the footsteps of England's charity school movement which rose to prominence during the first three decades of the eighteenth century. These schools, which dotted the English landscape, were designed to reconcile a child with his position in society and not to instill thoughts of social advancement. Capetonians would have found much ideological common ground with the eighteenth century, Birmingham Justice of the Peace who stated 'I have no conception of any other means of forcing civilization downwards in society, except by education'.³⁷ Lowry Cole starkly stated the agenda behind the School of Industry as being the promotion of 'order amongst the female part of the community, and of forming a useful and respectful class of servants, which is so much wanted in this colony.'³⁸ Schools would also preserve and protect social order because 'the comfort, prosperity, and security of all communities are considerably enhanced by a well-ordered, industrious, and intelligent laboring population'.³⁹ John Wylde, head of the Infant School Society, saw the purpose of his institution as bringing 'the wealth and blessings of Religion, Civilization and Contentment'.⁴⁰ By ingraining these principles in the minds of apprentices, liberals hoped to 'restrain them from wickedness and misery, and make them a moral, industrious and happy people'.⁴¹ Thus apprentices would be retrieved from 'a state of the most abject

³⁷Rule, The Labouring Classes, pp. 213 -32, 244 -47.

³⁸C.A. GH 26/60 Cole to Murray, 20 March 1830, No. 25, pp. 72-73.

³⁹ibid.

⁴⁰South African Infant School Society, Second Annual Report 1831, p. 23.

⁴¹Infant Schools Society, Fourth Annual Report 1834, p.9.

ignorance' which made them incapable of 'resisting any temptation which promises the immediate gratification of their animal appetites'.⁴² Only then could they be converted into 'useful, industrious and well conducted servants'.⁴³

This was done by depriving pupils of a moment's rest. George Hough, who also served as a member of the Infant School Society, boasted that pupils were 'kept in a constant and continually varying state of action from the moment of their entering the place of instruction until their departure'. Hough believed this perpetual activity would instill in children an 'early mental culture' of industriousness while at the same time rendering them 'healthy, happy and contented'.⁴⁴ There is a strong similarity here with Methodist schools in England during the same period where children were constantly engaged in rigorous activities such as 'chopping wood, digging, and the like'⁴⁵

There is some evidence to suggest that though Cape liberals were overwhelmingly Anglican, they shared John Wesley's belief that children such as Eva were inherently sinful. At the Infant School class usually began with students singing hymns and reciting prayers. Following this, pupils joined hands and were led by their teacher on a march around the room singing an 'infant ditty' entitled 'We Shall All be Good and Kind' which was sung to the tune of 'Auld

⁴²S.A.C.A. 15 Feb. 1834

⁴³Cape Almanac, 1833 p. 143.

⁴⁴South African Infant School Society, First Annual Report, p. 17.

⁴⁵E.P. Thompson The Making of the English Working Class (London, 1963), p. 412.

Lang Syne'.⁴⁶ One particular spelling lesson had students arrange small wooden letters until they spelled the biblical commandment 'Thou Shall Not Steal'. This was followed by a lecture on 'the value of honesty and the consequences on the opposite line of conduct'.⁴⁷

As these examples suggest, religious indoctrination was considered crucial to securing the docile workforce liberals desired. Liberals hoped to link the concepts of religion and labor in the minds of apprentices. This was one of the reasons the Philanthropic Society insisted that Eva and the other slave children attend church. Likewise, the Children's Friends Society viewed religion as the 'essential injunction in the terms of indenture'.⁴⁸ All pupils at the Dutch Free School, regardless of age, could recite the catechism of the Church of England. More advanced students could read the 'Sermon on the Mountain'.⁴⁹

Religious education was further augmented by the creation of Sunday Schools. The Philanthropic Society strongly 'recommended . . . attendance at the Church Sunday School'.⁵⁰ Yet this did not satisfy some observers. Fawcett complained that the infant schools did not communicate 'a knowledge of vital religion . . . nor is any attempt made to infuse its principles into the minds of children'.⁵¹ Major

⁴⁶S.A.C.A. 18 Feb. 1835; 1 March 1834.

⁴⁷ibid., 18 Feb. 1835.

⁴⁸BPP Cape of Good Hope, Vol XXI, p. 267.

⁴⁹C.A. CO 319, Report of Children Admitted to the Dutch Free School, May/June 1827

⁵⁰S.A.C.A. 31 July 1830.

George Longmore, the Special Magistrate appointed to Cape Town to oversee slave apprenticeship, lamented that 'where Sunday Schools had been established I found the attendance of the apprentices to be very general'. He hoped that this was because the 'prayers , the catechism, and reading of the scriptures were attended by the family'.⁵²

In addition to inoculating them against sin, school lessons appear to have been designed with the intention of making pupils more knowledgeable, and therefore better laborers than their parents. In one revealing example, Infant School pupils were shown a 'bunch of green and apparently unripe grapes'. The teacher asked 'what are these? After pupils had replied that they were grapes, they were asked if they were ripe and if it was good to eat unripe grapes. Pupils replied 'no' to both questions. The teacher then explained how grapes were produced, including how vines were 'inserted in the earth' and how the stem and leaves developed.⁵³ In another lesson teachers attempted to 'convey an idea of, regarding [sic] the operations of plowing , sowing, reaping, binding, carting, thrashing, sifting, kneading, [and] baking'. The these skills were considered by the school to be 'the staff of life' for servants. Later at a meeting of the Infant School committee, members looked on with pride and satisfaction as one young pupil imitated these skills at the teacher's

⁵¹J. Fawcett, An Account of Eighteenth Months Residence at the Cape of Good Hope (Cape Town, 1836), pp. 90-91.

⁵²BPP Cape of Good Hope, Vol. XXI, p. 367.

⁵³South African Infant School Society, First Annual Report, p. 17.

command.⁵⁴ By the time children left the infant school at the age of eight, to attend either a Free School or the School of Industry they had, according to the Society acquired 'a marked superiority, both as regards docility and aptness' than students who had 'passed the first six or seven years of their lives without the moral discipline and training of the Infant School'.⁵⁵

At the Free Schools and School of Industry, education 'suited for their station in life' continued. For example, the Dutch Free School believed that essential supplies included a pen knife, scissors, three children's thimbles, 500 needles, sewing cotton, knitting needles and cotton.⁵⁶ A starker example was the School of Industry. Capetonians were informed that 'plain work is taken in at a very moderate price, the profits arising from it contributing to the support of the school'.

Reading and writing English was also seen as an important step in civilizing apprentices. The Commercial Advertiser blamed the 'multiplicity of languages present [as] the chief hinderance to the free spread of knowledge in this colony'.⁵⁷ George Champion, an American missionary visiting Cape Town, remarked in his diary that within the Infant School Society there was an opinion that if children were taught English 'in the course of two or three

⁵⁴ ibid.

⁵⁵ South African Infant School Society, Fourth Annual Report, p. 12.

⁵⁶ C.A. CO 354, Dutch Free School Report, 20 March 1828, No. 23

⁵⁷ S.A.C.A. 22 April 1835.

generations the native languages may be extirpated'. He theorized that not only would it be easier to teach literature and science 'but you have a language adopted to civilized and Christian men. The language then would not cramp their minds as those minds expand under the influence of Christianity'.⁵⁸ According to the Free Schools' reports, advanced students read from the 'National School Book' and had their own writing slates. Others could spell words with three and four letters, while new students learned the alphabet.⁵⁹

Of course, making children literate had potential consequences. Ross for instance has argued that for Khoi in the rural districts the ability to read and write English greatly enhanced their chance for upward social mobility.⁶⁰ As the missionary James Read stated in a letter in January 1815, 'a gentleman here lately speaking the sentiments of government disapproved of reading and writing etc. etc., saying if the Hottentots are brought up on this the farmers will have no laborers'.⁶¹ This was not what liberals wanted. Rule has rightly pointed out that in England literacy served as a means of resistance.⁶² Within Cape Town some apprentices used literacy for this purpose. For example in March 1834 two boys apprenticed to the

⁵⁸Champion, Journal of an American Missionary, p. 5

⁵⁹C.A. CO 319 Free School Report May/June 1827.

⁶⁰R. Ross, D. van Arkel, and G.C. Quispel, 'On the Roots of White Supremacy' in R. Ross, Beyond the Pale: Essays on the History of Colonial South Africa (Johannesburg, 1993), p. 95.

⁶¹James Read to London Missionary Society 20 Jan 1815, Quoted in R. Ross, et al, 'On the Roots of White Supremacy' p. 98.

⁶²Rule, The Labouring Classes, pp. 233-234.

Children's Friends Society were brought before the Magistrates Court and charged with desertion. They had fabricated a pass for themselves signed by 'George Trent, High Constable of Cape Town'. According to the charge, their creation, George Trent had granted the two boys 'the free range of the colony, they being neither slave nor apprentices, but free Boys, left on shore by an English ship'.⁶³

It could be argued that it was resistance through literacy which led to the decline of the Children's Friends Society. Throughout its existence the Society encouraged its apprentices to write home. Bradlow has noted that for these children, writing home turned out to be the most effective form of resistance.⁶⁴ For example, in April 1838 William Tozer wrote home to his parents and told the harrowing story of how he was sold to his first master for 100 rds. According to his letter, Tozer's first master 'half starved me, and the whole time I was there, that was four months, he never gave me no clothes and I must work that I was sore on my body and I left him four or five times'. After one of these desertions, Tozer went to the home of a Mr Christian who was charged with 'look[ing] after English Boys'. Tozer complained of the treatment he received from his first master, but Christian 'would not hear what I say'. He immediately returned Tozer to his first master who lashed Tozer thirty times with a sjambok and then, according to Tozer, 'made me fast in a

⁶³S.A.C.A. 8 March 1834. For their ingenuity the eldest boy was jailed for four weeks, half of which were spent in solitary confinement. Both boys were warned that if they repeated this offence they would be condemned to Robben Island.

⁶⁴Bradlow, 'Children's Friends Society', p. 170.

room for one week'.⁶⁵

Tozer's letter, and others like it, led to an investigation of the Children's Friends Society's practices and serves as a successful example of child apprentice resistance. However, such an option would not have been open to Eva. She received no education and was therefore unable to read. She also had no reader for whom to write for.

D.H. Kellerman

Diedrick Hendrick Kellerman was a twenty -eight year old market agent living at 114 Long Street when Mrs Cloete and, later, Ian Mulder charged him with mistreating Eva.⁶⁶ Born in Cape Town in September 1802, Kellerman was the youngest of five boys.⁶⁷

While Kellerman was growing up, his family had owned a forty year old slave from Trangano named November who worked as a mason.⁶⁸ By the 1830s Kellerman himself had owned seventeen slaves, fourteen females and three males. One of these slaves was a twenty year old woman named Louisa who was Eva's mother.⁶⁹ All of Kellerman's slaves worked as house servants or laborers. This was a large holding for Cape Town, which suggests that Kellerman may at one time have been relatively prosperous. Yet when he died at a

⁶⁵C.A. GH 1/129, Letter from W. Tozer, 29 April, 1838; see also Bradlow, 'Children's Friends Society', p. 170.

⁶⁶I do not know what a market agent was.

⁶⁷C. Pama, Geslagsregisters van die Kaapse Families Vol. I, (Cape Town, 1966), p. 385.

⁶⁸C.A. SO 6/24, Register of Slaves for Cape Town and District, K 1816-1836, p. 79.

⁶⁹ibid., p. 127.

friend's house on Bloem Street in December 1859, his death certificate noted that he owned only a 'few trifling household articles'.⁷⁰

During his life, Kellerman was never a part of Cape Town's liberal community. Despite having manumitted a slave to the Philanthropic Society, he was not a member. Nor does he appear to have belonged to any other community organizations which served as a litmus test for liberal beliefs, such as the Infant School Society, the Commercial Exchange, or the Literary Gazette.⁷¹ Naturally his lack of participation in all things dear to liberal hearts begs the question why he manumitted Eva to the Philanthropic Society. There are two possible explanations, neither of which derived from a sense of altruism.

The first reason may have been financial . By July of 1831 Kellerman had sold seven of his seventeen slaves. Debt appears to have been the reason for this partial liquidation. 1831 was a litigious year for Kellerman. Not only did Cloete and Mulder file complaints against him for mistreatment, but four times, following the investigations by the Philanthropic Society, he was called before the magistrates court in civil disputes. On 17 June 1831 William Hart and Fredrik Venables complained that Kellerman owed them L9 and L15 with interest respectively since August and December of 1830.

⁷⁰C.A. MOOC 6/9/88, Death Notice of D.H. Kellerman, p. 6532.

⁷¹Cape Philanthropic Society, Annual Reports; South African Infant School Society, Annual Reports; C.A. CO 48/94, 3 Sept. 1825.

Kellerman owed another plaintive 11s, 93/40. He had written them promissory notes and then repeatedly refused to repay any of them. Soon after, on 25 July, Kellerman sold one of his few male slaves, a 37 year old from Mozambique named Adam for an unknown amount. Yet the money he received from the sale did not end his financial troubles. Four days later Kellerman was back in court to face a complaint lodged by Ryan Mullet of Cape Town, whom he was supposed to have owed 8s,9.⁷²

By having to sell to slaves in order to settle his debts, Kellerman was losing labor. The Philanthropic Society an attractive alternative. By selling Eva to the Society, Kellerman not only received L 19,10 but also retained Eva's labor. A year later, when Eva's status changed from a slave to an apprentice, he sold Louisa to his brother George.⁷³ Had Eva remained a slave, Kellerman could not have sold Louisa. Ordinance 19 forbade slaveholders from separating slaves from their children before they had reached ten years of age. By manumitting Eva, Kellerman was able to get around the law.

Though Kellerman probably supported slavery he does not appear to have publicly defended it. He did not sign a memorial to repeal Ordinance 19 drafted in April 1826. Nor was he part of a committee formed to present the view of slaveholders to Lowry Cole in

⁷²C.A. 1/CT 5/6 Civil Case Record Book, 17 June, 29 July 1831.

⁷³C.A. SO 6/24, Register of Slaves for Cape Town and District, K 1816-1836, p. 127.

1832.⁷⁴ This does not mean that he failed to take advantage of the often arbitrary power that was part and parcel of slaveholding.

Yet financial reasons alone do not adequately explain why Kellerman manumitted Eva and then sold Louisa. They were not the only slave family who belonged to Kellerman. He also had another slave who had four children. When he finally sold the mother to a farmer in Stellenbosch, her three children were sold along with her.⁷⁵ Why did Kellerman not also apprentice these children to the Philanthropic Society? Why were they allowed to stay together while Eva and Louisa were separated? Was there a darker motivation behind Eva's apprenticeship, to punish Louisa perhaps? Patricia van der Spuy has exposed a great deal of evidence of masters sexually abusing their slave women. She has argued that the children of these women were used as pawns in the struggle between the slave and her master. She has pointed to the example of one slave named Selvia belonging to John Hale who was separated from her children because she had refused to have a sexual relationship with him.⁷⁶ It is possible that Kellerman had repeatedly propositioned Louisa only to be denied each time. Determined to demonstrate clearly to her who the master was, he sold her to his brother. By doing so, Kellerman punished Louisa, yet kept her close enough so he could still retain a degree of power over her.

⁷⁴Watson, The Slave Question, pp. 227 - 228.

⁷⁵C.A. SO 6/24, Register of Slaves for Cape Town and District, K 1816-1836, p. 127.

⁷⁶P. van der Spuy, 'A Collection of Discrete Essays with the Common Theme of Gender and Slavery' (M.A. thesis, University of Cape Town, 1992), p. 131.

Van der Spuy has also argued that slaves who attempted to intervene to protect their children and other relatives risked separation. To illustrate this point she used the example of a slave named Rosetta who feared being sold 'into the country' because she tried to protect a child who was being 'illused' by her master.⁷⁷ We may recall that Mrs Cloete did not say exactly how Eva was mistreated. It was the Philanthropic Society who, after conducting the investigation, concluded that Eva was sent to school and regularly clothed. But was something else going on? Was Kellerman sexually abusing Eva? That Louisa did not complain to the Philanthropic Society or the Guardian of Slaves should not rule this out. Louisa may have been afraid of reprisals for reporting Kellerman and instead may have acted on her own, attempting to shield her daughter from him. For this she may have been removed.

It seems quite clear that Eva was merely a pawn in Kellerman's attempts to extract a greater amount of obedience from Louisa. As we have seen above, this was not an unusual occurrence during the years of slavery. However, this type of emotional extortion continued during the slave apprenticeship years, 1834 -1838. Former slaveholders, particularly in the rural areas, used apprentices' children as bargaining chips when dealing with their workers. A loophole in the Emancipation Act of 1834 allowed slaveholders to indenture the children of apprenticed slaves until the age of 21. Within Cape Town, 158 children were apprenticed

⁷⁷ibid.

under this act. Many employers were unwilling to support these children, and threatened to remove them from their property unless they were apprenticed. Parents, particularly mothers, were forced to subject their children to indenture for the sake of preserving their family.⁷⁸ Few of these employers saw apprenticeship as synonymous with education and training. Of the 158 children apprenticed only six received practical job training. Four were trained as coachmen, one as a seamstress, and other as a knitting girl.⁷⁹

The attitude of slaveholders shocked some liberals. The Commercial Advertiser argued that the loophole in Ordinance 1 was false. The Advertiser believed that the provision of the Ordinance which stated that the master in addition to providing food, clothing and medicine had to supply 'such other maintenance and allowance'. They interpreted this to mean that masters were responsible for caring for their apprentices' children during their four years of service. But the Advertiser argued that masters were entitled only to the labor of orphaned children. Orphans, it stated, had to be indentured in all cases.⁸⁰

Now that Eva was an apprentice, did Kellerman perceive her in a different light? The complaints levelled against him insinuate that

⁷⁸N. Worden, 'Between Slavery and Freedom: The Apprenticeship Period, 1834-1838', p. 142; P. Scully, 'Private and Public Worlds of Emancipation', in N. Worden and C. Crais, eds., Breaking the Chains, pp. 212-213.

⁷⁹C.A. WGB ADD 1/4/1, Indentures 1835 Jan.-1842 May, 7 June and 14 Aug. 1835.

⁸⁰S.A.C.A. 29 July 1835.

he probably did not. For Kellerman, and other colonists during the 1830s, perceptions of apprenticeship had been shaped by indentured Khoi who labored on the farms in the western and eastern districts of the colony under the yoke of the Caledon Code. Apprenticeship in this instance was synonymous with fulfilling the need for labor. This concept had been strongly reinforced in April 1812 when the colonial government mandated ten year apprenticeships for Khoi children who were maintained for the first eight years of their lives by their parents' master.⁸¹ The apprenticeship of Khoi children had its roots in the 'inboek' system imposed by the Dutch East India Company in 1775. This originally allowed farmers in the Stellenbosch region to apprentice 'Bastard Hottentot' children until the age of 25. Soon after this law was promulgated burgers throughout the colony construed it as permission to indenture all Khoi children regardless of their origins.⁸²

By 1819 the Fiscal or local Landrost was empowered to apprentice orphaned or destitute Khoi and free blacks to farmers. Like the 1812 proclamation, apprenticeship lasted for both boys and girls until the age of eighteen or until a girl was married.⁸³ Though the indenture laws of 1812 and 1819 were disguised as a period for children to learn skills for later employment, in reality it tied the parents of

⁸¹C.A. C.O. 5810, Proclamations, Government Advertisements, and Government Notices, 23 April 1812.

