A Collection of discrete essays

with the common theme of

gender and slavery

at the Cape of Good Hope

with a focus on the 1820s

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ABSTRACT

This is a collection of discrete essays, each embodying original research and bearing on the theme of gender and slavery at the Cape of Good Hope. Amelioration at the Cape profoundly altered gendered perceptions of slaves, both on the part of slaveholders, and of the slaves themselves. The amelioration regulations entailed a redefinition of the gender of female slaves, which was resisted by slaveholders and transformed by slave women, while slave men began to redefine their own gendered identities in this light. Slaveholders' traditional patriarchal self-concepts were severely threatened in this context, as they progressively lost power and authority, both to the new paternalist colonial state and to those who had formerly been subsumed within the patriarchal family.

There are five papers, the first an introduction to the theoretical framework of the collection and an outline of the general argument as outlined above. The second paper provides a critique of existing Cape slave historiography from a gendered perspective. It examines the problems of this literature methodologically and theoretically, focusing on the implications of the slave sex ratio for the history of slave women. The final three papers are based on empirical research. The third paper examines the structural constraints on slave family formation in Cape Town from the perspective of slave women. The fourth and fifth papers explore issues related to infanticide and slave reproduction, and slave resistance in relation to the Bokkeveld rebellion of 1825, respectively.

PREFACE

This is 'a collection of discrete essays, each embodying original research and bearing on a common theme or subject', in terms of the University of Cape Town Faculty of Arts *Student Handbook* 1992, p. 80.

The essays in this collection share the common theme of gender and slavery at the Cape of Good Hope, with a focus on the period of amelioration, the 1820s. They explore different aspects of this theme, arguing that gender is an essential analytical tool for historical research.

It was decided to choose the option of a collection of discrete essays rather than a single thesis because this option allows the exploration of a variety of related themes. The main objective of this collection is to suggest new ways of seeing Cape slavery, to open up new avenues of research and to ask questions, rather than to provide a single coherent thesis which gives the impression of exhaustive answers.

The aim is to elucidate both the use of gender as a means of analysis and the operation of gender in Cape slave society. The essays share common concerns, but explore them in different ways. The first essay provides an introductory overview of the theoretical framework of the collection, and sets out the overall argument. The second essay provides a critique of the historiographical silencing of slave women, due to a lack of gender-sensitive approaches to the eighteenth century in particular, where most work on slavery has been based until very recently. This essay does not specifically set an agenda for the rest of the

collection, because the following three papers do not intend merely to revise the existing historiography, but to look at Cape slave society in a new light.

The final three papers of the collection are based on empirical research and explore different aspects of the dialectic between gender and amelioration at the Cape in the 1820s. Paper 3 examines structural constraints on slave family formation in the context of amelioration from the perspective of slave women, focusing on Cape Town.

The fourth and fifth essays are based on case studies of criminal cases tried in the Court of Justice. In both cases, the subjective voices of individuals suggest wider trends within Cape slave society. The fourth essay continues the theme of family choices and looks at reproduction-related issues, namely abortion and infanticide. It explores the transition of abortion and infanticide from the private patriarchal domain to the public paternalism of the colonial state, and revises the notion that slave reproduction was actively encouraged by slaveholders at the Cape after the closure of the oceanic slave trade.

The final paper explores the role of gender in the anti-slavery choices of slaves in the 1820s, by re-examining the Bokkeveld rebellion of 1825 from the perspective of the leader, Galant. The essay explores the struggles of male slaves to assert a newly defined masculinity in a patriarchal society in which they were denied masculine authority, and provides an alternative perspective on slave resistance in the period of amelioration, when the slave relationship itself was being rewritten. The new definition of slave gender fundamentally reordered meanings of slavery and freedom.

Because this is not a thesis but a collection of discrete essays, there is some repetition of material which is necessary in order for the autonomy of the individual papers. In most cases the same primary material is explored from different perspectives, for different purposes.

Archival references are to the Cape Archives, unless otherwise indicated.

CONTENTS

'They put their Owners therefore at defiance'[a]:

Slavery and the in(ter)vention of gender

in the 1820s at the Cape of Good Hope.

[a] SO 3/20a: Confidential Reports of the Protector of Slaves, 1830.

Cape slavery is gradually becoming incorporated into the mainstream of South African history, but slaves have not been included in gender-sensitive reworkings of that history.[1] Despite its claim to 'add a much-needed historical dimension to our understanding of the workings of gender and women's place in society', *Women and gender in southern Africa to 1945* does not further our understanding of western Cape history, and makes no mention of slavery; neither was slavery a topic of debate at the conference on 'Women and Gender', a separate project, in 1991.[2] Cherryl Walker recognised that the book did not exhaustively deal with the whole of southern Africa, based as it was on work in progress, which necessarily delimited its regional and temporal scope, and that '[i]ssues warranting more in-depth treatment than they receive here include ... the position of "coloured" women', but that 'the intention ... was never to treat the various categories of apartheid "separately but equally"'.[3] The fact that many 'coloured' women in the Cape had 'a history of their own' as members of the slave society which delimited the

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1 An attempt has been made to redefine the parameters of South African history with the history of pre-1868 and specifically slavery at the centre: N. Worden and C. Crais, *Breaking the chains: slavery and emancipation in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993), introduction; see also R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town and Johannesburg, Maskew Miller Longman, 1989), and W.G. James and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, University of Cape Town, 1989).

2 C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990); See papers presented at the Conference: Women and Gender (Gender Research Group, University of Natal (Durban), 1991) and L. Torr, H. Hughes, J. Shier and C. Wyley, *Women in southern Africa: a bibliography* (revised edition) (Durban, Durban Women's Bibliography Group, University of Natal (Durban), 1991).

3 C. Walker, 'Women and gender in southern Africa to 1945: an overview', in *ibid.*, p. 5.

contours of South African colonial history for nearly two hundred years should have merited a mention.[4]

A further possible reason for the exclusion of analyses of slavery from South African gender-sensitive writing is that Cape slavery has for too long been isolated from African history, deriving its framework from and drawing comparisons with New World slave literature, rather than with African slavery.[5] Robertson and Klein's *Women and slavery in Africa* similarly ignores the Cape of Good Hope, the implication being that because Cape slavery was not indigenous, it does not warrant inclusion in a study of African slavery.[6] However, the process of assimilation of slave history into the mainstream of South African history is related to the recent recognition that although the early Cape was certainly a slave society in as much as it was '"...a society in which slaves play[ed] an important part in production and form[ed] a high proportion ... of the total population"',[7]

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4 The phrase is taken from the title of B.S. Anderson and J.P. Zinsser, *A history of their own: women in Europe from prehistory to the present* (London, Penguin Books, 1990).

5 P. van der Spuy, 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991), p. 185; G. Cuthbertson, 'Cape slave historiography and the question of intellectual dependence', *South African Historical Journal* 27 (1992).

6 C.C. Robertson and M.A. Klein (eds), *Women and slavery in Africa* (Madison, Wisconsin, University of Wisconsin Press, 1983). Cape slave women are also excluded from more general books on women in Africa, such as C. Qunta (ed), *Women in southern Africa* (Johannesburg, Skotaville, 1987), S. Stichter and J. Parpart (eds), *Patriarchy and class: African women in the home and the workforce* (London and Boulder, Westview Press, 1988) and N.J. Hafkin and E.G. Bay (eds), *Women in Africa: studies in social and economic change* (Stanford, Stanford University Press, 1976).

7 K. Hopkins, cited in N. Worden, *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985), p. 11.

it did not rely entirely on slaves, and should not be viewed as an exclusive or closed system as the slave societies of the British West Indies or the United States of America have been.[8]

Perhaps the main reason for the silence of slavery in *Women and Gender* is that at the time of its publication, Cape slave historiography did not display the kind of gender-sensitivity which would have facilitated its inclusion in such a project.[9] Since then, students at the Universities of Cape Town,[10] Michigan[11] and elsewhere in the United States of America

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8 For instance, N. Penn, '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800', *South African Historical Journal* 23 (1990) S. Newton-King, 'The enemy within' (paper presented to the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989); V.C. Malherbe, 'Indentured and unfree labour in South Africa: towards an understanding', *South African Historical Journal* 24 (1991). The division of United States history into either slavery or frontier conflicts with native Americans has also influenced the writing of South African history.

9 At the time, Robert Shell was the only historian to focus directly on women in Cape slave society: R. Shell, 'Tender ties: the women of the slave society' (paper presented at the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989) and R. Shell, 'The family and slavery at the Cape, 1680-1808', in James and Simons (eds), *The angry divide*. See paper 2 below.

10 P. van der Spuy, 'Some thoughts on gender and its application to the study of Cape slavery at the end of the 18th century' (paper presented at the Conference 'Cape Slavery- and After', Department of History, University of Cape Town, 1989); van der Spuy 'Gender and slavery'; K. McKenzie, 'Samuel Eusebius Hudson at the Cape of Good Hope 1797-1807' (BA (Hons), University of Cape Town, 1991); P. van der Spuy, 'Slave women and the family in Cape Town in the 1820s', *South African Historical Journal* 27 (1992).

11 P. Scully, 'Liberating the family? Thoughts on the private meaning of emancipation in the rural Cape, 1834-42' (paper presented at the Conference 'Cape Slavery- and After', Department of History, University of Cape Town, 1989); P. Scully, 'Private and public worlds of emancipation in the rural western Cape, South Africa, c. 1830-1842' (unpublished paper, University of Michigan, 1991); P. Scully, 'Rituals of rule: infanticide and the humanitarian sentiment in the Cape Colony c1834-1850' (paper presented at the Centre for African Studies Africa Seminar, University of Cape Town, 29 April 1992); P. Scully, 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented to University of Cape Town History Department post-graduate seminar, April 1992); P. Scully, 'Private and public worlds of

have begun to explore the complexities of slavery from a gendered perspective.[12] The present collection of essays is an attempt to revise standard, "common sense" historical constructions of slave women and to demonstrate the utility of gender in explicating the complexities of Cape slave society.

This introduction will provide an overview of the general arguments of the collection of essays, beginning with a delineation of the key concepts of gender, focusing on the construction of gendered identities, and of patriarchy, followed by the contexualisation of the relevant themes in terms of amelioration at the Cape in the 1820s and ending with a few thoughts on resistance.

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emancipation in the rural western Cape, South Africa, 1834-1850', in N. Worden and C. Crais, *Breaking the chains: slavery and its legacy in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993) and P. Scully, 'Liberating the family: gender, state and emancipation in the rural western Cape, South Africa, 1830-1870' (Ph.D, University of Michigan, forthcoming 1993).

12 John Mason's doctoral thesis is not yet widely available; I was able to peruse parts of it superficially in the final stage of writing, and have referred to those aspects I have found relevant to my own work, but I was not able to provide a critique of it in paper 2: J. Mason, '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

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The essays in this collection are informed by the feminist belief that gender fundamentally orders society.[13] "Gender" refers to feminine/ masculine identities and to beliefs about the natural place of men and women in society, both of which depend partly on relationships between the sexes:

> 'Gender serves as a way not only to distinguish men from women, but also to identify (and contrast) abstract qualities ... [which] do not correlate exactly with what real men and women can do [but] ... they are not entirely unrelated to social roles either, because they provide some of the concepts that set rules, that provide limits and possibilities for the behavior of men and women. Gender thus provides conceptual language and is created by and through that language.'[14]

As Elizabeth Fox-Genovese has noted,

> '[f]eminist scholarship has correctly insisted upon the social construction of gender. It is now widely accepted that all societies promote identities and roles taken to be appropriate to the genders, and, normally, present those identities and roles as natural emanations of sexual difference .... historians must accept the gender identities and roles that different societies assign to males and females as historical facts that require historical analysis. They must also recognize the characteristics ascribed to males and females as interrelated, as integral parts of a dominant gender system'.[15]

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13 For instance, H. Smith, 'Feminism and the methodology of women's history' in B.A. Carroll (ed), *Liberating women's history: theoretical and critical essays* (Urbana, Illinois University Press, 1976), p. 369: 'Sexual division has been one of the most basic distinctions within society encouraging one group to view its interests differently from another ...' However, this paper agrees with Gerda Lerner's rejection of the feminist bias which 'lies in [its] belief that the history of women is important only as representing the history of an oppressed group and its struggle against its oppressors.' (G. Lerner, 'New approaches to the study of women in American history' in B.A. Carroll (ed), *Liberating women's history*, p. 350).

14 J.W. Scott, 'On language, gender and working-class history', *International Labor and Working-Class History* No. 31, Spring 1987, p. 7.

15 E., Fox-Genovese, 'Placing women's history in history', *New Left Review* 133, May-June 1982, p. 14. Equally applicable is the term 'sex-gender system', which according to Gayle Rubin is 'the set of arrangements by

In both senses of the word, then, gender is socially and historically constructed, not naturally given, although the processes involved are contested; sociological and psychological theories and models are themselves social and historical constructs which need to be deconstructed.[16] As we shall see, during the period of amelioration at the Cape, a new slave gender system emerged. What is remarkable in the present context, is that the new gendered definitions of slaves were *not* 'taken to be emanations of sexual difference', but were universally perceived to be imposed by amelioration. Moreover, the gender system which was 'taken' by slave women and men differed substantially from that which was 'given' by the new regulations, as men and women redefined their roles, and the limits of their tolerance, in terms of this system.[17] In connection with sexuality, Michel Foucault has noted that

> '[t]he term itself did not appear until the beginning of the nineteenth century .... It does point to something other than a simple recasting of vocabulary, but obviously it does not mark the sudden emergence of that

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which a society transforms biological sexuality into products of human activity' (G. Rubin, 'The traffic in women', in R. Reiter (ed), *Towards an anthropology of women* (New York and London, Monthly Review Press, 1975), p. 159. See Walker, 'Women and gender', p. 1.; Scully 'Emancipation', p. 1).

16 A. Nye, *Feminist theory and the philosophies of Man* (New York, Routledge, 1988); Ramazanoglu, 'What can you do with a man?'; H. Brod, 'Introduction: themes and theses of men's studies' in H. Brod (ed), *The making of masculinities: the new men's studies* (Boston, London, Sydney and Wellington, Allen and Unwin, 1987); J.H. Pleck, 'The theory of male sex-role identity: its rise and fall, 1936 to the present' in *ibid.*; T. Carrigan, B. Connell and J. Lee, 'Towards a new sociology of masculinity' in *ibid.*; S.B. Ortner and H. Whitehead (eds), *Sexual meanings: the cultural construction of gender and sexuality* (Cambridge, Cambridge University Press, 1981); S. Errington, 'Recasting sex, gender, and power: a theoretical and regional overview' in J.M. Atkinson and S. Errington, *Power and difference: Gender in Island Southeast Asia* (Stanford, Stanford University Press, 1990).

17 See p. 19 below and paper 5 *passim*.

> to which "sexuality" refers. The use of the word was established in connection with other phenomena: the development of diverse fields of knowledge ... the establishment of a set of rules and norms - ... and changes in the way individuals were led to assign meaning and value to their conduct, their duties, their pleasures, their feelings and sensations, their dreams.'[18]

Similarly, in the period of amelioration at the Cape, slaves were forced to decide whether or not to reconstruct their self image and behaviour in terms of the new gender system, and if so to take on a new form of masculine or feminine identity.[19] This indicates an objectification of gender and sexuality in a period when people in the West were just beginning to identify themselves and others as particular *types* of people, for example as homosexuals, rather than as people engaging in homosexual behaviour.[20] From the slaveholders' perspective, the problem was how to accommodate the new slave gender system (or sub-system) within the old patriarchal gender system, and case studies such as those presented in the fourth and fifth papers of this collection suggest that the old system could not accommodate the new.[21] In the formulation of George Rogers, the Protector of Slaves and a liberal paternalist:[22]

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18 M. Foucault, *The use of pleasure: volume 2 of the history of sexuality*, trans. R. Hurley (New York, Pantheon Books, 1985), pp. 3-4.

19 Ramazanoglu, 'What can you do with a man?', p. 342: '... there are different ways in "doing masculinity"...'

20 J. Weeks, *Sex, politics and society: the regulation of sexuality since 1800* (London and New York, Longman, 1981), introduction and chapter 6. George Rogers, the Protector of Slaves, constantly categorised subaltern people in terms of "natural" types: not only did the nature of female slaves concern him, but he considered the Khoikhoi in terms of 'the Hottentot Character' and 'his nature' (SO 3/20a: Confidential Reports of the Protector of Slaves, 1829-1834, August 1829).

21 See papers 4 and 5 below.

22 J. Mason, 'Slaveholder resistance to the amelioration of slavery at the Cape' (Cape Town, Centre for African Studies, University of Cape Town,

'[t]he tie which formerly existed between the Master and the Slave seems ... completely severed, the Master does little now for his Slave from real regard, and the Slave nothing for his Master from affection'.[23]

The concept of patriarchy is used in a very specific sense in this collection of essays, in contradistinction to "male dominance" and to paternalism, and is closely related to the construction of masculinities of slave and slaveholding men. Following Deborah Posel's dissatisfaction with the 'blunt theoretical instrument' of patriarchy as defined by radical feminists,[24] which 'was understood to refer in very broad and general terms to "male domination over women"', it is clear that in the Cape slave society not all relationships can be reduced to a single notion of patriarchy.[25]

This collection of essays uses the term "patriarchy" to denote a form of social control in terms of which power and authority is vested in the household head within the "private

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Conference paper, July 1986), p. 24; Mason, '"Fit for freedom"', p. 118: 'While the principal protector's personal outlook was undeniably paternalist, his was the paternalism of a British colonial officer, a rather different thing than that of a colonial slaveholder.' Rogers was a slaveholder himself, so this might complicate the issue. See below for a discussion of paternalism and patriarchy.

23 SO 3/20a, Observations of the Protector of Slaves for the Report between June and December 1830.

24 The feminist concept of patriarchy has therefore fallen prey to the same faults as that of resistance: it is so broad and over-arching that it has little explanatory value. See van der Spuy, 'Gender and slavery', p. 186.

25 D. Posel, 'Women's powers, men's authority: rethinking patriarchy' (paper presented at the Conference on Women and Gender in Southern Africa, University of Natal (Durban), 1991), p. 5. See also S. Rowbotham, 'The trouble with patriarchy' in R. Samuel (ed) *People's history and socialist theory* (London and Boston, Routledge and Kegan Paul, 1981) and B. Bozzoli, 'Marxism, feminism and South African studies', *Journal of Southern African Studies* 9 (2) 1983.

domain". The slaveholder, therefore, exercised power over his wife, children, servants and slaves, both male and female. It is crucial to note that historians have tended to assume that the Cape slaveholding family (or the elite within that category at least) was patriarchal in this sense.[26] The most thorough exploration of the "Cape *familia*" relies very heavily on travellers' accounts and therefore presents a fleshing out of previous views, rather than a revision.[27] There is a need for an analysis of the workings of power within the family, starting with that between the "patriarch" and his wife, particularly in the light of their Dutch heritage.[28] No rigorous research has yet been undertaken to examine the power of women as wives and periodically as widows, for instance in terms of inheritance rights and within the household.[29] It would seem that white women lost power in the transition to a new legal system in the late 1820s, for instance symbolically in terms of naming practices, as wives no longer retained their own father's

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26 See, for instance, C. Crais, 'Slavery and freedom along a frontier: the eastern Cape, South Africa: 1770-1838', *Slavery and Abolition* 11 (2) 1990, p. 192; R. Shell, 'Slavery at the Cape of Good Hope 1680 - 1731' (Ph.D, Yale, 1986), chapter 3.

27 Mason, '"Fit for freedom"', chapter 3.

28 S. Schama, *The embarrassment of riches: an interpretation of Dutch culture in the Golden Age* (New York, Alfred A. Knopf, 1987), part three, especially pp. 386 ff; R. Ross, 'The Roman-Dutch Law of inheritance, landed property and the Afrikaner family structure' (paper presented at the Conference on The History of the Family in Africa, London, September 1981).

29 van der Spuy, 'Some thoughts'; Ross, 'The Roman Dutch Law of inheritance', n. 21; L. Guelke and R. Shell, 'The rise of a colonial landed gentry: The distribution of landed property in the Cape Colony 1657-1731' (paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 31 March 1982), p. 10; L. Guelke, 'The origin of white supremacy in South Africa: an interpretation', *Social Dynamics* 15 (2) December 1989, pp. 40-45; for a comparative perspective on the Netherlands, see Schama, *The embarrassment of riches* pp. 400 ff.

name on marriage. What this meant in terms of relations "on the ground" is unknown. The relationship between the "patriarch" and his wife had crucial implications for the working of the "family" in the broader sense.[30] Research into the roles of slaveholding wives and widows would shed important light on the nature of Cape patriarchy.[31]

Meanwhile, these essays have to rely on the limited simplistic notion of the family as patriarchal, but with the caveat that the patriarchal family, probably always and certainly by the 1820s, was a myth created partly by visiting European travellers who described what they were prepared to see, and partly by the slaveholders themselves.[32] Yvonne Brink has convincingly argued that the architecture of settlers' houses represented part of this process; the owning of slaves was certainly another, with the extension of rank below that of the farmers.[33]

In the nineteenth century, the slaveholders' authority and significance was again contested by the increasingly intrusive British colonial authorities, and the last three essays in this collection focus on this period. Slaveholding may have been the chief means whereby Cape Dutch farmers 'made themselves up as they went along' as patriarchs in contrast to

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30 See paper 3 below for a discussion of the construct of the family.

31 van der Spuy, 'Some thoughts', pp. 11-13.

32 See, for instance, Scully, 'Emancipation' p. 4 for the image slaveholders wished to present of their wives.

33 Y. Brink, 'Gender theory: an aid to understanding problems in historical archaeology.' (paper presented at the Gender and Archaeology workshop, Centre for African Studies and Department of Archaeology, University of Cape Town, 12-13 September 1991).

the more democratic familial constructs of their contemporaries in the Netherlands.[34]

In other words, whenever the term "patriarchy" is used in this collection of essays, it represents a self-image or ideal rather than the way in which power was actually contested within the slaveholding domain. In a sense, then, these essays are concerned with the power of ideas and myths, because it was the idea of patriarchal power which partly motivated the Bokkeveld rebellion of 1825,[35] while the demise of this myth was beginning to be revealed in the publicisation of abortion and infanticide within the slaveholding family[36] and in the ways in which slaves negotiated their own rights and relationships with the slaveholder and his wife.[37]

The terms "patriarchy" and "paternalism" have been used synonymously by historians such as John Mason and Robert Shell.[38] Although both Cape patriarchy and paternalism incorporated a notion of reciprocity and an inclusive sense of family, they differed in respect of their formulation and manifestation of power. Patriarchy depended on the

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34 Schama, *The embarrassment of riches*, p. 4.

35 See paper 5.

36 See paper 4.

37 See paper 3. Historiographical myths are the subject of paper 2.

38 Mason, '"Fit for freedom"'; Shell, 'The family', p. 22. Robert Shell has argued that the Cape slaveholder was essentially paternalistic, in support of which he cites the case of Hudson, who, however, was not a "quintessential" Cape slaveholder, but rather represented the new British paternalism exemplified by the Governor, Lord Charles Somerset (Shell, 'Tender ties', p. 10). See also McKenzie, 'Samuel Eusibius Hudson', pp. 60 ff, p. 74 and R. Shell, 'Samuel Hudson on marriages and other customs at the Cape', *Kronos* 15, 1989.

notion of absolute power resting in the hands of the slaveholding patriarch, which relied on rigid hierarchies and brutal imagery and praxis, whereas paternalism clothed itself in a more subtle liberalism which denied the use of naked despotism while adapting the notions of family and reciprocity to its more invidious, because more hidden, form of power.[39]

The self-consciousness of his right to absolute power over all other members of his household, both male and female, defines the eighteenth-century Cape slaveholder as patriarchal rather than paternal. In the nineteenth century the British colonial state removed the basis of patriarchal power by placing ultimate authority in the hands of the state, partly by such means as amelioration, couched in the paternal rhetoric of fatherly protection and tutorage. Former Cape Dutch officials such as the Fiscal Denyssen therefore adjusted their rhetoric to fit the new paternalistic model,[40] but slaveholders in general could not make this transition, and the paternalistic rhetoric did not accurately reflect slaveholder perceptions of their right to power over their slaves.[41] Slaveholders tried to hold onto their patriarchal self-concept, as their personal power over the bodies

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39 In other words, the rights of a patriarchal father over his family were not the same as those of a paternalistic one, although similar terms were used.

40 M. Rayner, 'Wine and slaves: the failure of an export economy and the ending of slavery in the Cape Colony, 1806-1834' (Ph.D, Duke University, 1986), chapter 2, *passim*, especially pp. 90-91.

41 See Denyssen's speech in paper 5, p. 215 below. This raises the question of the extent to which paternalistic rhetoric became a hegemonic discourse at the Cape, and how far the slaveholders created their own counter-hegemonic discourse, not to mention the "lower ranks" of Cape society. For comparative purposes, see J.D. Kelly, 'Discourse about sexuality and the end of indenture in Fiji: the making of counter-hegemonic discourse', *History and Anthropology* 5, 1990.

of their "families" was steadily eroded. The ameliorative period therefore saw an intense crisis in Cape patriarchy, and revealed its authority to be more mythical than real.[42]

The relationships between subaltern men and women cannot be subsumed under the rubric of patriarchy, because the slave condition severely undermined the power and authority of men whose wives were the property of other men, and who were themselves rightless.[43] Posel noted the '"dialectic between female resistance to and acquiescence in their subordination"' vis a vis African women in Durban in the 1950s.[44] A similar dialectic can be observed among subaltern people at the Cape,[45] which is not necessarily a specifically slave phenomenon.[46] Not only is there evidence of a female dialectic of

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42 Papers 3, 4 and 5 demonstrate aspects of this process.

43 See paper 2 below, pp. 66 ff.

44 They were protesting the Durban City Council's raid on beer stills in Cato Manor: '"...One of the newspapers carried a picture of an African woman, armed with a stick, threatening one of the armoured cars". The image and behaviour of these women was a far cry from "traditional" patriarchal norms. Yet, during a press interview, one of these women, who had been beaten up by police, complained that "No one has the right to beat a woman, only her husband."' (Posel, 'Women's powers', p.1.)

45 Although much of the jargon of post-modern literary theory is extremely difficult to unpack for those of us newly discovering this genre, the term 'subaltern' is a useful substitute for the highly problematic '"underclass"' which is inappropriate - hence the mandatory quotation marks - in the present context.

46 The evidence provided in the case study of the Bokkeveld rebellion of 1825 in the final paper of this collection refers to the spousal relationship between two slaves, which, however, is complicated by the polygynous relationship of a slave man with one wife a slave and the other Khoikhoi. There are suggestive differences in Galant's relationship to his two wives, but the evidence is insufficient to make any categorical statement concerning a divergence between slave-slave and slave-Khoi partnerships. See paper 5 below and Penn, '*Droster* gangs'.

resistance and submission, but of a male one which was a key feature of slave society. It is therefore inappropriate to speak of a 'patchwork quilt of patriarchies', in terms of which each "patriarchy" was distinct and as such articulated with the others; in a slave society any dominance a slave man might have had was necessarily subordinated to the power of the slaveholder.[47] The relationship of male slaves to their 'concubines' (to use the official colonial designation) cannot be described as patriarchal proper, because in the context of Cape slavery this concept is not synonymous with male dominance; it applies very specifically to the self image of a self-consciously classically patriarchal slave-holding elite. Moreover, the image of a patchwork quilt ignores the conflict between the different forms of male dominance in addition to the crucial interdependence of these forms.[48] The particular types of relationship possible for slave men and women did more than articulate with those which were possible for slave-holding men and women, partly because slave women were a key component of each and partly because there were not a number of distinct gender systems, but a complex dialectic.[49]

The operation of a patriarchal form of slaveholder control rested on the myth that slave males were not men, because the recognition of their masculinity would represent a

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47 Bozzoli, 'Marxism', p. 149: 'Nineteenth century South Africa contained not one patriarchy (a radical feminist notion) but many, each connected with a particular society.' However, she does qualify this with the definition of the patchwork quilt as 'a system in which forms of patriarchy are sustained, modified and even entrenched in a variety of ways depending on the internal character of the system in the first instance'(*ibid.*), which implies an interaction between the patriarchies.

48 Perhaps partly because a quilt is too comfortable to be a terrain of struggle, and also because each section of a quilt is distinct.

49 E.D. Genovese, *Roll, Jordan, roll: the world the slaves made* (New York: Pantheon Books, 1974), pp. 70-75.

fundamental threat to the patriarchal authority of the slaveholder and to the rigid hierarchies of power within both private and public domains.[50] The problem for slaveholders was to balance the theoretical incorporation of slaves into the patriarchal household with the threat slaves were thought to pose to the slaveholder's family. The word 'family' was used for both of these constructs, which has led to historiographical confusion.[51] As the Court of Justice put it in 1796:

> '... in every Family (with a very few exceptions) the number of Slaves is so great, that the safety of the Family depends on them. This requires the greatest precautions, that they may not make use of their superior force, because such an event would bring the whole Colony to the brink of ruin. In order to render these precautions essential, they should comprehend sufficient Motives to prevent the Slaves from disturbing the tranquillity [*sic*] of the Family, and at the same time leave in the hands of the Master such power as is necessary for him to exercise the Direction of his Family. Experience has taught that gentle means are inadequate ... consequently, altho' strongly actuated by Motives of humanity, and viewing the Slaves in the most favourable light, it becomes necessary to adopt severe measures to deter them from revolting against their Masters and taking advantage of their superior strength.'[52]

The male slave was therefore represented as a child,[53] but he was traditionally punished

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50 On the rigid hierarchies of rank and status in eighteenth century Cape society, see, for instance, R. Ross, 'Structure and culture in pre-industrial Cape Town: a survey of knowledge and ignorance' in James and Simons, *The angry divide*, *passim*.

51 See paper 3 and the discussion of the role of wet nurses, paper 2 pp. 74 ff. below.

52 G.M. Theal, *Records of the Cape Colony* vol. 1 (London, 1897), p. 304: Letter from the Court of Justice to Major General Craig, 14 January 1796.

53 Shell, 'The family', especially pp. 28-9. It is unclear whether the slaves themselves are supposed to have felt like children; Shell's discussion revolves around images of infantilisation provided by the slaveholders and travellers, rather than the slaves themselves. However, the construct of male slave emasculation or infantilisation, like that of resistance or patriarchy, varied historically and should not be considered immutable and universal.

with death for assaulting his Master.[54] The redefinition of slave gender in the 1820s did not intend to create the possibility of slave manhood. The emasculation of slaves depended on the historically specific meanings attached to "masculinity":

> '... masculinity is the product of historical and cultural beliefs and practices which are made by people in social relationships and are subject to changing social pressures and experiences.'[55]

Moreover, '[t]he process of becoming a man is ... one of struggle, and striving for power. Far from a natural process, men must strain to succeed in establishing their masculinity...'[56] In a society in which men's access to power is as uneven as it was in New World slave societies, it is problematic to conceptualise a single masculinity as hegemonic, as it is to define all forms of male dominance within the society as patriarchal.[57] Historians of current United States African American masculinity have argued that

> '... Black masculinity is contradictory because, while it carries some elements of power, dominance and authority, it is also a subordinated form of masculinity which conflicts with a "normative definition of

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54 Theal, *Records* 1, p. 304: Court of Justice to Major General Craig.

55 Ramazanoglu, 'What can you do with a man?', p. 342.

56 *ibid.*, p. 340.

57 Brod, *The making of masculinities*; Ramazanoglu, 'What can you do with a man?'. Alternatively, the nature of that hegemony needs careful deconstruction in terms of possible counter-hegemonic discourses, which are difficult to hear when the speakers were not literate, which is why behaviour and words spoken during criminal trials, albeit transmuted through a clerk's perspective, are so important for the historian of Cape slavery. For an example where such a counter-hegemonic discourse was indeed written, see Kelly, 'Discourse and sexuality'.

masculinity."'[58]

The slave condition allowed slave men little access to power; their relationships with women constituted one area of their lives in which power could be contested with a fair chance of success. Cape slave historians have argued that the high level of sexual violence perpetrated by slave men against slave women in the eighteenth century derived from the high sex ratio.[59] However, an examination of the impact of amelioration on slave gender identities suggests that violence needs to be examined in terms of struggles over and access to power. In the pre-amelioration Cape slave men had minimal civil rights. They were denied ultimate authority over slave women, because that was the slaveholder's domain, and they were often reminded of this fact.[60]

In this context, when power was so heavily stacked in favour of the slaveholders, slave men diverted their impotent rage from the real target, the slaveholder, to equally powerless fellow slave and Khoikhoi women, and sexual assault symbolised an assertion of masculine power.[61]

In the era of amelioration in the nineteenth century, however, male slaves were de facto

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58 Ramazanoglu, 'What can you do with a man?', p. 342, citing Kobena Mercer and Isaac Julien, 'Race, sexual politics and black masculinity' in R. Chapman and J. Rutherford (eds), *Male order: unwrapping masculinity* (London, Lawrence and Wishart, 1988).

59 See paper 2.

60 Examples range from slaveholders interfering in relationships between men and women, refusing permission for them to cohabit or to marry, to whipping and sexually "owning" them. See for instance, Mason, 'Slaveholder resistance', p. 120.

61 See paper 2, pp. 66 ff.

defined in contradistinction to female; they were permitted to marry, which allowed for the possibility of familial power and authority in a dominant gender system of patriarchy (the reality is less important in this context than the limits of possibility and associated expectations). The labour which men performed became overtly masculine, and women slaves like Katie Jacobs had to wear men's clothing when they entered this male domain.[62] Moreover, slaves expected to be emancipated, and therefore to be free to "own" themselves and to control their own destinies.

The meanings of masculinity shifted; initially slave masculinity was defined by the slaveholders entirely in terms of labour. Thus masculine women were those who were capable of physical labour, as well as lacking feminine beauty in the eyes of the beholder. Slave men, however, like their female counterparts, did not allow their gender to remain in the given sphere, but redefined their masculinity to more closely resemble that of the 'dominant gender system', which entailed the exercise of power.[63] This might be manifested in various ways, such as the refusal to obey overseers, particularly those young men who were their masters' sons and who were did not wield the symbolic authority of the slaveholders.[64] The Protector's reports reveal fears of increasing slave

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62 *Die Banier* 2 June 1963.