⁸²R. Elphick and V.C. Malherbe, 'The Khoisan to 1828' in R. Elphick and H. Giliomee, eds., The Shaping of South African Society, 1652-1840 (Cape Town, 1989), p.32.

⁸³ibid p. 41; C.A. CO 5818, Proclamations, Government Notices, and Government Advertisements, 9 July 1819.

these children, attempting to preserve their family unit, to the same employer for the duration of the apprenticeship.⁸⁴

There is a lack of precise information pertaining to Khoi children apprenticed under these acts in Cape Town. Unfortunately the contracts of indenture did not distinguish between those who were apprenticed in Cape Town from the rest of the Cape District. However, it is clear that few Khoi children were apprenticed. In the entire Cape District only 65 children were apprenticed under these two provisions.⁸⁵ During the 1820s, the highest number of Khoi under eighteen years old recorded living in Cape Town for a single year was 176 in 1824.⁸⁶ There are two factors which explain the paucity of indentures. Firstly the majority of Khoi lived in the rural areas. Secondly, as Bank has argued, many slaves, Khoi and other indentured workers lived outside the premises of their employers. Thus many Khoi children within Cape Town were probably not maintained by their parents' employer.

Kellerman does not appear to have had any Khoi apprentices but he may have known people who did, and it may have been these acquaintances, whether in Cape Town or the hinterland, that helped shape his perception of child apprenticeship. Undoubtedly he

⁸⁴ Worden 'Between Slavery and Freedom', p. 142; Elphick and Malherbe, 'The Khoisan to 1828', p. 41.

⁸⁵C.A. 1/CT 13/14 Rough list of Hottentot and Free Black Children Apprenticed in Terms of Proclamation 23 April 1812 and 9 July 1819, Contracts of Hiring and Indenture of Europeans, 1822-1831, 1894.

⁸⁶G.M.Theal, Records of the Cape Colony, Vol XIX (Cape Town, 1900)

perceived apprentices as merely another form of labor with little or no obligation to educate or train them, and this was projected onto his treatment of Eva. D.H. Kellerman's perception of child apprenticeship was shared by many other employers, especially in rural areas. Even into the slave apprenticeship years between 1834 and 1838, this was the prevailing view throughout the Cape Colony. Mackay, the Special Magistrate for Paarl, attempted to explain this to the Secretary of State in London. He argued that employers of apprentices in the Cape Colony differed from those in most other British colonies, because 'even if the disposition existed' employers would have had a difficult time educating apprentices due to the fact that they lived in isolated areas.⁸⁷ Because of this situation, children faced the expiration of their apprenticeship without having 'advanced in moral and intellectual acquirements so indispensably necessary to fit them for freedom beyond the state which they would have attained as slaves'.⁸⁸

That Kellerman considered Eva's status as an apprentice no different from that of a slave is central to understanding the relationship between the two. Racism, or the notion that Kellerman derived a sense of power over Eva because he was white, was probably not a determining factor. Kellerman would have mistreated Eva no matter what race she was. Child apprentices received much the same treatment regardless of their race. This point becomes more clear if we examine Kellerman's treatment of Eva against the background

⁸⁷C.A. GH 1/118 Mackay to Secretary of State p. 88, 13 Nov. 1837.

⁸⁸ibid.

of how masters treated their white apprentices. Bradlow has argued that in terms of child apprenticeship, race was not a contributing factor in the way they were treated by their employers. She has noted that employers of children apprenticed by the Children's Friends Society believed these children did not occupy a 'superior position to which the child's whiteness entitled' them. The 'place' of Children's Friends Society apprentices 'was with the ex-slaves and Khoi and therefore must be treated similarly'.⁸⁹

This was also true of white trade apprentices in Cape Town. A small number of boys between the ages of fifteen and eighteen were apprenticed to a master for the specific purpose of learning a trade,⁹⁰ as had been done in England for generations.⁹¹ According to the few surviving contracts, Cape Town's trade apprentices served their masters for three to five years and were supposedly trained as tallow chandlers, coppersmiths, confectioners, and blacksmiths. One boy was an apprenticed shopkeeper.⁹² As in the case of Eva and other apprenticed children, there is some doubt as to

⁸⁹Bradlow, 'Children's Friends Society', p. 175.

⁹⁰C.A. 1/CT 13/14 Rough List of Hottentot and Free Black Children apprenticed in Terms of Proclamation 23 April 1812 and 9 July 1819. Contracts of Hiring and Indenture of Europeans 1822-1831, 1894. It is difficult to give an exact number of how many children were apprenticed under this system. There are less than ten surviving contracts stored in the Cape Archives.

⁹¹Yet unlike England, Cape Town did not have a guild system. English trade apprenticeship flourished until the abolition of the law V Elizabeth in 1814. The law required that anyone who wished to practice a trade serve a period of at least seven years as an apprentice to a master craftsmen. See J. Rule, The Experience of Labour in Eighteenth - Century Industry, (London, 1981), pp. 95 -97.

⁹²C.A. 1/CT 13/14, Contract Between John Muller and illegible, 27 July 1829.

how much instruction these boys received. There is a good chance, that like trade apprentices in England, they performed labor that the master's other employees refused to do.

Like Kellerman, masters of white trade apprentices served a paternalistic role, providing them not only with training in a skill but with food, clothing, medicine, and lodging. The master's control extended over every aspect of his apprentices' lives. Simon de Haan, who was apprenticed to the coppersmith John Swenny, was 'not to play at Cards, Dice Tables, or any other unlawful games'.⁹³ An apprenticed shopkeeper named John Muller was forbidden to 'haunt Taverns, Plays, or Public Houses'.⁹⁴ As with Kellerman, some of these masters mistreated their apprentices working them extremely long hours. One Cape Town boy apprenticed as a blacksmith complained of working 'continuously at horseshoeing' and when there were no horses around he performed 'little jobs'.⁹⁵ Another trade apprentice named John Quinn believed he was being so mistreated that he refused to follow any orders given by his master, Richard Attwell. When brought before the Magistrate, Quinn was ordered to be obedient. However rather than obey, he opted for a month's imprisonment with hard labor.⁹⁶ Another of Attwell's apprentices, Albert Wood, deserted at least twice between March 1832 and April 1833. Like Quinn, Wood opted for a month's imprisonment and hard

⁹³C.A. 1/CT 13/14, Contract between Simon de Haan and John Swenny, 29 Jan. 1829.

⁹⁴C.A. 1/CT 13/14, Contract between John Muller and illegible, 27 July 1829.

⁹⁵C.A. 1/CT 6/17 Records of Proceedings in Criminal Court Cases, 15 June 1832

⁹⁶ibid.

labor, rather than return to Attwell.⁹⁷ Like Kellerman, Attwell does not appear to be a man who saw apprentices as being very different from slaves. For it appears he treated them no better. One slave apprentice of Attwell named Site attempted to escape from his service with some handkerchiefs and cloth that belonged to Attwell.⁹⁸ Wood and Site were both charged with desertion which in the Cape colony was a criminal offence. Thus it seems clear that the law did not make racial distinctions when punishing apprentices for desertion. This along with the evidence offered above strongly suggests that white apprentices did not enjoy a superior status to apprentices of color.

As alluded to above, the relationship between a master and his child apprentice was based on paternalistic notions. But as Mason has stressed, the 1830s was a time when paternalism was under siege.⁹⁹ The most tangible example of this was the ameliorative measure promulgated by the British parliament and embodied in the office of the slave protector. The Philanthropic Society also eroded traditional paternalism. Once a slaveholder manumitted a child to the Society, even if he retained that child's labor, he no longer enjoyed exclusive control over them. When Kellerman manumitted Eva to the Society, he had to surrender partial paternalistic control to them. The Philanthropic Society now set the conditions of her labor and Kellerman had to adjust within the framework of the

⁹⁷C.A. 1/CT 8/9 Record Books of the Resident Magistrates Court, Index, 2 May 1833.

⁹⁸ N. Worden, 'Slave Apprenticeship in Cape Town, 1834 - 1838', in E. van Heyningen, ed., Studies in the History of Cape Town 7 (1994), p. 41.

⁹⁹Mason 'Paternalism Under Siege', pp. 45-78.

terms it set for apprenticeship. For Kellerman, and other slaveholders who did so, the partial surrender of authority to the Philanthropic Society would have been difficult to accept. Through his treatment of Eva, Kellerman clearly demonstrated that he did not perceive her status to have changed. It was also a message to the Philanthropic Society that he did not recognize its authority. The fact that he manumitted Eva to the Philanthropic Society did not mean that he was happy about it, nor that he necessarily agreed with its aims. He may have never intended to follow any of the Society's guidelines. If anything, Kellerman's civil wrangles demonstrated that he was not a man who fulfilled agreements.

Though the Philanthropic Society forbade employers from treating their apprentices cruelly, it lacked any means of stringent enforcement which would have persuaded Kellerman to change his ways. Even if the Society had found him guilty of mistreatment, the punishment would have been relatively light. Under Ordinance 70, which governed the Society's operations, Kellerman would have been ordered by the Magistrates Court to pay a fine 'not exceeding L5 nor less than L1'. The Philanthropic Society could also have elected to cancel the indenture. However given its members' sympathetic disposition towards slaveholders, this was unlikely.¹⁰⁰

Children were arguably the most vulnerable to abuse from their employers. Eva would have had few tools with which to resist

¹⁰⁰Ordinance 70 in S.A.C.A. 6 Feb. 1829.

Kellerman's torments, be they physical, sexual, or a withholding of adequate education and clothing. Writing, a form of resistance used by children indentured by the Children's Friends Society, was not a viable weapon of resistance for apprenticed slaves and Khoi. The only methods at their disposal were desertion and insubordination. While there is no evidence that Eva resisted Kellerman, many other of her fellow Philanthropic Society apprentices did defy their masters' authority. For example, Mrs L. Roberts complained to the Society that her apprentice Lannetje had been 'guilty of petty theft and other very improper conduct'.¹⁰¹ Another Philanthropic Society apprentice named Aliena had misbehaved, according to her mistress Mrs C. Hausen. Rather than wait for her mistress to discipline her, Aliena ran away. Efforts by Hausen, the Philanthropic Society, and the police, to locate her proved unsuccessful and she was never found.¹⁰²

In order to 'regulate and improve the condition of children'¹⁰³ apprenticed under the emancipation act, Longmore, in July 1836, suggested the creation of a Special Magistrate to serve as an overseer. The office was to be empowered with the right to 'cancel and set aside the Indenture . . . upon it being proved that the Employer has neglected, ill treated, or not given proper instruction' to the children under his charge.¹⁰⁴ None of this, however, was

¹⁰¹Cape of Good Hope Philanthropic Society Minute Book, 6 July 1831

¹⁰²ibid, 2 Feb, 2 March, 1831.

¹⁰³C.A. GH 1/110, Longmore to Secretary of State, 11 July 1836, pp. 63-64.

¹⁰⁴ibid.

original; in fact these guidelines were identical to those set up by the Philanthropic Society. Much of Longmore's proposal was an attempt to secure himself employment following the end of the slave apprenticeship period. He asked the Secretary of State to 'kindly take my application to be nominated guardian' into account should the post be created.¹⁰⁵

What the Philanthropic Society, along with Longmore, Mackay and the Commercial Advertiser, failed to understand, was that slaveholders, like Kellerman, had created their own understanding and methods of education and control. John Mason has argued that in the slave system violence was pervasive because it was a common language of communication between slaveholders and their chattel. Slavery was a school and violence was the main tool of education.¹⁰⁶ Slaveholders like Kellerman were determined to preserve their old habits and interpretations. To them, after a century and a half of slavery, there was no practical way the sjambok could be dissolved as an educational tool overnight merely because a child's status changed from slave to apprentice. This was not only in deference to traditional practices but also because they did not perceive apprentices and slaves as different entities. However, as we shall see below, parents such as Ian Mulder did see a distinct difference between slavery and apprenticeship.

¹⁰⁵ibid., p. 66.

¹⁰⁶J. Mason "'Fit for Freedom": The Slaves, Slavery and Emancipation in the Cape colony, South Africa, 1806-1842.' (Ph.D. thesis, Yale University, 1992), p. 498. }

'Parents of that Class'

When Ian Mulder fled with his daughter into the countryside it represented the opening gambit in his attempt to reassert his natural rights as a parent. Though apprenticeship was used by liberals and slaveholders to exert control over both parents and children, parents manipulated the system to suit it to their own means and reassert themselves as parents. Mason argues that slaves resented the usurpation of this role by slaveholding classes.¹⁰⁷ Scully has argued that the family was one of the key sites of struggle over the meanings of freedom during the slave apprenticeship years and beyond.¹⁰⁸ Masters, employers, liberals, philanthropists, and clergymen, all fought to control Cape Town's underclass families.¹⁰⁹ Ian Mulder fought these attempts in order to reassert himself as a parent and protector of his daughter's welfare.

Little is known about Ian Mulder apart from what is contained within the pages of the Philanthropic Society's minute book. Mulder was owned by a man named James Carney. Carney appears to have eluded nearly all historical documentation. Thus it is impossible to find out much about Mulder. His place of birth, age, as well of what kind of work he did as a slave remain a mystery. However from the available information it is possible to reconstruct his experience as a parent.

¹⁰⁷ *ibid.*, p. 494.

¹⁰⁸ P. Scully, 'Rituals of Rule: Infanticide and the Humanitarian Sentiment in the Cape Colony c1834 - 1850' (Unpublished Paper, Centre for African Studies, University of Cape Town, 1992), p. 3.

¹⁰⁹ Scully, 'Private and Public Worlds of Emancipation', p. 3.

Slavery marginalized the role of fathers. Before amelioration, paternity was not even recognized. Kellerman's register of slaves makes no mention of Mulder's paternity; only maternity is noted. Even after fathers were given paternal recognition most slave families in the Cape Colony were matrilocal.¹¹⁰ In the Cape Colony, masters in general did not recognize slave families, and as a result fathers were sold away from their partners and children with impunity. Though there were instances as far back as the VOC period of two parent slave households, the father was arguably a very weak influence.¹¹¹ The mother's role was seen by colonists as the more important because she literally reproduced a stable and industrious labor force for the future.¹¹²

Despite these obstacles, Mulder appears to have been an exceptionally caring father who played an important role in his daughter's life. Obviously the clearest manifestation of this was his final confrontation with Kellerman, but there are other indicators as well. Mulder was probably a common sight around Kellerman's house on Long Street when he was not working. The fact that Kellerman gave Mulder permission to take Eva to the country for two days suggests this. Kellerman trusted him enough to allow him to take Eva away overnight. Kellerman's complaint to the Philanthropic Society does suggest a sense of betrayal. Mulder was also aware

¹¹⁰ *ibid.*, p. 7.

¹¹¹ N. Worden, *Slavery in Dutch South Africa*, (Cambridge, 1985), p. 258.

¹¹² Scully, 'Rituals of Rule', p. 4.

that the Society stipulated that Kellerman provide education and clothing, which suggests he took the time to enquire about this change in his daughter's status.

As we shall see in the following chapter, this sharply contrasts with liberal perceptions of laboring class parents who were stereotyped as lazy drunks and indifferent to their children's welfare. The Infant School Society's executive committee claimed that 'experience has too long and sadly proved with parents of that class' that they were totally 'indifferent to their offspring and to their welfare'. Because parents themselves were perceived to be uninspiring servants 'children in the humble walks of life look for and require the assistance and *Example* of the higher classes'.¹¹³ Starting in the mid 1820s, liberals in conjunction with the colonial government attempted to assert in loco parenti over children, thereby facilitating access to their labor. The Advertiser contended that lower class children [for their own good] had to be made 'children of the state'. Longmore believed this was necessary because 'parents have not the proper means of support'.¹¹⁴

But having the 'means of support' was not always enough for parents to regain control over their children. In certain cases power of indenture was also needed. Ian Mulder was confronted with this problem. The Philanthropic Society reminded him that he had no power of indenture over his daughter. This was a further attempt on

¹¹³South African Infant School Society Fifth Annual Report, 1835, p. 8; Cape Almanac, 1834, p. 181.

¹¹⁴C.A. GH 1/110 Longmore to Secretary of State, 11 July 1835, p. 58.

the part of the Philanthropic Society to deny him paternity, which was understood as control of the child's labor. Thus, paternity belonged jointly to the Philanthropic Society and Kellerman. Legally, in terms of Ordinance 70, Eva belonged to the Society. But Kellerman was also supposed to play a paternalistic role in her life and provide education and clothing like a biological father would in a colonial family. Kellerman and the Philanthropic Society, unlike Mulder, had the authority to discipline her. Thus by controlling her labor and administering discipline they effectively emasculated Mulder and stripped him of his natural parental rights. Even the language used to describe his actions underlined the usurpation of his paternity. Kellerman and the Philanthropic Society described Eva as a victim of kidnapping.¹¹⁵ This implied criminality on Mulder's part, painting him as a rogue, an outsider, with no part in Eva's life, who had foisted himself upon her and was holding her against her will somewhere in the hinterland.

As a slave, Ian Mulder was well aware that he could face severe consequences for his actions. Yet he was not the first parent of a Society apprentice who had removed their child from a master's home. In April 1829 the slave Candace took her daughter Leetje from the home of a Mrs Norman, because Candace claimed Norman ill-treated her. After a quick investigation, the Philanthropic Society ruled that Candace's charge was 'frivolous and groundless'.¹¹⁶ Though Candace escaped with a severe reprimand

¹¹⁵Cape of Good Hope Philanthropic Society Minute Book, 2 March 1831

and was 'cautioned against any repetition of such conduct', as a man, Mulder probably faced a harsh whipping at the very least if his claim was rejected.

Ian Mulder hoped that his letter would serve as a weapon against Kellerman as well as a tool to enable him to regain control over his daughter. The letter did not indicate that he was opposed to the concept of apprenticeship, though he may well have been. What he overtly opposed was the fact that the terms of apprenticeship had been ignored. As a slave, Mulder probably had a very clear perception of what apprenticeship entailed. Based on his complaint, it is probable that he saw apprenticeship, with its promises of education, training and eventual freedom as a step up the social ladder from slavery. If Eva's education was ignored by Kellerman, Mulder may have wondered, how her apprenticeship differed to slavery?

Khoi and 'other free people of color'³ also used apprenticeship to regain control of their children. The promulgation of Ordinance 50 rescinded the child indenture acts of 1812 and 1819. In terms of Ordinance 50, control of children's labor reverted back to parents. 'Hottentot[s] or other free Person of color' could apprentice their children for any given period of time up to seven years. Girls could be apprenticed up until the age of sixteen, for boys eighteen. Like Eva, all children apprenticed under this provision were supposed to receive training in some useful employment.¹¹⁷ Between 1830 and

¹¹⁶ *ibid.*, 1 April 1829.

¹¹⁷ Government Gazette 25 June 1828. |

1847, 26 parents apprenticed their children in the Cape magisterial district. 21 of these children were apprenticed within Cape Town itself.¹¹⁸

This is not surprising when considered that in comparison to the countryside, the city was perceived as a place of considerable freedom. In coming to the city, families escaped the harshness of farm labor. Scully has argued that slaves, adult apprentices, and other marginally free laborers saw the independence of their families from any kind of farm labor as one of their most important definitions of freedom.¹¹⁹ Furthermore, Khoi and free people of color believed that apprenticing their children in Cape Town would give their offspring a better chance of class mobility. There are many examples of this. For instance, one child named Goliat received an allowance of three rixdollars a month. According to another contract, a Khoi child named Thomas was to have three shillings placed in a bank account for him by his employer Abraham Aureh.¹²⁰

This 'power of indenture' also facilitated parents' use of their children to supplement the family income. Based on her analysis of indentures organized by Khoi and free blacks in the Stellenbosch District, Scully suggests that the rural underclass conceptualized

¹¹⁸See C.A. 1/CT 13/11 Indenture of Apprentice By Parents of Hottentots and Free People of Colour-Children 1830, 1837, 1839, 1841-42, 1844-45, 1847.

¹¹⁹P. Scully, 'Rituals of Rule', pp. 3-4.

¹²⁰C.A. 1/CT 13/11 Indenture of Apprentice By Parents of Hottentots and Free People of Colour-Children, 6 May 1844, 9 July 1839.

the family as part of a greater household economy in which all family members were expected to contribute.¹²¹ Though Scully has qualified this argument as tentative, there are urban examples which support her theory. For instance, Dirk Aspeling paid 'an allowance of five rds per month during the first year and six rds per month during the last year' to the mother of his apprentice Tirus. Christoffel Brand, editor of the Zuid Afrikaan also paid a monthly allowance to his apprentice's mother.¹²² Thus, as in Stellenbosch, these Cape Town indentures may indicate the emergence of a household economy amongst Cape Town's Khoi and free people of color.¹²³ These parents not only controlled where their children were apprenticed, but also where the money generated from the apprenticeship went. This was just one more way in which they used apprenticeship, or power of indenture, to reassert their parental authority.

Mulder may not have believed that his actions would lead to Eva 's freedom, but he may have felt that he could, at the very least, ensure that she either received what she had been deprived of, or have her apprenticeship to Kellerman cancelled. Thus, while Mulder did not have power of indenture like Khoi and free people of color under Ordinance 50, he might have been able to influence where she was

¹²¹P. Scully, 'Liberating the Family? Gender, Labor, and Sexuality in the Rural Western Cape South Africa, 1823-53.' (Ph.D. thesis, University of Michigan, 1994), p. 140.

¹²²C. A. 1/CT 13/11 Indenture of Apprentice By Parents of Hottentots and Free People of Colour-Children, 10 and 17 Aug. 1841.

¹²³P. Scully, 'Liberating the Family?' p. 139.

indentured. Another slave father had also attempted this a year earlier. His child Charlotte, owned by a Mr. Hurter, had been manumitted to the Philanthropic Society and apprenticed to a Mr Gunn. Charlotte's father approached the Society and said he objected to her being apprenticed to Mr Gunn and asked that she be placed with her former master, Hurter.¹²⁴ In Mulder's case, the hope of removing Eva from Kellerman may have motivated Louisa to grant the Philanthropic Society permission to manumit the child, only to find to her dismay that she would remain with him as an apprentice.

Eva

This chapter illustrates that in Cape Town, child apprenticeship was perceived and understood in multiple ways. Middle class liberals viewed apprenticeship as an insurance policy on the future. By providing lower class children with work and an education 'suited for their station in life' they could produce a tractable and docile work force in the years ahead. However this conflicted with the traditional understanding of apprenticeship. Most who were charged with caring for apprentices neglected their education and training. Kellerman for one, found it impossible to differentiate between slavery and apprenticeship. To him a child apprentice was apparently just another form of labor to be exploited. Parents also exploited apprenticeship, albeit with greater finesse, and manipulated it in the hope of regaining parental control. Yet while there is now a greater understanding of how liberals, masters and parents

¹²⁴Cape of Good Hope Philanthropic Society Minute Book, 7 July 1830.

perceived child apprenticeship, we have no clue as to how Eva saw her situation. This is because Eva's voice is nowhere to be heard amongst the surviving testimony. Perhaps this silence says more about child apprenticeship than anything else. For child apprenticeship in Cape Town during the first half of the nineteenth century reduced children to pawns in the power struggle between philanthropists, employers and parents.

Chapter Three

Degenerate Days: Employer Attitudes Towards Cape Town's Indentured and Apprenticed Laborers, 1808 -1838

This chapter examines the negative stereotypes Cape Town's English speaking employer class attributed to the city's indentured and apprenticed laborers. It will argue that employers perceived their laborers to be immoral and uncivilized, drunk, idle, violent, and prone to desertion, characteristics which threatened employer control. English speaking employers, particularly liberal ones, attempted to 'develop' and 'civilize' their servants in an effort to mould them into a tractable and dependable workforce. They furthermore wished to stamp out the city's emerging underclass culture in which indentured and apprenticed laborers participated. To employers this alternative culture not only inhibited their servants' work ethic, but it also eroded their authority and threatened their image of Cape Town as a beacon of light and civilization in Africa . Though the stereotypes they applied to their servants were class based rather than race based, they became increasingly tinged with racialism, particularly during the period between the promulgation of Ordinance 50 in 1828 and the termination of the slave apprenticeship period a decade later.

As we saw in the previous chapter, Cape Town's white, middle class, liberal reformers considered child apprenticeship a necessary phase of development in creating a sound and trustworthy workforce for the future. One of the essential reasons this was believed to be

necessary was that the parents of these children, who were part of a general laboring class that included not only indentured and apprenticed laborers but also slaves, served as poor role models of sober and diligent workers. As one angst ridden person wrote to the Cape of Good Hope Literary Gazette in 1830,

I cannot help expressing my fears least these praise worthy efforts to train up the child in the way it should go, will, in many instances at least, prove to be abortive, as long as the good impressions thus easily stamped on the juvenile mind, remain liable to be as easily effaced by the pernicious example of the parent; for if the parent in the full maturity of their intellect, and in spite of divine warning, proved unequal to the task of resisting the force of temptation in one solitary instance alone, how can we expect the child in these degenerate days, under any system of human tuition to recoil from the the seducing example of the parent.¹

To Cape Town's employers, particularly those who considered themselves to be humanitarian liberal middle class reformers, the city's indentured and apprenticed laborers represented the dark underbelly of a city which liberals prided themselves on as a place of ever increasing learning and culture. Liberal reformers were obsessed with what they perceived to be laborers' idleness and immorality. John Fairbairn, writing in the Commercial Advertiser, complained that servants were lazy and 'incapable of resisting any temptation which promise(d) the immediate gratification of their animal appetites'.² They were unwilling or incapable of performing a respectable day's labor. Instead, they preferred to lie

¹Cape of Good Hope Literary Gazette 13 Oct. 1830.

²South African Commercial Advertiser (Hereafter S.A.C.A.), 15 Feb. 1834

about in the city streets drunk, wallow in filth, or engage in activities such as gambling, fighting, theft or public sexual displays. Another person expressed exasperation when writing that 'We cannot enter a house or scarcely, a shop, or store without hearing of the inconveniences which daily arise from the the vices and moral degradation of our working classes'.³

A Thousand Complicated Levers

To be an employer in Cape Town was to be in control of one's workers. But by the 1820s and 30s employers were beginning to lose this control. The question on the minds of most employers during this period was how to go about reasserting their authority. As we will see below, there was no shortage of suggestions. But the essential question to ask is what lay at the root of this reform impulse. More bluntly, why was Cape Town's employer class so obsessed with their servants' morality? Though the reasoning behind this fixation was attributed to the claim that a sober and industrious workforce was essential for the colony's survival, this explanation is incomplete. For their obsession went much deeper, striking at the heart of the employers views about themselves, their city, and its membership in a progressive and civilized world. Fairbairn had warned his readers that for Cape Town to maintain any pretence of civility 'in the midst of savage tribes', 'civilized inhabitants' would have to be vigilant. To survive, their ordered enclave had to be 'fenced and sheltered and unremittingly watered,

³ibid., 3 Feb. 1836

and weeded, and pruned and new grafted'. Spinning a Franklinesque homily he advised his fellow city dwellers to 'dig about it and dung it'. Cape Town's ^{development} had to be watched over with 'unsleeping diligence!'.⁴ Civilization was thus likened to a prize rose bush, which if not carefully tended would be strangled by creeping weeds. Another observer concurred:

there are at present in Cape Town about 10 or 12,000 coloured persons. . . From among these people we procure our domestic servants, laborers, and many of our journeymen tradesmen. That they should be moral and virtuous is essential to the happiness and comfort of all who belong to the upper ranks'.⁵

Much of employers' insecurity originated from the colony's status, until 1834, as a slave society. As David Brion Davis has convincingly argued, when Britain, seen as the nineteenth century exemplar of progress, moved from the abolition of the slave trade towards the emancipation of all slaves it effectively defined all slave-holding societies as retrogressive.⁶ More specifically, slave-holding societies were stereotyped by the British public and other free territories as underdeveloped lands of decay, where indolent whites made little effort to create physical symbols of civic improvement such as roads, churches, or schools.⁷

Cape Town did not escape this kind of derision. One visitor remarked

⁴ibid., 4 Feb. 1824.

⁵ibid., 3 Feb. 1836.

⁶D.B. Davis, Slavery and Human Progress (New York, 1984), p. xvii.

⁷ibid., p. 80.

the city 'boast[ed] the anomalies of a college without professors, a Theatre without actors, and a bishop without a church'.⁸ Such accounts led Fairbairn to remark that 'we [colonists] have seldom seen in writing a good description of colonial life'. He tried to strike back. 'It is not easy to restrain our indignation when we see a well educated and travelled man sitting calmly down at his desk addressing himself to the vulgar prejudices of his countymen' he scolded. He accused writers of attempting to undermine the colony by making recommendations such as that colonists should 'be ruled with an iron rod', merely because '*he* has discovered some instance of depravity among them; and because they do not eat, drink, sleep, and manage their affairs as he would have them do'.⁹ Despite his bravado, the hurt and insecurity in Fairbairn's reply is palpable. Another Cape Town newspaper, the anti - liberal Mediator despaired that although 'in all the movements of societies there is an ever resumed and renovated progress, we are free to confess, that this position has become weaker and weaker the more our inquiries extend into the state of things at the Cape of Good Hope'.¹⁰ For scholars the question remains, by attacking the laborers' work and moral habits, were Cape Town's employers trying to save themselves? Fairbairn and his supporters readily believed 'civilized man sinks much more readily to the level of a savage, than the latter

⁸K. McKenzie, 'The South African Commercial Advertiser and the Making of Middle Class Identity in Cape Town in the First Half of the Nineteenth Century' (M.A. thesis, University of Cape Town, 1993), p. 30 - 31.

⁹W.B. Boyce, Notes on Southern African Affairs (London, 1839), p. iv.

¹⁰Moderator 21 Feb. 1837.

rises to his level'.¹¹

To Cape Town's English speaking employers, the Cape Dutch provided a ready example of a people who had regressed to a near-savage existence. Travel writer J.W.D. Moodie believed 'the Dutch at the Cape of Good Hope afford an instance of a people partially relapsed into a state of barbarism from want of education and from their intercourse with a race of savages'.¹² Was the English speaking employers' obsession with their servants' morals an alarm sounding that their flower of civility was being smothered by weeds of immorality, and that if nothing were done they would soon sink to the level of the Dutch or lower? Herein lies the paradox: while Cape Town's English employers believed that the work performed by their servants was essential for the colony's survival, the latter's moral and industrial character, or lack of it, threatened the city's reputation.

In his history of the Cape Colony, the missionary John Philip wrote

We are all born savages, whether we are brought into the world in the populous city or in the lonely desert. It is under the discipline of education and the circumstances under which we are placed, which create the difference between rude barbarism and the polished citizen - the listless savage and the man of commercial enterprise, the man of the woods, and the literary recluse.¹³

Philip and his son-in-law John Fairbairn were the leaders of the

¹¹S.A.C.A. 4 Feb. 1824.

¹²J.W.D. Moodie, Ten Years in South Africa (London, 1835), p. 175.

¹³J. Philip, Researches in South Africa Vol II, (London, 1828), p. 315.

Cape Colony's early humanitarian liberals. Philip's sentiments which appear above thoroughly reflect early nascent liberal ideology. He was expressing liberalism's belief in a single human nature and propagated the concept that everyone could be improved. Liberalism equally objected to the notion of racial superiority and concepts of theological difference. However, while liberals believed in the potential equality of all people, this sentiment did not extend to a belief in equality of cultures.¹⁴ As we saw in the previous chapter, Lewsen argued that a central tenet of liberalism was the belief in the superiority of Western European culture. Cape Town's underclass culture was undoubtedly considered inferior by liberals. Thus in order for the Khoi, Prize Negroes, Free Blacks, slaves, and white laborers to become members of civilized society, they had to be instructed in its ways. As one writer to the Colonist argued, Cape Town's laborers

must be first taught to consider themselves as rational and accountable beings before the mind can be acted on: they must be taught to respect themselves as men . . . this will teach them to respect the laws of their country, and this can only be done by example and instruction.¹⁵

Though essentially non-racial in sentiment it is not difficult to see in liberalism the seeds of racialism which gripped the Victorian Age a few years later. Paul Rich has argued that the brand of British racialism which came to the fore in the early nineteenth century and

¹⁴A. Bank, 'Liberals and Their Enemies: Racial Ideology at the Cape of Good Hope, 1820 to 1850' (Ph.D. thesis, Cambridge University, 1995), pp. 82 - 89.

¹⁵Colonist 7 Feb 1828.

developed in crude sophistication throughout the Victorian era was a mixture of conflicting ideologies and interests. This style of racialism, he contends, portrayed 'blacks' as less than human savages who needed to be controlled, yet who at the same time were passive and helpless, in need of instruction and upliftment.¹⁶

John Fairbairn believed 'a thousand complicated levers are requisite to elevate the barbarian to the rank of civilization'.¹⁷ Like other liberals he believed the two most important levers required were education and discipline. Cape Town's laboring class was seen as underdeveloped and in need of examples of civilized behavior. This was particularly true of Khoi. W.B. Boyce, who considered himself an advocate of the Khoi, warned

The Hottentot has no select class of his own countrymen to go to when he has raised himself above a servile condition, there is as yet no nucleus of respectability, to which he can cling, and where he would find usages and notions in full operation tending to the conservation of property, and stimulating to its increase, by the necessary exertion requisite to support an improved style of living. He naturally falls back upon the mass of his countrymen and his degradation is the inevitable result.¹⁸

Yet, if trained in 'regular habits and industry' the Colonist believed the Khoi had the potential to be 'amongst the most useful agricultural servants in the Colony, and by giving them orderly habits and instruction suited for their state, we may . . . check their

¹⁶P.B. Rich, Race and Empire in British Politics (Cambridge, 1986), p. 12; see Bank 'Liberals and Their Enemies'.

¹⁷S.A.C.A. 4 Feb. 1824.

¹⁸Boyce, Notes on Southern African Affairs, p. 121.

vices'.¹⁹ In 1834 a Dr Epps of London 'distinguished professor of phrenology', informed readers of the Commercial Advertiser that

the caffer and Hottentot are not far behind, and the day is not far distant when, with the proper management, we shall be able to rejoice in the elevation of them to the dignity of the Humanized and Intellectualized. I hope you will do all you can to better their condition and cultivate those powers, the organs of which are fairly developed in their heads.²⁰

What particularly fascinated Epps was his belief that 'the love of truth is a very interesting feature in the Hottentot; his organ of conscientiousness is large'.²¹

Yet liberals were only one half of Cape Town's employer class. The other half, who have been grouped by Bank as anti-liberals, rejected the idea of educating the city's laborers. Bank has argued that anti-liberalism grew out of a conservative Dutch legacy based on systems of unfree labor and which gained ideological strength through a connection with conservative trends in the early nineteenth century Netherlands.²² They read papers such as Zuid Afrikaan or the English medium Mediator. The editors of the Mediator chastised Fairbairn and other liberals, writing that 'No error is more profound or more prevalent than the impression that the manual labor class, from simply learning to read and write are educated persons'.²³

¹⁹Colonist 13 March 1828.

²⁰S.A.C.A. 14 Sept 1834.

²¹ibid.

²²Bank, 'Liberals and Their Enemies', p. 141.

²³Mediator 21 Feb. 1837.

Corporal punishment was a traditional lever of control advocated by both liberal and anti-liberal employers. Moodie spoke for many on the subject when he wrote 'I am at a loss to conceive how crime is to be effectively prevented in this colony among slaves and other servants without some species of corporal chastisement; for it is obvious that a man can only be punished in his person or property'.²⁴ Bank has argued that while the brutality of punishment delivered to rural indentured labor was equal to that experienced by slaves; urban laborers received less corporal punishment.²⁵ Yet there is a multitude of evidence to suggest that the beatings urban indentured workers received were often equal to the punishment meted out to slaves'.²⁶

English employers, whether liberal or not, largely believed incarceration with hard labor was ineffectual, and rather than preventing idleness, intoxication, and crime, it was viewed as exacerbating the problem. Moodie believed that 'imprisonment is ineffectual, for it only injures the master. It is besides, scarcely any punishment to the coloured population of the colony and generally returns them to society more accomplished malefactors than they were before'.²⁷ Boyce echoed this sentiment, writing that jailed servants had '10 or 20 days, comfortable lodging and a

²⁴Moodie, Ten Years in South Africa, pp. 181-182.

²⁵A. Bank, 'Slavery in Cape Town, 1806-1834' (M.A. thesis, University of Cape Town, 1991), p. 70 n30.

²⁶See C.A. 1/CT 8/7 Criminal Records Index.

²⁷Moodie, Ten Years in South Africa pp. 181-182.

plentiful supply of food at the public expense'. When their sentence expired they felt 'invigorated by rest and furnished with favorable reminiscences of a prison life [and were] again let loose upon the industry of the country'.²⁸

In light of a discredited penal system, a new form of control was needed. Some employers called for the enactment of a vagrancy law. While the most vociferous demands came from the rural areas where farmers feared roaming servants, particularly Khoi wandering the countryside and stealing their cattle, there was a large lobby in favor of the law in Cape Town. Employers feared that the number of people who were 'wandering about by day as well as night without having any visible means of subsistence, or without a fixed residence' were destroying any sense of order within the city. If it was not checked soon, their disorderly and wanton way of life would have disastrous effects. Signatories to Memorials in favor of the proposed vagrancy law argued that vagrants 'cannot fail to give a bad example' to servants and laborers. Employers claimed to have 'often experienced the baneful effects thereof amongst their domestics'.²⁹

Supporters of the vagrancy proposal used language that attempted to stress mutual benefits for both colonists and laborers. They argued that not only would it preserve order in the city, but it would halt

²⁸Boyce, Notes on Southern African Affairs, p. 119.

²⁹C.A. LCA Vol. 6, Item 33, Memorial of Proprietors and Inhabitants of the Gardens, Cape Town, 29 July 1836.

laborers from a further descent into depravity. 'Besides giving better security to life and property in this colony', memorialists in Cape Town and Gardens reasoned, 'it will moreover have the direct and effectual tendency to raise the coloured classes in general from that state of moral degradation. . . to virtuous and industrial habits'.³⁰ The civil commissioner for Cape Town concurred when he argued that Khoi, being naturally prone to habits 'of wandering , of idleness, and of drunkenness', needed the law for their own survival. Without a vagrancy law, he reasoned, Khoi would be free to 'pursue those courses which could not but be injurious to property and destruction of their own comforts, morals and lives'. He assured opponents to the law that 'it was with a view to preventing these evils that a vagrant law was loudly called for'.³¹ However the proposed law was little more than an attempt to coerce into their service Khoi, and other unemployed people who had been freed from their yoke with the promulgation of Ordinance 50.