63 Fox-Genovese, 'Placing women's history', p. 14.

64 Theal, *Records* vol. 33 (London, 1905), Report of the Commissioners of Enquiry upon Criminal Law and Jurisprudence, Enclosures, Annexure 3, pp. 131 ff: case against Jan Jacobus de Villers, 'eighteen years of age... live at my father's place ..., have not any calling' (P. 153). Testimony of Solomon, slave of Paul de Villers (the 'old master'): 'Question by the Landdrost. Was your old master present at all these punishments [floggings given by the master's son]. Reply. No, he does not trouble himself about the slaves'(p. 133). The slave who was beaten to death was a young man, of about 25 years of age (p. 134), who 'continually ran

anarchy and insubordination as individual slaveholders began to lose power to the intangible state. Most slave men did not rise up and kill their masters in a demonstration of masculine power; some deserted their farms, whether at harvest time to frustrate their masters[65] or permanently, while others waited for the emancipation they anticipated before they left the farms with their families.[66] Exceptional slaves like Galant van de Kaap attempted to redefine their role in Cape society with a public display of power. This issue is examined in greater detail in the final paper of this collection.[67]

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In 1827, George Rogers, the Protector of Slaves at the Cape, wrote to the Colonial Office

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away' (p. 142). Testimony of Flux of Mozambique: 'Did your old master know anything of those punishments? Answer. No, my master was not present.... I cannot complain of old master, her treats us well, but mistress and young master not' (p. 147). The trial of William Gebhard falls into this category (*ibid.*, pp. 281 ff): Gebhard was 21 yrs old, working as overseer on his father's farm (p. 287) (although an older man was also employed as overseer). See Rayner, 'Wine and slaves' pp. 75 ff.; Theal, *Records* vol. 17 (London, 1903), pp. 39,44.

65 SO 3/1: The half-yearly report of the Registrar and Guardian of Slaves, 25 June 1827 noted that '[i]n the harvest and sowing times, when the services of the Slaves are most required, frequent desertions take place'.

66 Pamela Scully noted that, after emancipation, a certain former slave 'took his wife and eight children home' (Scully, 'Emancipation', p. 17). The choices of slaves in the post-emancipation era await further research, and are analysed in P. Scully, 'Liberating the family: gender, state and emancipation in the rural western Cape, South Africa, 1830-1870' (Ph.D, Michigan University, forthcoming 1993). The 'flight from the farms' appears to have been fundamentally a male flight, for reasons which need to be explicated.

67 See paper 5.

in exasperation that Cape women were 'much more unmanageable than the males' and that the ameliorative measures which had been imposed throughout the British slave colonies were totally inappropriate for the Cape.[68] These regulations were arguably intended to facilitate a transition from slavery to wage labour, and included an attempt by both the British metropole and the local governing elite to encourage the development of a class of 'useful', hardworking 'member[s] of the community'.[69] The paternalistic ethos of the British anti-slavery lobby included the notion that slaves as less civilised mortals required tutorage and supervision by the morally superior elite.[70] One solution was the institution of apprenticeship (more correctly indentureship), another the creation of working class self-regulating families. Here, working class men as household heads could exercise a degree of control which they could not experience in the work place, and the onus of the social and biological reproduction of the working class could rest on the working class family itself.[71] At the same time, Christian marriage was considered to

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68 SO 3/1, Half-yearly report of the Registrar and Guardian of Slaves, 25 June 1827. See also Mason, 'Slaveholder resistance'.

69 SO 3/20a, Observations of the Protector of Slaves for the Report between June and December 1830. Rogers was promoting the interests of the Philanthropic Society which was established under the ameliorative legislation of 1823 to emancipate young female slaves, so as to encourage the gradual extinction of slavery: 'It is one of the most satisfactory modes of promoting the good cause of abolition, as the Children are not only emancipated, but they are also apprenticed and brought up under the Superintending view of the Society and there is every prospect of their becoming useful members of the community.'

70 *ibid.*; R.L. Watson, *The slave question: liberty and property in South Africa* (Johannesburg, University of the Witwatersrand Press, 1990), pp. 68, 79; J. Armstrong and N. Worden, 'The slaves, 1652-1834' in Elphick and Giliomee, *Shaping*, p. 164.

71 The domestic labour debate, which involved the polarisation of public and private spheres, is fundamental to much feminist scholarship concerned with the twentieth century, with writers debating the functionalism of the

be part of the civilising process, and in the preamble to the 1823 proclamation permitting slaves to marry, the governor expressed the hope that the law would tend to "civilize" the slaves'.[72] The legitimation of slave marriage in Britain's colonies therefore was arguably included in ameliorative legislation of the 1820s and 1830s with this ideal in mind, as well as to encourage greater slave reproduction in the post-abolition era.[73] From the local slave-holders' points of view the increased reproduction of their slave labour force should have justified their acceptance of amelioration, despite the devolution of power to slave husbands. This was not in fact the case; most slave-holders were not particularly concerned with slave reproduction, because their labour requirements were short-term, and they refused to surrender their authority over their slave women.[74] The slave family in the form envisaged in the ameliorative regulations was truly incompatible with slavery.[75]

Social control at the Cape had always been associated with the ideology of the family, but not the slave family: various European travellers at the Cape in the eighteenth and

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working class family under capitalism, and the extent to which 'patriarchy' coexists with capitalism. See, for instance, H. Hartmann, 'The unhappy marriage of marxism and feminism: towards a more progressive union', *Capital and Class* 8, Summer 1979, Bozzoli, 'Marxism', pp. 146 ff and L.K. Kerber, 'Separate spheres, female worlds, woman's place: the rhetoric of women's history', *Journal of American History* 75 (1) 1988.

72 Mason, '"Fit for freedom"', p. 101.

73 Armstrong and Worden, 'The slaves', p. 147.

74 See paper 3 below for evidence of slaveholders breaking up, or threatening to break up, families when marriage was at issue (for instance, pp. 126 ff) and paper 4 regarding the lack of evidence for slave reproduction as a policy of slave-holders (p. 177 ff.).

75 See paper 3.

early nineteenth centuries commented on the effective operation of Cape Dutch families as 'the state in miniature'.[76] Throughout the slave period, the stability of the state was reflected in the stability of the slave-owning family. Unlike their peers in the Dutch Republic,[77] Cape slave holders were self-consciously patriarchal and as household heads exercised considerable, but never absolute, legal authority over all members of their 'families'.[78] Private power and authority were personified in the slave holder; in the early nineteenth century public state power was similarly vested in the person of the governor. The transfer of power and authority from the private to the public sphere was fiercely contested by Dutch-speaking slave-holders.

The patriarchal slave-holding family was severely threatened in the early part of the nineteenth century. Whereas the household head had traditionally (theoretically) exercised patriarchal control over the members of his family (or in Pamela Scully's formulation, his farm), he began to lose power to the new British colonial state which sought to replace patriarchal power and authority with the paternalistic control of the governor.[79] This involved the "publicisation" of what was previously a community-regulated private

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76 For instance, H. Lichtenstein, *Travels in southern Africa in the years 1803, 1804, 1805 and 1806* vol.2 (Cape Town, Van Riebeeck Society, 1930), pp. 22-3, vol 1, pp. 57-8; Schama, *The embarrassment of riches*, pp. 386-388.

77 Schama, *The embarrassment of riches*, *passim*, especially Part Three, stresses the democratic nature of the Dutch household.

78 See for instance 1/STB 3/13 No. 62, 27 July 1794: Diane van de Caab complained that she was not permitted to chose her own lover, but that her mistress had ordered her to live with a slave of her mistress' chosing. She refused, and was ill-treated as a result.

79 Scully, 'Private and public worlds', p. 2.

domain, as slave and Khoi labour came firmly within the orbit of paternalistic state control.[80] This collection of essays suggests that slave-holders were not solely motivated by rational economic consideration, but they were also intensely patriarchal in their attitude towards their labour force, both slave and Khoi, male and female. The nineteenth century saw the gradual dissolution of the patriarchal mode of control which was reflected within the slave-holding family (in terms of the relationship between fathers and children, notably daughters) as well as the household in a wider sense, most notably in terms of their increasingly restricted power over women slaves. The fourth paper in this collection argues that the dissolution of this authority is also reflected in the transmutation of reproductive issues within the patriarchal family from concerns directly under the private control of the patriarch to the public property of the state. Daughters as well as slaves began more openly to resist the power of the patriarch, in beginning to choose their own spouses and to regulate their own fertility.[81] At the same time, it would appear that young men became increasingly brutal in their treatment of slaves on their fathers' farms, or that their brutality became increasingly public, as with the show-case of Gebhard who was executed for the murder of a slave.[82] This is also related to the break-down of the private sphere of control and also possibly to the relative powerlessness of slaveholder sons who did not expect themselves to become slaveholders. As suggested earlier, slave men were beginning to take power at the same time as young

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80 See V.C. Malherbe, 'Diversification and mobility of Khoikhoi labour in the eastern districts of the Cape colony prior to the labour law of 1 November 1809' (M.A., University of Cape Town, 1978), for an analysis of earlier regulation of the Khoikhoi.

81 See paper 4.

82 Rayner, 'Wine and slaves', pp. 75 ff.

slaveholder sons were losing it, and this precipitated an intense struggle over power and authority on the farms in the 1820s. It is significant that in one case of slaveholder-son brutality the perpetrator defines himself as of no 'beroep', and arguably no expectations.[83]

Pam Scully has suggested that

> '[b]oers perceived their farms as territories, or spaces falling within their personal power. For slaveholders, the private sphere was thus coterminous with the boundaries of the farm rather than with the social boundaries of domestic versus civic life which the British were assembling in the course of the nineteenth century.'[84]

For the slaves, however, traditionally the *public* sphere arguably would have been the slave holding, with the patriarchal slaveholder representing the state in miniature.

With the fundamental threats to the patriarchal slave-holding family imposed by amelioration, the slaveholders' private sphere diminished as domestic correction (of slaves, not of wives and children) came under public regulation, and the boundaries of the farm could no longer delineate the private domain. This would have been the case in practice, although the slaveholders were extremely reluctant to allow the private to become public, and retained their idea of the family as the farm after it had ceased to accurately reflect the status quo. For slaves, the public and private spheres were likewise reordered under amelioration; in their case the notion of 'frontier zones' might fruitfully

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[83] See n. 61 above: Jan Jacobus de Villers, who beat a slave man to death, when asked for his occupation, stated 'have not any calling' (Theal, *Records* 33, p. 153).

[84] Scully, 'Emancipation', p. 5.

apply.[85] Slaves routinely crossed the frontier zone of the slave-holding to enter the sphere of the colonial state; endless streams of slaves walked many miles to complain of their treatment in the slaveholders' former private sphere, and in this way slaves helped to make public this domain, thereby progressively undermining the slaveholders' authority. In this sense the slaves' apparently reactionary resistance to what they perceived as excesses of the slave system were in fact part of a revolutionary process involving the disintegration of the old patriarchal order. Although relatively few slaves rose up and killed their masters, the refusal of men and women to accept infractions on what they considered their due - a refusal which can be traced back into the eighteenth century and was probably inherent in the slave system from the beginning - was bolstered by their perception of a state writ large which stood in opposition to the state writ small and thereby empowered them to take the freedom to desert their farms at the most inconvenient periods in order to complain, as the Protector of Slaves reported.[86] At the same time that slaves witnessed the disempowering of their masters and participated in the demise of the old hierarchical system such that the Protector could bemoan the break-down of the familial mode of control,[87] which automatically empowered the slaves, the ameliorative legislation from 1823 encouraged slaves to articulate their gendered identities as men and women in all spheres, rather than merely in their own private spheres of

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85 See for instance, A. Digby, 'Victorian values and women in public and private' (paper presented at the History Department Post-Graduate Seminar, University of Cape Town, August 1992).

86 SO 3/20a: Observations of the Protector of Slaves for the report between June and December 1830.

87 See also the Fiscal, Denyssen's speech at the trial of Galant van de Kaap: CJ 633 No. 8, pp. 1220-2 ff; Theal, *Records* vol. 20 (London, 1903), p. 320 (see paper 5, p. below) and SO 2/11, Half-yearly report of the Guardian of slaves, 31 December 1827, p. 198.

subaltern relationships (whose privacy has been successfully maintained historiographically).[88] Labour became publicly gendered and slaves could marry, which meant that they could play roles which free men and women played (the fact that most did not does not diminish the importance of the potential).[89] Whereas amelioration was overtly directed at women, slave men could define themselves as masculine in contradistinction to the new femininity, and begin to assert this masculinity which, like legal marriage, was incompatible with slavery.

Historians have assumed that the regulations permitting legal slave marriage were introduced to encourage better treatment of female slaves so as to facilitate natural reproduction after the closure of the oceanic slave trade in 1807.[90] This collection of essays suggests that irrespective of whether or not this was the intention, it was not implemented in practice. Although Rogers duly recorded the increase in slave births over deaths in 1830, there is no indication that this was the result of any concerted policy on the part of the slave-holders. Rogers himself was more concerned with persuading the Colonial Office to implement a tax on female slave children:

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88 See papers 2 and 3.

89 This was in line with the granting of other civil rights to slaves, such as equal treatment in courts of law and the right to own and bequeath property. See W. Dooling, 'Slaves, slaveowners and amelioration in Graaff-Reinet, 1823-1830' (BA (Hons), University of Cape Town, 1989); I.E. Edwards, *Towards emancipation: a study in South African slavery* (Cardiff, 1942); Rayner 'Wine and slaves', pp 258-9. See paper 3 below.

90 See, for instance, Armstrong and Worden, 'The slaves', p. 155: 'The emphasis on protecting females was at least in part an attempt to encourage their fertility'; J. Mason, 'The slaves and their protectors: reforming resistance in a slave society: the Cape colony, 1826-1834', *Journal of Southern African Studies* 17 (1991), pp. 106, 119 ff.

> ' Within the last Two Years the encrease [sic] of female slave births in the Colony exceed the deaths in amount 1227 an average increase of 245 annually. Let me again respectfully pray attention to my suggestion upon the propriety of laying a Tax upon the Report of the Births of female Children and if a fund can be raised for that purpose, that a reward be given to such as refrain from registering them - Then if the objects of the Philanthropic [?]won encouragement, and its funds are duly assisted, We may confidently look forward to the cheering prospect of ultimately annihilating Slavery at the Cape of Good Hope, at a comparatively trifling sacrifice, and the replacing that body by a more useful and less expensive Class of Servants, and this in a progressive and equitable manner without abruptly interfering in or encroaching upon any of the rights of the Inhabitants in that Species of Property which has been for so many Years considered as lawfully hereditary here, as the most unquestionable inheritance in Europe.'[91]

There appears to have been little concern for pregnant slave women,[92] and certainly no specific regulations as existed in the British West Indies.[93] It is more likely that slave-holders' labour needs were not perceived to be long-term, but immediate, and in this context, the labour of women was more valuable than their reproductive behaviour.[94]

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91 SO 3/20a: Confidential Reports of the Protector of Slaves, December 1830. Rogers was equally concerned with the success of the Philanthropic Society which purchased and apprenticed 'deserving' female children. See also *ibid.*, Observations for June - December 1832.

92 There are examples of ill-treatment of pregnant women and neglect of or cruelty towards children, but this is less revealing of common attitudes than the absence of any general measures to assist pregnant or fecund women. This issue is discussed further in paper 4 below. It is important to note that Khoi women were also part of the slave society, and their pregnancies were not protected either. See, for instance, Penn, '*Droster* gangs', p. 22.

93 Ameliorative regulations concerning proper care for pregnant slaves was promulgated in the British West Indies in 1796; H.McD. Beckles, *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Books, 1989). pp. 97 ff.

94 Rayner, 'Wine and slaves'; Mason, '"Fit for freedom"', pp. 93-4: 'While the economy grew [in the 1820s], the labor supply remained relatively stagnant.... The slave population did grow by natural increase, but very slowly. Any natural increase in the slave population came, of course, as the result of births, and children were not available as workers.'

This might explain the particular concern of many slave-holders that they were being prevented from extracting enough work from their female slaves because of inappropriate rules which took no cognisance of local conditions. The Order-in-Council of 1830 not only limited slave-holders' access to the labour of their women slaves, but it restricted their control over slave children, who, according to these regulations, had to remain with their mothers until they had reached the age of sixteen.[95] Rogers reflected slave-holders' urgent labour requirements when he informed the Colonial Office, in a pre-Freudian example of psychological analysis, that it was well known to be harmful for slaves themselves to remain with their mothers passed the age of ten:

> 'It has been hitherto the practice to allow the Separation of Children from their Mothers at the age of Ten Years. - The New Order forbidding such separation until the completion of the 16th Year must prove very Emberassing [*sic*] - It will have been unknown when this Article was framed, that a female generally arrives at Womanhood in this climate, at about her 12th Year, and may have one or more children by the time she is 16. Childeren [*sic*] may safely, and very often most advantageously be separated on attaining their 10th Year. Many persons are desirous of purchasing clever, active children about that age, the Males for Mechanics, and the females as attendants on Ladies, Work Women etc. These so purchased are the most likely to become free persons eventually, as well as usefull [*sic*] Members of the community in their different callings, and it is a fact beyond all controversy, that Slave Childeren [*sic*] who remain with their Mothers a later period than 10 years, are in no respect benefitted by it but far otherwise.'[96]

Slave-holders' concern in relation to slave children was clearly in terms of immediate

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95 *The Cape of Good Hope Government Gazette* 13 August 1830: Order of the King in Council, article 51. Earlier ameliorative regulations also protected the mother-child relationship, to the age of eight/nine/ten in 1823 (depending on the marital and christian state of the mother) and 10 yrs in 1826. See paper 3, p. 122, n. 54 below.

96 SO 3/20a, Observations of the Protector of Slaves for the Report between June and December 1830.

access to labour.[97] The third paper in this collection argues that very few slaves married primarily because the structural constraints on slave family formation, including the opposition of slave-holders, rendered the legislation ineffectual; moreover, the Protector of Slaves did nothing to facilitate marriage when slave-holders withheld permission.[98]

The ameliorative regulations, starting with Lord Charles Somerset's unilateral Proclamation of 1823,[99] introduced a new gender system into Cape slave society, which was to cause slave-holders and the colonial state a great deal of frustration at the loss of women's labour as well as the destruction of property and life exemplified by the Bokkeveld rebellion of 1825. On the one hand, slave women were defined in terms of the British middle class stereotype which incorporated 'the natural softness of the female character'.[100] This meant in effect that women could not perform manual labour, at

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97 See paper 4, pp. 180 ff. See also Theal, *Records* 18, p. 256: children of eight years old were 'readily employed for their Services in families....'

98 For instance, p. 124 below. He also did not attempt to protect conjugal relationships which were not sanctified by legal marriage. See for instance, SO 3/11, Report of the Protector of Slaves, Western Division, January 1833; c.f. a somewhat contradictory statement of Mason's, '"Fit for freedom"' p. 119, compared with the example given on *ibid.*, p. 117. On p. 119, Mason claims that British colonial officials would pursue the rights of slaves over those of their masters, but my reading of the evidence suggests otherwise. Of course the reports of the Guardian/Protector to the Colonial Office (on which Mason's comments are based) would portray him in the best possible light, but this reveals little about the ways in which Rogers operated "on the ground".

99 Theal, *Records* vol. 15 (London, 1903), pp. 336 ff.

100 Theal, *Records* vol. 14 (London, 1902), p. 472: William Wilberforce, Hansard, 25 July 1822.

least in public.[101] On the other hand, slaveholders were experiencing labour shortages and needed the physical labour of their female as well as male slaves. The labour of these women could only be justified by defining them as masculine.

The gendered reconstitution of female slaves at the Cape initially entailed only the legal protection and legitimation of marriage, and did not impose gendered categories onto labour and punishment (which was regulated for all slaves), but later measures redefined punishment in terms of that which was ostensibly appropriate for women, at the same time making further provisions for slave marriages.[102] As Mary Rayner has noted,

> 'Those measures to reduce the physically coercive powers of masters as a way of rehabilitating the character of slave women were paralleled in their

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101 C. Hall, 'The early formation of Victorian domestic ideology' in S. Burman (ed), *Fit work for women* (New York, St. Martin Press, 1979). Anne McClintock's deconstruction of the myth of the "angel in the home" shows that Victorian middle class women could not be seen to do all the manual work which they in fact performed: A.P. McClintock, 'Double jeopardy: race and gender in Victorian and South African culture' (D.Phil, Columbia University, 1989), especially pp. 1-46. This stereotype is difficult to eradicate; see paper 2 below.

102 Most slaves did not marry, for reasons discussed in paper 3 below. For the 1823 Proclamation see Theal, *Records* 15, pp.336 ff, Proclamation by Lord Charles Somerset, dated 18 March: articles 5 to 10 are relevant. Ordinance 19 of 1826: (W. Harding, *The Cape of Good Hope Government Proclamations* vol I (Cape Town, A.S. Robertson, 1838), p. 313) 'Ordinance for improving the Condition of Slaves at the Cape of Good Hope' article 13: '...no Female Slave shall be liable to be publicly Flogged for any Offence ...[other than for] committing any Domestic Offence, [in which case she shall be punished], by Whipping privately on the Shoulders, to such moderate extent as any Child of Free condition may be...' The *Government Gazette*, No. 1283, 13 August, 1830 published the Order of the King-in-Council, 2 February, 1830. Article 22 prohibited whipping of female slaves (see also articles 24, 25); the punishment record book was instituted in terms of article 26.

intentions by efforts to promote stable family units among slaves.'[103]

Crucially, none of the three major sets of ameliorative regulations, in 1823, 1826 and 1830, imposed gendered definitions onto the labour force: the regulation of hours of work and of Sunday labour theoretically applied to all slaves, although the exemption from Sunday labour in the 1830 Order-in-Council did not apply to most female slaves in practice, because domestic workers were excluded.[104] The labour force was overtly gendered only in terms of permission to marry and what was considered to be appropriate punishment. Nowhere was provision made for slaves to complain that the kind of work they had to do was inappropriate for their sex; yet both slaves and slave-holders did complain about precisely this issue. Slave women appropriated the new gender system which defined them as more delicate, modest and weaker than men[105] and took it to its logical conclusion in terms of the labour they were prepared to perform.[106] Slaveholders did the same, and complained bitterly that their 'masculine' slave women were idle, the key being that slave-holders were not permitted to flog their female slaves severely enough to ensure subordination.

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103 Rayner, 'Wine and slaves', p. 257. Rayner traces these developments from 1830, but they were evident from 1823.

104 Order of the King in Council, 2 February 1830, published in the *Government Gazette*, 13 August 1830: Article XVII: 'no Slave ... shall be liable, except as hereinafter excepted, to labour for the benefit, profit or advantage of his or her owner or manager, or of any person or persons whatsoever, on any Sunday throughout the year."; Article XIX: 'Provided nevertheless ... that nothing herein contained shall extend to any domestic work or labour which may be performed on Sunday, by any Slave usually employed as a domestic, not to any labour performed by any Slave in the tending or care of cattle'.

105 The regulation of punishment was in theory to protect women's modesty: See Wilberforce's speech in Theal, *Records* 14, p. 472.

106 See p. 35 below.

> 'The slaves from a misconception of the authority which the Master possesses, to inflict, under certain restrictions a moderate corporal punishment, become idle, and otherwise illbehaved; some immediate check is necessary for the preservation of good order amongst a number of unwilling and therefore discontented Labourers, and, as many of the Farms are situate at a considerable distance from the residence of the Landdrost ..., on such occasions domestic correction is resorted to, and it consequently sometimes happens that the bounds of moderation are exceeded .... Female Slaves abusing the protection granted to them by the Legislation, in forbidding more than a slight corporal correction or confinement for a short period are often guilty of reprehensible and irritating conduct, and are in very many instances much more unmanageable than the Males ...'[107]

Although slave women were not overtly defined as masculine before 1823, their capacity for work was associated with the racial stereotyping of the many recently imported African female slaves,[108] whose labour was required in the fields as well as in the house. This hierarchy was directly related to the kinds of work slave women were expected to perform:

> 'Slaves at the Cape may be divided into three classes: the Negro, the Malay, and the Africander. The Negro, who is the least valuable, was brought from Madagascar and Mosambique.... The females are washing-women, and engaged in other employments requiring strength of limb and body.'[109]

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107 SO 3/1: Report of the Registrar and Guardian of Slaves at the Cape of Good Hope during the Half Year ending 24th June 1827.

108 Most of the slave imports during the first British occupation of the Cape were from Mozambique (R. Ross, 'The last years of the slave trade to the Cape Colony', *Slavery and Abolition* 9, 3, 1988, p. 215).

109 W.W. Bird constructed a fairly detailed hierarchy of slave women in terms of gender which reflected the elite's racial stereotyping of the many recently imported African slaves as particularly masculine. The greater the admixture of white blood, the more feminine the women were construed to be (W.W. Bird, *State of the Cape of Good Hope in 1822* (London, John Murray, 1823), p. 73).

Somerset's and later regulations did not distinguish between women in these ways, because the new femininity applied equally to all female slaves and therefore limited what slaveholders could demand of what they would previously have defined as their "masculine" as well as their "feminine" slaves. Slaveholders and Rogers himself, were appalled. After Ordinance 19 prohibited the public flogging of slave women, Rogers complained that

> '[i]llbehaved slaves ... are the greatest possible torment to their Owners, and particularly this description of female slaves, for whom there is now no punishment but a slight correction; which on some of these masculine Mosambique Women, in many instances, stouter and more hardy than European Men - amounts to no punishment and only encreases [*sic*] their illbehaviour.'[110]

In 1830, when all flogging of female slaves was completely prohibited, the Protector declared that

> '[i]t is certainly highly desirable that the flogging [of] female Slaves should be wholly discontinued, but some Punishment should be substituted adequate to the degree of the offences, which many of these stubborn Masculine Women commit. The reduction of food and Domestic confinement for short periods are insufficient and with Mahomedans are at particular times no punishment at all, and it is very inconvenient and sometimes not possible to have stocks in private Houses. The consequence is that very many female Slaves have become very Insolent and the most of them highly Insubordinate. They will go out at unreasonable Hours, and be guilty of many serious offences, for which there is now no adequate punishment and they put their Owners therefore at defiance.'[111]

The feminisation of slave women was so voraciously resisted, in fact, that slave-holders refused to return the obligatory punishment record books,[112] and the flogging of female

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110 SO 2/11: Half yearly report of the Registrar and Guardian of Slaves, 31 December 1827, pp. 196-7.

111 SO 3/20a: Observations of the Protector of Slaves for the Report between June and December 1830.

112 Order-in-Council 2 February 1830, article 51.

slaves was prohibited only in 1830 by the Order-in-Council, having been a fiercely contested issue for many years, although it is apparent that such punishment persisted.[113]

In the early years of amelioration, slaveholders in the Koue Bokkeveld, and probably elsewhere too, had feared the prohibition of flogging female slaves. The actual regulations were often less influential in the rural districts of the Cape than the rumours and perceptions of these rules. In 1825, fieldcornet Willem Francois du Toit told the Court of Justice that

> '[p]reviously to my being Fieldcornet there was an order issued that no female Hottentots or Slaves should be punished by flogging.... It was rescinded again, but not in the same manner that it was made known. It was made known by the Fieldcornets to the Slaves themselves and other domestics, but the rescinding of the order was only made known with the sending round of the newspaper.'[114]

This added to the milieu of ill-ease which provided the context for the Bokkeveld Rebellion of that year.[115] In 1824 Somerset had written to The Court of Justice to warn them that

> '...some other regulations [other than the 1823 Proclamation] will be gradually introduced, but there is one to which I am to call your earliest notice, it is that of abolishing flogging in all cases of female punishment, whether slaves, Hottentots, or others; and I am therefore to require that in all sentences ... wherein the law as it at present stands would warrant the punishment of flogging to be inflicted on female delinquents, some of the other modes of satisfying justice, more applicable to the female characters [*sic*], should in future be adopted; it being my intention, in obedience to the commands of His Majesty's government, that this regulation shall not only be carried through your court, but also through the inferior courts, and into the domestic corrections authorized in the departments of His Majesty's fiscal, and in those of the landdrosts and deputy landrosts

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113 Mason, 'Slaveholder resistance'; Armstrong and Worden, 'The slaves', p. 155.

114 Theal, *Records* 20, p. 258.

115 See paper 5 below.

respectively.'[116]

The letter of the law was less important than the way in which it was understood, and the meanings it had for those to whom it applied. It is important to note that it was not merely a question of ignorance on the part of slave women and their illiterate masters,[117] because the Guardian of Slaves himself listened to complaints of women doing men's work without noting that such complaints fell outside his jurisdiction.[118] For instance, Sylvia van de Kaap, approximately 35 years old, complained of 'Employment in unsuitable work' and then the next day was back to complain of 'Having been Illegally punished by her Master .... Sylvia complained ... that her Master employed her in unsuitable work such as tending goats and leading water for irrigation which having considered the easiest out of door work', the Acting Assistant Guardian rejected the complaint.[119]

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116 Theal *Records* vol. 16 (London, 1903), p. 493: Letter from Lord Charles Somerset to the Chief Justice and Members of the Court of Justice, 5 January 1824. See also Theal *Records* 20, pp. 408-9 and *South African Commercial Advertiser* vol. II, No. 32, 18 July 1826: Letter from Melancthon to Editor.

117 SO 3/20a, Confidential Reports of the Protector of Slaves, Observations of the Protector of Slaves for the Report between June and December 1830: '...there will not be found Eight Persons able to write any language at all, and not four who can speak, read, or understand, English...'

118 See paper 3, pp. 130-131 below: slave women claimed customary rights which fell outside the law, and got away with it.

119 SO 3/5: 'Statement of Complaint and other applications made to the Asst Guardian of Slave at Swellendam, from the date of the last report to the 7th June 1830.' Sylvia 'returned the day following stating that on dismissal of her complaint the day before, she had set off to go to Mr F. Jan van Zyl's her former master, but was overtaken by her Master, who struck her some blows over the back and compelled her to return with him - the Acting Assistant Guardian having ascertained ... that Complainant's

Slave-holders resisted the new gendered definition of slave women which reduced their usefulness as labourers, because women's work was traditionally malleable, with "house maids" performing whatever form of labour was required at the time, from cleaning the house to sowing and harvesting the crops.[120] It also threatened the slave-holders' patriarchal authority over their slave women. This authority primarily rested on a sense of right of access to and control over slaves as well as other members of the household or family.[121]

The restrictions on slave-holders' and overseers' methods of social control encouraged women to become unmanageable, regularly complaining of ill-treatment, punishment and overwork (and almost as regularly being turned away or punished for their 'insolence').[122] Perhaps for the first time, slave women felt legally empowered to assert their femininity as women labourers on the farms, much to the irritation of their masters.[123] A glimpse into the operation of the new gender system is offered by a rare

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shoulders exhibit a few very slight bruised marks only, which he states to be not of any consequence, dismisses the complaint.' See also the work required of Katie Jacobs, discussed below (*Die Banier* 2 June 1963).

120 For instance, N. Worden, *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985), p. 21; Theal *Records* 20, p. 275: the slave Lydia had been a house maid, but on the arrival of another female slave, she became a shepherdess. The slave Rosalyn, who is the subject of paper 4, defined herself as a seamstress, but was listed in the slave register as a house maid. She also did laundry work (ironing) and midwifery and acted as a messenger when required. See SO 3/20a, Observations of the Protector of Slaves for June - December 1832 and paper 4 below.

121 See paper 3 below on the distinction between household and family.

122 *ibid.*

123 This of course excludes the sexual role of women.

press interview with an ex-slave, Katie Jacobs, in 1910. She recalled that she had worked in the fields herding cattle (in addition to her kitchen chores), and that she had worn men's clothing while doing so. She emphasised the humilation which this had entailed. The newspaper article did not detail the conflicts and compromises which had led to this situation, but Jacobs' gender-sensitivity is clear.[124]

As the example of Katie Jacobs suggests, the newly imposed distinction between the sexes had important implications for the construction of slaves' gendered identities. In the context of widely reported slave revolts and anticipated emancipation in other parts of the New World, amelioration raised expectations among slave holders and slaves concerning the imminent demise of slavery.[125] In the words of the Protector in 1830,

> 'The constant agitation in which the Slave Holders have of late Years been kept by alterations in the Law regarding Slaves and the fear that some premature Legislative Enactment would be passed in England which would deprive them either suddenly or progressively of their property, have made them very morose and certainly less kind to their Slaves than formerly, whilst the Slaves themselves hearing so much discussion respecting them, believe that their Emancipation must be near or at hand, and therefore pay less regard to their Owners, and in short look upon them as their worst Enemies and the only impediment to their liberation, being impressed generally with an Idea that the Home Government is ready to pay liberally for their freedom, but that their Proprietors refuse to accept a fair remuneration.'[126]

By reconstituting slaves as civil beings and by distinguishing between males and females,

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124 *Die Banier*, 2 June 1963.

125 For instance, M. Rekord, 'The Jamaican slave rebellion of 1831', *Past and Present* 40 (1968); M. Craton, *Testing the chains: resistance to slavery in the British West Indies* (Ithaca, Illinois University Press, 1982); Armstrong and Worden, 'The slaves', p. 165.