Boyce and others, notably John Fairbairn, agreed with advocates of the proposal that vagrancy needed to be curbed. Boyce sounded much like the Civil Commissioner in stating that 'vagrancy prevents the rise of respectable . . . coloured people'.³² Yet they rejected the concept of a vagrancy law because in reality it was not color blind. Such a law would affect only those 'distinguished by a color physiognomy, associated with degradation, servitude and disgrace'.

³⁰ibid.

³¹C.A. LCA Vol. 6, Item 20, Civil Commissioner's Office, 28 June 1834.

³²Boyce, Notes on Southern African Affairs, p. 120.

For it contained 'no provisions or guards that could prevent a vagrant act from being in many cases an act of oppression'.³³ Rather, Boyce, Fairbairn, and other opponents claimed that the best way to suppress vagrancy was through 'direct means' which included additional forms of apprenticeship or creating for the 'indolent, the idle and persons having no honest means' other, unspecified employment opportunities.³⁴

Opponents to the proposed law were no less adamant in their call for the suppression of vagrancy, and for greater control over laborers. Yet rather than do it through the law Boyce, Fairbairn, and others advocated control through the promotion of European cultural hegemony, namely education and religion. When the colonial government rejected the proposed vagrancy law on grounds similar to those noted by Boyce, this became the primary way in which inhabitants attempted to reform and control the 'immorality' of their servants. Boyce recommended the creation of facilities which 'afforded religious instruction as well as secular branches of education'.³⁵

The debate over vagrancy marked a turning point in employer class perceptions towards Cape Town's laborers. Judges has argued that employer perceptions during this period were primarily class based rather than race based. According to Judges, the difficulty with

³³ibid., p. 122.

³⁴S.A.C.A. 30 July 1834.

³⁵Boyce, Notes on Southern African Affairs, p. 134

attempting to divide Cape Town's population along racial lines was that by the 1830s the racial divide which separated blacks and whites had become increasingly blurred due to large-scale miscegenation. Furthermore, Judges has pointed to the way in which newspapers, particularly the Commercial Advertiser, used terms such as 'the coloured classes and the poor generally' or 'the poorer classes, both black and white'. In addition, the overall residential patterns in Cape Town, particularly in the 1830s, indicate a pattern of racial mixing. Thus in Cape Town, color did not automatically correspond to a person's social status, even though whites possessed most of the wealth.³⁶ Therefore it should not be surprising that the negative stereotypes Cape Town's employer class applied to servants tended to be class-based rather than race-based.

Complaints regarding idleness and intoxication were, in most cases, directed at 'our laboring classes' rather than at any one specific racial group. John Fairbairn, though a leading critic of coloured laborers' morality and work ethic, asked his readers if 'of the poor among the laboring European population can we say much more?'³⁷

Another writer was more explicit commenting

A drunken Hottentot has long been a bye - word in Cape Town; but until of late years, a drunken Englishman was so rare a sight as commonly to call forth a blush from his countrymen but now of days . . . such is the degraded state of the lower classes that immorality and vice stalk throughout the land, and appear to be confined to neither colour, sex nor country.³⁸

³⁶S. Judges, 'Poverty and Living Conditions and Social Relations: Aspects of Life in Cape Town in the 1830s' (M.A. thesis, University of Cape Town, 1977), pp. 125 -127.

³⁷S.A.C.A. 15 Feb. 1834.

³⁸Cape Town Literary Gazette 13 Oct., 1830.

However by the 1820s and 30s employer perceptions towards indentured and apprenticed laborers were increasingly expressed in racial terms. Robert Ross, drawing on Van Arkel's work investigating the creation of stereotypes of Jews in Europe, has argued that three phases are necessary for the rise of racism. First is the planting of a stereotype in the minds of would be discriminators. Second is a degree of social separation between the would be discriminator and his subject. The third concept of Van Arkel's theory is the terrorization of the potential discriminator.³⁹ As we will see, all three of these aspects were present in Cape Town during the first half of the nineteenth century. The city's employer class had long stereotyped Cape Town's laborers as lazy, immoral savages who were in desperate need of civilization. But the majority of the city's laborers were not white and therefore along with references to class came racial stereotypes. While it gained prevalence following the promulgation of Ordinance 50, racialism had long played a role in the way employers described the city's laborers.

Robert Percival who visited Cape Town in 1804, attempted to highlight the disposition of Cape Town's slaves based on ethnicity. He noted

³⁹R. Ross, D. van Arkel, and G.C. Quisel, 'On the Roots of White Supremacy', in Beyond the Pale: Essays on the History of Colonial South Africa (Johannesburg, 1993), pp. 69-71.

The Caffree [sic] negro and the different races of Buganese and Ethiopian, are given to vicious habits. Moreover they are sulky, obstinate . . . requiring coercive measures to oblige them to labour, and avoiding it whenever the opportunity offers. The Asiatics of the Moor and Malabar race are humble, submissive, willing to do whatever lies in their power . . . The Malay character is that of implacable and blood thirsty revenge.⁴⁰

Moodie developed a ethnic hierarchy of Cape Town's slaves based on intelligence. Even a cursory examination of Moodie's chart of intellectual progression reveals a strong correlation between intelligence and industry. At the top of the ladder were Cape Malays. Moodie claimed that next to Europeans they occupied 'by far the highest point in intellect'. He made this judgement based on the supposition that 'they are descended from a people among whom civilization had made great advances, and are industrious, sober, persevering and energetic race'.⁴¹ The 'quickness of their apprehensions, and the readiness with which they learn the different trades required in the colony' made them 'much more valuable than other' laborers.⁴² When the travel writer Boyce composed his census of the Cape Colony, he included Malays as part of the white population.⁴³

Next for Moodie were 'negro slaves who come from the Western Coast of Africa'. Apparently 'they were more habituated to constant labour and the exercise of their natural faculties, but at the same

⁴⁰R. Percival, An Account of the Cape of Good Hope (London, 1804), pp. 296 -297. ✕

⁴¹ Moodie, Ten Years in South Africa, Vol. I, pp. 196-197.

⁴²ibid., p. 200.

⁴³Boyce, Notes on Southern African Affairs, p. 119.

time they are stupid, and constitutionally heavy and phlegmatic'.⁴⁴

But the lowest level of intellect belonged to the slaves who came from Mozambique. This also included Prize Negroes. Moodie found them to be 'proverbial for their extreme stupidity'. He declared that 'the greatest affront one can cast on another's understanding is to observe that he is "als domme als een Mozambiquer" or as stupid as a Mozambique'.⁴⁵ Though Saunders in his examination of Prize Negroes notes that employers considered them to be 'the least valuable' group of laborers, one can find cases where they were preferred.⁴⁶ Perhaps because of their perceived stupidity they were deemed to be best suited for hard manual labor. Mary Raynor found that on the wine farms of Stellenbosch, Mozambiquan slaves often performed the most laborious work.⁴⁷ However, there are examples of their being preferred for more refined work. For example, a newspaper advertisement required 'a steady, active Mozambique House - Boy who thoroughly understands waiting at a table. None else need apply'.⁴⁸

It should come as no surprise that Moodie saw Malays as superior to

⁴⁴ibid., pp. 200 - 201.

⁴⁵ibid., p. 201.

⁴⁶C. C. Saunders, 'Free Yet Slaves, Prize Negroes Revisited' in N. Worden and C. Crais, eds., Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony (Johannesburg, 1994), p. 105.

⁴⁷M. Raynor, 'Wine and Slaves: The Failure of an Export Economy' (Ph.D. thesis, Duke University, 1986), p. 65.

⁴⁸Colonist 17 Jan. 1828.

other city laborers. As we shall see in detail later in this chapter, to employers, drink was the greatest obstacle to producing a dependable and efficient laboring class. Malays being 'all Mahometans [sic], [who] hang together like Jews'⁴⁹, were perceived to be abstemious from alcohol, enabling them to be better workers. West Africans, solely because they were seen by Moodie as accustomed to hard work, made them second to Malays on his scale of intelligence. Khoi and Prize Negroes figured further down the list because they were continuously labeled as idle. However, the correlation between industry and intelligence does not reveal the entire picture in explaining how Moodie settled on each group's intellectual level. Perhaps significantly, Malays also found themselves at the top of the scale because they were not seen as an indigenous African people, despite the fact that many 'Malays' were Cape-born. Being non -African, Moodie categorized Malays as 'only a semi - barbarous people'⁵⁰, while Africans such as those from West Africa, Mozambique, and Khoi were fully barbarous.

The Khoi had been analysed almost since the first European settlers arrived in Cape Town. In the eighteenth century, Mentzel had described them as 'lazy, idle and improvident'. Sparrman had noted their 'extreme inactivity and sloth'.⁵¹ Those who settled in the Cape during the first few decades of the nineteenth century had

⁴⁹Moodie, Ten Years in South Africa p. 200.

⁵⁰ibid., pp. 190 -191.

⁵¹J.M. Coetzee, White Writing: On the Culture of Letters in South Africa (New York, 1988), p. 18.

many of their opinions towards Khoi and other laborers of different ethnic backgrounds shaped by these earlier works. The Khoi were consistently referred to as a prime example of underdevelopment of laborers. To many observers, they were naturally idle, and unable to care for themselves without the guidance of Europeans. Only by working for whites could they reach their full potential. This view appears repeatedly in the literature of the day. As J.M. Coetzee points out, it was the Khoi's perceived lack of industry which struck writers.⁵² During the early nineteenth century no other Cape ethnic group received more attention from commentators seeking to understand the 'Hottentot way of life'.⁵³ Overall the Khoi were seen to be 'in a very low state of civilization'. Evidence cited to support this argument was that 'they were very filthy in their habits, their language was uncouth, and indeed scarcely articulate, they had no regular government, (and) no religious belief'.⁵⁴

λ The growth of racism accelerated in the aftermath of Ordinance 50, particularly towards the Khoi. For example, the the Mediator asserted that of all the indigenous peoples of the world 'our Hottentots stand unrivalled in the attribute of ugliness'.⁵⁵ Moodie compared the site of a Khoi man on horseback as resembling 'one of those monkeys exhibited about the streets of London mounted on a dog's back'.⁵⁶ Bank has argued that the political struggle over the

⁵²ibid., p. 21

⁵³ibid. 19.

⁵⁴C.F.J. Bunbury, Journal of a Residence at the Cape of Good Hope (London, 1848), p. 5.

⁵⁵Mediator 3 Oct. 1837

vagrancy question entrenched the notion of the Khoi as criminal.⁵⁷ Indeed, Katherine Elks has pointed out that following the promulgation of Ordinance 50, Khoi living in Cape Town were singled out by the police for arrest. The percentage of Khoi in the city jails rose from 23 percent in 1828 to 46 percent by 1832.⁵⁸ In general, the 1820s and 30s saw employers perceive indentured and apprenticed laborers as part of a criminal underclass, which Bank argues had racial overtones. Such overtones were clearly illustrated in an article by James Marshall which appeared in the Literary Gazette.

The depravity of the coloured part of the population of this colony, has long been bitterly inveighed against. . . Heretofore, when a store has been robbed, suspicion immediately fixed itself on the Malays; if a sheep or a horse were stolen, the thief could have been no other than a bushman; or if a garden were stripped of its fruit, some of the neighboring slaves were doubtless the aggressors, but on either of these occasions no one ever dreamt of a white man being capable of such an act of atrocity.⁵⁹

Thus to Cape Town's employer's not only was crime endemic to the city's laboring population, but each crime had its own easily identifiable ethnic stamp. Cape Town was well on its way towards more definitive racial stratification.

⁵⁶Moodie, Ten Years in South Africa, p. 49.

⁵⁷Bank, 'Liberals and Their Enemies', p. 181.

⁵⁸K. Elks, 'Crime, Community, and the Police in Cape Town 1825 -1850' (M.A. thesis, University of Cape Town, 1986), p. 97.

⁵⁹Cape of Good Hope Literary Gazette, 13 Oct. 1830.

Vices and Moral Degradation

Indentured and apprenticed laborers actively participated in Cape Town's rapidly developing underclass culture. According to Bank, employers in Cape Town enjoyed such activities as the 'seasonal rituals of fox-hunting and horse-racing [which] complemented the regular cerebral indoor pursuits of theatre, concerts, ballet, and home entertainment'. This differed markedly from underclass culture which was far more public and demonstrative, and revolved around drinking, gaming and brawling.⁶⁰ A judge in the Civil Commissioner's office testified that servants of both sexes 'were seen at all hours of day and night, in a state of drunkenness in the vicinity of Cape Town . . . exhibiting scenes of the most indecent and disgusting nature'.⁶¹ One example of this behavior included Hendrik Jansen, a free person of color, who shocked passers-by by 'exposing his naked person in the street'.⁶² As early as 1804 Percival had noted in his journal that 'all the blacks and slaves of every nation here have an extravagant passion for gaming, particularly for card playing and cock-fighting'. Percival claimed that almost everywhere he went in the city he found groups huddled on street corners engaged in these activities, often for a whole day, or 'whenever they can find an opportunity to slip from their master's business'. To Percival, gaming was destructive not only to civil order but also

⁶⁰A. Bank, 'Erosion of Urban Slavery at the Cape' in Worden and Crais, Breaking the Chains

p. 91.

⁶¹C.A. LCA Vol. 6 Item 20 Civil Commissioner's Office, 28 June 1834.

⁶²C.A. 1/CT 8/8 Records of the Resident Magistrates Court, Index, 2 Feb 1830.

harmful to laborers. Percival warned his readers that 'the consequences which arise from the passion for gaming bring many evils, and it is often their own destruction, as they will frequently rob their masters to gratify it, and even murder themselves when they lose all'.⁶³

Indentured and apprenticed laborers gathered in the city's many taverns and streets. According to Elks, there were nearly 60 licenses granted for liquor establishments in 1825.⁶⁴ Doubtless there were even more unlicensed places in which laborers gathered. Both Judges and Elks, among others, have argued that because of the overcrowded housing situation for slaves, apprentices, and contracted servants, taverns were one of the few entertainment options available to them. Often gatherings overflowed from the taverns and spilled onto the streets. These public gatherings, which often led to public intoxication, were met with endless disapproval from the city's English employers, as expressed in the newspaper. One irate correspondent, in 1834, demanded to know 'why such places were allowed to exist among civilized men?'. He declared that 'such places ought not to be allowed in Cape Town or indeed any well regulated town'.⁶⁵ The writer, known only as ADAMUS, clearly saw drinking, at least public drinking, as a threat to the city's social order and employer control. McKenzie has argued that respectability depended upon 'not being randomly subjected to the gaze and reports

⁶³Percival, An Account of the Cape of Good Hope, p. 294.

⁶⁴Elks, 'Crime, Community, and the Police', p. 135.

⁶⁵S.A.C.A. , 29 Nov. 1829.

of the undesirable.⁶⁶ The spilling of underclass culture onto the street threatened this separation. Streets linked these two worlds. Cape Town's employers who were obsessed with street cleanliness as a mark of civilization, clearly saw their world under siege by the sight of drunk people littering the street.⁶⁷

To employers in Cape Town, liquor negatively affected the amount of labor they could exact from their workers. Employers complained of servants like Moses, the apprentice of M.L. Neething who was in a state of 'continual drunkenness and absent at night without leave'.⁶⁸ Ingbele, a Prize Negro also known as Franz returned home from a night of drinking only to be charged with disorderly conduct for 'abusing and insulting his master in a state of intoxication'.⁶⁹ Employers saw laborer's consumption of alcohol as their primary 'animal appetite', which destroyed their ability to serve their masters in an orderly and industrious manner. Drink, according to one observer, 'has ruined and is ruining hundreds of otherwise well disposed of laborers and mechanics'.⁷⁰ Visitors to the city echoed this sentiment. Moodie hinted that this problem was prevalent throughout the British empire when he referred to it as 'the besetting sin of the lower classes in all our colonies'. In Cape Town, he noted, 'few of the working people escape falling into this ruinous habit'.⁷¹ Fawcett proclaimed the drinking problem to be the worst

⁶⁶McKenzie, 'Middle Class Identity', p. 67.

⁶⁷ibid., pp. 57 - 97.

⁶⁸Moderator 21 March 1837.

⁶⁹ibid.

⁷⁰ibid.

he had ever seen.

I had ever thought that drunkenness in India had reached the summit of its destructiveness, but I had yet to see a still more awful display of its alarming, lamentable, and debasing effects as exhibited in South Africa. Here brandy and brandied wine can be obtained almost for the asking, and here canteens abound.⁷²

Elks has demonstrated that complaints about drinking reveal a double standard evident amongst employers. Drinking was evidently acceptable, as long as it was done in the privacy of one's home . Some Supreme Court justices were known to be 'notable bottle men'. But since this was done at home, their peers were willing to turn a blind eye.⁷³

Reformers attempted to curb the proliferation of drink as well as taverns, none of which was successful. For instance, in 1832 'The Cape of Good Hope Temperance Society' was created. However, it received little support and by 1835, the first year of slave apprenticeship, it had all but dissolved.⁷⁴ Others suggested that the police dedicate all their time to raiding canteens and rounding up drunks. However, so many policemen were susceptible to drink that the idea was never really effective. Policemen James Blackman and James Holland were both sentenced to a rice and water diet in the

⁷¹Moodie, Ten Years in South Africa, Vol. I, p. 53.

⁷²J. Fawcett, An Account of Eighteen Months Residence at the Cape of Good Hope (Cape Town, 1836), p.8.

⁷³ Elks, 'Crime Community and the Police', p. 138.

⁷⁴ibid., pp. 165-166.

House of Correction for being caught drunk while on night patrol.⁷⁵

Employers did not only perceive their indentured and apprenticed laborers to be drunk, but, as alluded to earlier, they also increasingly saw them as criminal. Employers complained of increased thefts throughout the 1830s. Memorialists in the Cape Town and Gardens area reported that 'robberies of their greens, fruits, woods, and other articles are daily increasing'.⁷⁶ Bank has characterized theft as an urban specific crime where slaves, free blacks, indentured Khoi, Prize Negroes and apprenticed whites could rely on 'established bonds of friendship in their collective attacks on ruling class property'.⁷⁷ Harry, a Prize Negro who was apprenticed to John Murray, was charged with stealing a pocket book.⁷⁸ Three white apprentices named Benjamin Welling, William Lea, and Johan Tredoux working for a Mr. Muster were indicted for 'robbing their master of a number of shop goods' over a ten month period. After the goods were removed from the shop, they were sold through Malays named Jupre, David, Adrian, and Francina. They were 'separately indicted for receiving the goods knowing them to have been stolen'. All of the charged were convicted, and all of them, except Tredeaux and Francina were transported to New South Wales. Upon sentencing the presiding judge remarked that 'he knew of no

⁷⁵C.A. 1/CT 8/7 Record Books of the Resident Magistrates Court, Index. 1 and 2 May 1828.

⁷⁶C. A. LCA Vol. 6 item 33, Memorial of Proprietors and Inhabitants of the Gardens, Cape Town, 29 July 1836.

⁷⁷A. Bank, 'Slavery in Cape Town' pp. 147 -152.