126 SO 3/20a, Observations of the Protector of Slaves for the Report between June and December 1830.

amelioration encouraged male slaves to assert the masculinity which had been largely denied them by the patriarchal slave system. The official redefinition of slaves as not only sexed but *gendered* beings constituted gender as a terrain of intense struggle between slaves and masters. It arguably encouraged slaves to define themselves more assertively in terms of gender as well as in terms of their slave status, and in this context slave and Khoi men could join forces to revolutionise their place in Cape society. This theory is explored in the final chapter of this collection, by way of a case study of the role of gender in the Bokkeveld rebellion of 1825, which suggests that the 'perception of the need to resist' was *not* 'uniform among all socially aware slaves' (although this would depend on one's definition of 'socially aware'), because the perception of slavery, of what needed to be resisted, was a gendered perception, and so too was the meaning of freedom. Men and women indeed bore 'peculiar burdens': the mere presence of objective conditions such as those listed by Genovese or Craton, may be conducive to revolt but is *insufficient* to explain why certain people chose to rebel in certain ways, and others not.[127] It is apparent that gender played an important role in the creation of conducive conditions *and* appropriate responses to these conditions which together motivated slave rebellion. As Hilary Beckles argued for West Indian slave resistance,

> 'The variables outlined by Craton, such as conditions of extreme oppression, the presence of assimilated slaves and the degree of frustration of the slaves' expectations, are all external to the slaves' perception of their existential condition, and therefore, in terms of their impact upon the

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[127] This point is discussed further below, but see E.D. Genovese, *From rebellion to revolution: Afro-American slave revolts in the making of the modern world* (Baton Rouge and London, Louisiana State University Press, 1979); M. Craton, *Sinews of empire: a short history of British slavery* (London, Doubleday, 1974) and Craton, *Testing the chains*.

slaves' political decisions are secondary factors.'[128]

Beckles has suggested that the politics of anti-slavery were gender-free in the West Indies:

> 'If anti-slavery behaviour was endemic, or natural, and not gender-specific, then the question of women's role as carriers of anti-slavery ideas and agents of anti-slavery mobilization should not be considered as exceptional or phenomenal. The political consciousness of women warrants no particular examination since both men and women created the intellectual basis of the culture of resistance that characterized the slavery world. Only the organizational forms of resistance took shapes that sometimes showed evidence of a gender bias, but this had nothing to do with the perception of the need to resist which was uniform among all socially aware slaves.'[129]

In terms of the arguments put forward in this paper, it is logical that anti-slavery ideas and behaviour would have be gendered; this is not to suggest that one sex was necessarily more opposed to slavery than another, but that if gender fundamentally ordered the ways in which slaves perceived their world, it must have ordered their opposition to that world.

Whereas the official discourse of the Slave Office focused on the conflict between slaves and their masters in terms of the decreasing access of slave-holders to the labour of female slaves which resulted in the labelling of female slaves as masculine, for slave men

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128 H. McD. Beckles, 'Rebels without heroes: slave politics in seventeenth century Barbados', *The Journal of Caribbean History* 18 (2) 1983, p. 3. See Beckles' review of Craton's *Testing the chains* in *The Journal of Caribbean History* 19 (1) 1984. Genovese has suggested a continuum 'from rebellion to revolution': Genovese, *From rebellion to revolution* According to this model, early slave revolts were generally 'isolationist' or 'restorationist', resulting in marroonage (*ibid.*, p. xiv, xviii). Despite Genovese's denial that he was model building (*ibid.*, p. xxiii), he has done just that. See also paper 5 below.

129 Beckles, *Natural rebels*, p. 152.

in particular the gendered organisation of labour encompassed wider concerns, such as the right to power. The ideas of slavery and freedom were influenced by gendered ways of seeing oneself and one's appropriate place within society. These perspectives were undergoing fundamental re-evaluations at this time, as slave men were arguably redefining their masculinity in terms of wider societal norms, and beginning to assert this both within the slave-holding (for instance in relationships with subaltern women and also in their relationships with overseers) and by such means as revolt.[130]

Assuming that gender is a dynamic fundamental to historical process, it is logical to expect the ideology of antislavery, as well as its 'organizational forms', to be influenced, if not fundamentally ordered, by it.[131] This is not to *assume* that men and women conceptualised oppression or resistance differently, but to subject the hypothesis to historical analysis. It is problematic to assume that the only role played by gender was in terms of *forms* of resistance. Beckles conflates two discrete issues when he insists that '[t]he political consciousness of women warrants no particular examination *since* both men and women created the intellectual basis of the culture of resistance that characterized the slave world.'[132] The premise that both men and women opposed

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130 See paper 5.

131 Beckles, *Natural rebels*, p. 152.

132 *ibid* (emphasis added). Of course the problem of culture, let alone a culture of resistance, looms large for the Cape, where certain historians have searched in vain for a slave-specific culture, and not finding it, have too easily assumed an identity of slaves with their masters, thereby minimising the possibility of slave women in particular forming any kind of anti-slavery consciousness at all. See van der Spuy, 'Some thoughts', p. 6; Shell, 'Tender ties.', p. 31 concludes that slave women identified with the slaveholding family rather than with any subaltern form of family. In a search for 'any genuine sense of community among Cape slaves'

slavery is not logically linked to a single form of political consciousness - the linkage needs to be hypothesised and investigated historically. There is a fine line between stereotyping men and women in terms of different "resist-abilities", which tends towards biological determinism, and applying the premise that gender is a fundamental dynamic of history. Barbara Bush has noted that '[p]opular stereotypes of slave women have portrayed them as passive and down-trodden work-horses who did little to advance the struggle for freedom. The "peculiar burdens" of their sex allegedly precluded any positive contribution to slave resistance'.[133] In terms of her response to this stereotype, Bush has been accused of falling into slaveholder stereotypes herself by her insistence on the autonomy of female slaves in their ability to resist demands on their fertility at will.[134]

To define the debate in terms of such polarities is self-defeating: of course both men and women resisted, yet the construction of slaves' consciousness and their unconscious perceptions of 'their worlds' were fundamentally shaped at least in part by the polarities of gender. In the case of men the polarity was not one of masculinity vs femininity (as it arguably was for the women), but of man vs slave, or masculinity vs emasculation. The ideology of slavery rested on the denial of slave manhood, and it is this fundamental

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(which is arguably the wrong kind of search), Ross noted that the uprisings of 1808 and 1825 were 'attempts among the Cape slaves to build some sort of mass movement and there are traces of a desire, in the event entirely abortive, of taking over the colony and dismantling the social system' (R. Ross, *Cape of torments: slavery and resistance in South Africa* (London and Boston, Routledge and Kegan Paul, 1983), p. 96).

133 B. Bush, 'Towards emancipation: slave women and resistance to coercive labour regimes in the British West Indian colonies, 1790-1838', *Slavery and Abolition* 5 (3) December, 1984, p. 222.

134 Bush, *Slave women*, pp. 137 ff.; C. Robertson, 'The perils of autonomy', *Gender and history* 3 (1) Spring 1991, pp. 92-3.

truth that ultimately motivated slaves like Galant van de Kaap to revolt at this time.[135] There can be no doubt that slave men were aware of the way in which slaveholders were trying to bargain away their masculinity which amelioration was theoretically designed to bolster, and this could only have exacerbated the slaves' awareness of the gulf between the meaning of their own manhood and that of the masters. In such a context, male slaves would feel the "stings and arrows" of their slave condition particularly acutely, in a qualitatively distinct manner. The gendered nature of slave resistance is explored in the final paper in the context of the 1825 Bokkeveld rebellion.

By imposing a new form of differentiation of slaves by sex and facilitating the construction of new gendered identities among slaves, amelioration involved a great deal more than 'a simple recasting of vocabulary':[136] it fundamentally recast the ground rules in terms of which the slave society operated.

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135 See the analysis of Galant's revolt in paper 5 below. The relevant issues included the granting of certain civil rights such as the right to marry legally. In 1823 for the first time, slave paternity became a theoretical possibility, which had important implications for slave masculinity, irrespective of how possible marriage might be in practice (see paper 3). Even labour was polarised into men's work and women's work, whereas previously the categories had been more fluid. In these ways a new slave gender was introduced, whereby women were to be protected from indecent punishment (Theal, *Records* 33, p. 98).

136 Foucault, *The use of pleasure*, p. 3.

BIBLIOGRAPHY

UNPUBLISHED PRIMARY SOURCES

Cape Archives

Slave Office

SO 3/1-13	Reports of the Protector of Slaves, 1826-1834
SO 3/20a	Confidential Reports, Protector of Slaves, 1829-1834.
SO 4/2-3	Book of complaints kept by the Guardian of slaves, 1826-1831.
SO 4/4	List of complaints and Applications made to the Guardian of Slaves and Documents connected therewith, 1826-1827; List of Cases under Report (1830-33); Slave Complaints and Law Proceedings (1828-33); Slave Complaints (1814-34).

Magistrate of Stellenbosch

1/STB 3/11-13	Sworn Statements, 1759-1796.

PUBLISHED OR PRINTED PRIMARY SOURCES

Bird, W.W. *State of the Cape of Good Hope in 1822* (London, John Murray, 1823).

Chaucer, G., *The Canterbury tales*, ed. P.G. Ruggiers (Norman, University of Oklahoma Press, 1987).

Die Banier 2 June 1963.

Harding, W., *The Cape of Good Hope Government Proclamations* vol I (Cape Town, A.S. Robertson, 1838).

Lichtenstein, H., *Travels in southern Africa in the years 1803, 1804, 1805 and 1806* vol.2 (Cape Town, Van Riebeeck Society, 1930).

The Cape of Good Hope Government Gazette 1830.

Theal, G.M., *Records of the Cape Colony* 35 vols (London, 1897 to 1905).

UNPUBLISHED SECONDARY SOURCES

Brink, Y., 'Gender theory: an aid to understanding problems in historical archaeology.' (paper presented at the Gender and Archaeology workshop, Centre for African Studies and Department of Archaeology, University of Cape Town, 12-13 September 1991).

Digby, A., 'Victorian values and women in public and private' (paper presented at the History Department Post-Graduate Seminar, University of Cape Town, August 1992).

Dooling, W., 'Slaves, slaveowners and amelioration in Graaff-Reinet, 1823-1830' (BA (Hons), University of Cape Town, 1989).

Guelke, L. and R. Shell, 'The rise of a colonial landed gentry: The distribution of landed property in the Cape Colony 1657-1731' (paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 31 March 1982).

Malherbe, V.C., 'Diversification and mobility of Khoikhoi labour in the eastern districts of the Cape colony prior to the labour law of 1 November 1809' (M.A., University of Cape Town, 1978).

Mason, J., 'Slaveholder resistance to the amelioration of slavery at the Cape' (Cape Town, Centre for African Studies, University of Cape Town, Conference paper, July 1986).

Mason, J., '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

McClintock, A.P., 'Double jeopardy: race and gender in Victorian and South African culture' (D.Phil, Columbia University, 1989).

McKenzie, K., 'Samuel Eusebius Hudson at the Cape of Good Hope 1797-1807' (BA (Hons), University of Cape Town, 1991).'

Newton-King, S., 'The enemy within' (paper presented at the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989).

Newton-King, S., 'The enemy within: the struggle for ascendancy on the Cape eastern frontier, 1760-1799' (Ph.D, University of London, 1992).

Posel, D., 'Women's powers, men's authority: rethinking patriarchy' (paper presented at the Conference on Women and Gender in Southern Africa, University of Natal (Durban), 1991).

Rayner, M., 'Wine and slaves: the failure of an export economy and the ending of slavery in the Cape Colony, 1806-1834' (Ph.D, Duke University, 1986).

Ross, R., 'The Roman-Dutch Law of inheritance, landed property and the Afrikaner family structure' (paper presented at the Conference on The History of the Family in Africa, London, September 1981).

Scully, P., 'Liberating the family? Thoughts on the private meaning of emancipation in the rural Cape, 1834-42' (paper presented at the conference on Cape Slavery- and After, University of Cape Town, 1989).

Scully, P., 'Private and public worlds of emancipation in the rural western Cape, South Africa, c. 1830-1842' (unpublished paper, University of Michigan, 1991).

Scully, P., 'Rituals of rule: infanticide and the humanitarian sentiment in the Cape Colony c1834-1850' (paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 29 April 1992).

Scully, P., 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented to University of Cape Town History Department post-graduate seminar, April 1992).

Shell, R., 'Tender ties: the women of the slave society' (paper presented at the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989).

Shell, R., 'Slavery at the Cape of Good Hope, 1680-1731' (Ph.D, Yale, 1986).

van der Spuy, P., 'Some thoughts on gender and its application to the study of Cape slavery at the end of the 18th century' (paper presented at the Conference 'Cape Slavery- and After', Department of History, University of Cape Town, 1989).

PUBLISHED SECONDARY SOURCES

Anderson, B.S. and J.P. Zinsser, *A history of their own: women in Europe from prehistory to the present* (London, Penguin Books, 1990).

Armstrong, J. and N. Worden, 'The slaves, 1652-1834' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town and Johannesburg, Maskew Miller Longman, 1989).

Beckles, H. McD., Review of M. Craton, *Testing the chains. Resistance to slavery in the British West Indies* in *The Journal of Caribbean History* 19 (1), 1984.

Beckles, H. McD. 'Rebels without heroes: slave politics in seventeenth century Barbados', *The Journal of Caribbean History* 18 (3) 1983.

Beckles, H. McD. *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Books Ltd, 1989).

Bozzoli, B., 'Marxism, feminism and South African studies', *Journal of Southern African Studies* 9 (2) 1983.

Brod, H., 'Introduction: themes and theses of men's studies' in H. Brod (ed), *The making of masculinities: the new men's studies* (Boston, London, Sydney and Wellington, Allen and Unwin, 1987).

Bush, B., 'Towards emancipation: slave women and resistance to coercive labour regimes in the British West Indies, 1790-1838' *Slavery and Abolition* 5 (1984).

Carr, E.H., *What is history?* (Harmondsworth, Penguin, 1964).

Carrigan, T., B. Connell and J. Lee, 'Towards a new sociology of masculinity' in H. Brod (ed), *The making of masculinities: the new men's studies* (Boston, London, Sydney and Wellington, Allen and Unwin, 1987).

Crais, C., 'Slavery and freedom along a frontier: the eastern Cape, South Africa: 1770-1838', *Slavery and Abolition* 11 (2) 1990.

Craton, M., *Sinews of empire: a short history of British slavery* (London, Doubleday, 1974).

Craton, M., *Testing the chains: resistance to slavery in the British West Indies* (Ithaca, Illinois University Press, 1982).

Cuthbertson, G., 'Cape slave historiography and the question of intellectual dependence', *South African Historical Journal* 27 (1992).

Edwards, I.E., *Towards emancipation: a study in South African slavery* (Cardiff, University of Wales, 1942).

Elphick, R. and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town and Johannesburg, Maskew Miller Longman, 1989).

Errington, S., 'Recasting sex, gender, and power: a theoretical and regional overview' in J.M. Atkinson and S. Errington, *Power and difference: Gender in Island Southeast Asia* (Stanford, Stanford University Press, 1990).

Foucault, M., *The use of pleasure: volume 2 of the history of sexuality*, trans. R. Hurley (New York, Pantheon Books, 1985).

Fox-Genovese, E., 'Placing women's history in history', *New Left Review* 133, May-June 1982.

Genovese, E.D., *Roll, Jordan, roll: the world the slaves made* (New York: Pantheon Books, 1974).

Genovese, E.D., *From rebellion to revolution: Afro-American slave revolts in the making of the modern world* (Baton Rouge and London, Louisiana State University Press, 1979).

Guelke, L., 'The origin of white supremacy in South Africa: an interpretation', *Social Dynamics* 15 (2) December 1989.

Hafkin, N.J. and E.G. Bay (eds), *Women in Africa: studies in social and economic*

change (Stanford, Stanford University Press, 1976).

Hall, C., 'The early formation of Victorian domestic ideology' in S. Burman (ed), *Fit work for women* (New York, St. Martin Press, 1979).

Hartmann, H., 'The unhappy marriage of marxism and feminism: towards a more progressive union', *Capital and Class* 8, Summer 1979.

James, W.G. and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, University of Cape Town, 1989).

Kelly, J.D., 'Discourse about sexuality and the end of indenture in Fiji: the making of counter-hegemonic discourse', *History and Anthropology* 5, 1990.

Kerber, L.K., 'Separate spheres, female worlds, woman's place: the rhetoric of women's history', *Journal of American History* 75 (1) 1988.

Lerner, G., 'New approaches to the study of women in American history' in B.A. Carroll (ed), *Liberating women's history: theoretical and critical essays* (Urbana, Illinois University Press, 1976).

Malherbe, V.C., 'Indentured and unfree labour in South Africa: towards an understanding', *South African Historical Journal* 24 (1991).

Mason, J., 'The slaves and their protectors: reforming resistance in a slave society: the Cape Colony, 1826-1834', *Journal of Southern African Studies* 17 (1991).

Nye, A., *Feminist theory and the philosophies of Man* (New York, Routledge, 1988).

Ortner, S.B. and H. Whitehead (eds), *Sexual meanings: the cultural construction of gender and sexuality* (Cambridge, Cambridge University Press, 1981).

Penn, N., '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800' *South African Historical Journal* 23 (1990).

Pleck, J.H., 'The theory of male sex-role identity: its rise and fall, 1936 to the present' in H. Brod (ed), *The making of masculinities: the new men's studies* (Boston, London, Sydney and Wellington, Allen and Unwin, 1987).

Qunta, C. (ed), *Women in southern Africa* (Johannesburg, Skotaville, 1987).

Ramazanoglu, C., 'What can you do with a man? Feminism and the critical appraisal of masculinity', *Women's Studies International Forum* 15 (3) 1992.

Rekord,M., 'The Jamaican slave rebellion of 1831', *Past and Present* 40 (1968).

Robertson, C., 'The perils of autonomy', *Gender and history* 3 (1) Spring 1991.

Robertson, C.C. and M.A. Klein (eds), *Women and slavery in Africa* (Madison, Wisconsin, University of Wisconsin Press, 1983).

Ross, R., 'The last years of the slave trade to the Cape Colony', *Slavery and Abolition* 9, 3, 1988.

Ross, R., 'Structure and culture in pre-industrial Cape Town: a survey of knowledge and ignorance', in W.G. James and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, university of Cape Town, 1989).

Ross, R., *Cape of torments: slavery and resistance in South Africa* (London and Boston, Routledge and Kegan Paul, 1983).

Rowbotham, S., 'The trouble with patriarchy' in R. Samuel (ed), *People's history and socialist theory* (London and Boston, Routledge and Kegan Paul, 1981).

Rubin, G., 'The traffic in women', in R. Reiter (ed), *Towards an anthropology of women* (New York and London, Monthly Review Press, 1975).

Schama, S., *The embarrassment of riches: an interpretation of Dutch culture in the Golden Age* (New York, Alfred A. Knopf, 1987).

Scott, J.W., 'On language, gender and working-class history',

International Labor and Working-Class History No. 31, Spring 1987.

Scully, P., 'Private and public worlds of emancipation in the rural western Cape, South Africa, 1834-1850', draft paper for N. Worden and C. Crais (eds), *Breaking the chains: slavery and its legacy in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993).

Shell, R., 'The family and slavery at the Cape, 1680-1808', in W.G. James and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, university of Cape Town, 1989).

Shell, R., 'Samuel Hudson on marriages and other customs at the Cape', *Kronos* 15, 1989.

Smith, H., 'Feminism and the methodology of women's history' in B.A. Carroll (ed), *Liberating women's history: theoretical and critical essays* (Urbana, Illinois University Press, 1976).

Stichter, S. and J. Parpart (eds), *Patriarchy and class: African women in the home and the workforce* (London and Boulder, Westview Press, 1988).

Torr, L., H. Hughes, J. Shier and C. Wyley, *Women in southern Africa: a bibliography* (revised edition) (Durban, Durban Women's Bibliography Group, University of Natal (Durban), 1991).

van der Spuy, P., 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991).

van der Spuy, P., 'Slave women and the family in Cape Town in the nineteenth century', *South African Historical Journal* 27 (1992).

Walker, C. (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Walker, C., 'Women and gender in southern Africa to 1945: an overview' in C. Walker (ed), *Women and gender in southern Africa* (Cape Town, David Philip, 1990).

Watson, R.L., *The slave question: liberty and property in South Africa*

(Johannesburg, University of the Witwatersrand Press, 1990).

Weeks, J., *Sex, politics and society: the regulation of sexuality since 1800* (London and New York, Longman, 1981).

Worden, N., *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985).

'What, then, was the sexual outlet for black males?'[a]

or

'The feminine is a simple negative'[b]

A critique of historiographical approaches

to slave women at the Cape,

focusing on the high sex ratio and the "nanny thesis".[c]

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[a] R. Elphick and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989), p. 200.

[b] A. Nye, *Feminist theory and the philosophies of Man* (New York, Routledge, 1988), p 149.

[c] This term has been coined to describe Robert Shell's analysis of the role of slave women in Cape society.

Throughout most of the eighteenth century at the Cape, slave men outnumbered slave women by a ratio of at least four to one.[1] This 'horrifying' imbalance in slave sex ratios[2] was the highest of all New World slave societies, including the notorious plantation regimes of Jamaica and Cuba.[3] This fact has led Cape slave historians to view the major contribution of slave women as profoundly negative. Slave women are conspicuous by their absence at the Cape and by the role they apparently played, in *absentia*, in preventing the evolution of a stable slave society based on two-parent nuclear families and a rich culture independent of that of the slave-holders.[4] Absent slave women have been held responsible for male slave discontent, as it was impossible for each slave man to find a (slave) mate (simultaneously);[5]

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1 N. Worden, *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985), pp. 52-4; R. Shell, 'Tender ties: the women of the slave society' (paper presented at the Conference, Cape Slavery- and After, History Department, University of Cape Town, 1989), p. 1; R. Ross, 'Oppression and sexuality at the Cape of Good Hope', *Historical Reflections* 6 (1979), pp. 421-2; R. Elphick and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989), p.200.

2 Ross, 'Oppression', p. 432.

3 Worden, *Slavery*, p. 54.

4 *ibid.*, p. 58; A. Bank, *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991), pp. 101 ff; Shell denies slave women any role in slave family formation: Shell, 'Tender ties', p. 31: 'The slave women ... identified with the settler household rather than with their slave status'. For comparative purposes see E.D. Genovese, *Roll, Jordan roll: the world the slaves made* (New York, Pantheon Books, 1974), pp. 450 ff; B. Bush, *Slave women in Caribbean society, 1650-1838* (London, James Currey, 1990), p. 81: 'Women, ... in their important role within the slave family and wider slave community, contributed significantly to promoting the "consciousness and practice of resistance" amongst the slaves.'

5 Worden, *Slavery*, p. 58; Ross, 'Oppression', p. 422: '... no amount of refinement or of correction of putative biases could lead to any conclusion other than that a large number of adult men could not have been able to find

jealous violence therefore ensued between slave men who consequently committed acts of murder and rape.[6]

> '... the lack of stable family units severely undermined the equilibrium of the Cape slave population and had major implications for slave cultural and psychological response. The imbalance of the slave sexual ratio caused slave women to be in high demand... and conflicts between males over women were constant points of tension.'[7]

Women's absence also forced slave men to deviate from acceptable sexual norms (acceptable to certain historians): if Robert Shell is to believed, these women were responsible for the presumably equally vile acts of 'extreme violence, murder, rape, gambling, homosexuality and bestiality' which apparently beset Cape slave society in the eighteenth century.[8] The equalisation of the sex ratio in the nineteenth century therefore has been posited to explain the apparent decline of these types of anti-social behaviour.[9] Indeed, according to one view, the absence of slave women in the eighteenth century was a strategy of social control and victimisation of (male) slaves: '... at the Cape a major field of the exploitations of slaves by

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mates'.

6 R. Shell, 'Slavery at the Cape of Good Hope 1680 - 1731', (Ph.D thesis, Yale, 1986), pp. 75-6. See P. van der Spuy, 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991), pp. 185-6. For comparative purposes, see J.D. Kelly, 'Discourse about sexuality and the end of indenture in Fiji: the making of counter-hegemonic discourse', *History and Anthropology* 5, 1990.

7 Worden, *Slavery*, p. 58.

8 Shell, 'Slavery', pp. 75-6. See also P. van der Spuy, 'Slave women and the family in nineteenth-century Cape Town', *South African Historical Journal* 27 (1992), pp. 7 ff.

9 Bank, *The decline*, p. 103. There is no evidence that the "crimes" had in fact declined; the issue is rather one of levels of reporting and policing, which are related to changing attitudes to criminalised behaviour.

their masters lay in the creation of the imbalanced sex-ratio...'.[10]

The few slave women who were present at the Cape, whose numbers ranged from less than a hundred in the year 1687 to approximately two thousand seven hundred in 1793, have not fared much better than their absent sisters.[11] These women have not been considered as significant historical agents in their own right. This is not to say that nothing whatever is known, or rather, has been written, of slave women at the Cape. Robert Shell has reconstructed a particular image of slave women as fully assimilated into slave-holding families, which will be considered in some detail below. Other historians have tended to agree that the absence of slave women was more significant than their presence, although Worden for instance has not ignored the economic contribution made by women-and-children (which tends to be his category of analysis when he is not discussing women-and-sex) in providing a crucial pool of labour which could be used in the labour intensive farming periods of harvesting and sowing, and used in housework when predial labour was less labour-intensive.[12]

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10 Ross, 'Oppression' p. 422. It is unclear whether Ross means to imply that the sex ratio was a conscious mechanism of oppression by slave holders. He provides no evidence of such an improbable motivation behind the sex ratio.

11 Worden, *Slavery*, p. 53: Table 5.1 'Numbers of men, women and children in burgher and slave populations, 1687-1793'. The figures provided reflect female slaves aged fourteen years and older.

12 *ibid.*, pp. 87-8. Ross has been unsympathetic to the economic contribution of women in his recent paper on the transitional period of the 1830s: R. Ross, 'The economics of slavery and emancipation', in N. Worden and C. Crais, *Breaking the chains: slavery and emancipation in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993). Women's work will be discussed below in the context of Shell's thesis.

Although the sex ratio would appear to be a purely objective measure, it is not. Global sex ratios do not tell us anything, even in quantitative terms, about the proportions of men and women who confronted one another on a daily basis. A useful demographic study requires micro-analyses of different holdings as well as regions and of different types of economy. Certainly, historians are aware of this need; for instance, Worden noted a significant difference between urban and rural sex ratios,[13] whereas Elphick and Shell calculated adult sex ratios for the different districts from 1660 to 1770.[14] However, greater detail in terms of factors such as the age profiles of slaves is required for the sex ratio to be of any use in even beginning to describe or explain sexual behaviour, and such information is unavailable for the Cape for the eighteenth century.[15] Although the age profile compiled by the Registrar and Guardian of Slaves in 1825 is useful, even such information cannot be used to unproblematically reflect quality of life.[16] Plantation records which might provide the kind of quantitative data which can be readily linked to qualitative information are extremely rare for the Cape. It is therefore impossible to perform calculations which emulate the quantitative research of historians such as Barry Higman for the Caribbean.[17]

Historians have not recognised the need to examine the influence of gendered attitudes, both contemporary and current, on the explanatory value of the sex ratio. There is no logical

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13 Worden, *Slavery*, pp. 53 ff.

14 Elphick and Shell, 'Intergroup relations', p. 200. See Ross, 'Oppression and sexuality', p. 424.

15 Worden, *Slavery*, p. 52, 55 ff.

16 SO 7/34, Return of Slaves of Different Ages, 1833.

17 B. Higman, *Slave population and economy in Jamaica, 1807-1834* (Cambridge University Press, 1976, repr. 1979); Worden, *Slavery*, p. 56.

causal relationship between a sex ratio and socio-sexual attitudes and behaviour. Of course sex ratios provide a base line, delimiting the bounds of certain forms of behavioural possibility. It is clear, for example, that an adult sex ratio of a population of 4:1 could permit only one quarter of the men to have a monogamous relationship with all the women at any one time. This tells us nothing of the attitudes of the men or women to such relationships or the choices they made; we cannot assume, in the absence of documentation, that all the women and one quarter of the men engaged in monogamous partnerships. Indeed, the criminal court records indicate that they did not.[18] Historians of other New World societies have examined the role of polygynous slave relationships; Ross has found little evidence of such familial forms at the Cape, but there *is some*;[19] polyandry is not beyond the bounds of statistical possibility. The fact that no evidence for this familial form has been found suggests either that historians and contemporary *European* observers (who supply much of the qualitative evidence used by historians) have not recognised that such types of relationships existed, or that relations were not structured in this way. In this case, the onus is on the historian to explain why; a polyandrous structure would theoretically allow the "dissemination" of libido (assuming such a construct existed at the time) in an (historiographically acceptable) heterosexual manner.

The most probable explanation lies in the hegemony of male dominance in all sectors of Cape

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[18] Ross, 'Oppression', pp. 428 ff.

[19] See paper 5 for the example of Galant, and R. Ross, *Cape of torments: slavery and resistance in South Africa* (London and Boston, Routledge and Kegan Paul, 1983), pp. 106.

society;[20] this corresponds with the jealousy of men who did not kill their spouses because of sexual frustration, but because they could not exercise absolute control over the women's sexual behaviour. In a society in which slave-holders commonly engaged in sexual relations with their slaves (and Khoi servants), where slave and Khoi men were impotent to prevent such relations, the least (and the most) these men could do was to try to preserve their sole right of access to their wives within their peer group. When this was not possible, violence ensued, often against women.[21] Moreover, the rape of subaltern women (and children) by men of all sectors of Cape society never merely constituted a release of frustrated libido, but arguably derived from the sense of enraged impotency outlined above, and is therefore related to a sense of frustrated masculinity, rather than any biological construct of sexuality. Rape is a crime of violence, fully within the control of the rapist.[22] The notion that rape, murder

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20 Elizabeth Fox-Genovese has stressed the importance of particularising forms of male dominance and avoiding the trap of reducing everything to a single patriarchy: E. Fox-Genovese, 'Placing women's history in history', *New Left Review* 133, May-June, 1982, pp. 7, 14 ff and *passim*.

21 Ross, 'Oppression', pp. 427 ff. Nigel Penn emphasises the role of alcohol in subaltern family violence. For example: 'Oude Rooij, like others who existed in the peripheries of colonial space or endured gross ill treatment from colonial masters, were subject to fits of uncontrollable rage. His homicidal family rows and his unchivalrous behaviour towards women were not simply inspired by lethal Cape brandy but symptomatic of profound social disequilibrium. Though his sickening murder inspires pity and disgust one cannot help feeling that this death was like his life - nasty, brutish and short. His killers had shared the same world of pain and fear, but some of them had had their inhumanity honed by a life time of enslavement' (N. Penn, '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800' (*South African Historical Journal* 23 (1990), pp. 36-7). See also p. 37, n. 65 for an 'illuminating example of [sexual] Khoi violence to Khoi'.

22 For example, CSC 1/1/1/3, 17 May 1830, case 6 and 8. See Penn, '*Droster* gangs'; L. Crites (ed), *The female offender* (Massachusetts, D.C. Heath and Co., 1976); V.A.C. Gatrell, B. Lenman and G. Parker (eds), *Crime and the law: the social history of crime in Western Europe since 1500* (London, Europa Publications, 1980); J. Hanmer and S. Saunders, *Well-founded fear; a community study of violence to women* (London, Hutchinson, 1984);

and other violent crime declined in the nineteenth century because of a more balanced slave sex ratio[23] may have been constructed as an historical fact in E.H. Carr's terms as the result of consensus among historians, but such "facts" need to be rewritten.[24]

Russel Viljoen's forthcoming masters dissertation should shed crucial light onto the contribution of Khoikhoi men and women as labourers in Cape rural society.[25] His research underlines the need to take indigenous people into account in any analysis of this society, despite the fact that they cannot be quantified for the seventeenth and eighteenth centuries.[26] It is therefore impossible to say with any certainty that the slave sex ratios accurately reflect

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S.K. Mukherjee and J.A. Scutt (eds), *Women and crime* (Sydney, Australian Institute of Criminology, 1981); A.N. Groth, *Men who rape: the psychology of the offender* (New York, Plenum Press, 1979) and L. Ellis, *Theories of rape: inquiries into the causes of sexual aggression* (New York, Hemisphere Pub. Corp., 1989).

23 Bank, *The decline*, p. 103. In support of his theory of 'greater gender stability [by which, presumably, he means more balanced sex ratios] in the late slave period' he cites crime statistics: between 1824 and 1825 there were only two cases of rape by slaves tried (in fact these figures reflect convictions: Theal *Records* 33, pp. 326-7) before the Court of Justice. However, other than the fact that there were two convictions for rape in each of the three categories of 'Free persons', 'Free Blacks' and 'Slaves', the table of crimes would suggest (using Bank's and Shell's logic) that the more balanced the sex ratio, the greater the incidence of incest, 'unnatural crime', fornication and seduction, to name some of the convictions from which slaves (the most unbalanced sex ratios) were excluded (*ibid.*).

24 E.H. Carr, *What is history?* (Harmondsworth, Penguin, 1964), p. 12.

25 R. Viljoen, forthcoming MA thesis, University of the Western Cape, 1993.

26 While the 1806 census is illuminating, it does not necessarily reflect the status quo for earlier periods. J. See Ross, 'Oppression' p. 422; V.C. Malherbe, 'Diversification and mobility of Khoikhoi labour in the eastern districts of the Cape colony prior to the labour law of 1 November 1809' (M.A., University of Cape Town, 1978), chapter 3; N. Worden, *Slavery*, pp. 34-5; R. Elphick and R. Shell, 'Intergroup relations'.

the sex ratios among subaltern people at the Cape. It is apparent, however, that whereas slaves and Khoikhoi were differently viewed in terms of the law,[27] their personal relationships did not necessarily discriminate in this way.[28] In other words, slaves did not constitute a separate population, and as a result it is spurious to explain social behaviour on the grounds of the slave sex ratio.

Critical assumptions about the nature of slavery[29] and the nature of men and women, not to mention the nature of the sources from which these ratios derive, inform the explanatory value of the ratios. In short, assuming that the ratios are accurate, they do not necessarily reveal anything about the quality of life.[30] This is not to decry all use of sex ratios. For instance, it is useful to know that more than ninety percent of adult slave women in Stellenbosch in the years from 1760-1769 were born at the Cape, while at the end of the eighteenth century this percentage was close to seventy, with an average for the years 1722-1799 of 73 percent.[31]

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27 W. Dooling, *Law and community in a slave society: Stellenbosch district, South Africa, c.1760-1820* Communications No.23/1992 (Centre for African Studies, University of Cape Town, 1992), chapter 2.

28 There are numerous references to relationships between slave and free; indeed, it would appear that in many cases slave men chose free women, and slave women free men, as their spouses. See paper 3 below.

29 For instance, that it constitutes a statistical population which can be analysed independently of other groups. One of the dangers with a comparative approach to Cape slavery is that the distinctiveness of the slave population in the Old South, for example, is too easily assumed to apply to the Cape, in statistical if not cultural terms.

30 See A.J. Bishop, 'Western mathematics: the secret weapon of cultural imperialism', *Race and Class* 32 (2), October-December 1990.

31 Calculated from Worden, *Slavery*, p. 47: Table 4.1 'Percentage distribution of slaves by origin recorded in Stellenbosch district inventories', giving figures from 1722 to 1799 and p. 46: '... analysis of slaves in the Stellenbosch district inventories during the eighteenth century shown in Table 4.1 reveal that locally

The proportion of women imported into the colony was even lower than that living at the Cape itself.[32] The strongly comparative tendency of Cape slave historiography notwithstanding, no historian has considered the implications of the early creolisation of women slaves in the light of the important distinctions drawn between imported and creolised slaves in the Caribbean and colonial North America. From a cultural perspective, for instance, it is logical that there should be a distinction between these slaves which is reflected in their being named in terms of their place of origin; vis a vis imported adults, one's "cultural baggage" would necessarily depend on their homeland, and this would influence how slaves perceived Cape society. This possibility has not yet been explored for the Cape.[33]

The patterns of behaviour associated with creolisation in the nineteenth century should be traced back to the eighteenth for almost three quarters of women slaves.[34] As the vast majority of imported slaves were male, the implications of the closure of the oceanic slave trade were arguably greatest for them, although it must be noted that the importation of slaves was never regular, and that 1807 was probably not as traumatic a demographic event at the

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born slaves remained in a minority throughout the period...'; see also *ibid.*, pp. 52 ff.

32 *ibid.*; J. Armstrong and N. Worden, 'The slaves, 1652-1834' in Elphick and Giliomee (eds), *The shaping*, p. 133.

33 On the importance of this distinction for other slave societies, see, for instance, A. Kulikoff, *Tobacco and slaves: the development of southern cultures in the Chesapeake, 1680-1800* (Chapel Hill, University of North Carolina Press, 1986); M. Mullin, 'Women and the comparative study of American Negro slavery', *Slavery and Abolition* 6 (1985); R. Brana-Shute, 'Approaching freedom: the manumission of slaves in Suriname, 1760-1828', *Slavery and Abolition* 10 (3), 1989, p. 47.

34 Bank disagrees: *The decline*, pp. 6 ff; 102.

Cape as it was elsewhere in the New World.[35] The boom in African slave imports during the period immediately before abolition is perhaps more significant.[36] Obvious implications of the early creolisation of women include the possibility of the development of multi-generational matrilineal families, for which there is much evidence in nineteenth-century records, but thus far no recognition in the literature.[37]

A further implication concerns the issue of slave culture, and indeed questions the validity of the genus "slave" which does not take gender into account at a fundamental level. If slave women in general were more creolised than men, the experiences of slavery and the slave identity itself may have diverged along sex lines. This is not to argue that female slaves in the eighteenth century were *necessarily* more "socially alive" than were male slaves, but if Orlando Patterson's concept of social death[38] has any explanatory value, it can strictly only apply to imported slaves.[39] The question must therefore arise of how far slave women identified with indigenous people, or, as Shell argues from a different perspective, with slave-

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35 c.f. Bank, *ibid.*; Armstrong and Worden, 'The slaves' p. 120.

36 R. Ross, 'The last years of the slave trade to the Cape Colony', *Slavery and Abolition* 9, 3, 1988, pp. 212 ff.

37 See paper 3, p. 135 below, and cf. Bank, *The decline*, p. 105: 'References to "grandparents" or "grandchildren" are conspicuously absent from the historical record ... [pointing] to a lack of generational continuity among slaves. The impression of single generation nuclear kinship ties reinforces the assessment that the Cape slave family in any sense only emerged in the final decades of Cape slavery.'

38 The distinguishing aspect of slavery as one of alienation from one's place of origin and hence 'social death'.

39 O. Patterson, *Slavery and social death: a comparative study* (Cambridge, Massachusetts, Harvard University Press, 1982).

holders, rather than with imported slave men.[40] This question is crucial in order to begin to understand slavery from the perspective of the slaves themselves.[41]

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Historiographical representations of the female slave are based on essentialistic beliefs about what is natural and therefore acceptable, such beliefs being historical constructs themselves.[42] The issue of sexuality is a case in point. Sexuality in general and homosexuality in particular have not been analysed by slave historians of the Caribbean or North America, except in the most conventional manner;[43] Cape slave historians at least recognise that alternative sexualities, or forms of sexual behaviour, existed. According to Wayne Dooling, '[p]erhaps nowhere was the imposition of slave-holder morality more clear than in cases of sexuality.... Sodomy was regarded as a particularly heinous crime .... against God.'[44] Dooling avoids

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40 Shell, 'Tender ties'; 'The family and slavery at the Cape, 1680-1808' in W.G. James and M. Simons (eds), *The angry divide: social and economic history of the Western Cape* (Cape Town and Johannesburg, David Philip, in association with the Centre for African Studies, University of Cape Town, 1989).

41 This dissertation does not answer this question, but it must be asked. See paper 4 for further thoughts on this topic.

42 J. Weeks, *Sex, politics and society: the regulation of sexuality since 1800* (London and New York, Longman, 1981), introduction, explains that essentialistic beliefs are those which concern the essence, or essential nature, of something. Examples of essentialistic assumptions which inform constructions of gender in Cape slave historiography are provided in the text of this paper.

43 See, for instance, S.E. Brown, 'Sexuality and the slave community', *Phylon* XLII (1) 1981.

44 Dooling, *Law and community*, p. 74.

passing his own moral judgement on this crime, but other historians have not been so objective. As indicated above, Shell and Ross have implied that homosexuality was only an option in the absence of sufficient women; it is assumed to be a condition which afflicts sex-starved men but has nothing to do with women's sexuality.[45] Ross's analysis of sexual praxis at the Cape in the eighteenth century is generally well-balanced until the concluding paragraph of his discussion of homosexuality, where he writes

> '[i]t may have been that homosexuality was exceedingly rare among the slaves at the Cape and that all infractions against this code were dealt with severely, both by the slave community and by their masters. Nevertheless, given the horrifying sexual imbalance in the society in which they lived, this seems unlikely. *That many men cannot have been that controlled that much of the time. The particular nature of their oppression must have forced it on them....* There can be no clearer proof of the oppressive nature of Cape slavery than that it regularly *drove* men to engage in these activities, for which they knew that the punishment was drowning'.[46]

While not wishing to deny the oppressive nature of Cape slave society, it must be noted that Ross's argument does not take into account the very point he made earlier, that the eighteenth century saw waves of repression against homosexual behaviour in Europe,[47] and that death by drowning was the standard penalty for "unnatural crimes" in the Dutch Republic.[48]

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45 Ross, 'Oppression' p. 432; Shell, 'Slavery', p. 75-76.

46 Ross, 'Oppression', p. 432 (emphasis added).

47 *ibid.*, p. 431; J. Weeks, *Sex, politics and society*, p. 100. See also J. Oosterhof, 'Sodomy at sea and at the Cape of Good Hope during the eighteenth century', *Journal of Homosexuality* 16, 11, 1988.

48 S. Schama, *The embarrassment of riches: an interpretation of Dutch culture in the Golden Age* (New York Knopf, 1987), stresses the centrality of water to Dutch culture, expressed in an obsession with cleanliness and also in forms of capital punishment (*passim*, and particularly pp. 25-6); Armstrong and Worden, 'The slaves', p. 173, n. 77: Susanna of Bengal strangled her daughter in the 1650s. 'Her punishment was to be drowned in Table Bay, in view of the other slaves'.

Capital punishment for sodomy was only abolished in England in 1861.[49] In other words, repression of homosexual behaviour was not particular to Cape slave society. Ross of course assumes that the sex ratio drove men to commit such acts; it should then be explained what drove the 'more than 200 men' convicted in the Netherlands,[50] or the fifty hanged in England in the first third of the nineteenth century, to engage in such 'unnatural crimes'.[51] The assumption that a "surplus" of men forced them into homosexual relationships is based on the ahistorical belief that heterosexual relations are natural and homosexual relations unnatural, and moreover, that given the choice, i.e., given an equal proportion of men to women *of equivalent ages* or whatever other factors allow sexual attraction (surely an historical as well as a psycho-sexual question in itself), men would choose women as their sexual partners.[52]

Ross's discussion of 'oppression and sexuality' treats slave women as entirely passive objects of male sexual needs; the generic term "slave" refers only to male slaves, and it is only *their* oppression in terms of frustrated sexuality that Ross addresses. Worden, Ross and Shell have held women responsible for violence on the part of male slaves, construing it as a result of psychological break-down caused by the oppressive nature of the sex ratio.[53] These

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49 Weeks, *Sex, politics and society*, p. 99.

50 Ross, 'Oppression', p. 431; Oosterhof, 'Sodomy at sea'; N. Mostert, *Frontiers: the epic of South Africa's creation and the tragedy of the Xhosa people* (London, Jonathan Cape, 1992), p. 101.

51 Weeks, *Sex, politics and society*, p. 100.

52 The logical conclusion would be that in the modern world homosexuality should not exist unless the perpetrators of these acts were either criminal or sick. This of course is exactly the conclusion drawn by the legal system of South Africa.

53 Worden, *Slavery*, p. 58; Ross, 'Oppression', pp. 427 ff; Shell, 'Slavery', pp. 75-6.

arguments assume the Freudian notion of an essence of libido present in males which must be expended, preferably within families, because otherwise deviant behaviour must occur:[54]

> 'There is in fact no libido for Freud except the masculine, "active" libido .... The only substantive presence in [Freud's] account is masculine sexuality, active, unitary, aggressive, penetrative: the feminine is a simple negative.'[55]

A causal inverse relationship between the sex ratio and societal stability should not be assumed; rather, it should be problematised and made subject to historical analysis. This is not to decry the application of psychological approaches to the writing of history, but these approaches are themselves historical constructs and should be viewed accordingly.[56]

Barbara Bush has recently been taken to task for an 'over-assumption of female autonomy [in controlling fertility].... The portrait of women controlling their own bodies is appealing but unrealistic and somewhat anachronistic...'.[57] Although it is dangerous to take the notion of slave autonomy too far, it is possible that in the arena of sexuality the slave condition did indeed empower some women, but that this terrain was one of shifting struggles.

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54 For comparative purposes, see P. Harries, 'Symbols and sexuality: culture and identity on the early Witwatersrand gold mines', *Gender and History* 2 (3) Autumn 1990, whose argument is also based on sex ratios.

55 A. Nye, *Feminist theory and the philosophies of Man* (New York, Routledge, 1988), p 149.

56 See paper 5 for the application of socio-psychology to slave resistance.

57 C. Robertson, 'The perils of autonomy', *Gender and history* vol. 3, no. 1, Spring 1991, p. 92. Robertson's article is a thematic review of Bush's *Slave women* and Marietta Morrisey's *Slave women in the New World. Gender stratification in the Caribbean* (Lawrence, University of Kansas, 1989). Unfortunately the latter book is unavailable in South African libraries at the time of writing so I have been unable to read it.

Despite the fact that the slave condition until 1823 prevented slaves from marrying legally,[58] it is clear that many slaves had long-lasting monogamous relationships, whether with other slaves or with Khoikhoi or free black - or white - men or women.[59] Nevertheless, the ownership of women by slave-holders undermined the power of their spouses; a woman could not effectively be "possessed" in any sense by more than one man at a time, and it is clear from criminal cases that some women at least engaged in more than one sexual relationship at a time. From the point of view of the "husband", this was indeed an oppressive aspect of slavery, exacerbated by the fact that many relationships were pursued between different slave-holdings, which entailed many hours spent visiting spouses.[60] At times these visits ended in jealous rages and the murder of the woman and/or the man with whom she was sleeping when her husband arrived.[61] Such outbreaks of jealous violence do not reflect the global sex ratio per se; the violence erupted because the slave's spouse had assumed that he had exclusive rights (exclusive of her relationship to the slave-holder) to her body. A suggestive insight into gendered attitudes towards sexual relationships is provided in the testimony given by slaves who observed the incestuous sexual relationship between their master and his step-daughter in 1775. Two of the male witnesses referred to the sexual act as 'te samen deeden als Man

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58 See paper 3.

59 *ibid.*; Elphick and Shell, 'Intergroup relations', pp. 200 ff.

60 For examples of the problems encountered when spouses did not live together, see 1/STB 3/12, 31 January 1791: Testimony of Oud Heemraad Jan Roux (a Khoi man wished to be hired by a slaveholder who had recently come into possession of the former's lover); SO 3/1, Report of the Protector of Slaves, 31 January 1827; SO 3/5, Report of the Protector of Slaves, 9 March 1830.

61 See, for instance, 1/STB 3/13 No. 62, 27 July 1794: Testimony of Diane van de Caab; 1/STB 3/13 No. 63, 29 July 1794: Testimony of Pedro van Malabar.

en Vrouw'[62] and a third said his master had 'zyne dingen met haar gedaan'.[63] The female slave described what she saw in these words: 'dat haar Lijfheer onder gem. Boom op't bloote Lyf van ... haar nonje Elsje gelegen en haar vleeschelyk gebruijke had'.[64] This evidence suggests that slave men and women perceived the relationship of 'Man en Vrouw' differently, and further gender-sensitive research should prove illuminating.

Although many potentially stable subaltern relationships were disrupted and even destroyed by the slave condition, it is possible that a certain amount of sexual freedom was possible, for some women at least. One should not make too much of this, because the records do not provide conclusive evidence concerning women's attitudes in this regard; too often the woman was murdered by her angry spouse, and could not put her case forward. This line of reasoning also allows for the kinds of dangers Robertson warned against in regard to Bush's approach,[65] that of falling into the stereotypical traps of labelling slave women as promiscuous.

> 'Travellers and residents who wrote accounts of the Cape rarely mentioned ['long-lasting, monogamous relationships', which according to Ross 'formed both the ideal and the general practice'] ... Were only their testimony to be taken into account, the impression would be given that, with very few exceptions, the slaves [in this case, slave women] were abandoned to prostitution and promiscuity.... *this view ... is undoubtedly partially correct anyway...*'[66]

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62 1/STB 3/11: 25 January, 1775. Testimonies of Caesar van Boegies and Louis van Madagascar.

63 1/STB 3/11: 25 January 1775. Testimony of October van Boegies.

64 1/STB 3/11: 25 January 1775. Testimony of Philida van de Caab.

65 Robertson, 'The perils', p. 92.

66 Ross, 'Oppression', p. 426 (emphasis added).

It is the historian's task to deconstruct the nature of that 'prostitution and promiscuity'. Despite the problematic image of female sexuality portrayed by travellers, these sources are constantly used as authorities in a relatively uncritical manner.[67] Bush's comment should be borne in mind that

> 'The European assessment of black female sexuality has been seminal in the development of many unfavourable misconceptions about black woman-hood in general. It has coloured and influenced both contemporary and modern attitudes to the black woman, not only in her sexual sphere, but also as a worker, mother and wife.'[68]

We do not know the extent to which "adulterous" and "promiscuous" sexual relationships evident in criminal court records from time to time were imposed on women, or chosen by them. The possibility exists, though, that women were not always victims. The nature of the criminal records focuses our attention on rape and murder, rather than the normal day to day sexual relationships involving slaves. The absence of slave narratives is keenly felt in this regard.

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[67] See the discussion of Mentzel's and De Graaf's impressions of wet nursing, pp. 90 ff below. Similarly, the impressions of an observer like Kolbe, whose imagination is notorious, regarding child-birth practices at the Cape should not be uncritically imported into historical analyses of the same, as Shell has done in 'Tender ties' (p. 4). However, traveller's reports can be extremely illuminating, if the reader is aware of the historically constructed meanings of observations.

[68] Bush, *Slave women*, pp. 11-12.

Even sexual relationships between slave women and their masters were not always purely imposed, although the power relations of such sexual contracts were extremely unbalanced, and women often had little choice. Nevertheless, there is evidence that many slave holders did not take the right of sexual possession for granted, or at least that they attempted to persuade their slaves (and non-slave servants too) to engage in sexual relationships with them,[69] and there is evidence that some slave women took their time and negotiated the best possible contract - normally a promise of manumission.[70]

Two issues are related to contemporary settler attitudes towards sexual behaviour: the relationship between a slave-holder and his slaves, and any sexual relationship except that between a legally married man and his wife. Certainly, sexual relationships between slave-holder and slaves were not as acceptable within settler society as in the British West Indies,

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[69] See paper 3 below. The same can be said of Thomas Thistlewood, an overseer and small slaveholder in Jamaica, who engaged in a great variety of sexual relationships with slave women, ranging from rape through prostitution to what appears to be the most meaningful relationship he ever engaged in. It is interesting to note that Thistlewood brought with him from England the sexual double standard which allowed him to visit prostitutes (in England) at the same time as believing himself to be in love with someone else; there is absolutely no hint of moral ambivalence in his attitudes to these relationships; he appears to have viewed prostitution as a means of "relieving himself", much as Ross and Shell appear to view homosexuality at the Cape; but he would not have dreamed of engaging in sexual relations with the woman he courted. She apparently rejected him, and once he got to Jamaica it was Thistlewood who 'abandoned' himself to 'prostitution and promiscuity', not the multitude of slave women with whom he had sexual intercourse. See D. Hall, *'In miserable slavery': Thomas Thistlewood in Jamaica, 1750-1786* (London, Macmillan, 1989).

[70] See paper 3, pp. 127 ff.

for instance, which explains the discretion on the part of observers at the Cape.[71] Slave-holder's wives appear to have found themselves in an untenable position in the face of these relationships, and either treated the slave women particularly harshly (which was also a possible strategy for spurned slave-holders) or appear to have negotiated with the women themselves; there are examples in the nineteenth century Slave Office records of settler women persuading their husbands to hire slave women out so as to avoid sexual relationships between husband and slave.[72]

Mentzel's assertion that slave women made pregnant by the sons of their owners were bribed to name a different father underlines the disreputable light in which such relationships were perceived.[73] At the Cape married men in particular were censured by their community if caught in the act of sexual intercourse with their slaves - or Khoi servants. In these cases, the crime was not particular to the slave or master/servant relationship - slave and Khoi women did not have recourse to the law for sexual abuse at the hands of their masters. The crime was defined as adultery; it does not appear to have materially altered the case that the men involved were sleeping with their *slaves*.[74]

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71 See, for instance, Beckles, *Natural rebels*, chapter 7.

72 For instance, SO 4/2, 19 December 1826.

73 Cited by Shell, 'Tender ties', p. 15. There was no legal protection for such slave women; it was only when the slave holder himself fathered a slave's child that the child, and, in certain circumstances the mother, had access to manumission.

74 See, for instance, the case against D.J. Bleumer: 1/STB 3/11: 26, 28 September, 2, 15 October and 7 November, 1776. There is no sense of incest, which might have been the case had the ideology included slave women in the slave-holding family, as Shell argues ('Tender ties', p. 31).

Interestingly, slave women were often responsible for pointing out slave-holder "immorality" when it did not concern the slaves or Khoi workers themselves. For instance, the female slave Philida of Coenraad Appel informed on her master for sleeping with his (step) daughter.[75] According to their own testimony, the males who were observers had not wanted to become involved; however, Philida did: the day after she had observed the sexual intercourse, she asked the step-daughter, Elsje, if she knew what she had done, to which Elsje replied that she knew that a sexual relationship with Appel was wrong, but that she had been forced into it. Philida also approached Appel's wife.[76] The fourth paper in this collection examines slave-holder attitudes to the sexual behaviour of their daughters which similarly reflect the patriarch's assumption that he had the right to control the sexuality of the members of his family.[77]

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75 1/STB 3/11: 7 February 1775: Testimony of Elsje Anna Meyburgh; 25 January 1775: Testimony of Philida van de Caab, slave of Coenraad Appel.

76 *ibid.*; 1/STB 3/11, 25 January 1775: Testimonies of October van Boegies, Louis van Madagascar, Caesar van Bougies and Philida van de Caab; CJ 57, 16 March 1775 and 20 April 1775: Landdrost of Stellenbosch vs Coenraad Appel and Elsje Anna. See Dooling, *Law and community*, p. 75.

77 see pp. 169 ff below.

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At the Cape in the early years of the eighteenth century, historians have noted that settler women experienced extremely high fertility rates, whereas those for slaves were apparently very low.[78] Robert Shell has argued that the two were causally related by the practice of wet nursing, in terms of which settler women did not breast-feed their offspring, which freed them from the associated condition of lactation amenorrhea.[79] According to Shell, slave women, on the other hand, breast-fed their own babies and those of their mistresses, and consequently experienced extended periods of infertility.[80] Shell's "nanny thesis" is based on the assumption that no other factors can adequately account for the divergence between the two fertility rates. It was initially posited for the early period of Cape slavery to 1731, but more

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78 R. Ross, 'The "white" population of Cape Colony', *Population* 29, 1975, p. 226 ff; R. Shell, 'Tender ties', p. 9.

79 Neither of these claims is supported by all the available evidence. See below.

80 *ibid.*

recently has been broadened in its application to the period from 1680 to 1808, with no specific regional focus, and neglects to consider the role of non-slave working women.[81] There is no doubt that slaves and other servants were used as wet nurses at the Cape in the slave era, and the possibility exists that wet nursing affected fertility rates,[82] but the theory is problematic in terms of its universality and its implications for the historical construction of slave women. The nanny thesis ignores those slave women who did not act as wet nurses; it also has major implications for slave resistance in terms of the incorporation of these women into the slave-holding family. The theory raises the issue of slave women's status and what it meant to be 'the bosom of the [slave-holder's] family'.[83]

Despite Shell's claims to the contrary, the nanny thesis resurrects the "mildness thesis" of Cape slavery in a different guise.[84] Worden and Ross successfully challenged the assumption that slavery at the Cape was particularly mild because of a social system based on precapitalistic paternalism, in the context of small slave-holdings and the absence of a West-Indies type of plantation economy.[85] Shell has taken issue with these historians, arguing that

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81 Shell, 'Slavery', chapter 5; Shell, 'Tender ties'; Shell,'The family'.

82 Before Shell's thesis, Worden had already made this suggestion: see Worden, *Slavery*, p. 59.

83 Shell, 'Tender ties', p. 8.

84 In 'The family' (pp. 20-22), Shell insists that the family was a subtle, yet not mild, form of control, but his description of the wet nurse in his 'Tender ties' (for instance, pp. 10, 31) suggests that for these women, slavery *was* mild. By the same token, to speak of the incorporation of slaves into slave-holders' 'family government' as Shell does in 'The family' p. 22 (with which I would agree), is not the same as saying that slave women were assimilated into slave-holders' families ('Tender ties', p. 31).

85 Worden, *Slavery*. Although part of Ross's argument is that outlined above in terms of the oppressive nature of the sex ratio, he provides ample evidence of

'[t]he chains of slavery were, in the main, psychological. Slavery was not one whit more "benign" because of this, only more complicated and cynical.'[86] The formulation of this debate is artificial, because neither Worden nor Ross 'believe in the naive abolitionist view ... that Cape slavery depended mainly on whips and chains'.[87] Nevertheless, Shell's intention is laudable if it is to emphasise the more subtle forms of social control such as those pertaining to the slave-holding family,[88] but in the process he presents an image of slave women which distorts their contribution to Cape slave society and denies them the suffering so many women experienced in this physically and psychologically violent society.

The issue of slave fertility is central to many texts on slavery, whether or not women are taken seriously as historical agents in their own right. Historians and demographers agree that there are many possible determinants of fertility levels, around which there has been much debate and contention.[89] The relationship between breast-feeding and amenorrhea is not

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the more overt forms of violence inherent in the slave system. See R. Ross, *Cape of Torments*.

86 Shell, 'The family', p. 22.

87 *ibid*.

88 See, for instance, Genovese, *Roll, Jordan, Roll*, p. 73 and G. Freyre, *The masters and the slaves: a study in the development of Brazilian civilization* (New York, Alfred Knopf, 1971) on the violence inherent in patriarchal families of the Brazilian type, and absent in the Old South, according to Genovese.

89 Caribbean historians include Bush, *Slave women*; Robertson, 'The perils'; M. Craton, *Searching for the invisible man: slaves and plantation life in Jamaica* (Cambridge, Massachusetts, Harvard University Press, 1978), chapter 3; Higman, *Slave population* pp. 115-8; Beckles, *Natural rebels*. Aspects of the debate can be followed in such journals as *Population Studies*. For instance, see S. Singh, B. Casterline and J.G. Cleland, 'The proximate determinants of fertility: sub-national variations' in *Population Studies* vol 39, 1985 and R. Langsten, 'Determinants of natural fertility in rural Bangladesh reconsidered',

causal, as Shell himself acknowledged (although he also described breast-feeding as 'effective').[90] Cultural taboos on sexual intercourse during lactation have been found primarily responsible for the long periods of birth spacing noted in many noncapitalist communities.[91] Barbara Bush has suggested that similar taboos may have pertained to West Indian slave communities, although she also appears to agree with contemporary slave holders such as Matthew Lewis that slave women could inhibit pregnancy at will.[92] Slave-holders felt that slave women were actively resisting reproduction by breast feeding for from two to four years, or as long as they were allowed.[93] If this were the case, the mechanisms involved are not clear.

One of the problems with the analysis, and indeed the compilation, of fertility rates, is that they do not reflect fecundity, but the rate of recorded child birth. Caribbean historians such as Higman and Craton have attempted to build this variable into their reconstructions of fertility rates for Jamaica, where records exist which do reveal at least part of the picture

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ibid. These contemporary sociological studies are useful because they concern societies with little or no access to modern contraceptives.

90 Shell, 'Tender ties', p. 9.

91 Bush, *Slave women*, pp. 126-7; H.S. Klein and E. Engerman, 'Fertility differentials between slaves in the United States and British West Indies: a note on lactation practices and their possible implications', *William and Mary Quarterly* vol 35, 1978; Singh, Casterline and Cleland, 'The proximate determinants of fertility' and Langsten, 'Determinants of natural fertility'.

92 Bush, *Slave women*, pp. 126-7 and 137-42. This raises the question of how conception and pregnancy were (and are) conceptualised. Certainly abortion would legitimately fall into this category. See Robertson, 'The perils'.

93 For instance, M.G. Lewis, *Journal of a residence among the Negroes of the West Indies* (London, 1845).

regarding infant mortality.[94] The records for the Cape are extremely unreliable in this regard, for the nineteenth as well as the eighteenth century.[95] Fertility rates are inextricably linked with rates of abortion and infant mortality, both of which are impossible to enumerate for any period of South African history, particularly in a period when the state was in its infancy and had hardly begun to concern itself with statistics and interference into and control of private lives.[96] On this basis alone, it is impossible to draw any kind of causal links between the high fertility of married colonial women, whose child-bearing practices would be regulated (and among whom infanticide and abortion were rare, judging from the regular birth patterns of many women who did bear children), and the fertility of slave women, the level of which is impossible to ascertain.[97] It is clear that the slave registers of the nineteenth century do not accurately reflect slave infant mortality levels.[98] At a time when infant

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94 Craton, *Searching*, chapter 3; Higman, *Slave population*, pp. 47-9, 105 ff.

95 See for instance, SO 7/35: Certificates of death; *ibid.*: Certificates of slave burials (26 certificates are extant).

96 The confident statistics presented by W.W. Bird in his *State of the Cape of Good Hope in 1822* (London, John Murray, 1823), for instance p. 69, should not be taken as an accurate reflection of slave fertility. See E. van Heyningen and C. Simkins, 'Fertility, mortality, and migration in the Cape colony, 1891-1904', *The International Journal of African Historical Studies* 22, 1 (1989) for an exploration of fertility rates in a later period. See also SO 7/35: Mortality, Stellenbosch, 1819/19, which is given in terms of legal status, age and sex. Infant deaths under one year: 22 'ingezetenen', 17 'hottentotten' and 72 slaves; SO 8/23 and SO 8/24 are death registers of slaves, irregularly providing details of age at death, also sex is normally given. Quite often a slaveholder would wait until he had a number of deaths to report before doing so, and a fair number of fines were issued for non-reporting of deaths. See also Slave Registers in the series SO 6/1-150.

97 This impression is gained from a perusal of C.C. De Villiers and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema, 1981). Although this book is unreliable in terms of its completeness, many cases are listed of regular birth spacing of two years.

98 These registers are located in the series SO 6/1-150.

mortality was high for the colonial population, it appears to have been extremely low for slaves, if reported deaths are taken as the yardstick.[99] There was arguably little incentive for slave-holders to report infant, and particularly neonatal, mortality, as the objective of the register was to record property in living slaves. The degree of non-reporting cannot be ascertained, but there are examples of slave-holders being fined for this offence.[100] Moreover, the level of abortion and infanticide among slaves was unknown to the slave-holders, and there was arguably little incentive for slave women to bear children, even in the context of the ameliorative measures discussed in the following paper.[101] Craton's estimate of an infant mortality rate of 200 per thousand in a Jamaican slave population where the figures suggest forty per thousand underlines the need for caution with the thoroughly unreliable Cape records.[102] It is feasible that where the settler fertility ratio is higher for the Cape than elsewhere, the crucial factor might be a lower mortality rate for slave-holders, and/or a higher one for slaves.

It is impossible to ascertain the causes of infertility or the low rate of child-birth. Relevant

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99 Bank, *The decline*, p 233, Appendix Three: 'Mortality, Fertility and Other Data for Cape Town and the Cape District, 1816-1834'. Unfortunately, Bank did not calculate infant mortality rates.

100 See for instance, SO 6/12, folios 1, 25; SO 6/13, folio 7, 141; SO 6/32, folio 36.

101 c.f. Bank, *The decline*, p. 233.

102 Craton, *Searching*, p. 87. He notes that although the available figures for Worthy Park plantation revealed an infant mortality rate of about forty per thousand, taking intercensal births and deaths and possible still births, miscarriages and abortions into account, the infant mortality rate must have been closer to two hundred per thousand.

factors include malnutrition,[103] disease or other biological or physiological factors, whether the babies were aborted or killed, or indeed in some cases secreted away to free friends or relations.[104] Throughout the slave era, the colonial police force was extremely small and weak, and did not concern itself with ferreting out slave infanticides.[105]

Breast-feeding practices (however these are defined) may be less important in determining fertility rates than factors such as maternal malnutrition and diseases like tuberculosis.[106] Shell has ruled this out for the Cape, because he argues that slave women were incorporated into the slave-holding family, and wet nurses in particular were very well treated.[107] According to this view, slave and settler women 'inhabited the same disease and domestic environments and shared the same or similar diets.'[108] This presupposes more than can be ascertained from the historical record. For one thing, it is far from self-evident that slave women always slept in the same building as their mistresses, and even where that was the case, sleeping on the floor in the kitchen, outside the bedroom door, where Shell states wet-nurses slept,[109] or even in the bedroom of the mistress was not the same as sleeping in her bed. The mere fact that people shared a roof does not prove that their sleeping or eating conditions were shared. The historical record contains many references to the specific diet

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103 Shell discounts this: 'Tender ties', p. 9. See below.

104 See Robertson, 'The perils', pp. 92 ff.

105 K.D. Elks, 'Crime, community and police in Cape Town, 1825-1850' (MA, University of Cape Town, 1986), chapter 1.

106 See Worden, *Slavery*, chapter 4.

107 Shell, 'Tender ties', pp. 10 ff.

108 *ibid.*, p. 8.

109 *ibid.*, p. 10.

of slaves.[110]

Despite the absence of evidence for wet-nursing in the Caribbean, Craton noted that slave women "suffered" from very low fertility, and suggested nine possible causes, few of which are given serious attention by Shell.[111] These factors include the effects of dislocation and stress which resulted from the importation of new slaves,[112] which would not affect the majority of Cape slave women, as well as from local conditions of overcrowding and overwork. Secondly, Craton notes the cultural taboo on sexual intercourse. Shell does not consider this possibility, arguably because of the hegemonic theory that slaves lost all cultural links with their places of origin when they came to the Cape; he also ignores the influence of local Khoisan practices.

The third suggestion is that slave women were in effect promiscuous, which had the same sterilising effect as prostitution. This suggestion is contentious; apart from the issue of its physiological validity, it so closely resembles the contemporary stereotype of slave women and reflects the 'double standard applied to the blacks by the fornicating whites' that great

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110 For instance, Worden, *Slavery*, pp. 70-1; E. Boddington, 'Domestic service: changing relations of class domination 1841-1948: a focus on Cape Town'(M. Soc. Sci., University of Cape Town, 1983), p. 37. This issue is of the same order as the debate as to where slaves slept - in the slaveholders' dwelling or separately. See p. 130 n. 80 below. The point is that evidence can be found for both points of view, because practices varied. For comparative purposes, see K. Kiple, *The Caribbean slave: a biological history* (Cambridge, Cambridge University Press, 1984).

111 Beckles makes no mention of wet-nursing in *Natural rebels*; Craton, *Searching*, pp. 97 ff. All Craton's factors listed below are from these pages.

112 This might be countered by the large percentage of slave women born at the Cape (although the fertility of male slaves would have been affected by this factor).

care should be taken in its application.[113] The role of the Company Lodge as a brothel has not been rigorously researched, but an analysis of birth rates for the Lodge would be useful, even if such were an under-estimate,[114] particularly in the light of the relatively balanced sex ratio emphasised by Shell.[115] The other factors in Craton's list include inbreeding, the effects of poor diet,[116] hard work and overt cruelty, as well as of endemic and epidemic diseases.[117]

Slave fertility rates were low in the Caribbean, but wet nursing appears to have played no role in that region. According to Bush, colonial women in Jamaica refused to use black women as wet nurses because they were thought to have tainted milk:

> 'Planters eschewed black nurses "for fear of infecting their children with some of their ill-customs". The blood of black women was "corrupted" and their milk "tainted", differing distinctly from that of European mothers.'[118]

The same attitudes were expressed in Europe, but it is difficult to make accurate comparisons

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113 Craton, *Searching*, p. 98. See also Bush, *Slave women*, chapter 2 and p. 124.

114 The fact that the Lodge was a notorious brothel has been widely recorded. See E. van Heyningen, 'Prostitution and the Contagious Diseases Acts: the social evil in the Cape colony, 1868-1902' in C. Saunders, H. Phillips, E. van Heyningen and V. Bickford-Smith (eds), *Studies in the history of Cape Town* vol 5 (Cape Town, University of Cape Town, 1984); Worden, *Slavery*, p. 127.

115 For instance, Shell, 'Slavery', pp. 75-6.

116 cf. Shell, 'Tender ties', p. 9.