⁷⁸C.A. 1/CT 8/7 Record Books of the Resident Magistrates Court, Index, 21 May 1828.

town in His Majesties domination where stealing was as numerous as Cape Town'. He specifically held the city's Malay population responsible because 'though they would not not steal themselves, they were 'ever ready to receive stolen goods'.⁷⁹

Drinking and theft were not limited to men. Indentured and apprenticed women, particularly Khoi women, openly engaged in drinking, gambling, theft, and, in some cases, prostitution. Their participation in these activities was cited as further evidence of general underclass savagery. The criminal record books for the late 1820s and 1830s contain numerous cases of Khoi women, like Elsie and Sophia, charged with 'drunkenness and disorderly conduct'.⁸⁰ The charges ranged from incidents like the one involving Elsie the 'wandering female Hottentot', charged with 'disturbing the peace by behaving most outrageously in the street in a state of intoxication' to more serious crimes.⁸¹ For example, Saartje, a Khoi woman, was accused of 'abusing in the public street Johanna Walton'.⁸²

Civilization, to middle class whites [many of whom employed indentured and apprenticed laborers], demanded that women did not display, or make a spectacle of their bodies. Women's bodies and their behavior were synonymous with status, defining a group's level

⁷⁹Moderator, 7 Feb. 1837.

⁸⁰C.A. 1/CT 8/7, Record Books of the Resident Magistrates Court, Index, 1 April 1828.

⁸¹C.A. 1/CT 8/8, Record Books of the Resident Magistrates Court, Index, 16 March 1829.

⁸²C.A. 1/CT 8/7, Record Books of the Resident Magistrates Court, Index, 1, 25 April 1828.

of civility.⁸³ Bank has argued that 'it was commonplace of enlightenment social theory that the moral condition of women served as an index to the degree of civilization achieved in any society'.⁸⁴ The supposed character of Cape Dutch women had long been used as a prime exhibit in travel writers' accusations of the Dutch falling into a state of barbarism. Robert Percival characterized Dutch women as being intellectually dull and suffering from insipid apathy.⁸⁵ Roughly two decades later, J.W.D. Moodie noted that they 'do not even feel ashamed to talk on the most indelicate subjects, hardly condescending to use any circumlocution.' Moodie felt that Dutch women

Though often handsome when they were young, are from this coarseness of manners exceedingly distasteful to the English, and few even of the lower classes of our countrymen can bring themselves to marry into a Dutch family. The moment a Dutchwoman enters into the conjugal state, she takes her seat by a little table in the hall, from which she never stirs if she can help it; and they often laugh at the folly of the Englishwomen When Dutch ladies marry, they become exceedingly torpid and phlegmatic in their manners and habits, dirty and slovenly in their dress; and, from their cold constitution and freedom from care, like the men, they generally at an early age grow to an unwieldy size.⁸⁶

To employers, indentured and apprenticed women, and again Khoi in particular, threatened to undo any semblance of public decency.

⁸³McKenzie, 'Middle Class Identity', p. 106.

⁸⁴Bank, 'Liberals and the Enemies', p. 290.

⁸⁵Percival, *An Account of the Cape of Good Hope*, pp. 253-254.

⁸⁶Moodie, *Ten Years in South Africa*, pp. 169 -170.

Employers pointed to women like Catherine, a free black charged with 'indecent conduct', or Frytje, a Khoi woman, who in June 1828 was charged with 'indecent conduct in the public street' with Frans, a free black. Five months later she was again arrested for the same 'crime', this time with Mathias, a free black working for a Mr. Oliphant.⁸⁷

Examples such as these, which alluded to incidences of women engaging in public sex, were deemed sufficient proof of female immorality. Such stereotypes of Khoi women were expanded through paintings by Charles Davidson Bell. Bank has argued that Bell's paintings intersected art and amateur ethnology and reflected a growingly racist anti-liberalism in the Western Cape.⁸⁸ Most of Bell's work depicted Khoi in Cape Town and on the Cape Flats either drunk, fighting, smoking, incarcerated, and most importantly, idle. His paintings had titles such as 'Hottentot With Bottle', 'Hottentot Convict', or 'Hottentot Smoking a Pipe'. Khoi women were a favorite target of Bell's in such paintings as 'Hottentot Woman with Bottle'. Bank argues that the 'degradation of these women and the deviant physiques signified by the expansive posteriors in many Bell sketches -illustrated the wretched state of the Khoikhoi in this period'.⁸⁹

Indentured and apprenticed women were perceived to be particularly

⁸⁷1/CT 8/7, Record Books of the Resident Magistrates Court, Index, 21 June 1828.

⁸⁸Bank, 'Liberals and Their Enemies', pp. 286 - 289.

⁸⁹ibid., p. 290.

threatening to employers because they worked in their homes. By day they cleaned their rooms, served them tea, and most importantly cared for their children. James Ewart was disturbed by what he called the 'very dangerous custom' of colonists 'giving their children at a very early age to the charge of female slaves and Hottentots, who have the whole superintendence of them during their tender years'. Ewart believed that 'many bad consequences must of course result from this, the most apparent of which are, [sic] a total want of filial affection when grown up, with a laxity of morals'.⁹⁰

Employers' obsession with regaining control over their laborers heightened as the period of slave apprenticeship neared a close. One writer warned that as 'slaves will be free in a short time more strictness than ever is required to keep drink and all its concomitant evils out of the reach of those poor untaught people'.⁹¹ This sheds some light on the perceived character differences between slaves and other unfree laborers. The writer, known as ADAMUS, was concerned that with the end of apprenticeship drawing near, slaves would no longer be subject to a master's discipline and would have to discipline themselves. This was a task he believed slaves were incapable of. Yet even when under the control of a master, slaves had been active members of the underclass, particularly in drink. While it is true that much of the slave population was Muslim, slaves actively indulged in drink. Bank has persuasively argued that in the early nineteenth century urban

⁹⁰J. Ewart, James Ewart's Journal (Cape Town, 1970), p. 26.

⁹¹Mediator, 13 Nov. 1838.

slaves increasingly joined the Prize Negroes, Khoi, Free blacks and poor whites who made up the city's underclass in leisure activities.⁹² Much of their mixing is evident from the large number of complaints to the slave office regarding drunken slaves . Some slaves were even well known and clandestine distributors of liquor.⁹³

ADAMUS believed that slavery, through the paternalistic hand of the master, had made slaves good dependable workers. He was not alone. Another letter to the Mediator argued that those who had been enslaved were superior laborers due to 'the example which mingled with the reasonable discipline of their masters'.⁹⁴ Indentured, apprenticed, and contracted laborers who haunted the taverns and littered the streets with their unconscious bodies were a lost cause. Liquor had destroyed their sense of duty and responsibility. They would only serve to corrupt and contaminate slaves who had been groomed for hard work through their years as chattel. 'Will not the vagrant's idle, and easy life' a colonist wrote, 'lead them [slaves] away from the path of honesty, sobriety and virtue; experience confirms this apprehension'.⁹⁵ As this statement suggests the terms laborer, servant , and vagrant were all interchangeable. As long as a laborer was engaged in the service of his master, this title

⁹² Bank, 'Slavery in Cape Town', p. 130.

⁹³ *ibid.*, pp. 132-133.

⁹⁴ Mediator 13 Nov. 1838.

⁹⁵ *ibid.*, 10 July 1838, English translation from an article written in Dutch which originally appeared in the Zuid Afrikaan.

was retained. Yet he was transformed into a vagrant or criminal the moment he completed his day's work, left his master's world and participated in the activities and customs of underclass culture.

Fairbairn echoed these sentiments writing:

Slaves are not a nation of wild, naked, houseless barbarians or savages who never labor for a master. They have been trained from their infancy to accommodate themselves to all arrangements of civilised society - to eat, and sleep, and labor, at the stated periods, and are at this moment under the influence of more steady and industrious habits than perhaps any other class of men in the colony.⁹⁶

The praise he had reserved for slaves was not extended to apprenticed and indentured laborers. These lacked industry and self-regulation. They ate, slept, and occasionally worked when they felt like it. Fairbairn's allusion to 'wild, naked, houseless barbarians' illustrates a particular contempt for the city's Khoi population. The characterization of slaves as noble, diligent, and well trained workers was somewhat unusual. In other slave societies it was the slaves who were accused of corrupting the work habits of other laborers. In the American South, for instance, even apologists for slavery admitted that slavery bred 'unfaithful, meretricious, inexact, and non - persistent habits of working'. According to Eugene Genovese one visitor to a Southern plantation observed that 'wherever there are slaves, I have found that farmers universally testify that white laborers adopt their careless habits and that they are ever more indifferent than negroes to the interests of their

⁹⁶S.A.C.A. 26 March 1834.

employers'.⁹⁷

The concept of the noble, sober, and industrious Cape Town slave faded during the apprenticeship years. Nigel Worden notes the large number of complaints the Special Magistrate George Longmore listened to which involved apprentices' drinking. As 1 December 1838 approached, marking the end of slave apprenticeship, colonists feared an outbreak of anarchy. One writer to the Mediator urged the colonial government to pass a proclamation 'ordering all drinking houses to be closed on the day'. 'We know these blacks' he reasoned, 'if no proper steps are taken to prevent them getting drunk:

We'll have cause to remember
The First of December'.⁹⁸

Because Cape Town's employers perceived their laborers to be in a constant state of intoxication, or engaged in gambling, and brawling, indentured and apprenticed laborers were stereotyped as idle. Worker idleness and indolence were a constant source of agitation to Cape Town's employer class. J.M. Coetzee, in his exploration of idleness in South Africa, has argued that there have been two traditional views of idleness. The first, pre-enlightenment concept was rooted firmly in the protestant work ethic - that to be idle was to defy God. Dependence on God to save one from starving was a mortal offence. Secondly with the onset of the enlightenment, writers such as Foucault have suggested, that a direct link

⁹⁷E. Genovese, Roll Jordan Roll (New York, 1974), pp. 295 -296.

⁹⁸Mediator 9 Nov. 1838.

developed between idleness and poverty. Idleness invited poverty and surrendered self-determination and power. Work became a duty that man owed not only to himself but to his neighbor and community. Through labor man became the master of his own universe, while working as one cog in a community at work, civilized society is conceived and developed.⁹⁹ At the Cape these two traditions worked in unison to create a unique culture of industry in the minds of colonists.¹⁰⁰ John Fairbairn encapsulated these traditions when he reminded his readers that 'willful idleness is a sin against man's own happiness; it is an offence against Morality and Religion'.¹⁰¹

Yet Moodie, Fairbairn and others failed to realize that what they had mistaken as laziness and sloth, was in fact a parallel work ethic in action; an ethic which adhered to no clocks and had its own set of priorities and values. What was misunderstood as rejection of hard work by Cape Town laborers, was in reality a rejection of regular work. W.E.B. DuBois characterized these two conflicting work ethics in racial terms. 'The white worker', he claimed, 'worked hard not only to avoid starvation but to avoid disgracing himself and his family'. The black worker 'looked upon work as a necessary evil and maintained his right to balance the relative allurements of leisure and satisfaction at any particular day, hour, or season'.¹⁰² As

⁹⁹Coetzee, White Writing, pp. 20 -21.

¹⁰⁰ibid., p. 21.

¹⁰¹S.A.C.A. 20 Sept 1834.

¹⁰²Genovese, Roll Jordan Roll, 310.

important as DuBois's comparison is, merely viewing working rhythms through a racial lense is inadequate. What DuBois saw as white and black perceptions of work was actually conflict between industrial and pre -industrial notions of labor.

E. P. Thompson argued that in pre-industrial peasant societies throughout Europe, labor was performed to a natural rhythm. Within this system, work was seen as more humanly comprehensible than working to the clock. The work day expanded or contracted in relation to the amount of work which needed to be done. Labor, work and leisure, as DuBois argued above, intermingled. As Thompson conceded, this became complicated when labor was employed. Labor was then regulated by the clock. There is a marked separation between the employer and the employee's time, or in our case that of the master and the servant. The inhabitant who had an indentured or apprenticed laborer had to see that his labor was used efficiently and without waste. The difficulty arose when laborers failed to see this distinction and adhered to the old order. As Thompson so clearly showed, to 'men accustomed to labor timed by the clock, this attitude to labor appears to be wasteful and lacking in urgency'.¹⁰³

Thompson's argument does not entirely translate into the Cape experience. He was mainly concerned with the transformation to timed labor brought about by the industrial revolution. Early nineteenth century Cape Town still had an exclusively pre-industrial

¹⁰³E.P. Thompson, 'Time, Work - Discipline, and Industrial Capitalism', Past and Present Vol. 38 (1967), pp. 60 -61.

economy. But the essential conflict Thompson discussed was clearly present in Cape Town. Masters expected their servants to labor at a regular pace. While the Khoi, Prize Negroes, or free blacks in their service came from a culture of work suited to pastoral and peasant farming, and adhered to their sense of task orientation. Hence the observation that they were lazy, unmotivated and idle, only 'compelled by hunger, or indeed by the desire of obtaining intoxicating liquor, to work a few days'.¹⁰⁴

An important illustration of this point was made by a correspondent to the Moderator. The writer spent a week observing apprentices and contract laborers who had been sentenced by the Magistrate's Court to a short period of hard labor. He complained that the peasant in Britain rose from his bed 'by the peep of day and is in the field. His occupations scarcely allow intermission and he does not retire from his labor an hour before sunset . . . Whether rain or shine, heat or cold . . . he performs his duties steadily'.¹⁰⁵ On the other hand, labor convicts in Cape Town were

often carried late in the morning to their work; a prospect of rain sends them to their domiciles . . . They are visited at all hours by their male and female friends; they have their tea, coffee, and cookies brought to them, they receive the friendly nods . . . not only of old acquaintances but of former masters.¹⁰⁶

Whatever work was done never stretched beyond '4 or half -past

¹⁰⁴Boyce, Notes on Southern African Affairs, p. 119.

¹⁰⁵Moderator 9 May 1837

¹⁰⁶ibid.

4¹⁰⁷ According to this correspondent, convicts [between being 'carried to work', served tea and greeting friends and former masters] found other ways to avoid serving their punishment.

There seems to be one general something - to - do - amongst the convicts, rather than of down - right faithful work. There is the vacant - stare, objects to be gazed at - the smoking of tobacco - the business of snuff taking - the everlasting eating - the lolling or sleeping posture - cooking tea - water - the repairing of shoes - the buttoning of clothes - and five and twenty other methods which are daily in exercise with the convict to shorten his sphere of actual labor.¹⁰⁸

Obviously this is an exaggerated account, but it does reveal the true element of the labor/ time conflict apparent at the Cape. It candidly expressed the exasperation on the part of the master class with laborers' dogmatic refusal to adhere to timed work.

Another important example of this struggle is the large number of temporary absences by laborers. For example, John Murray complained of his Prize Negroes that 'they were continually running away'.¹⁰⁹ One writer to the Advertiser gave a detailed opinion of Prize Negro labor arguing that 'the labor of Prize Negroes was not to be depended on'. The writer noted that 'They will work for three or four days, and stay away for two or three. He complained that 'they suddenly quit their service, and as unexpectedly return, requesting to be taken on again'. The writer stated that 'I have expostulated

¹⁰⁷ibid.

¹⁰⁸ibid.

¹⁰⁹British Parliamentary Papers (BPP) 71 1826 -1827 (Shannon, 1971), Testimony of John Murray, 16 May 1825, p. 519.

with them; but the reply principally was, that they had nothing to say against their master, but they had been long enough in one place'. the apprentice Allie left her employer for four and a half months. Another apprentice, Africa, in the service of Widow Gaude, took a seven month leave of absence.¹¹⁰ Fredrick, in the service of Robert Thompson, 'deserted . . . on the ninth and remained away until the fourteenth'.¹¹¹ Their actions strongly support the arguments made by Genovese, Thompson, and DuBois. What they appear to have opposed was the idea of serving the masters on a regular basis. Thus they gave themselves time to pursue other activities. The records do not indicate what they did during their absence but he may have taken this period to visit friends, drink or engage in other activities.

It would be incorrect to merely explain desertion as a simple misunderstanding of work rhythms. Though misinterpreted as worker indolence, desertion was a clear rejection of the contract system, serving as a defence against a system which exploited them economically.¹¹² Worden found that nearly two thirds of cases brought before the Special Magistrate were for desertion. Archival Records are replete with cases of indentured laborers deserting. Lawrence Anneborng of Cape Town notified the Clerk of Peace that his apprentice had deserted him and had refused 'for the seventh time to return to his service'.¹¹³ Louisa, 'an indentured servant'

¹¹⁰Moderator 21, 28 Feb. 1837.

¹¹¹ibid.

¹¹²Genovese, Roll Jordan Roll, 286.

working for Alida Theron also decided to desert her employer. When she was apprehended, an exasperated Theron chose to cancel the indenture rather than send Louisa to the House of Corrections.¹¹⁴

Clearly the charge of idleness levelled against laborers was false. It was their manual labor which built the roads, schools, and shops - physical symbols of Cape Town's tenuous civilization. Ironically to outside observers, Cape Town's employers were also characterized as indolent. James Ewart, was particularly critical of their daily routine.

All classes usually breakfast at eight o'clock, dine about two, have tea or coffee at five, and sup at nine. Betwixt breakfast and dinner, the men [if business does not interfere] repair to their clubs or societys [sic], where they play billiards, smoke their pipes, and talk over the news of the morning . . . as soon as they rise from their afternoon nap, a species of luxury all ranks indulge in, the husbands with their grown up sons, again repair to their clubs, while their frows (sic) and daughters dress and pay visits¹¹⁵

This perception of employer laziness was reinforced years later in the December 1836 issue of Alexander's East India Magazine. 'The common disease (sic) is dropsy, this arises from a contrived sedentary life, and eating to excess food, swimming in bath, drinking raw spirits and smoking tobacco. Instances of longevity are rare, few exceeding the period of sixty - one years'.¹¹⁶

¹¹³C.A. 1/CT, 7/6 Complaints Masters and Servants.

¹¹⁴C.A. 1/CT 8/7 Resident Magistrates Court, Index, 29 Jan. 1829.

¹¹⁵J. Ewart, James Ewart's Journal (Cape Town, 1970) p. 25.

As this chapter demonstrates, Cape Town's employers feared they were losing control over the city's indentured and apprenticed laborers. Proof of this lay in what they saw as acts of idleness, stupidity, and depravity, like drunkenness, brawling, and sexual promiscuity. Their attempts to reform the city's underclass resulted from two desires. Firstly, Cape Town's employers' representation of its indentured and apprenticed servants as immoral and in need of help lent justification to an exploitive labor system in which all members of the underclass labored under employers' control. Secondly, the reform impulse reflected employers' growing anxiety that the city would soon be overrun by underclass morality which would uncivilize English employers much as it seemed to have the Cape Dutch a generation earlier. Thus would permanently extinguish what employers feared to be an already flickering light at the tip of a dark and barbaric continent.

¹¹⁶Moderator 28 Feb. 1838.

Chapter Four

Natives and Strangers: The Status and Incorporation of Slaves, Prize Negroes and Indentured Khoi in Cape Town, 1808-1834

According to contemporary observers in early nineteenth century Cape Town, Khoi and Prize Negroes were increasingly perceived to be in a position that was almost as bad as, and in some cases, worse than slavery. Bunbury for instance remarked that colonists had 'reduced the unfortunate Hottentots to a state almost worse than slavery'.¹ Many Khoi were quick to agree. A few noted in the Commercial Advertiser that they had been 'reduced to a state of want, servitude, &c and in some respects were worse than slaves'.² Another Khoi echoed this sentiment, writing 'The Hottentots you must know were in a worse position than the slaves'.³ One Capetonian named Thomas Thwaites, when asked if he believed that slaves and Prize Negroes enjoyed equal status said, 'I think that if there is a said difference between them I think that it is in favor of the slaves'.⁴ This chapter will argue, with the aid of the story below, that what these observers referred to was not that Khoi and Prize Negroes were the recipients of worse physical treatment. Rather they were expressing the belief that by the early

¹C. F. J. Bunbury, Journal of a Residence in South Africa (London, 1848), p. 6.