117 *ibid.*

118 Bush, *Slave women*, p. 15.

between the Cape and Europe.[119] Certainly global statistics such as those provided by Shell are practically useless; regional and class analyses are essential. In this context it is clear that the fertility of white women at the Cape was not extraordinarily high in class terms, when compared with regional research on England and colonial America, where historians such as Kulikoff and Daniel Blake Smith have argued that white women breast-fed their own children.[120] Kulikoff in addition noted the high white American fertility rate, which compares very favourably with Shell's figures for the Cape of 5.3 children per settler woman in 1795 and 6.2 in 1731:[121]

> 'A woman, age thirty three, who had married when she was twenty-one, would probably be pregnant with her sixth child. She had spent 4 of her 12 years of marriage pregnant and perhaps another 4.5 years nursing the surviving children, a task which sometimes made her ill ... only the wealthiest planters owned enough slaves to put one or two to work as domestics. Even the wealthiest wives, furthermore, nursed their own children, sometimes refusing to send them out to wet nurse, even if in delicate health themselves.'[122]

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119 See J. Hatcher, *Plague, population and the English economy 1348-1530* (London, Macmillan, 1977) chapter 1 for an introduction to the European historical demographic debate on population decline.

120 For instance, one study of fertility ratios in Norfolk between 1680 and 1879 states that amongst the peerage the number of births per woman in the fertile age range of between 20 to 49 years was 7.29 between 1730 and 1779, and 7.91 between 1780 and 1829 (J.D. Chambers, *Population, economy and society in pre-industrial England* (Oxford, Oxford University Press, 1972), p. 68). These figures are more accurate than Shell's, who does not calculate the ratio for women of the fertile age range or for those who were married, and they are higher than his figures of 5.3 children in 1705 to 6.2 in 1731 ('Tender ties', p. 3). This throws into doubt the rationale behind the elaboration of the nanny thesis in the first place. To underline the importance of comparing class ratios, the same study reveals that an Elizabethan survey of 450 poor families in Norwich showed the fertility ratio to be two or three children per woman, whereas amongst merchants it was 4.25 (Chambers, *Population*, p. 67).

121 Shell, 'Tender ties', p. 3.

122 Kulikoff, *Tobacco and slaves*, p. 184. See also D.B. Smith, *Inside the great house: planter family life in eighteenth century Chesapeake society* (Ithaca and London, Cornell University Press, 1980), pp. 34-9.

Historians of pre-industrial Europe have stressed the role of parental choice in the number and spacing of children. Shell has eradicated this factor from his analysis. In their synthesis of the history of European women, Anderson and Zinsser argue that at all times peasant women - and their partners - consciously determined the number and spacing of the children they would bear and rear.[123] Not only did they use methods such as non-marriage or late marriage, sexual abstinence and *coitus interruptus*, but they had access to various douches and purges, spermicides and vaginal blocks, not to mention abortifacients both ingested and applied to the body such as massage, and the final remedy of infanticide, often selective in the killing of female babies - or simply allowing babies to die.[124] All of these options were available to women at the Cape, whatever their legal status, and played a role in determining fertility levels.

The issue of slave fertility has seldom been examined from the perspective of the women concerned, and tends rather to be discussed from that of contemporary planters, for whom low fertility was clearly problematic.[125] For many women, slave or free, child-birth may have been "suffered" more than childlessness.[126] It is untenable to assume that high fertility is the ideal, and that if women are not reproducing every two years this fact constitutes a problem. Moreover, it is assumed that the "problem" lies with the women, rather than with

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123 B. Anderson and J.P. Zinsser, *A history of their own: European women from prehistory to the present* (London, Penguin Books, 1990), vol 1, pp. 133-140.

124 See paper 4.

125 Bush, *Slave women*, chapter 7, especially pp. 122 ff.

126 c.f. Jo Beall's comments on the appalling conditions under which women gave birth in the sugar plantations of Natal: J. Beall, 'Women under indentured labour in colonial Natal, 1860-1911' in C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

particular kinds of relationships or other social, political and economic conditions. In addition to granting Bush the important notion of female autonomy or at least a modicum of control over their rate of reproduction, the role of men in the process of slave fertility should be examined.[127] It is not merely the "promiscuity" of certain slave women which is significant;[128] rather, the nature of that "promiscuity" and the context in which women and men had multiple sexual partners should be analysed: the men and the power relations involved have been simply ignored. What, for instance, is the difference between polygyny and promiscuity? Sex with multiple partners per se does not cause low fertility, but it is the increased risk of venereal disease with consequential sterility which is significant; as Bush noted, '[t]he notion of promiscuity as the root cause of venereal disease was little more than a popular and highly tenacious myth'.[129] The sexual choices of men and women crucially affected fertility: for instance, homosexual relationships necessarily depressed such rates. In addition one must consider the measures taken by slaves themselves to prevent the birth of unwanted children.[130]

Shell has not successfully discounted the influence of these factors on fertility. Moreover, there are cases throughout the era of Cape slavery which attest to overt cruelty of slaveowners

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127 *ibid.*, for instance, p. 138.

128 Craton, *Searching*, p. 98.

129 Bush, *Slave women*, p. 125.

130 1/STB 3/12 17 June 1792, Testimony of Hottentot Anna: she provides evidence of one form of abortifacient, which succeeded in killing both the foetus and the mother, and included coal and snake skin.

towards pregnant and lactating slaves.[131] From time to time slaves complained of miscarriages having been induced by ill-treatment, while in at least one case a slave-holder so whipped his slave - who had been hired out as a wet nurse - and her nursing baby whom she was holding at the time, that the baby died.[132]

The fertility of slave women is a contentious issue, and, as argued above, impossible to quantify. As Keith Wrightson wrote of the history of childhood,

> 'it may well appear that interpretive fertility has far outrun its empirical support. Questionable and basically unsubstantiated hypothesis has gained the status of accepted fact.'[133]

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The nanny thesis romanticises the social status and treatment of slave women and trivialises their work.[134] For instance, it takes no account of the implications of wet- nursing for the relationship between slave mothers and their own infants. By suggesting that slave women breast-fed their own children and then that of their mistress, Shell misses the fact many

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131 *ibid.*, Testimony of David van de Caab; 1/STB 3/13, 27 July 1792, No. 62. See paper 4 below.

132 1/STB 3/12, 10 June 1792: Testimony of David van de Caab.

133 K. Wrightson, *English society, 1580-1680* (London, Hutchinson, 1982), p. 107.

134 'Is the historian's neglect of women's involvement due to its insignificance or because "the prevailing fog of sexism devalues, trivialises and minimises the activities of women"?' (J. Flax, cited in A. Mager, 'Girls wars', mission institutions and reproduction of the educated elite in the eastern Cape, 1945-1959' (Paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 22 April 1992), p. 5).

women became wet nurses because their children had died and if they were alive, they must expect to be neglected in favour of the slave owner's child; there was no question of permitting a slave woman to feed her own child for eighteenth months before employing her as a wet nurse, as Shell suggests.[135] Shell's scenario implies an untenable form of family planning between slaves and their owners.

Nineteenth century records such as newspaper advertisements suggest that wet-nurses were not the privileged women reflected by the nanny thesis;[136] these women had no opportunity to fit the Shell's nanny model which posits that

> 'Slave women were more closely woven into the fabric of the settler family household than were slave men.... The slave women, and there were exceptions, identified with the settler household rather than with their slave status. They were the surrogate mothers of the slave-owning class, sometimes ... the real mothers of future creole settlers. The relatively few slave women held a privileged, but hitherto unrecognized, position in the colony'.[137]

Slave wet-nurses were commonly hired out; in many of such cases it would seem that they had to leave their infants behind, presumably in the care of other slave and Khoikhoi servant women, and far from slave-holders protecting their slave wet nurses from the humiliation associated with public sale, such women were regularly advertised in the local newspapers, either for hire or sale.[138] Women categorised as 'nurse' or 'nursemaid' in the Slave Office

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135 Shell, 'Tender ties', p. 9.

136 See below.

137 Shell, 'Tender ties', p. 31.

138 For example, *The Cape of Good Hope Government Gazette*, 2 June, 1821; *South African Commercial Advertiser* vol II, No. 21, 24 May 1826; *SACA* vol II: No. 4, 25 January 1826; *SACA* II, No. 14, 5 June 1826.

registers, some of whom may have been wet nurses, were regularly transferred or sold.[139] Very few women were so categorised, because especially in rural holdings, women were 'maids-of-all-work'.[140] However, those women listed in the registers as nursemaids and nurses do not generally conform to the basic requirements for wet-nursing - in particular in terms of an appropriate age. Neither do most of the women so labelled appear to have infants, but this could be a function of non-reporting, especially if the infants had died.

The case of Jacomijn underlines the difficulties faced by wet nurses in terms of caring for their own infants. A new mother, the slave Jacomijn was hired out as a wet nurse. When she returned, her master complained that she had neglected her child, who had screamed incessantly in her absence. Jacomijn explained that there was nothing she could do about it, as there was no-one to look after her child while she was away suckling another's.[141] In another case, of a woman who was acquitted of deliberately killing the child she was hired to wet nurse, it is unclear where her own infant was, but it definitely did not live with her. An advertisement which appeared in the *South African Commercial Advertiser* in April 1826 stated: 'Wanted, a healthy WET Nurse, without a Child'.[142]

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139 For example, SO 6/13, folios 2, 27, 31, 37, 53, 54, 66.

140 See pp. 92 ff below.

141 1/STB 3/12: 10 October 1792: David van de Caab vs Francois de Wet. David was apparently the father of Jacomijn's child.

142 *SACA* vol. II, No. 14, 5 April 1826. Similar advertisements appeared in *SACA* vol. II, No. 17, 26 April 1826, No. 21, 24 May 1826, No. 37, 5 August 1826 and No. 71, 2 December 1826. *SACA* vol. II, No. 33, 22 July 1826 carried this advertisement: 'To Let. A young healthy Wet NURSE, without a Child. Inquire at No. 28, Bree Street.' Another 'HEALTHY Wet NURSE, without a Child, or any incumbrance whatever' was advertised 'To Hire' in vol II, No. 35, 29 July 1826. See also vol. II, No. 43, 26 August 1826, No. 45, 2 September 1826, No. 51, 23 September 1826. That 'nurse' sometimes meant

The *ayah* to whom Shell refers bears closer resemblance to the Mammy of North America (although the resemblance should not be over-stated) than to wet-nurses, who necessarily "came and went", depending on their age, and their own fertility.[143] Whereas one slave-holding family might have only one *ayah*, who would oversee the upbringing of several children, and who physically could not breast-feed them all, a different wet nurse might be hired for each successive child if the slave-holder's wife did not wish to nurse her own child. In short, there is no way of knowing how many slave-holders used slave wet nurses, but their status appears to have been similar to that of other slave women.

Shell cites the observations of travellers such as Kolbe and Mentzel who noted the existence of wet nurses in the eighteenth century, as Hudson did in the early nineteenth.[144] Shell claims that, according to Mentzel, the slave wet nurse was common, a fact which cannot be statistically ascertained and which Mentzel refuted.[145] Unfortunately, Shell conflated what for Mentzel were different occupations. The 'bringing up of children', quoted by Shell as evidence of the good treatment of wet nurses, was applied by Mentzel to slave women who nursed, but did not necessarily breast-feed their owners' children. It is worth quoting the passage in full. The parts quoted by Shell are underlined:

> 'Mothers who nurse their babies do not allow the slave women to touch them, except the one who is specially selected as nurse, and who has to do everything under the supervision of her mistress. *Such a slave is very well*

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wet-nurse is clear from the advertisement in vol. II, No. 77, 23 December 1826: 'To Let - A Nurse without child'.

143 E.D. Genovese, *Ross, Jordan, roll*, for instance, p. 343.

144 Shell, 'Tender ties', pp. 8, 10.

145 O. Mentzel, *A geographical and topographical description of the Cape of Good Hope* (repr. Cape Town, Van Riebeeck Society, 1944), p. 112.

> *treated. In addition to good food, she gets very many presents with the prospect of manumission for good service in the bringing up of several children.* If a slave acts as wet-nurse in consequence of the indisposition of her mistress, she is given the best and the most suitable food and drink.'[146]

It is clear that the section quoted by Shell refers to women who were not engaged in wet-nursing. Contrary to Shell's assertion, Mentzel claimed that wet nurses were rare: he believed that settler women preferred to breast-feed their babies themselves:

> 'Babies ... are invariably breast-fed by their mothers, or by a wet-nurse (a slave woman), if for some reason the mother cannot do so.'[147]

It is useful to compare this description of the preference for maternal breast-feeding at the Cape with contemporary accounts of child-rearing practices in other slave-holding colonies. Nicolaus de Graaf is completely unequivocable concerning the indolence of slave-holding women in Batavia who

> 'are incapable, or rather too lazy, to raise their own children. Instead, as soon as they come into the world [the mothers] hand them over to a Black wet nurse, a slave whore, or to one of their women Slaves to nurse and rear, so that they trouble themselves little with their own children....'[148]

In terms of both Protestant and Catholic theology, women attained salvation through the pains of childbirth. According to Martin Luther,

> '[i]n procreation and in feeding and nurturing their offspring they [women] are masters. In this way Eve is punished, but ... it is a gladsome punishment if you consider the hope of eternal life and the honor of motherhood which have been left to her.'[149]

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146 *ibid.*, p. 107.

147 *ibid.*, p. 112.

148 De Graaf, quoted in J.G. Taylor, *The social world of Batavia: European and Eurasian in Dutch Asia* (London, University of Wisconsin Press, 1983), p. 42. De Graaf was a ship's surgeon who first arrived in Batavia in 1640. In the course of his life he made five journeys to Indonesia (*ibid.*, p. 7).

149 Martin Luther, quoted in Anderson and Zinsser, *A history of their own* vol 1, p. 260.

Breast-feeding was considered part of the divine function of women; '... the entire female body was created for the purpose of nurturing children.'[150] The Puritans believed that the refusal to breast-feed one's own children was sinful.[151] The associated idea of such women having rejected their own children, and therefore their means of attaining salvation, is underlined by both Mentzel and de Graaf, although neither uses overtly religious imagery. There would have been no need to spell out the religious implications for their audiences. For Mentzel the women only let their children be suckled by wet nurses if the mothers were incapacitated, and in those unfortunate cases, every care was taken in the choice and treatment of such slave women.[152] The sinlessness and respectability of such mothers was preserved. For De Graaf, however, the rejection of her children was part and parcel of a mother's refusal to breast-feed. Thus, while writers such as De Graaf were keen to point out the degradation of Batavian settler society, in as much as members of the slave-holding class ran the risk of total assimilation into Asian culture by being breast-fed and reared by slaves, Mentzel often stresses the hard working nature of Cape settler women, who, he felt, were responsible for their husbands' financial success, and were the bedrock of society.[153] It is fully in keeping with this view that such women should breast-feed their own children. Likewise, it is in keeping with De Graaf's condemnation of the laziness of Batavian women that no care were given to the choice of a wet nurse - even a slave whore would do.[154] It is difficult to ascertain the extent to which either Mentzel or De Graaf accurately reflects the state of

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150 *ibid.*, p. 261.

151 *ibid.*, p. 260.

152 Mentzel, *Description*, p. 107.

153 *ibid.*, p. 108.

154 J.G. Taylor, *The social world*, p. 42.

nursing practices in the Dutch colonies: much care needs to be taken with the wholesale acceptance of whatever passage in a travellers account suits the historian's particular purpose.

The implications behind the nanny thesis relate to the broader issue of slave women's work. By suggesting that most slave women were wet nurses, Shell ignores the other forms of work performed by women, both those owned by the Company in the eighteenth century (who were employed both as domestic and as "public" labour),[155] and privately-owned slaves: 'At the Cape, the roles of mid-wife, wet nurse and nanny were all performed by one slave woman.'[156] The line of argument runs as follows: nurses (read wet nurses) were well treated; all - or nearly all - slave women were wet nurses, therefore all slave women were well treated. Shell states that there were few women slaves at the Cape, and that 'those few female slaves were always kept in the household.'[157] The message is clear: female labour was only domestic, which means mild. The association of domestic work with mildness is insidious and ahistorical. So is the association of domestic work with housework, because for most slave-holdings such a luxury was unknown.[158] Wayne Dooling cited a complaint of the slave Eva in 1795, whose work load included 'cleaning the kitchen in the morning,

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155 Armstrong and Worden, 'The slaves', p. 126.

156 Shell, 'Tender ties', p. 10.

157 *ibid.*, p. 8. By household Shell presumably means either the family (which he does not define) or the house, i.e., that all women slaves were domestic workers (which is only true in the sense in which all Cape slaves were domestic workers, i.e., in terms of the definitions of the emancipation legislation- see n. 166 below), because in terms of his own definition, *all* slaves were 'within the household': that is how slavery apparently worked. Otherwise, his statement would be redundant.

158 Worden, *Slavery*, chapter 3; as noted above, Worden has shown that when required, even those slaves who were generally employed in domestic chores, would be expected to work in the fields.

fetching wood, cooking and in addition to water the "garden" during summer. Moreover, she had had to cut wheat with the male slaves. All of this she found "heavy and impossible".'[159] Dooling noted, however, that the work load was not the reason for her complaint; it was rather the excessive punishment she had received when she could not complete all her chores.[160] It was only in the nineteenth century that women's work was explicitly defined as slave women were themselves redefined in terms of a new gender system under the ameliorative legislation.[161] In this context, slaves complained of inappropriate work, and slave holders complained that the women were quite capable of doing the same work as the men.[162]

Housework itself was extremely demanding; ironing, for example, was the form of hard labour expected of women prisoners in nineteenth century Britain;[163] the narrative of the West Indian slave Mary Prince provides an idea of the demands facing "domestic" slaves.[164]

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159 Dooling, *Law and community*, p. 34.

160 *ibid.*

161 See paper 1.

162 The Guardian agreed with the slaveholders: SO 3/1, Report of the Registrar and Guardian of Slaves, 24 June 1827; J. Mason, 'Slaveholder resistance to the amelioration of slavery at the Cape' (Cape Town, Centre for African Studies, University of Cape Town, Conference paper, July 1986), p. 38, citing The Report of the Protector of Slaves, 25 December 1830. See paper 1, p.31, n. 100 above.

163 R.P. Dobasch, R.E. Dobasch and S. Gutteridge, *The imprisonment of women* (Oxford, Basil Blackwell, 1986), p. 73.

164 T. Pringle (ed), 'The narrative of Mary Prince: a West Indian slave' in H. Gates (ed), *The classic slave narratives.* (New York, New American Library, 1987). On the one hand, Mary would have been described as a domestic slave, although she was involved in salt mining at one stage of her life (pp. 198 ff). On the other hand, her domestic chores were extremely demanding and often included outdoor as well as indoor work. See, for instance, pp 194-

The Protector of Slaves noted the inappropriateness of the categories of predial and domestic labour for the Cape:

> 'It may be remarked ... that the Slaves here are not put together in large Gangs appointed to particular duties only. Very few Persons possess such a number of Slaves as to apportion them in such a manner. The whole may be rather classed as Domestic Slaves performing certain duties in and about the House, from which they are taken as the Seasons as[?and] necessity requires to plough, to reap, tend cattle and Dig in the Vineyard or Garden, and where wine is made to assist in it....'[165]

At the Cape, unlike elsewhere in the British empire, the fact that emancipation came at the same time for both "predial" and "domestic" slaves underlines the fact that the two categories were not exclusive.[166] It is clear that not all slave women were wet-nurses.

The work of slave women has also been linked to the sex ratio at the Cape. Shell has drawn a causal relationship between the high proportion of men and natural ability to perform particular types of work. This position is reflected in the claim that:

> 'Women were expensive to maintain and less productive than men. By not buying female slaves in the same proportion as male slaves, the burghers and officials saved considerable initial outlay. However, they thereby surrendered the opportunities for their slaves to form stable families.'[167]

There is no explanation as to why women should be more expensive to maintain than men;

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[165] SO 3/20a, Observations of the Protector of Slaves from 24th December 1830 up to the 25th June 1831. See also *ibid.*, Observations of the Protector of Slaves for the Report between June and December 1830 and SO 3/5, Report of the Protector, 9 February 1830.

[166] Cape of Good Hope Ordinance No.1 of 1835. See N. Worden, forthcoming paper in *Studies in the history of Cape Town* vol 7 (University of Cape Town, forthcoming). Mason also notes this fact, but does not explain why, unlike in other British slave colonies, Cape slaves were all classified as predial (Mason, '"Fit for freedom"', p. 126).

[167] Shell, 'Slavery', pp. 75-6 (emphasis added).

it is also illogical that 'initial outlay' should be saved in a market where women were cheaper than men.[168] As a result, slave women have generally been denied an historically significant economic role. Hilary Beckles has overthrown the myth that men were more productive than women as labourers in the British West Indies; the problem in the present context, then, is why slave-holders at the Cape did *not* make the same economically rational choice as their contemporaries.[169] Part of the answer must lie in the determination of sex ratios at the place of initial sale. In the case of West Africa and Madagascar, local traders chose to sell a higher proportion of males than females. Although there has not been detailed research into the reasons for this in the case of Madagascar, certain historians have suggested that West African women's work was highly valued in Africa, which was why it was retained rather than sold.[170] It is questionable to assume that planters in the West Indies and slave-holders at the Cape always operated in economically rational ways.

The economic contribution of slave women is not easy to discover in the manuscript and printed sources available to the Cape slave historian. The main sources of information for the eighteenth century are estate inventories, and for the nineteenth the slave registers of the Slave Office, which were instituted in 1816. In both cases, the occupations of slave women are less visible than that of men. For the nineteenth century, the registers are generally specific in noting the occupations of slave men, clearly delineating between skilled and unskilled types of work. In terms of skilled work, there are clear subdivisions, so that there can be little confusion about the kind of work a skilled male slave performed, such as tailor

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168 See Shell, 'Tender ties', p. 21.

169 Beckles, *Natural rebels*, pp. 7 ff; see also Bush, *Slave women* p. 123.

170 For instance, Beckles, *Natural rebels*, pp. 9, 13, 24.

or blacksmith.[171] Unskilled male work and women's work (defined as unskilled) is less visible.[172] Beneath the label of labourer lay an unspecified variety of jobs. The same is true of the category of house maid, under which the vast majority of slave women laboured, although there are exceptions, particularly in Cape Town, where women were listed as "sempstresses" or wash maids rather than as housemaids. In terms of rural holdings, the category of housemaid does not preclude the possibility of predial labour. Gerda Lerner noted that 'women shift readily from one role to another at different periods in their lives.[173] In the Cape slave society the labour of women slaves and Khoi was malleable within a single day, let alone a life time. For instance, the slave Rosalyn, who is the subject of a later paper in this collection, was recorded in the Slave Office register as a house maid.[174] She defined her occupation as that of 'naayer' (seamstress).[175] She also acted as a confidante to her 'klein nonje', as messenger and procurer of abortifacients,[176] as midwife and after she had

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171 This is particularly the case for Cape Town. See the series SO 6, the slave registers, and SO 20/7, Appraisement of slaves, 1834-35.

172 SO 2/11, 21 August 1826, p. 8. Anderson and Zinsser, *A history of their own*, p. xvi: ' "women's work", whether in the home or outside of it, has traditionally been valued less and considered less important than men's work.... when they have been paid for their work, women have consistently received between one half and two thirds of what men earn.... this factor has always been present in European history. In reckonings of female and male worth in the Old Testament, in the manor rolls of noble households, in account books of sixteenth-century factories, women received less than men.' The same was true of women slaves at the Cape who received a wage for Sunday labour. See paper 3, p. 140, n. 111 below.

173 G. Lerner, 'New approaches to the study of women in American history', in B.A. Carroll (ed), *Liberating women's history* (Urbana, Illinois University Press, 1976), p. 353.

174 SO 6/74 folio 43, Slave Register of J.N. Sauer.

175 1/GR 3/27, Deposition of Roosje (no pagination). See paper 4, n. 52.

176 See paper 4 *passim*.

apparently killed her mistress's newly born child, she went into another room and did the ironing,[177] and later helped her 'man' bury the body - and all this shortly after the delivery and death of her own child.[178] As Anderson and Zinsser put it,

> 'Defining women's primary duties as care of the family and the home have not precluded other work. In all historical eras, the vast majority of European women have labored [sic] at other chores and assumed other responsibilities. They have worked in the fields. They have earned wages....It is women, not men, who have these multiple responsibilities...'[179]

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Essentialistic assumptions associated with the high sex ratio at the Cape and the nanny thesis together present an image of slave women which does not allow them a significant place in Cape slave society, except as privileged accommodationists within slave-holder families. This paper has highlighted a few of the problems of this presentation of women; the following papers suggest alternative ways in which gender may be used in order to gain insight into issues associated in particular with family strategies, reproduction and resistance.

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177 GH 49/22, Appeal of Anna Sauer, The Case of the Appellant, no pagnination.

178 SO 6/74 folio 43: Slave Register of S.N. Sauer.

179 Anderson and Zinsser, *A history of their own*, p. xvi.

BIBLIOGRAPHY

UNPUBLISHED PRIMARY SOURCES

Cape Archives

Magistrate of Stellenbosch

1/STB 3/11-13	Sworn Statements, 1759-1796.

Court of Justice

CJ 57	Original Rolls and Minutes (Criminal) 1775.

Slave Office

SO 2/11	Letter Books of the Protector of Slaves, 1826-1830.
SO 3/1-13	Reports of the Protector of Slaves, 1826-1834.
SO 3/20a	Confidential Reports, Protector of Slaves, 1829-1834.
SO 4/2-3	Book of complaints kept by the Guardian of slaves, 1826-1831.
SO 6/12-32	Slave Registers, Cape Town and District.
SO 7/34	Return of Slaves of Different Ages, 1833.
SO 20/7	Appraisement of slaves, 1834-35.

PRINTED/PUBLISHED PRIMARY SOURCES

Barnard, A., *The letters of Lady Anne Barnard to Henry Dundas*, ed. A.M. Lewin (Cape Town, A.A. Balkema, 1973).

Bird, W.W., *State of the Cape of Good Hope in 1822* (London, John Murray, 1823).

De Villiers, C.C. and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema, 1981).

Hall, D., *'In miserable slavery': Thomas Thistlewood in Jamaica, 1750-1786* (London, Macmillan, 1989).

Lewis, M.G., *Journal of a residence among the Negroes of the West Indies* (London, 1845).

Long, E., *The history of Jamaica* 5 vols (London, 1774).

Mentzel, O.F., *A geographical and topographical description of the Cape of Good Hope* (repr. Cape Town, Van Riebeeck Society, 1944).

Pringle, T. (ed), 'The narrative of Mary Prince: a West Indian slave' in H. Gates (ed), *The classic slave narratives* (New York, New American Library, 1987).

South African Commercial Advertiser, 1826.

The Cape of Good Hope Government Gazette, 1826, 1830.

UNPUBLISHED SECONDARY SOURCES

Boddington, E., 'Domestic service: changing relations of class domination 1841-1948: a focus on Cape Town'(M. Soc. Sci., University of Cape Town, 1983).

Dooling, W., 'Slaves, slaveowners and amelioration in Graaff-Reinet, 1823-1830' (BA (Hons), University of Cape Town, 1989).

Elks, K.D., 'Crime, community and police in Cape Town, 1825-1850' (M.A., University of Cape Town, 1986).

Judges, S., 'Poverty, living conditions and social relations - aspects of life in Cape Town in the 1830s' (M.A., University of Cape Town, 1977).

Mager, A., 'Girls' wars, mission institutions and reproduction of the educated elite in the eastern Cape, 1945-1959' (Paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 22 April 1992.

Malherbe, V.C., 'Diversification and mobility of Khoikhoi labour in the eastern districts of the Cape colony prior to the labour law of 1 November 1809' (M.A., University of Cape Town, 1978).

Mason, J., 'Slave-holder resistance to the amelioration of slavery at the Cape' (Cape Town, Centre for African Studies, University of Cape Town, Conference paper, July 1986).

Mason, J., '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

Rayner, M., 'Slaves, slaveowners and the British state: the Cape Colony, 1806-1834', University of London, Institute of Commonwealth Studies, Societies of Southern Africa in the 19th and 20th centuries 12 (1981).

Rayner, M., 'Wine and slaves: the failure of an export economy and the ending of slavery in the Cape Colony, 1806-1834' (Ph.D, Duke University, 1986).

Scully, P., 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented to University of Cape Town History Department post-graduate seminar, April 1992).

Shell, R., 'Tender ties: the women of the slave society' (paper presented at the Conference, 'Cape Slavery- and After', History Department, University of Cape Town, 1989).

Shell, R., 'Slavery at the Cape of Good Hope 1680 - 1731', (Ph.D, Yale, 1986).

Southey, N., 'The historiography of Cape slavery' (paper presented at the University of Cape Town History Department Conference 'Cape Slavery- and After', August 1989).

PUBLISHED SECONDARY SOURCES

Anderson, B. and J.P. Zinsser, *A history of their own: European women from prehistory to the present* (London, Penguin Books, 1990).

Armstrong, J. and N. Worden, 'The slaves, 1652-1834' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840*, 2nd ed (Cape Town, Maskew Miller Longman, 1989).

Bank, A., *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991).

Beall, J., 'Women under indentured labour in colonial Natal, 1860-1911' in C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Beckles, H., *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Press, 1989).

Bishop, A.J., 'Western mathematics: the secret weapon of cultural imperialism', *Race and Class* 32 (2), October-December 1990.

Brana-Shute, R., 'Approaching freedom: the manumission of slaves in Suriname, 1760-1828', *Slavery and Abolition* 10 (3) 1989.

Brown, S.E., 'Sexuality and the slave community', *Phylon* XLII (1) 1981.

Bush, B., *Slave women in Caribbean society, 1650-1838* (London, James Currey, 1990).

Bush, B., 'White "ladies", coloured "favourites" and black "wenches": some considerations on sex, race and class factors in white creole society in the British Caribbean', *Slavery and Abolition* 2 (1981).

Carr, E.H., *What is history?* (Harmondsworth, Penguin, 1964).

Chambers, J.D., *Population, economy and society in pre-industrial England* (Oxford, Oxford University Press, 1972).

Crais, C., 'Slavery and freedom along a frontier: the eastern Cape, 1770-1838', *Slavery and Abolition* 17 (1991).

Craton, M., *Searching for the invisible man: slaves and plantation life in Jamaica* (Cambridge, Massachusetts, Harvard University Press, 1978).

Craton, M., *Testing the chains: resistance to slavery in the British West Indies* (Ithaca, Illinois University Press, 1982).

Crites, L.(ed), *The female offender* (Massachusetts, D.C. Heath and Co., 1976).

Cuthbertson, G., 'Cape slave historiography and the question of intellectual dependence', *South African Historical Journal* 27 (1992).

Cutrifelli, M.R., *Women of Africa: roots of oppression*, trans. N. Romans (London, Zed Press, 1983).

Davis, D.B., *Slavery and human progress* (New York, Oxford University Press, 1984).

Davis, D.B., *The problem of slavery in the age of revolution, 1770-1823* (Ithaca, New York, Cornell University Press, 1975).

Dobasch, R.P., R.E. Dobasch and S. Gutteridge, *The imprisonment of women* (Oxford, Basil Blackwell, 1986).

Dooling, W., *Law and community in a slave society: Stellenbosch district, South Africa, c.1760-1820* Communications No 23/1992 (Cape Town, Centre for African Studies, University of Cape Town, 1992).

Edwards, I.E., *Towards emancipation: a study in South African slavery* (Cardiff, University of Wales, 1942).

Ellis, L., *Theories of rape: inquiries into the causes of sexual aggression* (New York, Hemisphere Pub. Corp., 1989).

Elphick, R. and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795', in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989).

Elphick, R. and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town and Johannesburg, Maskew Miller Longman, 1989).

Fox-Genovese, E., 'Placing women's history in history', *New Left Review* 133, May-June, 1982.

Freyre, G., *The masters and the slaves: a study in the development of Brazilian civilization* (New York, Alfred Knopf, 1971).

Gatrell, V.A.C., B. Lenman and G. Parker (eds), *Crime and the law: the social history of crime in Western Europe since 1500* (London, Europa Publications, 1980).

Genovese, E.D., *Roll, Jordan, roll: the world the slaves made* (New York: Pantheon Books, 1974).

Groth, A.N., *Men who rape: the psychology of the offender* (New York, Plenum Press, 1979).

Hanmer, J. and S. Saunders, *Well-founded fear; a community study of violence to women* (London, Hutchinson, 1984).

Harries, P., 'Symbols and sexuality: culture and identity on the early Witwatersrand gold mines', *Gender and History* 2 (3) Autumn 1990.

Hatcher, J., *Plague, population and the English economy 1348-1530* (London, Macmillan, 1977).

Penn, N., '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800', *South African Historical Journal* 23 (1990).

Higman, B.W. *Slave population and economy in Jamaica, 1807-1834* (Cambridge, Cambridge University Press, 1976, repr. 1979).

Higman, B.W., *Slave populations of the British Caribbean, 1807-1834* (Baltimore, John Hopkins University Press, 1984).

Kelly, J.D., 'Discourse about sexuality and the end of indenture in Fiji: the making of counter-hegemonc discourse', *History and Anthropology* 5, 1990.

Kiple, K., *The Caribbean slave: a biological history* (Cambridge, Cambridge University Press, 1984).

Klein, H.S. and S.L. Engerman. 'Fertility differentials between slaves in the United States and the West Indies: a note on lactation practices and their possible implications', *William and Mary Quarterly* 3rd series, 35 (2) April 1978.

Kulikoff, A., *Tobacco and slaves: the development of southern cultures in the Chesapeake, 1680-1800* (Chapel Hill, University of North Carolina Press, 1986).

Langsten, R., 'Determinants of natural fertility in rural Bangladesh reconsidered', *Population Studies* 39, 1985.

Laslett, P. (ed), *Household and family in past time: comparative studies in the size and structure of the domestic group over the last three centuries in England, France, Serbia, Japan and colonial North America, with further materials from Western Europe* (Cambridge, Cambridge University Press, 1972).

Lerner, G., 'New approaches to the study of women in American history' in B.A. Carroll (ed), *Liberating women's history: theoretical and critical essays* (Urbana, Illinois University Press, 1976).

Mostert, *Frontiers: the epic of South Africa's creation and the tragedy of the Xhosa people* (London, Jonathan Cape, 1992).