²South African Commercial Advertiser (Hereafter S.A.C.A.), 3 Sept. 1834

³ibid., 25 June 1834.

⁴British Parliamentary Papers (Hereafter BPP)71, 1826 -1827, (Shannon, 1971) Testimony of Thomas Thwaites, 10 May 1825, p. 507.

nineteenth century, Cape Town's slaves, specifically creolized slaves, had been incorporated into Cape Town society as quasi-citizens to a far greater degree than had Khoi or Prize Negroes.

Wilhelmina Hendrickson and the Commission of Enquiry of 1825

On 21 May 1825 a free black woman named Wilhelmina Rosina Hendrickson of Cape Town appeared before a Commission of Enquiry established to investigate how Prize Negroes were being distributed in Cape Town.⁵ Its creation represented the climax of a protracted struggle between one Cape Town inhabitant, Lancelot Cooke, and the Collector of Customs, the notorious Charles Blair. During the previous year, Cooke had submitted a memorial which accused Blair of corruption. Once Cooke publicly made his accusation, other colonists came forward with evidence supporting the accusation.⁶

Cooke had been compelled to act after Blair had reassigned a Prize Negro who had been hired out to him following his master's death. The Prize Negro named Jean Elle had been aboard a French vessel which was captured by the British Navy near Mauritius in 1809. Following the ship's capture, he was brought to Cape Town and apprenticed, like other Prize Negroes, for a term of fourteen years. Blair had first apprenticed Elle to an employer who abused him to

⁵ibid., Testimony of Wilhelmina Hendrickson 25 May 1825, p. 527.

⁶C.C. Saunders, 'Free Yet Slaves: Prize Negroes at the Cape Revisited' in N. Worden and C. Crais, eds., Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony (Johannesburg, 1994), pp. 105 -107.

such an extent that Blair reassigned him to a friend of his named Samuel Murray. Murray hired Elle out to a merchant firm of which Cooke was one of the partners. When Murray died in 1823, Elle continued to work for Cooke as his cook. A few months after Murray's death, Blair ordered Jean Elle to return to the Customs House in order that he could be re-apprenticed to the son in law of his partner William Wilberforce Bird. But Cooke was keen to have Jean Elle remain in his employment and offered to pay Wilberforce Bird's son-in-law cash in order to keep him. But the offer was rejected and Jean Elle was transferred to his new employer, even though he had only a few months remaining on his apprenticeship.⁷

However, at least Cooke had been able^{to} obtain a Prize Negro. Many who filed applications found their requests rejected by Blair. According to many who testified in front of the Commission of Enquiry, Charles Blair was a man who distributed Prize Negroes solely to his own advantage. For example, as Christopher Saunders has observed, Blair kept a number of Prize Negroes for himself. Those Prize Negroes whom he elected not to keep were apprenticed to his friends and creditors. For example, in exchange for supplying Blair with wine on a regular basis, Samuel Murray received - over his lifetime - twenty two Prize Negroes whom he hired out. William Duckett, who owned a farm in the Klaver Valley north of Cape Town, received ten Prize Negroes. As a trade-off Blair received forage from the farm. Blair also gave Prize Negroes to people to whom he

⁷ibid., pp. 106 -107.

owed money. Charles Dixon, who ran a livery stable in Cape Town, received fifteen Prize Negroes between 1810 and 1816 in exchange for a cancellation of debt. Likewise Blair gave a man named Durham fifteen Prize Negroes as payment for money he owed on household furniture.⁸

This, then, was the context in which Wilhelmina Hendrikson appeared. Her story, as told to the Commission, sheds a great deal of light on the perceived differences of status which existed between slaves and Prize Negroes. At the time of her testimony, Wilhelmina was approximately twenty nine years of age, single and had a nine year old daughter. They lived together in their own house located at 6 Berg Street. When asked how she maintained herself financially, she told the Commission 'I have a retail shop and wash linen by the month'. Until the age of twenty one, Wilhelmina had been the slave of 'the Widow Yzell' and lived in her house on Long Market Street.⁹ Both she and her daughter had, according to Mrs Yzell's daughter, been 'born in the house'.¹⁰ Wilhelmina told the Commission that when Yzell died sometime in late 1817, 'Mr. Weideman, the son in law of Mrs Yzell made me free, and Mrs Wehrlin made my daughter free'. When asked if she had been freed by her late mistress's will she replied 'no, at the death of Mrs. Yzell, all her slaves were sold at Public Auction, but Mr. Weideman made me free on account of my good services'.¹¹

⁸ibid., pp. 107 -108.

⁹BPP 71 1827-1827, Hendrickson, 25 May 1825, p. 527.

¹⁰ibid., Testimony of Mrs. Elizabeth Cornelia Weideman 24 May 1825, p. 531.

Wilhelmina was called before the Commission of Enquiry because she had had a Prize Negro woman named Samina, along with the woman's two daughters, indentured to her. 'I had one Prize Negress with a child, who is now dead; another child that she had is still with me'.¹² That a free black had a servant was not all that strange in Cape Town during the first half of the nineteenth century. Andrew Bank has uncovered the names of many free blacks who were slave holders.¹³ What is extraordinary is the question of how, given the extreme patronage system of Charles Blair, a free black obtained a Prize Negro when colonists with considerably greater economic power were unable to do so. What is even more extraordinary is when she received her apprentice. When the commissioners of enquiry asked Wilhelmina the question 'when did you obtain your Prize Negress?', she told them, 'when I was a slave of Mrs. Yzell's, I requested her to obtain for me the Prize Negress'.¹⁴

According to her testimony, Wilhelmina obtained her Prize Negro from William Wilberforce Bird in 1816, a year before her own manumission. However, she needed her mistress's help to do so. Mrs. Yzell had the connections to accomplish this. The Widow Yzell, as she was known, was originally from Switzerland and since her arrival in Cape Town some years earlier had established a lodging

¹¹ *ibid.*, Hendrickson, 25 May 1825, p. 527.

¹² *ibid.* It is unknown when they died.

¹³ A. Bank, 'Slavery in Cape Town, 1806-1834' (M.A. thesis, University of Cape Town, 1991), Appendix Eight, pp. 236 -237.

¹⁴ BPP 71 1826-27, Hendrickson 25 May 1825.

house. During her years in Cape Town she had not only acquired slaves but also, according to her daughter, 'five or six' Prize Negroes.¹⁵ Wilhelmina claimed that 'Mrs Yzell requested of Mr. Bird to let me have the Prize Negress that had been with her on account of my child being sick. At the death of Mrs Yzell, I applied to Mr. Bird to allow the child to remain with me, which he granted'.¹⁶

Following Yzell's death, her daughter, Elizabeth Weideman, asked Charles Blair for two of her mother's Prize Negroes, an old woman and a man. 'He said he could not let me have the old woman, as he wanted her upon his own place to take care of several Prize Children; but he let me have a male Negro who I have now'.¹⁷ As for Wilhelmina's Prize Negro, she told the Commission that 'after I obtained my freedom; the Prize Negress left Mrs. Yzell's house at the time I did'.¹⁸

Wilhelmina received her Prize Negro through the very patronage system that the Commission of Enquiry was investigating. She and Elizabeth Weideman testified that both Wilberforce Bird and Charles Blair were friends of Yzell's. According to Wilhelmina, Wilberforce Bird, 'when he came from the country. . .lodged at Mrs Yzell's house'.¹⁹ Elizabeth Weideman, though she believed that it was Blair, rather than Wilberforce Bird, who was responsible for

¹⁵ibid., Weideman, 24 May 1825, p. 531.

¹⁶ibid., Hendrikson 21 May 1825.

¹⁷ibid., Weideman, 24 May, 1825, p. 531

¹⁸ibid., Hendrickson 25 May 1825, p. 533.

¹⁹ibid., Hendrickson, 21 May 1825, p. 527.

obtaining Wilhelmina's Prize Negro, corroborated her statement. 'When they came to town upon any occasion they did stay [at the lodging house]; and sometimes Mr Blair took up his abode at my mother's house when he came to town for balls and such occasions'.²⁰

Admittedly, the story of how Wilhelmina Hendrickson came to acquire a Prize Negro is extraordinary. However, it reflects the changing face of slavery in Cape Town during the early nineteenth century. Bank has argued that slavery in Cape Town during the final years of slavery had changed dramatically since the eighteenth century.²¹ The major reason for this was the abolition of the slave trade in 1807. As a result, Cape Town's slave population was increasingly creolized. Between 1816 and 1834, seventy percent of Cape Town's slave population was native born, in contrast to the previous century where the vast majority had been foreigners. Bank contends that creolization led to the creation of a 'vibrant/slave underclass culture in the nineteenth century'.²² Furthermore, with the dwindling number of urban slaves, they were no longer a cheap and expendable commodity. This, along with amelioration, forced urban slaveowners to extend to them better physical treatment. Thus slavery in Cape Town became a 'less brutal' institution than it had been in the eighteenth century.²³

²⁰ibid., Weideman, 24 May 1825, p. 531.

²¹A. Bank, 'Erosion of Urban Slavery at the Cape' in Worden and Crais, Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony p. 79 -98.

²²ibid., p. 90.

²³ibid., p. 86.

While Bank's argument has merit, Wilhelmina's story illuminates its limitations. Creolization in Cape Town had far greater ramifications than merely creating a vibrant subculture. As Wilhelmina's story will show, creolization during the early nineteenth century changed the way in which Cape Town's employers and the colonial government viewed the slave population, as well as fundamentally altering the ways in which slaves saw themselves. In transforming employer and government perceptions, creolization improved the 'treatment' of slaves in ways which transcended the sphere of physical punishment. Rather, treatment increasingly referred to incorporation into Cape Town society. Slaves were incorporated as quasi-citizens which recognized them as 'natives of the colony' and, like employers, subjects of the British Crown. Furthermore, they were afforded an improved legal status and protection. All of this contributed to a sense that slaves 'belonged' and were a valuable part of the city's population, at the expense of Cape Town's Khoi and Prize Negroes.

Maternal Indulgences

That Wilhelmina believed she could ask her mistress for a Prize Negro and for Mrs Yzell to have used her connections with Blair and Wilberforce Bird to accomplish this suggests that the two women shared a special relationship. In her testimony before the Commission of Enquiry Elizabeth Weideman said of Wilhelmina Hendrickson that 'My mother was very fond of her; she was born in

the house, and was a very good girl'.²⁴ Mason has suggested that mistresses and their slaves shared 'the intimate world of the home in ways that masters and their male slaves did not'. The daily rhythms of the mistress' life 'determined that they spent most of their time in close physical and emotional proximity to their slaves'²⁵ Their bond was not only derived from this but also from the fact that Wilhelmina was born in her mistress's home. Mason and Robert Shell have argued that house-born slaves were the recipients of a greater sentimentality and indulgences from their masters.²⁶ Wilhelmina's Prize Negro was the most tangible example of this. Shell has contentiously claimed that house-born slaves were 'part of the family'.²⁷ But what does this suggest about the way Yzell saw her slaves as opposed to her Prize Negroes? Did her actions say more about how highly Mrs Yzell regarded Wilhelmina or did they indicate that she perceived Prize Negroes to have a lower status than slaves? In short, did masters feel a greater affection for their slaves than for their other servants?

Central to this familial incorporation was the concept of paternalism. It is through this prism that the relationship between

²⁴BPP, 71 1826-27, Weideman, 24 May 1825, p. 531.

²⁵J. E. Mason, 'Paternalism Under Siege: Slavery in Theory and Practice During the Era of Reform, c1825 Through Emancipation' in Worden and Crais, Breaking the Chains, pp. 65.

²⁶J.E. Mason 'Hendrick Albertus and His ex -Slave Mey: a Drama in Three Acts', Journal of African History, 31, 3 (1990), pp. 440 -441; R. Shell, 'The Family and Slavery at the Cape, 1680-1808' in W.G. James and M. Simons, eds., The Angry Divide: Economic and Social History of the Western Cape (Cape Town, 1989), pp. 27-28.

²⁷Shell, 'The Family and Slavery', p. 27.

Wilhelmina and Mrs Yzell must be examined. Though paternalism is 'predicated on the notion of male legal standing' over the family²⁸, by giving Wilhelmina a Prize Negro, Mrs Yzell demonstrated that women were capable of utilizing this concept. Paternalism brought the master and servant together in a quasi-family relationship. But as Eugene Genovese remarks, paternalism 'had little to do with Ole Massa's ostensible kindness, and good cheer. Rather, it grew out of the necessity to discipline and morally justify a system of exploitation',²⁹ which further created the pretension that slaveholders were the sole providers of protection, discipline and indulgence.

The application of paternalism to Cape slavery has been met with contention. Robert Shell, operating from the belief that the prevalence of violence alone offers an unacceptable explanation of master control over slaves during the seventeenth and eighteenth centuries, has argued that like masters in the American South, Cape slaveholders legitimized control over their slaves by incorporating them as junior members of their family. Slaves internalized this and were thus bound to their master through a psychological facet of power.³⁰ Yet Shell overstates his case, dismissing the role of violence which as Ross and Worden have convincingly argued, was inherent in the master - slave relationship.³¹ Shell could have done

²⁸van Onselen quoted in Mason, 'Paternalism Under Siege', p. 59.

²⁹E. Genovese, Roll Jordan Roll (New York, 1974), p. 4.

³⁰See Shell, 'The Family and Slavery', pp. 20-30.

³¹See R. Ross, Cape of Torments: Slavery and Resistance in South Africa (London, 1983); N. Worden, Slavery in Dutch South Africa (Cambridge, 1985)

his argument more justice had he applied it to the nineteenth century where it appears to have been far more applicable, due mainly to increased creolization. By transferring Shell's argument to the nineteenth century, Mason has utilized it far more effectively. While he has placed slaves within the wider familia of the slaveholder's family, he has acknowledged the important role which violence played in the relationship.³²

Robert Ross has recently challenged Shell and Mason, claiming that a weak paternalistic system - that is, where the slaveholders recognized that their dominance over their chattel entailed duties as well as rights - never existed at the Cape. To Ross both Mason and Shell are guilty of flawed methodology by supposing the existence of paternalism through such sources as crime records. He argues that if anything, such records would represent a situation where paternalism went wrong. Rather, if Cape paternalism had been successful, such evidence would have been precluded. Evidence pointing to the existence of paternalism would have been found in the diaries of slaveholders and in the autobiographies of slaves. While these sources exist abundantly in the United States, they are all but absent in the Cape Colony. Thus Ross believes that Shell and Mason have infused the study of Cape slavery with American models of paternalism, comparisons with which are unfounded.³³ Yet even Ross acknowledges that if weak paternalism existed at the Cape, it

³²See Mason, 'Paternalism under Siege'.

³³R. Ross, 'Paternalism, Patriarchy, and Afrikaans', (Unpublished paper, 1994), p. 3.

appeared only during the late slave period of the early nineteenth century.³⁴ Though the Cape may lack a large collection of diaries and other similar evidence so prevalent in the United States, an examination of Cape Town's publications reveals descriptions of slaves and slavery couched in paternalistic language. John Fairbairn claimed in the Commercial Advertiser that 'Slaves have not been seen in our Colony perishing under the lash in the open fields'. Furthermore, he argued, 'It is not the mere possession of slaves that has called down the thunders of the British nation on the Colonies. It is the monstrous abuses of power vested in the master and managers'.³⁵ Furthermore, 350 of Cape Town's slaveholders in a letter to the Burger Senate stated 'every enquirer must acknowledge that our Slaves in this Colony are better off than most Servants in Europe, and that a Cape Slave is not to be compared with a slave in other Colonies'.³⁶

Bank has rightly argued that such debates over the application of paternalism in South Africa have been largely rural based and have failed to investigate how the situation differed in Cape Town. Within Cape Town during the early nineteenth century, Bank contends, the practical application of paternalism was fragile. This was for two reasons. Firstly, paternalism was increasingly undermined by the emergence of liberalism in the 1820s. Bank, along with Mason and

³⁴ ibid., p. 4.

³⁵ S.A.C.A. 26 Jan 1831.

³⁶ Memorial to Burger Senate, 3 July 1826 in A. du Toit and H. Giliomee, Afrikaner Political Thought: Analysis and Documents Vol. I. (Cape Town and Johannesburg, 1983) p. 64.

Stanley Trapido³⁷, has argued that liberalism, with the rise of a mercantile elite, which advocated a free labor, *laissez faire* platform, tied to an industrialized Britain, proved to be a formidable ideological competitor with paternalism. While this brand of British liberalism infiltrated the Cape and offered itself as the ideology of the future, paternalism, a form of rural class control which 'reinforced pre-capitalist social relations' represented the past.³⁸

The second - and with regard to this chapter the most important - reason paternalism differed in Cape Town was the widespread practice of hiring out slaves. As a result, slaves worked side by side with Prize Negroes, Khoi, and Free Blacks, which in turn diluted their masters' control. Furthermore, it was not uncommon for slaves in Cape Town to live outside their masters' home, eroding any possibility of masters asserting their authority.³⁹ Yet Bank has neglected two major points. Firstly, for Wilhelmina paternalism was undiluted primarily because slave women in Cape Town continued to work inside the master's home.⁴⁰ Secondly, Bank failed to ask an important question. Were slaves, Prize Negroes, and Khoi who lived and worked under their master's or mistress's roof equal recipients?

³⁷Mason, 'Paternalism Under Siege', p. 54 -55; S. Trapido, 'From Paternalism to Liberalism: The Cape Colony, 1800 - 1834, International History Review, XII, I (Feb. 1990), pp. 76 - 104.

³⁸Bank, 'Slavery in Cape Town', pp. 89 -90

³⁹ibid., p. 89.

⁴⁰See P. van der Spuy, 'Slave Women and the Family in Nineteenth-Century Cape Town', South African Historical Journal 29 (1992), pp. 50-74.

In early nineteenth century Cape Town, creolized slaves were the recipients of paternalistic indulgence to a far greater extent than were Khoi or Prize Negroes. Not long before the promulgation of Ordinance 50, the editors of the Colonist asked its readers.

Is the slave more defenceless than the Hottentot? Assuredly not. The condition of the former is in one respect superior, namely, that his master's interest will prompt him to be rueful of his life and health; whilst the only advantage the Hottentot possesses is, that by exercising a good deal of caution and shrewdness, he may become a temporary slave of another.⁴¹

Lancelot Cooke struck the same chord when he testified before the Commission of Enquiry. Cooke noted that,

Had Jean Elle been a slave in fact and remained so, after so valuable a portion of his life spent in the service of a master the law would have compelled that master to support him in old age; but here is a man serving in the prime of his valuable life for the advantage of those who in old age, will desert him to the miseries of want.⁴²

To contemporary observers, the extent to which slaves received employer paternalism clearly set them apart from Khoi and Prize Negroes. In fact, the Colonist believed that the best an indentured Khoi could do was to work sufficiently hard enough to have his master take him under his wing in the way they thought slaveholders did. Thus, while a slave such as Wilhelmina 'were living in friendship with her master', Khoi 'who worked within the sphere of a coercive

⁴¹Colonist 13 March 1828.