Mukherjee, S.K. and J.A. Scutt (eds), *Women and crime* (Sydney, Australian Institute of Criminology, 1981).

Mullin, M., 'Women and the comparative study of American Negro slavery', *Slavery and Abolition* 6 (1985).

Nye, A., *Feminist theory and the philosophies of Man* (New York, Routledge, 1988).

Oosterhof, J., 'Sodomy at sea and at the Cape of Good Hope during the eighteenth century', *Journal of Homosexuality* 16, 11, 1988.

Patterson, O., *Slavery and social death: a comparative study* (Cambridge, Massachusetts, Harvard University Press, 1982).

Patterson, O., *The Sociology of slavery: an analysis of the origins, development and structure of negro society in Jamaica* (London, London University Press, 1967).

Reddock, R., 'Women and slavery in the Caribbean: a feminist perspective', *Latin American Perspectives* 12, 44 (1985).

Robertson, C., 'The perils of autonomy', *Gender and history* vol 3, no 1, Spring 1991.

Robertson, C.C. and M.A. Klein (eds), *Women and slavery in Africa* (Madison, Wisconsin, University of Wisconsin Press, 1983).

Ross, R., 'The "white" population of Cape Colony', *Population Studies* 29 (2) 1975.

Ross, R., 'Oppression and sexuality at the Cape of Good Hope', *Historical Reflections* 6 (1979).

Ross, R., 'The age of marriage of white South Africans, 1700-1951', *African Historical Demography* Vol. II, Proceedings of a seminar held in the Centre of African Studies, University of Edinburgh, 24 and 25 April 1981.

Ross, R., *Cape of torments: slavery and resistance in South Africa* (London and Boston, Routledge and Kegan Paul, 1983).

Ross, R., 'The last years of the slave trade to the Cape colony', *Slavery and Abolition* 9 (3) December 1988.

Ross, R., 'The economics of slavery', draft paper for N. Worden and C. Crais, *Breaking the chains: slavery and emancipation in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993).

Schama, S. *The embarrassment of riches: an interpretation of Dutch culture in the Golden Age* (New York, Knopf, 1987).

Scully, P., 'Private and public worlds of emancipation in the rural western Cape, South Africa, 1834-1850' draft paper for N. Worden and C. Crais, *Breaking the chains: slavery and its legacy in nineteenth century South Africa* (Johannesburg, University of the Witwatersrand Press, forthcoming 1993).

Shell, R., 'The family and slavery at the Cape, 1680-1808' in W.G. James and M. Simons (eds), *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, University of Cape Town, 1989).

Singh, S., B. Casterline and J.G. Cleland, 'The proximate determinants of fertility: sub-national variations', *Population Studies* 39, 1985.

Smith, D.B., *Inside the great house: planter family life in eighteenth century Chesapeake society* (Ithaca and London, Cornell University Press, 1980).

Taylor, J.G., *The social world of Batavia: European and Eurasian in Dutch Asia* (London, University of Wisconsin Press, 1983).

van Heyningen, E. and C. Simkins, 'Fertility, mortality, and migration in the Cape colony, 1891-1904', *The International Journal of African Historical Studies* 22, 1 (1989).

van Heyningen, E., 'Prostitution and the Contagious Diseases Acts: the social evil in the Cape colony, 1868-1902' in C. Saunders, H. Phillips, E. van Heyningen and V. Bickford-Smith (eds), *Studies in the history of Cape Town* vol 5 (Cape Town, University of Cape Town, 1984).

van der Spuy, P., 'Slave women and the family in nineteenth-century Cape Town', *South African Historical Journal* 27 (1992).

van der Spuy, P., 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991).

Watson, R.L., *The slave question: liberty and property in South Africa* (Johannesburg, The University of the Witwatersrand Press, 1990).

Weeks, J., *Sex, politics and society: the regulation of sexuality since 1800* (London and New York, Longman, 1981).

Worden, N., 'Slave apprenticeship in Cape Town 1834-1838' (paper presented at the Sixth Cape Town History Workshop, University of Cape Town, 11-12 November 1991).

Worden, N *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985).

Wrightson, K., *English society, 1580-1680* (London, Hutchinson, 1982).

Slave women and family formation in nineteenth-century Cape Town[a]

[a] Earlier versions of this paper were presented at the Cape Town History Workshop, University of Cape Town, 11-12 November 1992, entitled 'Slave women and the family in Cape Town after the abolition of the slave trade', and as 'Slave women and the family in nineteenth-century Cape Town', *South African Historical Journal* 27 (1992). In addition to Nigel Worden's useful comments, I am indebted to Johannes du Bruyn for editorial advice.

"The family" is a mine field of anachronistic and ethnocentric traps for the historian.[1] Cape slave historians have side-stepped the issue by denying the possibility of slave family formation in the eighteenth century Cape context of extremely high sex ratios, isolated and atomised slave holdings, and a variety of disparate ethnic and cultural heritages.[2] According to this view, the closure of the oceanic slave trade in 1808 facilitated the evening out of slave sex ratios;[3] ameliorative measures protected family life and fertility rates rose so that by the 1820s the slave population was naturally reproducing for the first time in its history.[4] In this context, accordingly, stable nuclear slave families could develop, which had horizontal but no vertical ties; slave children had aunts but never knew grandparents.[5]

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1 E. Fox-Genovese, 'Placing women's history in history', *New Left Review* 133 (May-June 1982), pp. 9 ff. See also J. Weeks, *Sex, politics and society: the regulation of sexuality since 1800* (London, 1981) and for South African history, P. Scully, 'Emancipation and family in the rural western Cape, South Africa, c1830-1842', (paper presented to the University of Cape Town History Department post-graduate seminar, April 1992).

2 R. Shell, 'Slavery at the Cape of Good Hope 1680 - 1731', (Ph.D, Yale, 1986); N. Worden, *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985); R. Ross, *Cape of torments: slavery and resistance in South Africa* (London, 1983); J.C. Armstrong and N. Worden, 'The slaves, 1652-1834' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, 1989); R. Shell, 'Tender ties: the women of the slave society' (paper presented at the Conference, Cape Slavery- and After, History Department, University of Cape Town, 1989). Andrew Bank challenges this literature in terms of the nineteenth century, but accepts its validity for the eighteenth: A. Bank, *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991), pp. 101-110.

3 The demographic fact of increasingly balanced slave sex ratios is not disputed; what is at issue is its interpretation.

4 Armstrong and Worden, 'The slaves', p. 147; Bank, *The decline* chapter 3 *passim*.

5 Bank, *The decline*, p. 105.

This paper challenges this reconstruction of the slave family by focusing on structural constraints on slave family formation in Cape Town imposed by the ameliorative regulations of the 1820s in the context of the urban political economy. A gender-sensitive approach reveals that these constraints had different meanings for slave men and women, and did not succeed in encouraging the development of, or protecting, the double-parent nuclear family. The evidence to be presented in this paper suggests that a greater proportion of slave men had access to the double-parent nuclear family than did slave women. The ameliorative laws and Cape Town's social and economic milieu tended to facilitate and to a certain extent to protect the *matrifocal*, as distinct from the matrilocal, family.[6]

Three aspects of urban dynamics are relevant to an exploration of slave family strategies in Cape Town. The first is the relatively close proximity of urban dwellings and the necessary sharing of urban services and amenities, which facilitated social interaction and interdependence.[7] Secondly, the influence of Islam was greatest in Cape Town; this served

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6 According to Robert Shell, who has apparently analysed slave transfers for the immediate pre- and post- ameliorative period, amelioration protected the slave family to the extent that it prevented the separation of mothers and daughters (Personal communication, University of Cape Town History Department post-graduate seminar, 20 August 1992). In the present context it is necessary to distinguish between matrifocal and matrilocal families. I use the term matrifocal to identify families which consisted of mothers living with children, i.e., apart from the fathers, whereas matrilocal suggests that the father is living at the mother's locale, which is not what I wish to infer.

7 This is in contrast to the great distances between rural slave holdings, although the evidence strongly suggests that rural isolation never atomized slaves in the way in which certain historians have suggested in their attempts to explain their inability to discover a distinctive slave culture (Armstrong and Worden, 'The slaves', p. 147).

to increase the social distance between Muslim slaves and their Christian owners.[8] The third aspect is the political economy of the town, which saw the development of a complex economy involving the hiring out of slaves as artisans. Many slaves were thereby able to accumulate some capital and live and work relatively independently of their masters. In the process, they began to develop a mindset more free than enslaved.[9]

Historiographical approaches to the slave family at the Cape will be reviewed briefly before focusing more closely on the structural constraints on slave family formation in the context, firstly, of amelioration, and secondly, of Cape Town in the early nineteenth century.

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Historiographical debates concerning the slave family are premised on the concept of stability; absent women are commonly held responsible for social instability in the early years of the eighteenth century;[10] Bank finds stable families developing in the nineteenth.[11] Stability is assumed to be crucial to the formation and survival of families, but the concept of stability is never defined. Slaves could not define their families in terms of spatial stability, i.e., as

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8 Bank, *The decline*, p. 111; R. Elphick and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795' in Elphick and Giliomee (eds), *The shaping*, p. 193.

9 Bank, *The decline*, pp. 61-63.

10 Shell 'Slavery', p. 64; Armstrong and Worden, 'The slaves', p. 147. See also P. van der Spuy, 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991), pp. 184-195.

11 Bank, *The decline*, chapter 3.

cohabitation. Such a privilege was known to few slaves. It is incorrect to assume that a group of people sharing the same space necessarily defined themselves in familial terms, although in the present context they would not have contested their membership of a single household. That a slave woman shared her master's bed tells us nothing about how she conceptualized that relationship.[12] Behaviour such as prostitution and rape clarifies the point that submission to copulation does not necessarily involve incorporation into the copulator's family. The same applies to wet nursing.[13] This paper suggests that slaves did not necessarily define their family relationships in the same terms as they did their masters': greater sensitivity is needed in deducing the attitudes of slaves from the roles they were obliged to fulfil.

Historiographical assumptions concerning families are closely linked to notions of sexuality and sexual behaviour. The theory that high slave sex ratios in the eighteenth century Cape are responsible for social dislocation and criminal behaviour is predicated on a number of invalid assumptions.[14] Firstly, it assumes that slave sex ratios accurately reflect the proportions of subaltern men and women who had been incorporated as labourers into Cape society. This does not take into account the unquantified number of non-slave workers,

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12 See, for instance, the experience of Pamela, slave of Willem van der Merwe, who slept in her master's bedroom but who defined herself as a wife of Galant, the slave who led the famous Bokkeveld rebellion of 1825. G.M. Theal, *Records of the Cape Colony* vol. 20 (London, 1904), p. 250.

13 Shell has argued for the incorporation of slave women into the slaveholders' families on the grounds of their role as wet nurses: Shell, 'Tender ties', pp. 9ff. See paper 2, pp. 74 ff above.

14 Shell, 'Slavery', p. 75; Bank, *The decline*, p. 102. See also R. Ross, 'Oppression and sexuality at the Cape of Good Hope', *Historical Reflections* 6 (1979), pp. 422-3, 425.

defined historically as Khoisan, with whom slaves interacted at a social and sexual level.[15] The second assumption is that sex ratios unproblematically reflect social behaviour. This is easily shown to be spurious because a different standard is used for the slave and the settler population groups. Whereas high slave sex ratios are argued to have caused anti-social, violent behaviour, the same is not suggested for the settler population group, which similarly experienced unbalanced sex ratios.[16]

The third mistaken assumption concerns a logical or natural relationship between sexual energy or libido, sexuality and stable family formation.[17] Hence, Shell could make the remarkable claim that

> 'Women were expensive to maintain and less productive than men. By not buying female slaves in the same proportion as male slaves, the burghers and officials saved considerable initial outlay. However, they thereby surrendered the opportunities for their slaves to form stable families. *The extreme violence, murder, rape, gambling, homosexuality and bestiality that characterizes the*

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15 H.C. Bredekamp, 'Die Khoisan en vakterminologie na *The Oxford History of South Africa*: n Historical Dilemma' with comments by Vernon February and Susie Newton King, *South African Historical Journal* 25 (1991), pp. 38-60. One of the problems is that South African historians have for too long directed their attention at one or other (legally defined) group, whereas social reality was constructed differently.

16 R. Ross, 'The age of marriage of white South Africans, 1700-1951', *African Historical Demography* Vol. II (Proceedings of a seminar held in the Centre of African Studies, University of Edinburgh, 24 and 25 April 1981); L. Guelke and R. Shell, 'The rise of a colonial landed gentry: The distribution of landed property in the Cape Colony 1657-1731' (Paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 31 March 1982), pp. 9ff. *Opgaaf* figures suggest that although settler "adult" sex ratios were constantly lower than those of "adult" slaves (as defined in the *opgaaf* categories, the age of adulthood differing for slave and free), throughout the eighteenth century settler men outnumbered women by a ratio of approximately two to one circa 1700 to about three to two at the end of the century. See also Shell, 'Tender ties', pp. 2-4 and paper 2 above.

17 Weeks, *Sex, politics and society*, introduction; Shell, 'Tender ties', p. 15.

behavior of so many burgher slaves - compared to their counterparts in the lodge - is a direct result of the unbalanced sex compositions.'[18]

Directly linked to the fallacy that all that was lacking for social stability among slaves was a woman for every man, is the spurious belief that two-parent heterosexual families are *naturally* stable and the natural preference of men (women's choices being irrelevant), and that the behaviours listed are all of a similar, inherently criminal, order.[19]

The most recent exposition on the slave family in Cape Town uncritically accepts the historiographical status quo for the eighteenth century, but argues for the development of viable slave families in the nineteenth.[20] According to this view, stable nuclear families emerged as a result of processes such as creolisation and the balancing of slave sex ratios which progressively occurred as a direct result of the abolition of the oceanic slave trade in 1808, added to the impact of amelioration and a burgeoning urban underclass, unique to Cape Town and cemented by Islam, together with the hiring-out system which assured the slaves

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18 Shell, 'Slavery', pp. 75-6 (emphasis added). The preceding sentences are based on sexist assumptions concerning female productivity, which are not empirically based. Hilary Beckles has overthrown the historical theory that men were more productive than women as labourers in the British West Indies; the problem in the present context, then, is why slaveholders at the Cape did *not* make the same economically rational choice as their contemporaries (H.McD. Beckles, *Natural rebels: A social history of enslaved black women in Barbados*, (London, Zed Press, 1989)). There is also an illogical leap in Shell's argument from an ostensibly rational decision taken by both burghers and VOC officials to import slave men, to a statement concerning the inability of *burgher* slaves to sublimate their sex drive; he does not explain why the government slaves did not commit the kinds of behaviour listed.

19 P. van der Spuy, 'Women and crime: the involvement of women in violent crime as processed by the institutions of justice in Cape Town 1860-1879' (BA (Hons), University of Cape Town, 1989), introduction.

20 Bank, *The decline*, chapter 3.

of sufficient social space to develop an underclass culture separate from that of their masters. However, Bank fails to reconcile the anomaly of the predominance of the matrifocal family in the context of an increasingly balanced slave sex ratio, in terms of which every slave man could theoretically find a female slave wife.[21] Bank's fusion of slave with other subaltern culture and therefore subaltern family is appropriate to most slave men, but it does not explain why the matrifocal family was still evident in 1834.

Both the family and sexuality are socio-cultural, historical constructs. In the eighteenth-century Cape, as in early modern Europe, the slaveholding family was apparently defined in one of two ways, as the domestic group under the government of a patriarch, or as the bloodline: '... the word "family" ... often referred to a set of kinsfolk who did not live together, while it also designated an assemblage of co-residents who were not necessarily linked by ties of blood or marriage'.[22] Pamela Scully recently redefined the slaveholding family in spatial terms, as the slaveholder's farm.[23] Shell has argued that slave women were

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21 The apparent futility in searching for the specifically slave family is underlined by Bank's thesis; there appears to be confusion concerning where to draw the line between slave and underclass family. Bank tends to use the term 'slave family' when discussing a family in which at least one member is a slave. At the same time that he emphasizes the possibilities of double-parent families, he draws the contradictory conclusion that 'apart from assuming an increasingly stable form, ... the Cape slave family was characteristically female-headed' (*The decline*, p. 103). For further discussion of this issue see P. van der Spuy, 'Slave women and the family in Cape Town after the abolition of the slave trade' (paper presented at the Cape Town History Workshop, University of Cape Town, 11-12 November 1991), pp. 10-11.

22 J-L. Flandrin, *Families in former times: kinship, household and sexuality* (Cambridge, 1979). See also R. Wall (ed)., *Family forms in historic Europe* (Cambridge, 1983), p. 7 and P. Laslett, *Household and family in past time* (Cambridge, 1972), p. 24.

23 P. Scully, 'Private and public worlds of emancipation in the rural western Cape, South Africa, c. 1830-1842' (unpublished paper, University of

incorporated into the slaveholding family, becoming the very bosom of that family by virtue of their role as wet nurses.[24] By the same token, there is evidence of slave women cohabiting for many years with their masters, but the meaning attached to these forms of behaviour by the women in question should not be considered self-evident.[25] The distinction should be drawn between the slaveholding *household* which certainly incorporated servants as well as blood relations of the slave holder and which constituted an economic unit, and the *family* which is based on blood and affective relationships and which encapsulates a mutual recognition of generational obligations and supra-economic ties. Even at the Cape in the eighteenth as well as the nineteenth century, slaves were able to construct meaningful social relations beyond the slaveholder's household, although these meanings are not self-evident and should become subject to historical research.[26] This is not to paint a romantic picture of the slave family as necessarily a rosy haven from the harsh realities of slavery.[27]

Michigan, 1991), p. 2.

24 Shell, 'Tender ties'.

25 See below, n. 79.

26 See below, pp. 129, 135 ff: The evidence of vertical ties clearly suggests eighteenth century family formation.

27 Pam Scully likewise rejects this notion: 'I conceptualize the family as a site of struggle, rather than idealizing the family as a haven from, or alternative to harsh social and economic relations' ('Emancipation', p. 1). However, she tends to define this struggle in terms of contests between freed slaves' and former slaveholders' families in the context of the post-emancipation Cape, and in terms of this tension tends to construe the subaltern family as precisely such a haven. Hence she ends the paper with the statement that 'on the day of emancipation Booy Floris, a member of Pacaltsdorp Mission Station, collected his wife, two daughters, and their eight children from their former master and brought them home'(*ibid.*, p. 17). It is important to note that "affective" is not synonymous with exclusively positive emotions; see Bank's remark that '... above all, it [the slave family] was a means of creating an intimate and partially autonomous world, which could offer shelter from the brutality of bondage' (Bank, *The decline*, p. 101).

Robert Shell's "nanny thesis", certain aspects of which were explored in the previous paper, makes the fundamental error of assuming that the representation of slave women as incorporated into the slave-holding family represents slave women's perspectives, whereas it reflects the image which the slave-holders and European observers created. Shell uses one specific example to support his contention that slave women typically identified with the slave-holding family: in 1692 a slave woman witnesses the killing of her mistress by a fellow (male) slave: 'Marie, in front of whom this nightmare had unfolded, ran through the house, shouting the following significant phrases: "Boss, Boss! Mother is dead!" (*Baas, Baas! Moeder is dood!*)' .[28] The use of the word 'baas' contradicts the "total assimilation" theory; if this woman was truly assimilated into the family, she would have referred to her master as 'vader', whereas there is no evidence of any slave ever having done so.[29] Moreover, the use of the term 'moeder' does not prove that Marie perceived her mistress as *her* mother; it may have been simply a term of respect.[30] The crucial point in this context is that neither

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28 Shell, 'The family and slavery', p. 24 (emphasis in original).

29 Katie Jacobs referred to her master as 'baas' (*Die Banier*, 2 June 1963); see also G.M. Theal, *Records of the Cape Colony* vol. 20 (London, 1905), pp. 188-341: none of the numerous witnesses or the accused during the trial of the 1825 Bokkeveld rebellion showed any sign whatever of any familial feeling towards their masters.

30 In South African parlance today an elder woman is commonly referred to as 'tannie', which does not imply a perception of any familial relationship. It is conceivable that Marie meant "your" Mother, if that was how her 'baas' referred to her mistress, as many married women in England and the United States refer to their husbands as "father" and "daddy". It would have been useful for Shell to have provided an explanation (or even an awareness of the existence) of customs and terms of respect or patronage in Marie's place of origin, the Coast of Coromandel, as well as at the Cape. Shell does not consider the parallel infantilisation of married women, which may have been a similar process to that experienced by people who were enslaved as adults; both lost their legal status as adults and were thenceforth treated in law as children.

the description of the crime as matricide nor the words used within the master-slave relationship reveal much about either the slaves' or the slaveholders' notions of the family, but this case does act as a reminder that the family is not a fixed biological unit,[31] but a series of 'choices and relationships' which adapts to changing historical contexts, and whose meaning in this particular context was not necessarily shared by master and slave.[32]

It is extremely difficult to extract variables particular to the slave family as opposed to slaves' incorporation into the slaveholding household, partly because they were often linked to the slaveholding patriarch via sexual ties and therefore via blood. A useful way to understand the distinction between the two is in terms of the slaves' perspectives, but the penetration of subaltern subjectivity is extremely difficult in view of the official linguistic filters through which slaves expressed the meanings they attached to their families.[33] Nevertheless, there are hints in the ways in which slaves articulated their relationships in traditional social historical sources such as criminal records and in slave complaints to the Guardian of Slaves.[34] Certainly for slave men, the family could provide an opportunity for the expression of masculine authority, although this control was severely circumscribed by the slave

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31 Scully, 'Emancipation', p. 1, citing Jeffrey Weeks' comment that families tend to be seen as 'discrete historical object[s], usually a biological reality which society acts upon'.

32 This phrase is Scully's, who defines the family as 'a set a choices and relationships which exists in relation to other dictates such as economic context, ideas of personal liberty, and the particular gender systems with which notions of family articulate' (*ibid.*).

33 Unfortunately there are no slave narratives for the Cape.

34 These records are housed in the State Archives, Cape Town, for example, the record of the Slave Office (SO), the Court of Justice (CJ), the Cape Supreme Court (CSC) and local criminal courts, in the series 1/STB, 1/CT etc. For specific references, see bibliography.

condition. Nevertheless, for many slaves, the most attractive family strategy was apparently to find a partner who was free and therefore less vulnerable to the whims of the slaveholder.[35] In the case of women such a partner might more easily assist in the purchase of freedom, especially once such purchases were facilitated by the ameliorative regulations of 1823 and 1826.[36]

There were also structural constraints in terms of which slaves were forced to construct their families, and these too may be fruitfully examined. Amelioration will be considered first, followed by social and economic factors in Cape Town which enabled skilled slave men in particular to construct families that were more free than enslaved, in keeping with their own mental transition from slavery to freedom.[37]

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Amelioration neither enhanced the stability of slave families at the Cape, particularly in terms

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35 The vast majority of "hints" refer to such relationships. There is less evidence of both spouses being as slaves, although this may be a function of the dysfunction which allowed slave family relationships to appear in official records in the first place.

36 This was the only apparent economic function of such families. c.f. Bank, *The decline*, chapter 5, particularly pp. 176 ff. See SO 12/11, March to April 1831, No. 87 and 132; SO 12/4, 512, 8 November 1826. For slave men, an important function of such a relationship would be the increased social space it permitted, particularly if the couple cohabited. See Bank, *The decline*, p. 62.

37 Bank, *ibid.*

of the relationships between men and women, nor did it revolutionise family forms.[38] What stability there was, tended to exist in terms of negotiated informal contracts between slaves and their masters.[39] The significance of amelioration lay in its spirit, rather than in the letter of the law, in raising expectations among both slave and free and thereby exacerbating tension within the slaveholding *familia*, and if anything, making slave families a greater 'site of struggle' than before by constituting them as the focal point of contestations of power between the colonial authorities and slaveholders.

Each set of regulations attempted to exert control over the slave family. Robert Ross has noted that the legal position of slaves vis-a-vis marriage is unclear for the seventeenth and early eighteenth centuries at the Cape.[40] However, it is certain that by the turn of the nineteenth century, slaves could not enter into formal marriage contracts.

Before 1823, there was no legal protection of familial ties, and it was up to individual

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38 There were three sets of ameliorative legislation: Lord Charles Somerset's proclamation of 18 March 1823, Ordinance 19 of 1826 and the Order-in-Council of 2 February 1830. This paper focuses on the 1823 and 1826 regulations.

39 Such contracts are normally traceable when they broke down. See the many complaints in SO 4/4.

40 Ross, 'Oppression', pp. 425-6: '... the use of the terms "marriage", "husband" and "wife" is rather loose. The legal position ... with regard to slave marriages is highly unclear, but it does not seem that slaves ever availed themselves of the right to marry, if they had it, even though a fairly large number of them, especially among the Company slaves, were baptized Christians.' An undated return bearing the ambiguous title 'Return of the number of Marriages legally solemnized between slaves, free blacks or Coloured Persons since the 1st of January 1808...'(SO 12/11) revealed that 45 marriages involving *former* slaves had been registered for the colony excepting the Cape District between 1808 and 1823, i.e., the "slaves" of the title referred to former slaves.

slaveholders to decide whether or not to interfere in the families of their slaves.[41] Paternity was not recognised, and as a result slave spouses could be separated arbitrarily,[42] and parents could be separated from their children.

> 'Slavery has as its consequence that slaves have not any rights and privileges which distinguish the state of the free in civil society .... Slaves do not possess the right of disposing of their children.'[43]

In terms of Somerset's ameliorative legislation of 1823, slaves were allowed to marry,[44] but very few did so between 1823 and 1834.[45] Complete figures are not available, and this fact suggests the low level of importance attached to slave marriage by the local authorities.[46]

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41 It is important to note that there were no earlier ameliorative measures at the Cape as there were in the British West Indies in the 1780s in anticipation of the abolition of the slave trade. In other words, there was no culture of better treatment for pregnant slave women, and the active encouragement of slave reproduction by fostering nuclear family life. For further discussion of this point, see paper 4 below. Individual slaveholders certainly took the initiative, such as Martin Melck (Armstrong and Worden, 'The slaves', p. 145).

42 Moreover, this makes paternity extremely difficult to trace.

43 Theal, *Records* vol. 9 (Cape of Good Hope, 1901), p. 150: 'Statement of the laws of the colony of the Cape of Good Hope' (1813), article 25.

44 Proclamation, 18 March 1823. Article 7 reads: 'After the celebration of marriages, it is forbidden for the Parties to be sold separately; or the Children of such marriages, without the Parents (or the Survivor of them) until such Children shall have attained the age of ten years, except under a decree of the Court of Justice.' Although this appeared to protect slave marriages, in fact it was impracticable because most slave spouses did not belong to one slave holder.

45 By this I mean while they were enslaved. I have not traced the marital behaviour of freed slaves, but c.f. n.40 above.

46 SO 8/31, Marriage Register. The Register contains the marriages of slaves under "M" and "W" only. Four marriages are listed. Two slaves of different Stellenbosch holdings, Arend Manus aged 48 and Catarina Arendse, 52 years old, were married in 1824; the man was manumitted the following year. Another Stellenbosch slave woman (of the same holding as Arend Manus)

It was only in terms of Ordinance 19 that the Guardian of Slaves submitted biennial reports to the metropole, in which he was required to state the number of marriages which had been reported. According to these reports, less than ten applications for marriage licences were received between June 1826 and December 1833, of which at least two were rejected.[47] There is no evidence that the Guardian ever granted a marriage licence without the slaveholder's consent.[48]

Obstructions to slave marriage took various forms. Firstly, the spouses had to be Christian, and in terms of the 1823 ordinance required the written permission of their masters.[49] In a society which was largely nonliterate, especially in the rural areas, such a requirement militated against slave marriage. Ordinance 19 did away with the requirement for masters'

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married a free man, also in 1824. In 1826 the slave Susanna Maria Weigt (she took the surname of her mistress at baptism in 1823), also of Stellenbosch, married a free man, Diehard Brooke. She was manumitted in 1827. Finally, Lea Maria of the Cape, a slave from Graaff-Reinet, married a free man, Godlieb Schiller, in 1830. All marriages were conducted with their owners' consent.

47 SO 3/1-13, 3/20a. Half yearly reports of the Guardian of slaves, *passim*. Not all reports are complete for the whole colony, which is why the figures provided are approximate. Isabel Edwards stated that '[t]he institution of marriage was intended to prevent ... separation of husbands and wives, but this reform proved abortive for during the years 1827 and 1830 only four marriages were reported for the whole of the Cape Colony': I. Edwards, *Towards emancipation: a study in South African Slavery* (Cardiff, University of Wales, 1942), p. 115.

48 Slave marriages cannot be traced via the usual route of the Marriage court, because a different procedure was followed for slaves. See n. 49 below.

49 Article 6: 'The consent, in writing, of the Proprietor ... transmitted to the Clergyman through the Local Authority, shall supercede [*sic*] the necessity of being asked in the Church, or appearing before the Matrimonial Court, to legalize the marriages of slaves...'

permission, although this had no practical effect.[50]

Christian marriage was the only recognized form of marriage in the colony, for free as well as slave.[51] Somerset's 1823 regulations attempted to encourage baptism among slave women, by penalising those mothers who were not baptised. It was deemed necessary that mothers and their infants remain together; all such relationships were protected for the first time, to the age of eight.[52] Unmarried, 'heathen' women lost the right of access to their children of this age.[53] If the woman were unwed but baptised, the child could remain with her until it reached the age of nine years, and in the case of married women, until the age of ten. Ordinance 19 standardised the age of separation at ten years, and the Order-in-Council sent waves of anger throughout the colony by its protection of the mother-child relationship to the age of sixteen, by which time the child was a fully-fledged labourer.[54] The apparent success

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50 Edwards, *Towards emancipation*, pp. 97, 98.

51 The marriage ceremony had to take place in a Christian church and the only legal marriage officers were Christian ministers. Sir David Baird's Proclamation of 26 April 1806. Theal, *Records*, vol. 5 (London, 1900), p. 407.

52 Articles 8 and 9.

53 Article 9. This included Muslim women. See the discussion of Islam below.

54 The Protector of Slaves, George Rogers, voiced the opinion that it was in the slaves' best interests to be separated from their mothers at the age of ten, rather than sixteen. 'It has been hitherto the practice to allow the Separation of Children from their Mothers at the age of Ten Years. - The New Order forbidding such separation until the completion of the 16th Year must prove very Emberassing [*sic*] - It will have been unknown when this Article was framed, that a female generally arrives at Womanhood in this climate, at about her 12th Year, and may have one or more children by the time she is 16. Childeren [*sic*] may safely, and very often most advantageously be separated on attaining their 10th Year. Many persons are desirous of purchasing clever, active children about that age, the Males for Mechanics, and the females as attendants on Ladies, Work Women etc. These so purchased are the most

of the earlier regulations merely entrenched the form of family already dominant among slaves, the matrifocal family. In other words, evidence of women sold and transferred together with their children does not suggest an increase in family stability.[55] It reflects the forced break-up of two parent nuclear families because the father did not accompany his "wife" and children.

Few slaves were Christian, a factor exacerbated in Cape Town by the influence of Islam which formalized slave "concubinage" and in the country districts by the reluctance of slaveholders to proselytise or to relinquish patriarchal control.[56] Slaveholders' reluctance to permit slave marriage effectively prevented marriages from taking place, even when in theory their permission was no longer required. In an exceptional case where slaves requested the Protector to intervene, a slave woman wished to marry her 'Bastard Hottentot' companion with whom she had lived for many years, he having been employed on her master's farm.[57] There is no indication that her master disapproved of their relationship as long as it was on an informal basis. Once the couple attempted to formalise their marriage legally, however, the slaveholder threatened to throw the man off the farm and thereby to destroy their

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likely to become free persons eventually, as well as usefull [*sic*] Members of the community in their different callings, and it is a fact beyond all controversy, that Slave Childeren [*sic*] who remain with their Mothers to a later period than 10 years, are in no respect benefitted by it but far otherwise.' (SO 3/20a Observations of the Protector of Slaves for the Report between June and December 1830.)

55 c.f. Bank, *The decline*, p. 102 ff.

56 Elphick and Shell, 'Intergroup relations', p. 185 ff.

57 SO 3/8, Report of the Protector of Slaves, 25 June to 24 December 1831, p. 416.

relationship.[58] The Protector declined to interfere even though it was his legal obligation so to do. He suggested that it would be in everyone's interest to forego formal marriage.[59] The reports of the Protector reveal that even after 1826, every marriage license issued to slaves was with the express permission of their masters.[60] Slave marriage was unacceptable to many slaveholders, who did not consider that their slaves had the right to equality with themselves before the law.

Other than slaveholder disapproval, slaves did not marry because they chose not to. In many cases no benefits would accrue to them on formal marriage. From the perspective of slave men, at no time did amelioration recognise paternal rights to control over children, or any authority over one's wife.[61] Families could not function as economic units, except in so far as manumission of kin was concerned, and this did not require legal marriage. Moreover,

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58 *ibid.*: her master 'stated that if the [marriage] Licence is granted He will not keep the Bastard Hottentot Jan a moment longer on his place, but order him to quit his service.'

59 *ibid.*: the licence was refused 'on the grounds that there is no law to oblige Retief to keep Jan on his place and that consequently the marriage would be injurious to Lys, as it would deprive her of the privilege of being with Jan with whom she had cohabited for a number of years.' See also SO 3/6, Report of the Guardian of Slaves, June to December 1830: The owner of the slave Isaac, of Worcester, refused to grant permission for Isaac and his Khoi partner. His mistress had thrown her off the property about fifteen months previously. The two had cohabited 'for many years' and had five children.

60 SO 3/1-13, 20a; SO 8/31.

61 See the final paper in this collection, p. 219 n.81 below regarding the importance of the term 'bastard-hottentot' for the status of slave men: bastard-hottentots were the children of slave men and Khoi women: the label 'bastard' underlined the irrelevance of slave fathers when the term was coined in the 1770s: they could not bear legitimate children. See also N. Penn, '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800' (*South African Historical Journal* 23 (1990), p. 18.

slave families could not even ensure that they would be able to live together unless both partners belonged to the one slaveholder.[62] The nature of the sources makes it difficult to determine the role of fathers of slaves, who had no legal authority, either before or after amelioration.[63] Rare cases shed light on the attempts of fathers to exert control over their offspring, such as the case of Baatjoe, who was bought by his father of the same name, 'under condition that the said Baatjoe is to remain during his father's lifetime under his control.'[64]

Hilary Beckles has noted the emergence in Barbados of a free black dynasty literally built on the backs of slave women.[65] Because sexual relations between white men and slave women were regarded as normal in Barbadian society, there was not the shame attached to such relations as was the case at the Cape, where reputations and rank could be lost on the discovery of such illicit relationships.[66] In Barbados, free fathers tended to purchase the

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62 This point is explained below.

63 Historians of the British West Indies have stressed the bias of the source material in over-stating the importance of the matrifocal family. M. Craton, 'Changing patterns of slave families in the British West Indies', *Journal of Interdisciplinary History*, X:1 (Summer 1979); Beckles, *Natural Rebels*, p. 116. Precisely the same limitations apply to Cape slavery. In a methodological sense comparative analysis with the British West Indies is useful, despite different demographic patterns (cf. van der Spuy, 'Gender and slavery').

64 SO 12/9, Manumissions, October to November 1832, No. 329. This case also suggests that naming practices were an important method of "staking a claim" to a familial relationship. See also SO 12/10, 2 September 1834: Manumission of Jawaldien, born 22 July 1834. The baby was freed as a free gift on the condition that the father, Dolli, had 'undertaken to take care of the said child and provide it with the necessaries of life until He shall have attained his 16 year [*sic*].'

65 Beckles, *Natural rebels*, pp. 135 ff.

66 The case of D.J. Bleumer is notorious. See H.C.V. Leibbrandt, *Precis of the archives of the Cape of Good Hope* (Cape Town, South African Library, 1905-

freedom of their sons, and in this way built a free black dynasty, whereas mothers and daughters were not manumitted.[67] It is useful in terms of the development of "coloured" identity in the nineteenth century to compare this with the Cape situation and to ask why no similar coloured dynasty emerged here.[68] The answer lies in the fact that slaveholders did not incorporate their slave sons into their families and openly recognize them in the way that Barbadian slaveholders did, and secondly, where the father was not the slaveholder, he tended to be poor, which explains serial manumission where family members were manumitted over time. There is some evidence of fathers manumitting their children and not their mothers, but this was not the dominant pattern of manumission.[69]

It is possible to gain some idea of slave families from the manumission records. For example, Sophia, former slave of the widow Gebhard, purchased the freedom of both her parents and her three children from the widow's estate. Sophia paid 45 pounds for her parents Dampie (53 years old) and Flora (54), and 150 pounds for her children aged ten, eight

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1989), vol. 1, p. 118: having been caught in the act of sleeping with a slave woman, and therefore charged with adultery, 'he was accordingly deprived of his burgher and military offices and prerogatives, and declared unfit ever again to fill any of them'.

67 Beckles, *Natural rebels*, p. 135.

68 See, for example, J.V. Bickford-Smith, 'Commerce, class and ethnicity in Cape Town, 1875 to 1902', (Ph.D thesis, University of Cambridge, 1988) and M. Adhikari, '"The sons of Ham": slavery and the making of Coloured identity' (paper presented at the Cape Slavery- and After Conference, University of Cape Town, 10-11 August 1989).

69 Bank, *The decline*, chapter 5; SO 12/11, 297: Syda, aged 18 months, was purchased by her father Sarodien. Other examples include SO 12/4, 531: 23 December 1826; SO 6/32 Folio 5.

and three years respectively.[70] Sophia was able to preserve her family intact in the nick of time, as she was eligible to lose any right to the two elder children very shortly. As usual, the record gives no indication of the father of Sophia's children, although he may have paid for her manumission in the first place. Such spatial integrity of slave families was comparatively rare.

An unknowable number of slaves were fathered by their masters. According to Shell, the *Statutes of India* promulgated on 10 April 1770 stipulated that 'if a woman slave lived with her European owner as "man" and "wife" then she and all children of that union should enjoy manumission at the death of the father/owner.'[71] Under the auspices of the Slave Office, the British colonial administration was willing to enforce the principle that children fathered by their masters had a right to freedom, and that '[t]he same is to be observed with respect to mothers who have children by free persons', irrespective of the status of the slaveholder.[72]

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70 SO 3/1, Manumissions, 1826.

71 Shell could not find the relevant law in the *Plakaat Boeken*, but stated that it was profoundly influential at the Cape. However, he also stated that 'few women slaves availed themselves of this legal point' (Shell, 'Tender ties' p. 23 and n. 80). In the era of the Guardian of Slaves in the nineteenth century, many slave women demanded their freedom or the freedom of their children in terms of these laws. According to C.G. Botha, the law was that '[c]hildren begotten by a Christian master of his slaves could not be sold but had to be emancipated at their father's death, whether his estate was solvent or not. If the master were not a Christian such children were only emancipated provided his estate was solvent at the time of his death.' *Statutes of India*, Title Slaves, article 8 (C.G. Botha, *Collected works*, vol. II: *History of law, medicine and place names in the Cape of Good Hope* (Cape Town, C. Struik, 1962), p. 113).

72 Theal, *Records* 9, pp. 146 ff. 'Statement of the Laws ...', 1813, articles 21 and 22 stated that '[t]he same is to be observed with respect to mothers who have children by free persons not Christian, in case that the estate of the master, who is the father of the child, be found solvent, but otherwise not'.

Wayne Dooling has shown that slaves were acutely aware of their rights under the ameliorative legislation, and it is in this period that slaves, the vast majority women, complained to the Guardian respecting their masters' obligations.[73] It is important to note that most of the Slave Office complaints regarding slave families concern customary rights rather than new rights introduced by the new regulations. In other words, the significance of amelioration for slave family relations lay in the right to complain about long-term concepts of family rights rather than newly introduced rights such as the prohibition of spousal separation.[74] Indeed, slaves complained and in some cases succeeded in obtaining their due according to a customary interpretation of the *Statutes of India*, rather than according to the letter of the law. Certain slave women were successful in obtaining their freedom or that of their children in terms of sexual relations with their master who was still alive. The principle applied that slaveholders should not father slave children, and if the Guardian could be convinced of slaveholder paternity, depending on the effect of other factors like respectability, the slave had a fair chance of obtaining manumission. For example, the slave woman Hanna had sexual intercourse with her master and produced a child. She thought herself 'on that account entitled to her freedom as well as that of her child'.[75] The Guardian did not dispute this right, but demanded evidence of slaveholder paternity.

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73 W. Dooling, 'Slaves, slaveowners and amelioration in Graaff-Reinet, 1823-1830' (BA (Hons), University of Cape Town, 1989).

74 Of course there were complaints in this regard too, but again most of these complaints were not covered by the letter of the law. Amelioration did not protect the rights of men and women to visit their spouses, which was a right claimed. It only protected the integrity of spousal relationships where both spouses were owned by one person.

75 SO 4/2, No. 92.

Unfortunately for many slaves, the onus was on them to prove paternity.[76] Because of the privacy involved in many liaisons, this was often impossible, particularly if the master were deceased or if he lived but denied the relationship. This, rather than any suggestion of dishonesty on the part of the slaves, accounts for the low success rate.[77] The Guardian was concerned to protect the privacy and reputation of respectable slaveholders such as Advocate van Ryneveld whose slave Jaira claimed her freedom on the grounds of cohabitation. The Guardian noted van Ryneveld's marital status and told Jaira to settle the matter informally with her master. This failed, as did her complaint to the Guardian who noted that this was 'a very delicate case ... affecting several members of a most respectable family'.[78]

Leentje, slave of Hendrik Greef, Sr, of Cape Town, claimed the freedom of her child on the grounds of her owner 'being the father of it'. The Guardian noted her explanation that

> '... her Master obliged the Man with whom she cohabited to leave her, wished her to submit to his desires and when she refused promised her ... that he would make them both comfortable, and that it would be for their benefit - she however hesitated when he promised that He would make her Free and begged her mother [another of Greef's slaves] to consent to his proposals and he likewise sent one Jan Viljoen for the same purpose - she at length consented but upon the promise of Freedom and lived with him Four Years.'[79]

This case raises the issue of the ways in which slave women conceptualized their sexual relationships with their masters. For Leentje, and many others in a similar position,

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[76] There are numerous examples, both for Cape Town and the rural districts, for example, SO 4/2 No. 3, 29, 55, 59, 67, 75, 90, 102, 111 and 113; SO 3/8 No. 200; SO 3/3, Complaints 25 December 1828 to 24 June 1829, Appendix C, No. 3.

[77] See Bank, *The decline*, p. 113, n. 47.

[78] SO 4/2 No. 131, 5 April 1828 and SO 5/1 pp. 356, 361, 363 and 364.

[79] SO 4/2, No. 29, 14 February 1826.

cohabitation did not imply incorporation into the slaveholder's family.[80] Her decision to submit to his will was made only after he had promised her manumission. It is clear that Leentje continued to think of the man she had to leave as her spouse, and her cohabitation with Greef as a business contract. After careful consideration Leentje decided to prostitute herself to her master in order to become free.[81]

Of course, the image presented by observers such as William Bird reflected typical European

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80 Despite the importance attached to the issue of sleeping space by a number of historians, the fact that relatively few women lived out means that most women slept within the confines of their owners' property. It is not particularly relevant in this regard whether they were actually sleeping in the master's house or in separate "apartments", i.e., rooms; the point is that women were less likely than men to be able to live independently with their lovers, and this necessarily had implications for the mother-headed family. These women could not become fully integrated into the urban underclass in residential terms, and being unable to do so had to face the fact that many had to rear their children alone, until they reached the age at which they could be separated legally. Of course the mother did not have full control over her children's fate before then. Shell and Bank both cite Semple as evidence of opposing arguments, Shell's that slaves slept within the control of the masters, and Bank's that they did not. It is clear that there was no single standard living or sleeping arrangement. The point is that sleeping arrangements do not in themselves reveal much about attitudes. See Bank, *The decline*, pp. 77-78; R. Shell, 'The family and slavery at the Cape, 1680-1808' in W.G. James and M. Simons (eds), *The Angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, University of Cape Town, 1989), pp. 25 ff.

81 A similar case of relatively long-term cohabitation between a slave and her master is that revealed in the complaint by Telemachus, slave of J.A. van Reenen (SO 4/2 No. 102; SO 5/1 pp. 176, 178, 180, 186, 193, 199, 203, 227-8). Telemachus' mother Sunting had lived with van Reenen for many years, producing five children. Although Telemachus knew that his mother had been promised 'that he [van Reenen] would make her happy and manumit all the children which she might get if she would only consent to his entering in a familiar [i.e., familial] connexion with her', he stressed that the children had always been well treated. Nevertheless, they had not been manumitted. Sunting's attitude towards her master is not revealed in the record, but no matter how familial she may have considered the relationship, she and her children never forgot the contract of freedom.

stereotypes of Africans and of female slaves in particular:

> '... both sexes follow the natural impulse of their passions with African ardour .... it must not ... be concealed, that the fondness of the slave girls for Europeans is excessive .... Observant of ... the generous treatment which almost every Englishman practices towards a female, they court their notice, and not unwillingly yield to solicitation.'[82]

The sexual contract negotiated between slave and slave holder was never equal. Slave women with children were particularly vulnerable to the sexual advances of their masters because children could be used as pawns to secure obedience. Selvia, slave of John Hare of Cape Town, was separated from her young children and sent to work at Great Drakenstein because Hare 'once endeavoured to prevail upon her to have carnal conversation with him but which she immediately declined notwithstanding his promises "to make me happy afterwards"'.[83] Family members who tried to intervene to protect their kin risked permanent separation: Rosetta, a Capetonian slave, complained that her master, Charles Haylett, intended to sell her 'into the Country'. The reason given was that 'her Master is now displeased with her in consequence of her having taken the part of her niece Clara (also a slave of said Haylett) by whom he has a child and whom he has illused[*sic*]'. Rosetta had also been "illtreated" by Haylett, whose wife had arranged for her to live away from the house and support herself, in exchange for which she paid Haylett five rix dollars per month.[84]

Although it is difficult to trace the attitudes of slaves towards two-parent families, very strong

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82 W.W. Bird, *State of the Cape of Good Hope in 1822* (London, John Murray, 1823), pp. 74-5. See also B. Bush, *Slave women in Caribbean society 1650-1838* (London, James Currey, 1990), chapter 2.

83 SO 4/2 No. 67, 20 April 1827.

84 SO 4/2 No. 49, 8 January 1827.

links are evident in the mother line, which demonstrate that slaves maintained families across generations as well as space. There is a great deal of evidence of grandmothers in the official records.[85] A useful example is that of the slave Clasina, who claimed her freedom and that of her offspring in 1811 on the basis that she had been illegally enslaved more than sixty years before.[86] She ultimately failed in her suit, which had apparently been instigated at the insistence of her interfering grand-daughter Mary.[87]

Clasina was presumably a favourite slave of J.H. Blankenberg, because he stipulated in his will that she and her offspring should never be sold unless they misbehaved.[88] In the event, her three daughters and some of her eighteen grandchildren were sold and transferred to relatives of Blankenberg including his wife Anna van Heyden, and some of her grandchildren were sold to strangers (and one sent to Robben Island) for alleged bad behaviour.[89]

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85 See Bank, who argues for the absence of such family forms: '... there are no indications that kinship structures extended vertically. References to "grandparents" or "grandchildren" are conspicuously absent from the historical record.... The impression of single generation nuclear kinship ties reinforces the assessment that the Cape slave family in any stable sense only emerged in the final decades of Cape slavery.' (Bank, *The decline*, p. 105). His rejection of the possibility of slave family formation in the eighteenth century blinds him to evidence of crucial vertical kinship bonds among slaves across many decades.

86 Theal, *Records* vol. 10 (Cape of Good Hope, 1902), p. 46: Petition, 30 January 1811.

87 Mary had been manumitted by her lover. Perhaps the experience of freedom encouraged her to seek the freedom of her family.

88 Theal, *Records* 10, p. 49.

89 Clasina's family was traced from her birth in c.1730 to that of her eighteenth grandchild, born in 1807. Clasina had three daughters, Theresia, Eleonora and Susanna. Theresia had a daughter and two sons, Eleonora two daughters and three sons, and Susanna, who was born c.1758, had ten children, born in c.1773, 1775, 1779, 1783, 1795, 1796, 1805 and 1807 respectively. This

Nevertheless, the family maintained very close ties, possibly because they all remained in Cape Town. The important of vertical family ties is symbolised by the naming of one of Clasina's grandchildren by her given first name, Manomia (Clasina was her second name).[90]

Not only did slaves maintain family ties across generations; contrary to expectation, great distances did not necessarily weaken familial ties. The slave woman Rachel deserted from a farm in the Cape District in order to try to find her sister, whom she knew resided near Tulbagh.[91] In another case, Marie, living in Cape Town, complained to the Guardian in 1827 on behalf of herself and her grandchildren, one of whom lived in Zwellendam and the other in Somerset.[92] It therefore appears that although the close proximity of urban dwellings may have facilitated social contact between slaves, the vast distances between rural farms did not successfully atomise slaves. Nevertheless, Cape Town, as a market centre through which slaves from all over the colony passed from time to time, formed the centre of a network which played an important role in maintaining colony-wide contacts.[93] Clearly the creolisation of the slave population played a crucial role, in that the internal slave market by the 1820s consisted almost entirely of locally-born slaves or their parents, who, in being sold,

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family tree was compiled from documents reproduced in *ibid.*, pp. 4, 45 ff.

90 *ibid.* This was a prominent case, but there are many other examples of kinship ties extending across time. For instance, included in a list of fifteen slaves claiming their freedom from the estate of the late widow C.C. Schmidt was one Louisa van de Kaap with her seven children and one grandchild (SO 12/16). Other examples include SO 4/2 No. 52, 53, and 80.

91 1/CT 6/19: Criminal Record Books, Resident Magistrate at Cape Town.

92 SO 4/2 No. 52, 18 January 1827.

93 See Penn, 'Droster gangs', p. 35 regarding the 'nexus of relationships' that existed in even the most sparsely populated parts of the colony.

transferred and resold, were able to build and maintain these complex networks.

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In Cape Town itself, three key factors influenced the family strategies of slave men and women: the impact of relatively close urban dwellings, Islam and the political economy of the town. These factors were all crucially influenced by gender.

The close proximity of urban dwellings impacted on slave family development in two contradictory ways. On the one hand, it allowed greater social contact between slaves of different holdings and between them and other members of Cape Town's subaltern population and thereby increased the social space of slaves.[94] On the other hand, it practically rendered ineffectual the laws regarding the protection of slave marriages in cases where spouses belonged to different holdings or where only one spouse was enslaved. It is difficult to determine the extent of slave partnerships belonging to the same holding, because the slave registers did not require such information, a point which suggests that the protection of such relationships was not the state's priority. In many cases, however, slaveholdings did not consist of possible partners, and in these cases slaves either had no spouse, or had to find a partner elsewhere.

In Cape Town, it was relatively easy for slaves to meet with other subaltern people, and most evidence of informal slave marriages (informal in the legal sense) suggests that many

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[94] This is essentially Bank's argument (*The decline*, chapter 3).

relationships were established between slaves and free people, some of whom were former slaves. Although the legislation prohibited the separation of married spouses, it did not protect relationships where only one partner was a slave or where the partners were owned by different masters, because the only stipulation was that husband and wife should not be sold separately.[95] Neither did it prevent slaveholders who owned landed property across the colony from transferring one partner to a different property, or from hiring out one or other partner.[96] Philida, aged 31, slave of Lt. Col. William Hopper, complained in February 1829 'that her Master had purchased her together with a male slave named Azor with whom she had cohabited some time since and that he is now about to sell them separately'.[97] She asked the Guardian for permission to marry so as to prevent their separation, and was told to attempt to persuade her master to give such permission.[98] The outcome of this case is not noted in the Guardian's note books, but according to Hopper's Slave Register, Philida failed in her suite, as she was transferred to a D.A. Disandt in June 1829, while Azor was transferred to a J.B. Ebden in July 1830. At least both new owners lived in Cape Town.[99] The 1830 Order-in-Council, which included the potentially revolutionary article stipulating

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95 Proclamation, 18 April 1823, article 7.

96 SO 4/4, 13 October 1831. Silvia, aged 41, complained that she had been hired out and thereby separated from her children and her husband Job (who was also her master's slave), with whom she had cohabited for 23 years.

97 SO 4/2, No. 14, 24 February 1826; SO 6/21 folio 280, Slave Register of William Hopper.

98 SO 5/1, Day Book, p. 530.

99 SO 6/21, folio 280. It is possible that Philida and Azor married, although it is unlikely. There is no record of their marriage in the Cape Town Dutch Reformed, Anglican or Lutheran church records. This may have been the single marriage for 1829-30 reported by the Guardian (SO 3/20a, Confidential Report, 28 July 1830, Appendix f). No marriages were reported for the period June to December 1829.

that marriage itself was no longer a requirement for spouses to be permitted to remain together, underlines the extent to which slaves throughout the British Empire rejected the imposition of Christian marriage.[100] But even under this ruling, the evidence suggests that few slave relationships were protected by law;[101] in those cases where the Guardian/Protector could intervene legitimately, he was extremely reluctant to do so.[102] In conjunction with the other factors discussed below, close urban dwellings tended to facilitate the formation of matrifocal slave families.

Cape Town in the early nineteenth Century saw the rapid development of a Muslim

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100 *The Cape of Good Hope Government Gazette*, No. 1283, 13 August, 1830 states that '... His Majesty the King in Council has been graciously pleased to issue an Order "for consolidating the several Laws recently made for improving the Condition of the Slaves in His Majesty's Colonies of Trinidad, Berbice, Demerara, St. Lucia,the Cape of Good Hope, and Mauritius", dated ... the 2nd Day of February, 1830...'. The relevant articles are no. 37-41 and particularly 46: '... it shall not be lawful... to seize or take in execution, or sell any Slave separate and apart from any other Slave to whom he or she may bear the relation of husband or wife, or the relation of parent or child, *or to whom he or she shall be reputed to bear any of these relations* ... but ... all Slaves being the property of the same person or persons, and bearing to each other any such relation, or reputed relation, as aforesaid, shall be sold together, and in one and the same lot, and to the same person or persons; and if any Slave shall be seized or sold in contravention hereof, every such seizure, execution and sale, shall be, and the same is declared to be absolutely null and void, to all intents and purposes whatsoever, as far as respects any such Slave of Slaves' (emphasis added). See also article 48.

101 Rev. W. Wright noted in his *Slavery at the Cape of Good Hope* (London, 1831) that few slave partners belonged to the same slaveholder. His impression is supported by the paucity of records in the slave registers for the Cape District where a slave man and slave woman and her child/ren are sold or transferred together. One such case is that of Salomon, a labourer aged 25 in May 1820 when he and Salatie (27), a housemaid, were bought together and later in the same year sold together (SO 6/13).

102 The Guardian was reconstituted as the Protector of Slaves in terms of the 1830 Order-in-Council.

subculture, which incorporated more men than women slaves. According to an 1831 Commission Report, the total number of Muslim slaves in Cape Town was estimated at 1268, 846 of whom were male and 422 female.[103] It has been argued that imams gladly performed marriage ceremonies for slaves, thereby in some sense legitimising such relationships when slaves could not marry legally, and later offering an alternative to Christian marriage.[104] Whereas this certainly performed a useful social function, the impact of Islam appears to have been greater on men than on women slaves. It is impossible to ascertain the number of slaves who married according to Muslim rites,[105] but the masculine bias may reflect the lesser access to social space of women slaves, particularly in terms of their position in the town's economy. Moreover, Islam could not prevent the break up of families by sale. Another explanation for the masculine predominance is the bias which allowed slave men to remarry if they had been separated from their wives by sale.[106] Women were allowed no such luxury unless they had been, in effect, divorced.

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103 Theal, *Records* vol. 35 (Cape of Good Hope, 1905), pp. 367 ff: 'Report upon the Slaves and State of Slavery at the Cape of Good Hope'. It is possible that the ratio for adults is even higher: see P. van der Spuy, 'Slave women and the family in nineteenth century Cape Town', *South African Historical Journal* 27 (1992), n.98.

104 For example, R. Shell, 'The Establishment and spread of Islam at the Cape from the beginning of Company rule to 1838' (BA (Hons), University of Cape Town, 1974), p. 47.

105 Contemporary commentators may have exaggerated the extent of Muslim marriage as it was considered dangerous. These observers included Bigge, representative of the Christian colonial state, and the Rev. Wright, who was ostracised by settler society because of his outspoken antislavery views (Bank, "Slavery", pp. 104-5; Shell, 'The Establishment', p. 47; R.L. Watson, *The slave question: liberty and property in South Africa* (Johannesburg, University of the Witwatersrand Press, 1990), pp. 43 ff). Wright was also clearly biased against Islam, being a Christian missionary.

106 Bigge, 'Report', Theal, *Records* 35, p. 369.

Divorce involved the repudiation of the wife by the husband in front of witnesses, or the misbehaviour of the woman.[107] Thus a Muslim slave woman separated from her husband by sale would be forced to conform to the matrifocal, single-parent family.

Although Muslim slaves were often manumitted by other members of the community (who might also be slaveholders), there were also disadvantages, specifically for women slaves. In some of the slave registers it is possible to distinguish which slaves are Muslim from their names. A case in point is that of Eva, a slave owned by Coenraad Luyt, a blacksmith living in Plein Street, Cape Town.[108] The holding consisted of the extended families of the favoured slaves Spaasje and Pamela, and the family of Eva and her children, as well as various male slaves. All children and grandchildren of Pamela and Spaasje, who bear names such as Louisa, Lea, Rachel and Chrisje, were manumitted, while Eva and her offspring, named Samia, Zyda, Samaay, Zamzia and Malatie were not. Although the evidence is circumstantial, it is possible that Eva and her children were Muslim and that this alienated them from their owners. While this may have fostered a sense of independence, it also tended to militate against their being voluntarily manumitted by their owners. This was especially important for slave women, because, as is argued below, women were less able to buy their own freedom than were men.

Islam also prevented women from participating in the double-edged sword of manumission

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107 *ibid.*; F.R. Bradlow and M. Cairns, *The early Cape muslims: a study of their mosques, genealogy and origins* (Cape Town, A.A. Balkema, 1978), pp. 71-2.

108 SO 6/9, 25; *Cape Almanac* 1817, 1830.

of their female children via the Cape of Good Hope Philanthropic Society founded in 1828.[109] The Society demanded absolute control over its wards, who were 'apprenticed' to 'respectable' persons until the former reached the age of eighteen years. The form of indenture required that the girls be trained in domestic service and instructed in the Christian religion, so as to become useful working class adults. The Society was overtly Christian, and would not purchase Muslim children. Slave mothers therefore had to choose between participation in the Muslim community and the freedom, however compromised, of their children.

The political economy of Cape Town crucially entrenched the matrifocal form of the slave family. In terms of the urban milieu of Cape Town, where Bank has shown that many slaveholders were in tune with the transition to wage labour and were integrating slave labour with free, the slave legacy was reflected in the kinds of work men and women slaves were expected to perform, and the amount of social space that they in turn were able to appropriate for themselves.

As was the case everywhere in the New World, slave men monopolised most skilled occupations, other than that of seamstress.[110] Whether or not it was skilled, however, women's work was defined as of less value than men's. A reflection of this attitude is shown

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109 Somerset's ameliorative regulations of 1823 allowed for the establishment of such a society. In order for the Philanthropic Society to purchase children for manumission, the permission of the mother was required, and if old enough, the consent of the girl too. It went without saying that the consent of the owner was most important. SO 13/1; South African Public Library: Annual reports of the Cape of Good Hope Philanthropic Society; Watson, *The slave question*, chapter 4 *passim*.

110 Beckles, *Natural rebels*, p. 12.

in the regulations of minimum wages for Sunday labour. There were three categories: skilled, unskilled, and female. The wages to be paid to women slaves in Cape Town were the same as those for unskilled male labour, one Rixdollar.[111] This was in line with the malleable use of female slave labour which was related to the gendered attitudes of slaveholders towards their slaves. At the Cape, women's work was generally defined as domestic, no matter what work they actually performed.[112]

Artisans, although not the only slaves to be hired out, were the most highly paid. Bank has shown that slaves were able to increase their social space to the extent that they were living entirely separate from their owners; their only link was the money paid by the slave to his master. Because skilled slaves earned the most, they were the most likely to be able to afford to rent lodgings, and they were the most likely to be able to manumit themselves. They were thus the most independent slaves, and they epitomised the transition to non-slave labour in terms of the way they constructed their worlds.[113] It is clear that these independent skilled slaves were invariably male.[114]

Some women slaves also lived out, but under conditions of dependence. Their structural position in the town's political economy ensured that few women slaves were ever financially

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111 SO 2/11, p. 8, 21 August 1826.

112 The designations of women's occupations in the Slave Registers of the Slave Office reveal very little about the kinds of work women actually performed. In rural areas in particular, almost all women are labelled as "house maids". See paper 2 above.

113 Bank, *The decline*, pp. 38-43, 62-63.

114 *ibid.*

independent. This was exacerbated by the fact that slave mothers were the first to bear the burden of children, and there are cases where women who were hired out could not save the money needed for their manumission because they had to support their children financially.[115] Some women were able to live out with their lovers by persuading their masters or mistresses to hire them out to these men. This was an urban phenomenon which took place in the smaller villages as well as in Cape Town. The slave Rachel, of the widow Ryk Le Sueur, had lived with her lover for six years, the latter paying 18 Rixdollars per month for the privilege. When he could no longer afford that price, the widow hired Rachel out to another person for 12 Rixdollars, which sum Rachel's lover had offered to pay. Rachel was never totally independent of her mistress's control because her daughter lived with the widow who apparently illtreated her.[116] This case and others like it suggest that women did not generally live out because of independent capital accumulation as was the case with skilled male artisans; they were not financially secure enough to rent their own accommodation. Those women who lived out were generally supported by free men, usually but not only free blacks.[117] It made economic sense for women to form ties with men who could pay for their manumission, since it was very difficult to manumit themselves. Further research is required to discover the extent to which slave women chose this route.

The work required of women influenced their access to social space and hence their ability

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115 For example, SO 4/2 no. 27, 14 October 1826.

116 SO 4/2, 19 December 1826.

117 For example, SO 4/4 No. 12, 21 August 1826. Candace was hired out to her lover, William Spratt. Unfortunately Spratt was unable to pay the full price demanded in order to manumit her.

to form relationships independently of their owners.[118] For instance, wet nurses, necessarily lactating mothers, would have children of their own if the latter had not died. They were trapped in the slaveholders' household or that to which they were hired out because they had to be constantly on call; as mothers, the possibility exists that they had lovers, whom they may have regarded as husbands. Because of their nursing role they would be unable to pursue any meaningful family life of their own.[119] These women would have the least social space of all urban slaves.

Those arguably lowest on the socio-economic scale, the washerwomen, would be most free from master/mistress control. These women, however, would earn the lowest wages if hired out at all, and would therefore be unlikely to be able to afford to purchase their own freedom. They may have been able to live out with paramours who paid for their manumission, as there were no emotional ties with the slaveholder, but this would not lessen the structural dependency under which they laboured. They might not be dependent on the masters, but they would have to depend on their lovers. The difficulty with which slave women in general saved the money to purchase themselves or their kin is suggested by the records of the Cape of Good Hope Savings Bank in the records of the Slave Office.[120] For instance, Sabina, slave of a Mr William Brown, made two payments to the Protector of two pounds and just

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118 See Bird, *State of the Cape*, p. 73; Bank, *The decline*, pp. 38-42, 62-63.

119 Shell has argued that wet nurses were privileged slaves, in other words, deeply entangled in the slaveholding family ('Tender ties', pp. 8 ff, and especially p. 10). Such privileged slaves would have minimal access to social space. However, the evidence for the nineteenth century suggests that wet nurses were no more privileged than their counterparts in Europe in this period. See paper 2 above.

120 SO 13/1, Day Book of the Protector of Slaves: Bank Books.

over five pounds sterling, while the balance of her purchase price was paid by a Mr T. Elliot.[121] Sophia, owned by Mr Wolhuter, made six small payments between November 1829 and August 1831, when her purchase price was finally paid.[122] This case reflects the fact that although many women were manumitted, those cases which are described in the records as self purchases were usually only partially so. Most slave women had to depend on external financial assistance, whereas men who bought their won freedom tended to be skilled artisans who were not structurally dependent.

An unknown number of slaves who worked as prostitutes faced particular constraints in relation to family formation. Relationships with 'floating' soldiers or sailors would tend to be temporary and would encourage the perpetuation of the matrifocal slave family. Slave women who were impregnated by men in the course of their work had to choose between abortion, infanticide and keeping the baby. They could often expect no support of any nature from the fathers, many of whom would have left Cape Town in ignorance of their paternity. As slaves the children who resulted from prostitution would of course belong to their owners, but there would be little hope of manumission and eventual reconciliation with the father. In some cases demobilised troops settled in Cape Town and may have married their former prostitutes, although of course the marriage registers would not specify such an occupation. There is more evidence of the baptism of children resulting from the union of soldiers and free blacks, but there is no evidence that such women were manumitted by the fathers of their

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121 *ibid.*

122 *ibid.*

children.[123] This was arguably more likely to have been the case for government slaves than private slaves, depending on their relative access to enough social space to attend the infamous "rainbow balls", and to otherwise ply their trade.[124] William Bird's outrage at the suggestion that slaveholding women were prostituting their slaves suggests that this practice did take place, although it is impossible to determine the scale.[125]

Some slaves chose to disrupt spatial familial stability. There were many possible reasons, as when slaves could not afford to manumit themselves and their kin simultaneously, but had to do so over time. Thus the situation often arose where a former slave purchased the freedom of her children,[126] husband,[127] or other kin.[128] The choice was more difficult to make when there was little hope of future spatial reconciliation, as in the cases where slave women requested special permission to be separated from their young children. The total number of such requests is impossible to calculate as the records are incomplete, but some slaves

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123 A 1939 2/1/1-3, Archives of St George's Church, Cape Town, incorporating the records of the military chaplain, Baptismal Registers. See for example, 9 January 1813, baptism of William, 'illegitimate son of James Gunn Esq' [93rd Regiment] and Eva van [?]Carwel, 'Free Native'; also baptisms dated 16 June, 25 June, 29 July, 9 October 1812, and 20 March 1812, where the mother is definitely a former slave, named Mary of Bengal.

124 Bird, *State of the Cape*, pp. 165-6.

125 *ibid.*, p. 75: '... no mistress in any decent rank of life ever dressed her female slave for prostitution, as has been lately stated, or would knowingly suffer a promiscuous intercourse to take place, even though the girl was sufficiently abandoned to permit it.' See paper 4, n. 10 below.)

126 SO 4/2, No. 9, 110, 111, 115. See also the manumissions listed in SO 12/3-4, 9-11 and 13.

127 For example, SO 13/1, 'The Freeblack Francina of the Cape, for the purchase of her husband named David, slave...'

128 For example, SO 4/2 No. 95.

certainly considered separation to be in the interests of their children.[129] It is significant that the vast majority of requests for separation came not from slaveholders but from the slave mothers. At times the motive was clearly economic: some women requested the apprenticeship of their children in order to learn a trade, as in the case of Abria who asked to be separated from her sons aged ten and twelve, a certain Plaat 'having promised her that the first [child] should be taught the trade of a carpenter, and the latter the trade of a painter.'[130] There might have been a similar motive in some cases of consent given for the purchase of their children by the Philanthropic Society. Women knew that their children could - and often would - be separated from them when at the age of eight, nine, ten or fifteen, depending on the relevant legislation, and there are instances of women doing all they could to ensure that their children were placed with the best possible masters while they had any power over their children's future.[131] In granting permission for their children to be bought by the Philanthropic Society, they lost any parental control. The form of declaration stated that a child was placed 'under their absolute control until she shall have attained her 18th year'.[132]

This paper has attempted to demonstrate that the dynamics of family formation for slaves were fundamentally different for men and women, because slavery was necessarily built into and central to any form of family involving slave women, while slavery did not necessarily define

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129 SO 13/1, 'Applications for Separation' and 'Declaration Book for the use of the Philanthropic Society', 1831-1832.