⁴²BPP 71 1826-1827, Memorial of Lancelot Cooke, p. 383.

labor system were precluded from developing any bond of interest or loyalty to their master'. As one colonial observer believed, Khoi saw their employers not as their masters 'but as their executioners, and whom they serve only through hunger and fear'.⁴³ Prize Negroes and Khoi were useful pawns in perpetuating the myth created by Cape Town's slaveholders that slavery in the city was mild. By continuing to compare the situation of Khoi and Prize Negroes unfavorably to that of slaves, other than for the purpose of calling for their upliftment, Cape Town's employer class attempted to delude itself and an outside world - which was growing increasingly antagonistic to slavery - that Cape slavery was so mild and benevolent, that a person only had to look at Prize Negroes and Khoi to see that things could be worse.

Clearly then, by giving Wilhelmina a Prize Negro, Mrs Yzell expressed paternalism's indulgent side. But though Mrs Yzell was fond of Wilhelmina, there is evidence to suggest that she owned slaves for whom she felt greater affection. Mason has shown that it was quite common for slaveholders, both male and female to grant freedom through their wills to slaves for which they felt special affection.⁴⁴ Upon Mrs. Yzell's death, in accordance to her will, Wilhelmina's grandmother and a slave Wilhelmina referred to as the 'African woman' and her two children were granted their freedom. Wilhelmina was auctioned off with the rest of her mistress's estate. She was purchased by Yzell's son-in-law and then sold to her

⁴³ du Toit and Giliomee, Afrikaner Political Thought, p. 37.

⁴⁴ Mason, 'Hendrick Albertus and his ex -Slave Mey', p. 440.

friend Mrs Wehrlin.⁴⁵

The nature of the relationship between Wilhelmina and Mrs. Yzell offers a few suggestions, but no concrete answers, as to how Mrs. Yzell differentiated between her slaves and Prize Negroes. While some people like Mrs. Christina Lusbrink, who owned both slaves and Prize Negroes, claimed 'they live together and are treated in exactly the same manner', Mrs. Yzell's slaves and Prize Negroes were treated differently. We may recall that when Wilhelmina was asked by the Commission of Enquiry if her Prize Negro was ever owned by Mrs. Yzell, she said she did not know. This suggests that Yzell possibly kept her slaves and Prize Negroes separate, not only in work but also in living accommodation. Wilhelmina lived with her mistress, and surely she would have come into intimate contact with any Prize Negroes who may have lived under Yzell's roof. That Yzell obtained a Prize Negro for Wilhelmina could be interpreted in two ways. On the one hand, it could be viewed as a motherly indulgence, a reward for her good service. On the other, Yzell may have thought so little of Prize Negroes that she thought they were even suitable for the role of a slave's servant. Either way it is clear that Mrs. Yzell considered Prize Negroes to have a role in the household which was 'worse than slaves'.

Alienation and Incorporation

In January 1831, some fifteen years after Wilhelmina Hendrickson was manumitted, the debate over slavery's future in the Cape Colony

⁴⁵BPP 71 1826-1827, Weideman, p. 531; Hendrickson, 25 May 1825 p. 533.

reached a furious pitch. Much of its essence was captured in a written debate published in the Commercial Advertiser between a British civil servant named Thomas Miller, and a well known Cape Town philanthropist, John Centlivres Chase.⁴⁶ In stating his argument, Miller rejected the notion of human beings as property and charged that slavery stood in opposition to nature, justice, and religion. To Miller, a person could not consider himself a Christian if he possessed slaves. He further criticized liberal Capetonians for failing to address the slave question adequately due to a fear of slaveholders. Chase responded by defending property rights, though he claimed to reject slavery. He furthermore chastised Miller for his assertion that slavery and Christianity were incompatible.⁴⁷ As the editor of the Advertiser, John Fairbairn served as a moderator between these two viewpoints. While he praised the merits of both arguments, Fairbairn believed that both men failed to address the central issue regarding slavery, writing that, 'one thing however is to be regretted. Neither Mr Miller nor Mr Chase has told us *what a slave is*'. Fairbairn argued that it was essential to discover 'In how many ways and what respects does a slave in this colony differ from a free man?'⁴⁸

⁴⁶See Thomas Miller, Considerations on the Exact Position of the Slave Question (Cape Town, 1831); and John Centlivres Chase, Practical Considerations on the Exact Position of the Slave Question, (Cape Town, 1831).

⁴⁷For two interpretations of the Miller/Chase debate see, R.L Watson, The Slave Question: Liberty and Property in South Africa (Johannesburg, 1990), pp. 96 -97; and C. Iannini 'Slavery, Philanthropy, and Hegemony: A History of the Cape of Good Hope Philanthropic Society, 1828-1834'(B.A. Hons. thesis, University of Cape Town, 1993), pp. 53 -56.

⁴⁸S.A.C.A. 5 Feb. 1831.

To Fairbairn, a slave was 'a native of the colony' who had been 'trained up in industrious habits' who 'speaks the same language, and has 'nearly the same manners and religion' as his master, and was 'accustomed from infancy to live in a house, to eat regular meals and to perform as it were instinctively all the evolutions of the well ordered army of social life'. In addition, the Cape Colony slave had 'in some faint degree family connections and family pride - There is no danger of his suddenly running away'.⁴⁹ By emphasizing traits slaves shared with their masters, Fairbairn expressed the extent to which creolization had taken place amongst the city's slave population. In a letter to the Colonist, a correspondent argued that slaves could no longer be spoken of as property, but were rather human beings, citizens of an empire.

We cannot sufficiently express our mortification on finding from the Government Notices of the High Sheriff and those to the Commissioner for adjusting the affairs of the Sequesters Department that Human Beings are yet noticed as chattels, and are mixed up in the advertisements as secondary to "household furniture, wagons, carts, horses, oxen, cows, mules, etc . . . A slave cannot be considered as mere property because he is a subject. Whether the Government exists, the life of a man has never as yet been considered as so absolutely an article of private property, that it may be extinguished like that of an ox, or a horse, or a dog, at the pleasure of the owner. In the case of the slaves the law has always assumed a power of interference and control, founded on the external distinction between this species of property and every other. No other description of property, no chattel has had such responsibilities attached to it, and the rights arising out of those responsibilities are similar to those

⁴⁹ibid., 2 March 1831.

which are inherent in the slave: for though he be such, he has been born a subject of the Divine Government and of the British Crown, owing allegiance to both as an accountable moral agent.⁵⁰

These two nineteenth century perceptions of Cape Town's slaves differ markedly from the ones offered by modern scholars such as David Brion Davis and Orlando Patterson. Davis has argued that though the concept of slavery has come to be contrasted with free wage labor and other examples of individual autonomy, such comparisons - throughout most of history - would have been absurd. Rather Davis, like Miers and Kopytoff, has asserted that the antithesis of slavery was not freedom but belonging. For example, early Saxon law viewed the autonomous stranger who had no family or kinship ties as a slave. Or, as in the case of the Giriama people of the Kenyan coast, who when called upon to define the opposite of a mntumwa [slave] invariably replied "Mgiriama" which simply meant a Giriama.⁵¹ Thus Davis argues that the slaves were the first "modern people" , foreigners removed from their family relations through capture, war, sale, greed, or debt.⁵²

Orlando Patterson has argued in a similar vein that within slave societies the slave occupied the lowest rung of the social ladder. To Patterson the slave was a socially dead person: 'alienated from all "rights" or claims of birth, he ceased to belong in his own right to

⁵⁰Colonist. 28 Feb. 1828.

⁵¹S.Miers and I. Kopytoff, eds., African Slavery: Historical and Anthropological Perspectives (Madison, 1977), p. 17.

⁵²D.B. Davis, Slavery and Human Progress (New York, 1984), p. 15.

any legitimate social order'.⁵³ Furthermore, the slave suffered from the loss of ties of birth in ascending and descending generations, as well as a loss of native status. Patterson refers to this concept as 'natal alienation', a term which he feels goes 'directly to the heart of what is critical in the slaves forced alienation'. Thus slavery can be described in Pattersonian terms as 'the permanent, violent domination, of a natively alienated and generally dishonored persons'.⁵⁴ Such characterizations would have been accurate for most of the Cape's slaving history. But with the abolition of the slave trade in 1807, more and more slaves were 'van de Kaap' rather than being torn from their homes and placed as a laboring machine in a strange land.

As natives of the colony, slaves were incorporated into Cape Town society through a form of quasi citizenship by the colonial government. Wayne Dooling has found that by 1813 it was believed that slaves in a legal sense had to be considered fellow human beings as well as subjects of the sovereign.⁵⁵ This trend continued with slave amelioration, which was designed to civilize slaves for a future role in the colony as free wage laborers. As the Colonist stated they, along with the British House of Commons, looked forward 'to a progressive improvement in the character of slaves - such as to prepare them for a participation in those civil rights and

⁵³O. Patterson, Slavery and Social Death: a Comparative Study (Cambridge, MA, 1982), p. 5.

⁵⁴ibid., p. 6.

⁵⁵W. Dooling, 'The Good Opinion of Others: Law, Slavery & Community in the Cape Colony c1760 -1830', in Worden and Crais, Breaking the Chains, p. 29.

privileges which are enjoyed by other classes of His Majesty's subjects'.⁵⁶ The first of these measures came into existence in 1823 through a proclamation by the then Cape governor Lord Charles Somerset. Under this proclamation masters were encouraged to convert their slaves to Christianity. Those slaves who embraced the new faith received certain privileges. For example, Christian slaves were allowed to marry with the approval of their master. Furthermore, offspring from these marriages could not be sold away from their mother before the age of ten.⁵⁷ This segment of the clause partially removed one of slavery's major legal marks. As Patterson has argued, while slaves had their own social ties, particularly familial and sexual unions, these were never recognized as marriages. While parents may have been deeply attached to their children this bond had no legal support.⁵⁸ But now under the new proclamation these did have some modicum of support though only if slaves capitulated to conversion.⁵⁹

Though imperfect, this marginal protection of familial units set slaves apart legally from Khoi and Prize Negroes. As we have seen elsewhere, the threat of familial separation through child apprenticeship was the primary shackle which bound Khoi parents to labor for their employers long after the expiration of their contracts. Likewise, Prize Negroes were separated from their

⁵⁶Colonist. 13 March 1828.

⁵⁷G.M. Theal, Records of the Cape Colony Vol. XV (Cape Town, 1900), p. 336.

⁵⁸Patterson, Slavery and Social Death, p. 6.

⁵⁹van der Spuy, 'Slave Women and the Family', pp. 57-61.

families with impunity. Sambo, a Prize Negro who testified before the commission of enquiry, agonized that 'my children are all apprenticed out, and I wish that one which is with Mr. Moore, a baker in Wynberg, should be returned to his mother; it is only six years old'.⁶⁰

In addition to these facets, the Somerset Proclamation laid down further guidelines for the regulation of slave labor. From now on, masters could no longer work their slaves in the fields for more than ten hours in the winter and twelve hours in the summer. Exceptions to this were allowed for periods of ploughing, harvesting or any other unspecified situations determined by the slaveholder. Furthermore, slaveholders were forbidden from punishing their slaves with more than twenty-five lashes of the whip. They were even further restricted with female slaves who, courtesy of the new law, were exempt from public flogging and could be whipped only privately on the shoulders.⁶¹ The strictures imposed by the Somerset Proclamation upon slaveholders were relatively easy to bypass. But it did, at least in writing, give some specific protection to slaves, where no such safeguards were provided for Khoi and Prize Negroes. In this sense both were 'worse than slaves'. Neither had their hours of labor regulated and the boundaries of punishment were far broader and vague. We may recall that one of the few limitations employers had when disciplining indentured Khoi was that they might not permanently damage their limbs. Likewise,

⁶⁰BPP, 71 1826- 1827, Testimony of Sambo.

⁶¹Theal, RCC, Vol. XV, p. 336.

employers of Prize Negroes had only to adhere to the nebulous clause that they might not treat their charges with undue hardship or severity.⁶²

Somerset's motive for drafting his proclamation was twofold. Firstly, writing for public consumption, he claimed that it was to civilize slaves, and to 'ameliorate their condition as far as may be consistent with the security of the state'. By 'civilize' Somerset meant more than inculcation of Christianity, European dress and manners, and perceptions of industrial work habits. Civilization also meant bring slaves under the ambit of a legal system, incorporating them. By granting them a legal personality, Somerset tacitly acknowledged slaves' humanity. Though they were still legally inferior to their masters and lacked appropriate avenues to defend their rights, they were in a legal position far superior to Khoi and Prize Negroes.

Somerset's alternative motive, as Mary Raynor has powerfully suggested, may have been to convince the British Parliament that because he had taken steps himself, they need not bother with further ameliorative measures.⁶³ Yet Parliament did just this. Three years later it vastly expanded slaves' legal persona with the implementation of Ordinance 19 in 1826. Its most significant feature was the creation of the Guardian of Slaves. The creation of

⁶²See Chapter One.

⁶³M. Raynor, 'Wine and Slaves: the Failure of an Export Economy and the Ending of Slavery in the Cape Colony, South Africa, 1806-1834' (Ph.D. thesis, Duke University, 1986), pp. 160 -166.

this office gave slaves a place in which they could attain legal redress for the mistreatment their masters and mistresses inflicted upon them. This gave them even greater legal leverage than Khoi and Prize Negroes. Neither of the latter two groups had the benefit of an office expressly designed for their protection. As we saw briefly in chapter one, many Khoi and Prize Negroes in Cape Town did bring their complaints to the Clerk of Peace, Daniel Cloete. But these formed only a minute part of his job, and there is no evidence that he viewed this as a priority. An examination of complaints brought before him revealed that only in a very few cases did he ever bother to investigate these claims or refer them to the Court of Justice.⁶⁴ Such indifference, contrasted sharply with the Slave Protector's Office, which, though committed to maintaining the social hierarchy and the essential power structure of the master -slave relationship, ruled, in many cases, for slaves.⁶⁵

The fact that Cape Town's slaves were incorporated into the legal system is not remarkable in itself. As Patterson has discovered, 'there has never existed a slaveholding society, ancient or modern, that did not recognize the slave as a person in law'.⁶⁶ It is also true that the ameliorative measures promulgated in Cape Town were implemented in every other slaveholding society in the British

⁶⁴See C.A. CP 31 Complaints Noted and Issue of Receipts.

⁶⁵See W. Dooling, 'Slaves, Slaveholders and Amelioration in Graff Reinet', (B.A. Hons. thesis, University of Cape Town, 1989); J. Mason, 'The Slaves and Their Protectors: Reforming Resistance in a Slave Society, the Cape Colony 1826 -1834', Journal of Southern African Studies 7 (1991).

⁶⁶Patterson, Slavery and Social Death, p. 22.

Empire. Even the Somerset Proclamation was merely a re-creation of the so called 'Trinidad Ordinance'. However, what made Cape Town's situation unique was that the expansion of legal protection for slaves was not complimented with similar measures for Khoi and Prize Negroes.⁶⁷ Until the promulgation of Ordinance 50 in 1828, which ended Khoi indenture, slaves living in the 1820s were without doubt incorporated into Cape Town society far more than Khoi.

Though the number of Khoi working in Cape Town was never large, the mainly rural debate surrounding their position in colonial society highlights the gap in status between Wilhelmina and her Prize Negro. Khoi, like creolized slaves, were also considered to be 'natives of the colony'. According to Andries Stockenstrom, 'the Hottentots, being natives of the colony, and consequently in my opinion born to the right of citizenship, and entitled to hold land . . . stand naturally on a level with Burgers'.⁶⁸ But the language of nativeness and citizenship which surrounded both slaves and Khoi hardly meant the same thing. Patterson has noted that the Roman Empire liberally granted citizenship to conquered peoples as a means to hegemony and co-optation.⁶⁹ J.W.D. Moodie was well aware of this Roman practice stating, 'the Romans do not appear to have drawn that broad a line of demarcation between themselves and the

⁶⁷Prize Negroes did occasionally use the Slave Protector in an attempt to seek redress. See Saunders, 'Free Yet Slaves', p. 114.

⁶⁸Zuid Afrikaan 23 March 1832.

⁶⁹O. Patterson, Freedom: Freedom in the Making of Western Culture (New York, 1991), p. 207.

aboriginal inhabitants of the colonies, who were after a time admitted to the enjoyment of the rights of citizenship.' Moodie believed that such rights could be extended to slaves and Khoi provided they underwent a process of civilization.⁷⁰

The Khoi, like slaves, were incorporated into colonial society in the nineteenth - century through legal means. Yet this incorporation was distinctly different. While for slaves, incorporation through amelioration meant for slaves a greater sense of autonomy, for the purpose of transforming them eventually into free wage laborers, Khoi incorporation entailed greater restriction of their autonomy and forced them to labor for colonists. This objective was subtly put by the Zuid Afrikaan who insisted that 'Everyone one must admit that each successive Governor, far from lowering them in the scale of civilization, has had, on the contrary, no other object than to bring them from their wild and savage state to a civilized communion with each other'.⁷¹ One of the governors the Zuid Afrikaan undoubtedly lauded was Lord Caledon, whose Caledon Code made Khoi indenture compulsory. It stipulated that Khoi must have a fixed place of abode, yet they were prohibited from holding land. Instead it forced Khoi to indenture themselves to employers and live on their land as servants. Likewise, the Zuid Afrikaan probably believed that the leaders of the VOC deserved credit for creating, near the end of their reign, the 'Hottentot Corps'.

⁷⁰J.W.D Moodie, Ten Years in Southern Africa (London, 1835), Vol. I, p. 184.

⁷¹Zuid Afrikaan 23 March 1832.

The creation of the Hottentot Corps was an attempt by the VOC to make the Khoi contribute to their own defence. When the British seized control of the Cape for the first time in 1795, the corps' role was strengthened to act as a 'counterweight' to the freeburger population. Employers opposed the corps' existence, on one hand, because they perceived it as a stick with which the British government could beat them. On the other hand, they viewed it as a threat to their labor supplies, siphoning off workers from their land.⁷²

Like the Caledon Code, British intent behind the Hottentot Corps was hegemonic and co-optive. To have Khoi serve in the military fulfilled a number of purposes. Firstly, it brought Khoi who had avoided compulsory indenture under the ambit of control. Secondly, it could be argued that the corps attempted to instill a sense of belonging to its soldiers, a citizenship in the colony, which obliged them to serve its interest. Instead of the Khoi fighting losing battles with leaders like Doman against Dutch colonial authorities, as they had done in 1659 and 1660⁷³, they now played an important role in the colony's future, defending its interests and the Crown's against those who sought to destroy it. For example the Hottentot Corps fought the 'foreign Xhosa nation', alongside regular British

⁷²W.M. Freund, 'The Cape Under the Transitional Governments, 1795-1814' in R. Elphick and H. Giliomee, eds., The Shaping of South African Society, 1652-1840 (Cape Town, 1989), p. 337.

⁷³Doman was the leader of Peninsular Khoi who waged war against freeburgers in an attempt to regain lost land. R. Elphick and V.C. Malherbe, 'The Khoisan to 1828' in Elphick and Giliomee, The Shaping of South African Society, pp. 37-38.

regiments in the Fourth Frontier wars of 1811 and 1812.⁷⁴

The debate surrounding Khoi citizenship, belonging, and incorporation, swiftly accelerated in the late 1820s with the debate over Ordinance 50. Andries Stockenstrom had realized that the Caledon Code had begun for the Khoi an unstoppable process of Europeanization, as well as, formalized their role in the colonial economic and social structure. Stockenstrom believed that the colonial government had to take a more active role in facilitating the completion of Khoi assimilation, and to help them find a more equitable position within Cape society.⁷⁵ He favored some sort of Khoi emancipation which would free their labor from the confines of the Caledon Code. He also believed that with citizenship came the right to own property. Both of these goals were attained through Ordinance 50. With its promulgation Stockenstrom and its other proponents believed that full Khoi incorporation was imminent. The new law not only removed any legal distinctions which separated them from whites, it went some way to alleviate the perception that Khoi were 'worse than slaves'.

However, at the same time, Stockenstrom and others believed that citizenship was not a gift to the Khoi people. Rather it was a trade-off. Citizenship was dependent upon Khoi remaining a part of the colonial labor supply in much the same way as before. Above all else, citizenship meant that the Khoi had to forego any pretence of being a

⁷⁴ibid., p. 38.

⁷⁵L.C. Duly, 'A Revisit to the Hottentot Ordinance of 1828', Studies in Economics and Economic History, M. Kooy ed., (London and Durham, NC, 1972), p. 32.

separate and distinct society, assimilate themselves fully within the colonial framework, and willingly become a major part of the colony's labor force. Thus Stockenstrom and other supporters of Ordinance 50 believed the new law would facilitate full Khoi incorporation into the colonial social structure.⁷⁶

Opponents of the Ordinance 50 believed it provided an impetus for the Khoi to remove themselves from colonial structures. To them, the Caledon Code had brought the Khoi towards civilization and full citizenship, because it had forced them to enter the labor market. Without compulsory indenture, employers feared they would be shut off from Khoi labor, as their former workers returned to their pastoral way of life, outside of colonial society. While this was true for Cape Town, it had a larger resonance in the hinterland where the majority of Khoi lived. One employer pleaded with the Cape government not to 'allow them to remove themselves from their society . . . for many years, at our own expense efforts have been made to civilize these people as they are now'.⁷⁷ This writer expressed an intangible fear that the Khoi might bond together and establish a parallel society in opposition to the colony. This did occur to a certain extent outside Cape Town at places like Kat River, where the government granted the Khoi land. Bunbury described Kat River as a place 'to elevate a portion of that unfortunate race to the level of citizens and to make a fair trial of their capacity for

⁷⁶ibid., p. 30.

⁷⁷Letter N.T. van der Walt to A. Stockenstrom, 31 Aug 1837, in du Toit and Giliomee, Afrikaner Political Thought, p. 118.

civilized life'.⁷⁸ Bunbury believed the Kat River settlement to be a rousing success, telling readers in his travel book,

The success of the measure has been such as to justify the most sanguine anticipations of its promoters. The Hottentots of the Kat River Settlement have at once been a valuable defence to the colony, and have proved themselves perfectly qualified by nature to become industrious, docile, moral, and useful members of the community.⁷⁹

Though there was a strong European cultural influence, Trapido has argued that it was places like Kat River which set off the first sparks of a nascent 'Hottentot Nationalism'.⁸⁰

But to Christoffel Brand and readers of Zuid Afrikaan their greatest objection to Ordinance 50, in addition to their perception that it denied them access to Khoi labor, was that the ordinance emancipated Khoi from the obligations of citizenship, and granting them immunity from the laws and mores which governed Cape society.

We on our part do not envy the Aborigines the freedom which we ourselves possess, but when they with this freedom which they have obtained make use of a greater liberty than all the other colonists we then believe we are justified in pointing it out. The Aborigines, for instance, permit themselves not to choose a fixed residence in our country, by whose laws they are protected, they rove about the whole country without accounting for their object

⁷⁸C.F.J. Bunbury, Journal of a Residence in South Africa, p. 23.

⁷⁹ibid.

⁸⁰S. Trapido, 'The Emergence of Liberalism and the Making of Hottentot Nationalism, 1815 - 1834', Institute of Commonwealth Studies, University of London, pp. 30 -31.

in so doing to anyone: if any harm is done to them our laws protect them, but if they do anything amiss, and if they escape, then it is to no purpose to look for them in their dwellings, for they have none - they pay no taxes, but when they furnish themselves with a fixed residence or dwelling; and thus allow themselves many other liberties which other colonists would themselves consider irregular and even criminal.⁸¹

As this passage demonstrates, Brand was unsure exactly where the Khoi fitted into the colonial structure, other than as laborers. His words display an ambivalence over the question of whether Khoi were citizens of the colony, or strangers freeloading and abusing the colony's legal system. On the one hand, Khoi were living freely in 'our colony' and under 'our laws'. Yet on the other hand they were citizens, albeit irresponsible and selfish ones, who refused to follow colonial customs such as to live at a fixed address, or pay taxes. In short, Brand believed that they enjoyed all the privileges of citizenship without any of its responsibilities. Of course to Brand the most glaring expression of Khoi civic irresponsibility and selfishness was their unwillingness to work within the colonial labor structure. Even before the abolition of the Caledon Code, Brand argued that,

thousands of them were hired in former years by the Colonist, whereas at present probably hardly a hundred will be found in the whole Colony who have hired themselves out as such; and even if there be a hundred, yet not fifty will be found who remain six months after another at the stated place, however generously, friendlily (sic), or well they are treated by their masters. The roving and wandering have already again become so natural to them, that they prefer their natural condition in the midst of

⁸¹Zuid Afrikaan 23 March 1832.

our society above our civilized state and regular intercourse.⁸²

On the essential issue of Khoi status within the colony, Brand and Stockenstrom shared common ground. Though they disagreed sharply over Ordinance 50, both men clearly saw the role of Khoi as laborers within colonial society. Neither man wanted to see the Khoi become a distinct group asserting its own identity, separate from the one the colony offered to them. Indeed, as Duly has argued, Stockenstrom's ordinance 'prevented the application of other approaches that might have been more productive in broadening and strengthening the Khoikhoi's place in the Cape'.⁸³ While both men desired the same thing, Stockenstrom saw Ordinance 50 as accelerating the realization of this goal, while Brand feared it would further erode Khoi ties to the colony and lead to an effective secession from the colony and their obligations to it.

Worse than Slaves

The position of the Khoi only highlights the low status of Prize Negroes. While slaves and Khoi were increasingly considered 'natives', Prize Negroes stood across a divide as 'strangers'. By the beginning of the nineteenth century, the definitions of slavery offered earlier by Davis and Patterson were being applied to Prize Negroes. In the same article in which he described the slave as a 'native of the colony', John Fairbairn asked 'Who is the Prize Negro?'

He is a person who was violently seized by pirates and robbers in

⁸²ibid.

⁸³Duly, 'Hottentot Ordinance' p. 27.

his native country, torn from his home, his family, and relations, and stowed away in irons, or in a cask in the hold of a slave ship, brought to the Cape, and bound to serve fourteen years without wages, in a strange country, among people of a strange language, professing an unknown religion, exhibiting customs and manners which to him are utterly unintelligible. At the end of the strange process he is told he is free. Free to do what? He has no pride of nation or tribe - no parents or relatives to influence his feelings, on whom his good or bad conduct can have any effect - he has no family, or in all probability his wife and children are the bond slaves and private property of another. No pains have been taken to throw the golden net of religious or moral restrictions over his appetites.⁸⁴

As the passages from Fairbairn graphically illustrate, there was a growing consensus amongst liberal Capetonians that slaves and Khoi 'belonged' while Prize Negroes did not. While it was increasingly stressed that slaves were 'natives' of the colony, or 'subjects' of the British Crown who shared common customs and culture, like language and religion, Prize Negroes were strangers. Fairbairn distinctly underscored a custom and culture gap between the apprentice and master and significantly, affixed terms such as 'bond slaves' and 'private property' to Prize Negroes.

Effectively - if we accept the definitions of slavery posited by both Davis and Patterson - Prize Negroes were perceived to be slaves to a much greater extent than actual slaves were. But to state this, is not to endorse the old myth of Cape slavery as a mild institution, or to claim that slaves had an easier time of it than did Prize Negroes

⁸⁴S.A.C.A., 2 March 1831.

or Khoi. Rather what this statement suggests is that in Cape Town for the specific period of the early nineteenth century, slaves, an increasing number of whom were born in the Cape, enjoyed relatively greater status and were incorporated into colonial society on a larger scale than Khoi and certainly Prize Negroes. There is some evidence to suggest that slaves were well aware of this; and once again the case of Wilhelmina Hendrickson provides a useful method of illustration.

Wilhelmina Hendrickson was a slave as well as a 'native of the colony' born in her mistress's house. In addition to being a slave, these last two facts about her played a significant role in shaping her identity. When Wilhelmina asked Mrs Yzell to obtain for her a Prize Negro she was, in effect, asserting her belief and understanding that she was socially superior to a Prize Negro. To Wilhelmina, it would have been absurd to ask her mistress to buy her a slave. For as a slave herself, she would have been asking for ownership of a social equal. Instead she asked for a servant, who in order to be able to assert her authority as a 'master' had to be socially inferior: a Prize Negro.

But why did Wilhelmina want a Prize Negro? Though she told the Commission of Enquiry that she requested the Prize Negro, Samina, because her daughter was sick, this reason is somehow unsatisfying. We may recall that in Cape Town it was not uncommon for free blacks, which she was to become shortly through manumission, to have slaves. Bank argues that in the early nineteenth century the

overall number of registered, urban, free black slaveholders stood at well over 200. Included in this group were some free blacks with a fairly large number of slaves.⁸⁵ Others purchased family, friends or lovers.⁸⁶ However in Wilhelmina Hendrickson's case it appears she just wanted a servant. It is apparent that she had never had contact with Samina before she was indentured to her. When the Commission asked her if Samina had ever belonged to Mrs Yzell, Wilhelmina responded by saying 'I don't know for certain, but I have the indenture'.⁸⁷

It is possible to argue that Wilhelmina's request and eventual acquisition of Samina was an exercise in self validation and a search for honor. As a slave Wilhelmina Hendrickson would have experienced general dishonor at being the living property of another. She was desperate to attain honor within the parameters of her condition. While Mason argues that honor was something that could be self bestowed, Dooling contends that in the Cape context honor was synonymous with reputation and therefore based on 'the good opinion of others'.⁸⁸ Thus it is not surprising that Wilhelmina repeatedly stressed to the Commission of Enquiry the value she believed she had as a slave.

²⁹For example, Baatjoe van Batavia had twenty slaves between 1816 and 1834, Samuel of the Cape owned seventeen and Jan van Bougies had sixteen. See Bank, 'Slavery in Cape Town', p. 213.

⁸⁶ibid., p. 195.

⁸⁷BPP 71 1826-1827, Hendrickson, 25 May 1825, p. 533.

⁸⁸Mason, 'Hendrik Albertus and His Ex -Slave Mey', p. 444; Dooling, 'The Good Opinion of Others', pp. 41-42.

Mrs. Wehrlin knew that I was a good slave, from having been frequently at the house and a great friend of Mrs. Yzell's; I had requested Mrs Yzell to make me free before her death, but she said that she could not dispense with my services, as she was then so old.⁸⁹

As this illustrates, Wilhelmina attempted to highlight the fact that not only was she an excellent slave, but she was also indispensable to her late mistress's survival. In this way she was able to extract some honor and a sense of being special and important. Her desire for a Prize Negro was essentially an augmentation of this. As Patterson states bluntly, 'honor and power are intimately linked'.⁹⁰ Universal to the master-slave relationship was the sense of honor that owning a slave generated. In the slave societies of what Patterson calls, 'primitives', masters acquired slaves solely to increase their honor and self worth. Even if the slaves were purchased only for materialistic purposes honor was still enhanced.⁹¹ As Genovese remarked, to slaveholders in the American South, owning a slave symbolized independence and a sense of command, and was also believed to develop poise, grace, and dignity.⁹² As a slave, Wilhelmina would have been intimately familiar with this dynamic. By acquiring Samina, who by virtue of being a Prize Negro, was considered by Wilhelmina to be her social inferior, she hoped to bestow on herself honor and a greater sense of self-worth.⁹³ Yet while Wilhelmina was honoring herself, the sense

⁸⁹BPP, 71 1826-1827, Hendrickson, 25 May 1825, p. 533.

⁹⁰Patterson, Slavery and Social Death, p. 10.

⁹¹ibid., p. 11.

⁹²E. Genovese, The Political Economy of Slavery (New York, 1966), p. 33.

of dishonor Samina must have experienced as her apprentice surely defies description. For it is nearly impossible to imagine a more humiliating situation than being a servant to a master who is herself enslaved. Nothing could have illustrated to Samina more clearly the true status of a Prize Negro.

Wilhelmina's sense of social superiority was derived from her native status and the fact that Prize Negroes were strangers. The notion of being a native, of belonging shaped her identity. A salient example of this was revealed during her testimony to the Commission of Enquiry. When asked if she remembered whether any of Mrs Yzell's slaves had been freed following her death, she said 'My grandmother was left free by Mrs Yzell's will, and also an African woman, and her two sons'.⁹⁴ Significantly when Yzell's daughter, Elizabeth Weideman was asked the same question three days later she said,

The grandmother of Meintje was made free by my mother's will. A slave woman and two children, who belonged to me were purchased by the Orphan Chamber, and made free according to the direction of the will.⁹⁵

Wilhelmina drew an ethnic distinction between herself and the 'African woman', while Elizabeth Weideman did not. While Weideman identified Wilhelmina and her mother's other slaves along class lines, Wilhelmina did so along ethnic ones. Clearly this was because

⁹³Dooling 'The Good Opinion of Others', p. 41.

⁹⁴BPP, 71 1826-1827, Hendrickson, 21 May 1825, p. 527.

⁹⁵ibid., Weideman, 24 May 1825, p. 531.

ethnicity was far more important to her. There is some question of course as to how she defined 'African'. Was she referring to the color of the woman's skin? Or did she mean by 'African' someone who was born outside the colony: African to denote foreignness, a newcomer, a stranger? Did she, like some members of Cape Town's white elite, envisage the Cape Colony as an entity entirely separate from the rest of Africa?

While Wilhelmina augmented her sense of honor with the acquisition of Samina as a slave, she also rapidly accelerated the level of her incorporation into colonial Cape Town society. The most significant example of this was her conversion to Christianity and her change of name. It is unclear whether she converted before or after her emancipation. According to Elizabeth Weideman, her mother had a slave named 'Meintje who was afterwards Christened Wilhelmina Rosina. She afterwards took the name of Hendrickson, as her father's name was Hendrick'.⁹⁶ The new name may have been indicative of her new status, symbolizing her transformation from a slave to a future free person. Patterson has identified a change of name as one of the ritual marks of slavery.⁹⁷ Here however the situation was reversed. By taking the surname Hendrickson, a variation of her father's name, she re-established kinship ties with her ancestors.

Following her manumission, Wilhelmina attempted to incorporate herself further into colonial society. As we know from her

⁹⁶ibid.

⁹⁷Patterson, Slavery and Social Death, p. 52.

testimony before the Commission of Enquiry, she lived in her own home at 6 Bree street and made her living through her 'retail shop' and by washing clothes by the month. As a free black in Cape Town, she was co-opted into the legal system on a par with burgers. Bank has found little evidence that people like Wilhelmina, once free, were legally marginalized. Manumitted slaves could buy and sell land, own livestock, initiate court cases and pay taxes.⁹⁸ But Samina, had she lived out her apprenticeship, would not have enjoyed these privileges. As J.B. Hoffman told the Commission of Enquiry when asked what became of Prize Negroes after their apprenticeship expired: 'they do not have the privilege of a manumitted slave, for they are obliged to find a master with whom they make a contract, they cannot take a house, as a manumitted slave may do'.⁹⁹

That Wilhelmina worked both as a merchant and a washer woman is quite symbolic. During the first half of the nineteenth century the majority of Cape Town's most prominent citizens were involved in trade. Unfortunately it is not known what kind of retail shop she owned. But what is of more importance is the question of whether her ownership of a shop was another way of also bestowing on herself greater sense of honor, respectability, and self-worth. Living in Cape Town she would have surely been aware of the prominence and importance of trade to Cape Town's elite . Was she attempting to emulate the lifestyle of Cape Town's most respected English merchants down to the possession of an apprenticed

⁹⁸Bank, 'Slavery in Cape Town', p. 212.

⁹⁹BPP, 71, 1826 -1827, Testimony of J. B. Hoffman, p. 505.

servant? This is not to suggest she enjoyed in any way the political, economic, or social equality with these. Of course she did not. But it is interesting that she tried to recreate this existence within the parameters of her free black status. Yet, though she tried to fully incorporate herself into colonial society through her shop and Prize Negro, the fact that she did washing by the month reveals that she awkwardly straddled two distinct worlds. For being a washer woman was a common occupation for emancipated slave women. This in itself symbolized that full incorporation into the colonial world could never be acquired completely.

Conclusion

What conclusions can be drawn from the story of Wilhelmina, Mrs Yzell, and Samina? What does it say about the state of indentured and apprenticed labor in Cape Town between the years 1808 to 1838? To begin with, this story illuminates the fact that with the abolition of the slave trade in 1807, employers, such as Mrs. Yzell, were increasingly less dependent upon slave labor than they had been a decade or two before. While some of Cape Town's employers augmented their personal labor force with the city's small number of Khoi, many more such as Mrs. Yzell relied on Prize Negroes. In fact when she died it appears she had more Prize Negroes in her service than slaves. In addition to her slaves which included not only Wilhelmina, but her daughter, grandmother, the 'African woman and her two children, were what her daughter estimated to be five or six Prize Negroes.

But more importantly, this chapter illuminates the general perceptions of master and servant through Mrs Yzell and Wilhelmina. The story of Mrs. Yzell and Wilhelmina clearly illustrates that employers distinguished between the slaves, Khoi, and Prize Negroes under their charge. As we have seen in this chapter, slaves were increasingly incorporated into society to a far greater extent than were Khoi or Prize Negroes. Not only through improved legal status, but also as greater recipients of paternalism's indulgent side. As argued earlier, by giving Wilhelmina a Prize Negro, Mrs Yzell possibly expressed a number of feelings. On the one hand, the Prize Negro could have been a gift, an expression of her affection towards Wilhelmina, or a reward for her good service. Much of this affection was derived from the fact that Wilhelmina was born in Mrs. Yzell's house and had been her slave for her entire life. This engendered a great deal of loyalty on Wilhelmina's part towards Mrs. Yzell. As argued in chapter three, employers increasingly saw slaves as the most disciplined members of Cape Town's labor force. This perception was based on greater application of paternalism as a mechanism of control.

In addition, this story adds further evidence to the assertion made in chapter three which challenged the existing assumptions of race and class for this period. Specifically it calls into question the assertion made by writers such as Elks and Bank of a general underclass unity. Wilhelmina certainly felt no unity with the African

woman, or her Mozambiquan born Prize Negro. She clearly felt superior to both of them. Superiority over the African woman was based on her native born status, while with Samina it was her status as a slave.

Finally, this thesis fills an historiographical gap in the study of nineteenth century labor in Cape Town. This study has demonstrated that slavery was not the only labor system that operated in Cape Town during the early nineteenth century. As slavery declined, the demand for indentured and apprenticed labor to replace it grew. But along with this growth, came increasing struggle and conflict between employers and laborers as they fought over indentured and apprenticed labor's meaning. Liberals such as John Fairbairn to employers like D.H. Kellerman and Mrs Yzell, to parents such as Ian Mulder, and a free black such as Wilhelmina Hendrickson all formed their own perceptions and understandings of indentured and apprenticed labor.

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