130 SO 13/1, No. 15, 5 February 1833.

131 SO 13/1, No. 13-20.

132 *ibid.*

and delimit families for slave men. It therefore appears that the ameliorative measures of 1823 and 1826 functioned as a smoke screen to persuade antislavery interests that two parent families were being fostered, whereas in fact the matrifocal form was entrenched as slaveholder interests were respected by the local colonial authorities. These measures excluded paternal authority and perpetuated the matrifocal family, despite the fact that such a familial form was not seen as the best way in which to ensure social control and the regulation of wage labour after emancipation. At the same time, the economic structures into which slave women were locked militated against their full participation in the psychological and material transition to wage labour with all that that implied for slave families. Nevertheless, slave women maintained stable familial ties where spatial integrity was impossible, and fought against formidable odds to free themselves and their kin.

REFERENCES

UNPUBLISHED PRIMARY SOURCES

Cape Archives

Archives of St George's Church, Cape Town, incorporating the records of the military chaplain.

A 1939 1/2/1-2	Marriage Registers, 1824-1834.
A 1939 2/1/1-3	Baptismal Registers, 1806-1834.

Slave Office

SO 2/11	Letter Books of the Protector of Slaves, 1826-1830.
SO 3/1-13, 20a.	Reports of the Protector of Slaves, 1826-1834
SO 4/2	Book of complaints kept by the Guardian of slaves, 1826-1830.
SO 4/4	List of complaints and Applications made to the Guardian of Slaves and Documents connected therewith, 1826-1827; List of Cases under Report (1830-33); Slave Complaints and Law Proceedings (1828-33); Slave Complaints (1814-34).
SO 5/1	Day Book of the Protector of slaves, 1826-1829
SO 6/9-32	Slave Registers, Cape Town and District.
SO 8/31	Register of Marriages, 1824-1830.
SO 12/3-10	Deeds of manumission, 1816-1834 (vol 10 contains various deeds, 1768-1834).
SO 12/11	Return of Manumissions effected by Purchase, Bequest or otherwise (1808-1824); and draft return of manumissions submitted to the Supreme Court for enrolment (1830-1834).
So 12/13	Return of slaves manumitted 1828-1830.
SO 12/16	Claims for freedom 1817-1831.
SO 13/1	Day Book of the Registrar of Slaves and deeds for the registration or cancelling of Bonds (1828); Declaration Book for the use of the Philanthropic Society (1831-1832); Bank Book (1829-1832); Applications for Separation and Certificates granted by the Protector of Slaves (1827-1834).

Cape Town Magistrate

1/CT 6/19	Preparatory Examinations, 1828-1833.

South African Public Library

Annual reports of the Cape of Good Hope Philanthropic Society

Cape Almanac 1817, 1830

The Cape of Good Hope Government Gazette, 1830.

PUBLISHED OR PRINTED PRIMARY SOURCES

Bird, W.W., *State of the Cape of Good Hope in 1822* (London, John Murray, 1823).

Botha, C.G., *Collected works*, vol. II: *History of law, medicine and place names in the Cape of Good Hope* (Cape Town, C. Struik, 1962).

Die Banier, 2 June 1963.

Leibbrandt, H.C.V., *Precis of the archives of the Cape of Good Hope* (Cape Town, South African Library, 1905-1989).

Theal, G.M., *Records of the Cape Colony*, 35 vols (London, 1897-1905).

Wright, W., *Slavery at the Cape of Good Hope* (London, 1831)

UNPUBLISHED SECONDARY SOURCES

Adhikari, M., '"The sons of Ham": slavery and the making of coloured identity' (paper presented at the Conference, Cape Slavery- and After, History Department, University of Cape Town, 1989).

Bickford-Smith, J.V., 'Commerce, class and ethnicity in Cape Town, 1875 to 1902',

(Ph.D thesis, University of Cambridge, 1988).

Dooling, W., 'Slaves, slaveowners and amelioration in Graaff-Reinet, 1823-1830' (BA (Hons), University of Cape Town, 1989).

Guelke, L. and R. Shell, 'The rise of a colonial landed gentry: the distribution of landed property in the Cape Colony 1657-1731' (paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 31 March 1982).

Mason, J., '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

Scully, P., 'Private and public worlds of emancipation in the rural western Cape, South Africa, c. 1830-1842' (unpublished paper, University of Michigan, 1991).

Scully, P., 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented to University of Cape Town History Department post-graduate seminar, April 1992).

Shell, R., 'The Establishment and spread of Islam at the Cape from the beginning of Company rule to 1838' (BA (Hons), University of Cape Town, 1974).

Shell, R., 'Slavery at the Cape of Good Hope 1680 - 1731' (Ph.D, Yale, 1986).

Shell, R., 'Tender Ties: the women of the slave society' (Paper presented at the Department of History Conference, Cape Slavery- and After, University of Cape Town, August 1989).

van der Spuy, P., 'Slave women and the family in Cape Town after the abolition of the slave trade' (paper presented at Sixth Cape Town History Workshop, University of Cape Town, 11-12 November 1991).

van der Spuy, P., 'Women and crime: the involvement of women in violent crime as processed by the institutions of justice in Cape Town 1860-1879' (BA (Hons), University of Cape Town, 1989).

PUBLISHED SECONDARY SOURCES

Armstrong, J.C. and N. Worden, 'The slaves, 1652-1834' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989).

Bank, A., *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991).

Beckles, H., *Natural rebels. A social history of enslaved black women in Barbados* (London, Zed Press, 1989).

Bradlow, F.R. and M. Cairns, *The early Cape muslims: a study of their mosques, genealogy and origins* (Cape Town, A.A. Balkema, 1978).

Bredekamp, H.C., 'Die Khoisan en vakterminologie na *The Oxford History of South Africa*: n historical dilemma' with comments by Vernon February and Susie Newton King, *South African Historical Journal* 25 (1991).

Bush, B., *Slave women in Caribbean society 1650-1838* (London, James Currey, 1990).

Craton, M., 'Changing patterns of slave families in the British West Indies', *Journal of Interdisciplinary History*, 10 (1) (Summer 1979).

Edwards, I.E., *Towards emancipation: a study in South African slavery* (Cardiff, University of Wales, 1942).

Elphick, R. and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795' in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989).

Flandrin, J-L., *Families in former times: kinship, household and sexuality*, trans. R. Southern (Cambridge, New York, Cambridge University Press, 1979).

Fox-Genovese, E., 'Placing women's history in history', *New Left Review* 133 (May-June 1982).

James, W.G. and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, University of Cape Town, 1989).

Laslett, P. (ed), *Household and family in past time: comparative studies in the size and structure of the domestic group over the last three centuries in England, France, Serbia, Japan and colonial North America, with further materials from Western Europe* (Cambridge, University Press, 1972).

Ross, R., 'Oppression and sexuality at the Cape of Good Hope', *Historical Reflections* 6 (1979).

Penn, N., '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800' (*South African Historical Journal* 23 (1990).

Ross, R., 'The age of marriage of white South Africans, 1700-1951', *African Historical Demography* Vol. II, Proceedings of a seminar held in the Centre of African Studies, University of Edinburgh, 24 and 25 April 1981.

Ross, R., *Cape of torments: slavery and resistance in South Africa* (London, Boston, Melbourne and Henley, Routledge and Kegan Paul, 1983).

Shell, R., 'The family and slavery at the Cape, 1680-1808' in W.G. James and M. Simons (eds), *The angry divide.*

van der Spuy, P., 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991).

van der Spuy, P., 'Slave women and the family in nineteenth century Cape Town', *South African Historical Journal* 27 (1992).

Wall, R. (ed), *Family forms in historic Europe* (Cambridge, New York, Cambridge University Press, 1983).

Watson, R.L., *The slave question: liberty and property in South Africa* (Johannesburg, University of the Witwatersrand Press, 1990).

Weeks, J., *Sex, politics and society: the regulation of sexuality since 1800* (London and New York, Longman, 1981).

Worden, N., *Slavery in Dutch South Africa* (Cambridge, Cambridge University Press, 1985).

'The destruction of her Child'[a]

Infanticide and the politics of reproduction

at the Cape in the era of amelioration.

[a] GH 49/22, Government House, Criminal and Civil Pleadings, 1822, April - July, p. 40.

'She said as she tumbled the baby in:
There, little baby, go sink or swim
I brought you into the world, what more should I do?
Do you expect me always to be responsible for you?'[1]

'Although childbirth is a significant personal experience for women, it is also a social event bound up with the maintenance and reproduction of social order.'[2]

In November 1821 the decomposing corpse of a newly born child was discovered in Graaff-Reinet. It was the body of the illegitimate baby of Anna Sauer, the fifteen year old daughter of a small-scale slaveholder, J.N. Sauer.[3] The Court of Justice in Cape Town found that after failed attempts at abortion, Anna had given birth, and that Sauer's slave Rosalyn had killed the baby under Anna's orders.[4] The two women were sentenced to death, but both

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1 J. MacGibbon (ed), *Stevie Smith, selected poems* (Harmondsworth, Penguin, 1975), p.101.

2 J. Murphy-Lawless, "The obstetric view of feminine identity: a nineteenth century case history of the use of forceps on unmarried women in Ireland", in Alexandra Dundas Todd and Sue Fisher (eds), *Gender and discourse: the power of talk* volume 30 in the series Advances in Discourse Processes, edited by R.O. Freedle (Norwood, New Jersey: Ablex Publishing Corporation, 1988), p. 177.

3 CO 2633 No. 110: Letter from Landdrost A. Stockenstrom to Colonial Secretary C. Bird, 20 Nov 1821. SO 6/74 folio 43: Slave Register of Johan Nicolaas Sauer: In 1817 Sauer registered 2 slaves, Roselyn and Letjou, who were known as 'man' and 'vrouw' (See, for example, CJ 816 No. 17, p.223). Letjou died between the burial of Anna Sauer's baby and the trial (*ibid.*). Three children are listed as having been born to Roselyn. The only other slave recorded is Cesar, who was registered in December 1823 and sold two years later. See also SO 5/1 No. 138, pp. 378, 394, 400.

4 CJ 816 No. 17. Sauer's Khoikhoi servant; Philida was also indicted, but on lesser charges.

appealed.[5] Anna was acquitted, but Rosalyn had confessed to the murder and consequently the death sentence was confirmed, with the caveat that the sentence was to be suspended for the time being.[6] The Governor, Lord Charles Somerset, appealed for Royal clemency in April 1823, and Rosalyn's sentence was commuted to five years' hard labour.[7]

This paper explores the case against Anna Sauer and Rosalyn in order to examine the publicisation of the reproduction-related issues of child-bearing, abortion and infanticide in Cape slave society in the nineteenth century.[8] A number of related issues are raised concerning firstly a crisis within the traditional slaveholding patriarchal mode of control and

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5 GH 49/22, Criminal and Civil Pleadings, 1822 April-July, pp. 32 ff.: 'In appeal from a Sentence of the Worshipful Court of Justice bearing date 2nd day of April 1822'; ZP 1/1/28, Microfilm of CO 48/60: Letter from Lord Charles Somerset to Earl Bathurst, 28 April 1823.

6 CJ 816 No. 17.

7 ZP 1/1/28: Somerset to Bathurst, 28 April 1823; G.M. Theal, *Records of the Cape Colony* vol. 32 (London, 1905), p. 159: Letter from Major-General Bourke to Earl Bathurst, 5 July 1827, and enclosure from D. Denyssen, Fiscal, 4 June 1827; Theal, *Records* vol 34 (London, 1905), pp. 53-4: Letter from the Right Hon. William Huskisson to Major-General Bourke, 23 October 1827.

8 P. Sumerling, 'Infanticide, baby-farming and abortion in South Australia 1870-1910', History Honours thesis, University of Adelaide, 1983, p. 1 following J. Allen, 'Octavius Beale re-considered. Infanticide, baby-farming and abortion in New South Wales 1880-1939', in Sydney Labour Group, *What rough beast*, New South Wales, 1982, p. 112, uses the term 'reproduction-related crime' to refer to abortion, infanticide and baby-farming. I wish to avoid pre-empting the criminalisation of such acts, which is why I refer to them as issues rather than crimes per se. See C. Smart, *Women, crime and criminology: a feminist critique* (London, Boston and Henley, Routledge and Kegan Paul, 1976) and P. van der Spuy, 'Women and crime: the involvement of women in violent crime as processed by the institutions of justice in Cape Town 1860-1879' (BA (Hons), University of Cape Town, 1989), introduction. Barbara Bush has pointed to the need to look at slave reproduction from "within", to recapture the slave women's own perspectives, which tend to be ignored in quantitative approaches to the "fertility debate" (B. Bush, *Slave Women in Caribbean Society* (James Currey, London, 1990), chapter 7).

secondly the value of slave reproduction.[9] The status of infanticide and abortion at the Cape in the years leading up to the trial will be outlined, followed by an examination of the Anna Sauer/Rosalyn case itself. The third section of this essay will explore the implications of the case for the history of Cape slavery.

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Things began to fall apart in 1817 when a Mr R.B. Fisher wrote to William Wilberforce in England asserting that infanticide was widespread and unreported at the Cape.[10] He alleged that he had personally seen three infant corpses and had heard of the discovery of 'no less than 13 murdered infants lying on the Beach without any enquiry having been instituted as to

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9 The regional focus shifts between Cape Town and Graaff-Reinet, the latter a "frontier zone" where the infanticide was committed, a region notorious for an early history of immorality and relations with non-settlers characterised by violence. Graaff Reinet, was '500 miles in the interior of this settlement' (ZP 1/1/1/28: Somerset to Bathurst 28 April 1823, third page) and symbolised the 'old guard' of Dutch-speaking settlers whose lives were being deeply affected by the era of British rule and its concomitant intrusion into the private domain. Cape Town, as the seat of the Court of Justice and the Court of Appeal (which consisted essentially in the person of the governor) represented the emerging self-consciously paternalistic colonial state.

10 Theal, *Records* vol. 11 (London, 1902), p. 346: Letter from Lord Charles Somerset to Earl Bathurst, 19 May 1817. For the details of his complaint, see *ibid.*, pp. 173 ff: Letter from R.B. Fisher to Earl Bathurst, 4 Southampton Place, Euston Square, 13 September 1816, and enclosure: to William Wilberforce. Fisher claimed to be 'younger brother to the Bishop of Salisbury, and am extremely well known to ... Sir John Cradock and Mr Pitt, Member for Crickdale'; he also claimed Hamilton Ross as an acquaintance (*ibid.*, p. 174-5). Apart from infanticide, he claimed knowledge of unbridled incest and miscegenation (*ibid.*, pp. 176-7). He was also presumably the origin of Bird's disclaimer regarding mistresses hiring their slave women out as prostitutes (*ibid.*, p. 177: see paper 3, p. 144, n. 125 above).

the manner in which they lost their lives'.[11] This allegation was related to the Colonial Secretary, who demanded an investigation. Somerset requested information from the Court of Justice, the Fiscal, and the Burgher Senate:

> 'From the united testimony of all these authorities..., from the indignation with which so foul an accusation has been received, and from my own observation of the strictness with which crimes, when they unfortunately do occur, are impartially prosecuted, I may venture to pronounce Mr Fisher's allegations gross and unfounded misrepresentations.'[12]

The Chief Justice, J.A. Truter, reported that since 1800 "only" eight inquests had been performed on infant corpses. If anything like the number of corpses alleged by Fisher had been lying around, surely 'it must have attracted the attention of the public' and thence the Court of Justice, and this had not occurred.[13] Therefore Fisher must have grossly misrepresented the facts. Truter concluded his report with the assertion that

> 'even supposing ... that all eight infants... came alive into the world (which in two cases only fully appeared) ...the crime of infanticide is not more prevalent in this Colony than elsewhere, on the contrary, there are several examples of new born children having been placed in such situations that they must be found, and who have accordingly been taken up and properly provided for.'[14]

The Fiscal, D. Denyssen, likewise stated that

> 'far from being prevalent this enormous crime has scarcely been proved to have existed in this Colony, and ... whenever such crime is suspected to exist, the most scrupulous investigation has taken place in order that the offenders might be brought to their condign punishment.'[15]

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11 *ibid.*, p. 176, 346.

12 *ibid.*, pp. 344-5.

13 *ibid.*, p. 346.

14 *ibid.*, p. 346: Letter from J.A. Truter to Lord Charles Somerset, 27 March 1817.

15 *ibid.*, p. 347: Letter from D. Denyssen to Lord Charles Somerset, 22 April 1817.

He noted in agreement with Truter that only two cases of suspected infanticide had been investigated since the British occupation - in 1806 and 1813 - but that neither case had been proved.[16] No cases of infanticide had ever been reported to the Burgher Senate, and Fisher's statement was 'contradicted as it were out of one mouth by the Official Reports of Seventy-four Wardmasters'.[17]

The successful defusion of this potential scandal underlines the taboo status of infanticide in Cape society at this time.[18] It is important to note that the number of reported killings bears no necessary relation to how many infants were destroyed. The low level of reportage suggests that such behaviour was traditionally accommodated within the private domain; part of the answer lies in the weakness of the police force, but the colonial authorities had

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16 In the former case, the woman, who had been imprisoned for two years pending investigation of the case, was sentenced to a further six months' imprisonment for having concealed the birth of her still-born child. In the latter case, the woman was found to have consented to the death of her infant, assumed born alive (which, however, it was not); she was sentenced to scourging, branding and 20 years' imprisonment, the latter part being remitted by the governor (*ibid.*, p. 347). See also CJ 3176 (Miscellaneous Inquests 1803-1827) and CJ 3178 (Inquests 1813-1819).

17 Theal, *Records* 11, p. 349.

18 A similar reluctance to police infanticide pertained in England in the period before the 1834 Poor Law. According to Lionel Rose, in the first three decades of the nineteenth century 'there was general complacency about the incidence of infanticide in Britain'. The author of *First lines in the practice of midwifery*, Dr Charles Severn, echoed the words of the Cape authorities when he claimed for England that infanticide was 'a crime in this country rarely committed'. What this reflected, of course, was an indifferent attitude, not the incidence of infanticide. Britain shared with the Cape a low level of policing and an official denial of the incidence of infanticide. L. Rose, *The massacre of the innocents. Infanticide in Britain 1800-1939* (London, Boston and Henley, Routledge and Kegan Paul, 1986), pp. 35-6. See also P.C. Hoffer and N.E.H. Hull, *Murdering mothers: infanticide in England and New England, 1558-1803* (New York: New York University Press, 1984), *passim* and pp. ix, 73 ff.

arguably relied on the "state in miniature", the patriarchal settler family, to police female sexuality.[19] Moreover, the uncertainty of Truter and Denyssen as to how many of the eight inquests in fact referred to infanticides underlined the difficulty experienced in relying on the test for infanticide, the floating of the child's lungs in water, which was used throughout the Western world at this time.[20] If the lungs floated, it was accepted that the child had breathed, and that infanticide might have occurred.[21]

Although infanticide or *kindermoord* was a crime in Roman-Dutch law and taboo in Cape settler society, it is unknown how far it was actually used as a form of birth control. Contrary to the image projected by the colonial authorities in the infanticide scandal, however, there are signs of the recognition that things were indeed falling apart in terms of the ability of settler men to regulate the sexual behaviour of their wives and daughters. In 1810 the colony's first "Colonial Instructor in Midwifery."', Dr J.H.F.C.L. Wehr, had been appointed, after a number of years of agitation by local medical authorities who impressed on the

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19 See paper 1 above; K. Elks, 'Crime, community and police in Cape Town 1825-1850' (M.A., University of Cape Town, 1986), chapter 1 - and there were other things on the authorities' minds; see n. 74 below. It may be significant that the discovery of an infant's corpse referred to in the report by the Fiscal occurred in 'the most deserted part of this Colony', not really part of the Colony at all, and no cause for public concern (Theal, *Records* 11, p. 348). Sumerling, 'Infanticide', p. 13, notes that quantifiers are 'put off by the difficulty, if not impossibility, of establishing the incidence of acts which were illegal and therefore hidden from public scrutiny.'

20 Hoffer and Hull, *Murdering mothers*, p. 78; van der Spuy, 'Women and crime', p. 60.

21 CJ 3176 Inquests, 1810: p. 64: '... het Kind nog geen Lugt in de Lungen geademt heft'.

governor the lack of control held by the authorities over reproduction-related issues.[22] Two years previously Wehr had claimed that

> 'At present there is, one aged woman not excepted, not one midwife professionally and legally instructed and sworn: any Hottentot woman, Free woman of Colour and even Slaves, presuming to act as midwives, therefore practice (*sic*) freely, and the consequence that must arise therefrom both for mothers and children are [*sic*] obvious - not to mention the law ...'[23]

The Supreme Medical Committee, recently established, advised the governor '"that the founding of a midwifery institution was very necessary in order to counteract the extreme Evils and frequent misfortunes" which resulted from the ignorance of midwives'.[24] Under Wehr's instruction, trainee midwives practised on pregnant slave women in the Lodge. Once they had successfully completed the course of training, the women had to swear the 'customary oath' before the Fiscal, 'to report suspicious and unmarried women and the *casus morbi* of all Stillbirths'.[25] It was clear that too many women were controlling their own fertility and socio-sexual behaviour, so the authorities made the first concerted attempt to control midwifery, to stamp out abortion and illegitimacy.[26] The 1817 incident suggests that

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22 E.H. Burrows, *A history of medicine in South Africa up to the end of the nineteenth century* (Cape Town and Amsterdam, A.A. Balkema, 1958), pp. 106-7. For information on Wehr, see p. 75.

23 *ibid*, p. 106.

24 *ibid*.

25 *ibid*.

26 C.G. Botha, writing of the eighteenth century ideal, noted that "[m]idwives were ... required to take an oath of allegiance and to promise that they would not give any woman anything to cause abortion.... In cases where the child born was not in lawful wedlock or by the lawful husband of the woman, the midwife was to ascertain who the father of the child was and to report the matter to the Magistrate" (C.G. Botha, *Collected Works* vol.II: *History of law, medicine and place names in the Cape of Good Hope* (Cape Town, C. Struik, 1962), p. 186).

the colonial authorities were not as successful as they had hoped to be. In the 1820s, abortion and infanticide would re-enter the public domain, without any policing on the part of the authorities. Faced with the public exposure of a white child's corpse, the authorities were forced to act.[27] This time abortion and infanticide were coopted into the official discourse on slavery, in the process revealing cracks in settler patriarchal familial control.

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On November 20, 1821, the Landdrost of Graaff Reinet, Andries Stockenstrom, wrote to the Colonial Secretary in Cape Town that

> '... in the morning of the 18th Instant the Body of an Infant was found Exposed in this Town which appeared to have been Buried for some time and was in such a putrid state that the Surgeon declared it impossible to form an opinion whether it had been Born alive or whether Death had been caused by violence, however on Enquiry I was sorry to discover that the Corpse was the illegitimate offspring of Anna, Daughter of Jan Nicolaas Sauer, Born alive on the 2nd Instant and put to death immediately After by order of its mother by the female slave Rosolyn [*sic*] of said Sauer with the Connivance and assistance of the Hottentot Philida, and secretly Buried the Same Evening by the said Rosolyn and Letjou male slave of said Sauer.'[28]

Two years later, in April 1823, the Governor Lord Charles Somerset wrote to Earl Bathurst requesting the King's pardon for Rosalyn, who had been condemned to death for the murder

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[27] CJ 816 No. 17, p. 226.

[28] CO 2633 No. 110: Letter from Landdrost of Graaff-Reinet, Andries Stockenstrom, to Colonial Secretary William Bird, 20 Nov 1821.

of her young mistress's new-born infant.[29] His letter purposefully misconstrued certain evidence to support his conviction that Rosalyn should receive clemency, stating very strongly that he believed it unlikely that the slave woman had killed the baby, but that had she done so, she could not be held responsible for her acts. He noted that the coroner had reported that 'there was no mark of Violence visible' and that it was incredible that

> 'a new born Infant could be knocked on the Head with a Stone and two Stones placed on it, so heavy that one Person could not move them, without totally destroying its Bones and shattering its Skull [sic] much less that no mark of Violence was visible?'[30]

However, the reason that 'no mark of Violence' was visible was that the body had decomposed to such an extent that not even the sex was discernable.[31] The crux of Somerset's case to the crown was that Rosalyn's ostensible act of infanticide personified the logical extreme of the slave condition, that a slave was an extension of the will of her master.[32] Before Somerset's paternalistic intervention, slaves like Rosalyn had been brought

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29 ZP 1/1/128: Letter from Somerset to Bathurst, 28 April 1823. Parts of this letter are reproduced in Theal, *Records* vol. 15 (London, 1903), p. 406. Theal transcribed only the first section of the letter, adding a note that '[i]t cannot be necessary to copy and print the lengthy details of this case'. In fact, the 'lengthy details' recorded in the letter amounted to only eight hand-written pages.

30 ZP 1/1/1/28: Somerset to Bathurst, 28 April 1823, fifth page of the letter (not paginated).

31 CO 2633, No. 110; CJ 816 No. 17, p. 226: '...een jong geboren kind gewoeld in een oude voerchitze? vrouwe rok, het welk reeds eenigen tyd onder de aarde scheen te zyn geweest, ... waaraan door de hooge graad van vervrotting niets anders kon worden bespeurd, dan dat het een wit kind was geweest'.

32 D.B. Davis, *Slavery and human progress* (New York, Oxford University Press, 1984).

up with the one precept of 'implicit and absolute obedience to their Master or Mistress'.[33] Had Rosalyn killed the baby, she had done so on the express command of her mistress and therefore she had acted correctly in her capacity as a slave.

> 'One Fact ... weighs so strangely with me, that nothing can remove the impression, that if the Infant was born alive and that its Death was caused by Rosalyn, she acted in obedience to the Commands of her Mistress.'[34]

She had no choice, no free will, and therefore should not be executed. In the event, the sentence of death was commuted to five years' imprisonment, which she duly served.[35]

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[33] ZP 1/1/1/28: Somerset to Bathurst, 28 April 1823, 7th page. The historian Richard Watson has noted the paternalistic tone of Somerset's letter, in which Somerset justified the recent unilateral imposition of amelioration by emphasising his role in the establishment of slave schools (R.L. Watson, *The slave question: liberty and property in South Africa*, (Johannesburg, Witwatersrand University Press, 1990), p. 25.); for comparative purposes, see CJ 816 No. 62, concerning a Khoi woman who was condemned to death by the Court of Justice. Somerset remitted '... the sentence awarded and [delivered] the prisoner over to the Colonial Chaplain 2[*sic*] be brought up in the School established for the Instruction of Govt Slaves' (5 March 1823).

[34] *ibid.*, 6th page. Somerset gives fully two pages to that aspect of Rosalyn's testimony, where she repeatedly insists that she had only done her duty as a slave: 'I am a Slave and **as such I am bound to comply with what I am directed to do**'. Emphasis and enlarged script in original.

[35] CJ 816 No. 17, p. 229; Theal, *Records* 32, p.159: Letter from Major-General Bourke to Earl Bathurst, 5 July 1827, and enclosure from D. Denyssen, Fiscal, 4 June 1827; Theal, *Records* 34, pp. 53-4: Letter from the Right Hon. William Huskisson to Major-General Bourke, 23 October 1827. Although the fiscal believed that Rosalyn had become a government slave by virtue of her pardon, she was apparently returned to Sauer. She approached the Slave Office in Cape Town in 1828, requesting the Guardian's assistance to purchase her manumission (SO 3/3 No. 138, Report of the Guardian of Slaves, 6 June 1828; SO 5/1 Day Book, Guardian of Slaves No. 138: pp. 378, 394, 400). As she could only raise 100 Rixdollars, Rogers did not consider the case worth pursuing. Sauer told Rogers that he had already sold her to look after a Mr De Villiers' children (Rogers did not note the irony of such an occupation for someone convicted of killing her mistress's baby). According to the Slave Register, however, she was transferred to a different man, a Mr Baks in Cape Town (SO 6/8), and was eventually manumitted on 23 July 1829, the purchase price having been paid by a free man named Morat of Bengal (SO 12/13, Manumissions).

Somerset implied that such behaviour could only be avoided in the context of (his recently introduced) amelioration, which included education and moral enlightenment with the conversion of slaves to the (protestant) Christian religion.[36]

In Somerset's hands infanticide and the character of the killer-slave were transformed from a state both barbaric and unnatural to one of absolute, and noble (if savage), devotion to duty. The record of Anna Sauer's appeal reveals the extent to which these factors could be manipulated. Truter appeared for Anna Sauer, and Reizz played the role of prosecutor, explicitly defending the role played by Rosalyn. According to Truter, Anna Sauer could not have killed her baby. His argument included her alleged physical and mental weakness at the time of the birth,[37] but he relied for greatest emotional impact on his depiction of Sauer as an innocent young girl who had been "set up" by the slaves of her father:

> 'The Girl, who has thrown herself into the arms of this Right Honourable Court [ie Somerset himself], has not yet reached the age of Fifteen Years, in which tender age it cannot with any profitability be supposed, that so high a degree of wickedness and Hardness can exist as is required to commit the crime of which she stands accused -- .... of this Crime, the Appellant, who has scarcely passed her Childhood, whose heart cannot yet be deformed by wickedness, whose Conscience cannot yet be hardened, is said to have made herself guilty; if it holds true, that nature never leaps, that it does not on a sudden create an innocent being, into a perfect villain then it holds equally true that the clearest proofs are required to convince this Right Honourable Court

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[36] The ameliorative regulations were proclaimed on the 18th March, and Somerset wrote the above letter on the 28th April of the same year, 1823.

[37] GH 49/22, pp. 76-7: '...she had become a mother for the first time in her life - she laid [?]exhausted from the pains consequent thereon - she was therefore naturally deprived of a great deal of her senses; and is it, under such circumstances, probable, that she could act - premeditatively?' See also pp. 139-45: original English translation of 'Records kept by Chief Justice J.A. Truter and Members of the Court of Justice re R.O. Prosecutor (A. Stockenstrom) vs Anna Sauer' and others. The ostensible mental weakness of women during labour became a reason for dropping the death penalty for infanticide.

of the Appellant's actual guilt....'.[38]

On the other hand, as a mother she must have maternal feelings, and to suggest that she could kill her baby was to suggest that she was evil.

> 'This Girl... is not only accused to have attempted the destruction of her Child, prior to its birth, by abortive means, but moreover while carrying that Child under her hart [*sic*] to have forged the Plan, in case the Child was brought to world alife [*sic*], to have actually have destroyed or caused it to be destroyed. -- A premeditated plan to deprive a being, which is felt to move in the womb, of its existence! What a hedious [*sic*] accusation!'[39]

She had already suffered greatly, and should be returned to her 'parents' and community immediately, Truter implying that she would not be as foolish again.[40] From this perspective, Nature could not 'leap': Anna Sauer could not have killed her baby, but the slave Rosalyn could have. Because her testimony was unsworn, and (illogically) because she had 'shewn [*sic*] by [her] evidence such depraved character, ...[she deserved] no believe [*sic*] even under oath.'[41] She had openly confessed to the killing, and a fellow worker claimed that she had urged Anna to kill her baby in order to avoid *schaamte*.[42] Therefore it was apparent to Truter that she 'considered infanticide as a very insignificant thing -- as a case which very

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38 GH 49/22, pp. 38-42.

39 *ibid.*, pp. 40-1.

40 *ibid.*, p.45. Truter implied that Anna had two parents, which was incorrect; her mother was dead (ZP 1/1/1/28 Somerset to Bathurst, 28 April 1823, second page).

41 *ibid.*, p. 58.

42 1/GR 3/27: Judicial declarations 1821-1822, 'Verbaal gehouden.... Contra Anna Dogter van Johan Nics Sauer.. ter Zaake van het gebruiken van middelen ter afdryving van der vrugt waarmeede zy beswangerd was en ter zaake van kindermoord', no pagination. Deposition of Philida, who had a vested interest in appearing innocent as she was also on trial but for a lesser crime.

lightly burthened the conscience'.[43] Truter stressed that Rosalyn had no obligation to obey Anna Sauer, 'who was only a daughter in the House and to obey or not to obey whom in such an act she could not suffer any good or harm for'[44]. Significantly, the defence did not attempt to deny the pregnancy or illegitimate birth: 'The Appellant acknowledged to have been pregnant, but denied to have made use of means to abort the fruit -- she acknowledged to have been delivered of a child, but denied to have either directly or indirectly cooperated in its destruction'.[45] Although these acts were undesirable, the woman could be accepted back into her family and community, having 'suffered much'.

The prosecution simply turned Truter's arguments around. Reizz did not portray Anna Sauer as an innocent child of 'not yet fifteen', but a calculating woman of sixteen years, who had committed 'the most monstrous crimes, - *of abortion* , and *Infanticide*'.[46] He argued that the witnesses, including Rosalyn and other slaves and Khoi members of a tightly knit network, were competent and utterly convincing. He reminded the Governor that slaves were not *allowed* to swear the oath, so the mere fact of their not swearing was irrelevant.[47] He summed up his portrayal in these words:

> 'A Girl of 16 years may be deprived of her honor, and innocence, by Sedicious means, She may, when the consequences of Seduction make their appearance, become aware of her lost honor, may feel afraid and ashamed, Yes, she may even for *a moment* forget herself, So as to commit a deed, of which she will afterwards repent; such circumstances, are always in some

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43 GH 49/22, p. 73.

44 *ibid.*, p. 65.

45 *ibid.*, pp. 43-4.

46 *ibid.*, p. 82 (emphasis in original).

47 *ibid.*, p. 109.

> degree, taken in consideration by a Judge, who loves his fellow Creatures. --- But a woman, who for some months Since, has been pregnant with the Idea, and intention of cruelly depriving, of its existence, that being to which she is about to give its birth, who deliberately concerts with others this hideous crime, and finally, actually executes the Same, that being is no longer, to be classed among the rational Creatures, it has denied its nature and reduced itself to the most dispicable [*sic*] clas [*sic*] of beings -- if nature is not in the habit of passing from one extreme to the other, or to quote the advt for the Appellant's own words, *if nature does not leap*, she certainly has deviated, in this instance from her usual Course, by metamorphosing an innocent Girl of 16 Years into a monster, at whose cruelty every being must Shiver.'[48]

In this portrayal, Rosalyn became the victim. Anna Sauer was not simply a daughter in the Sauer household. Her father was a widower, and Anna was apparently his only daughter, who presumably had to take on her mother's role.[49] She would therefore theoretically have some authority over the household slaves and servants, and in this light Rosalyn's only fault could be her absolute obedience to the wishes of her mistress:

> 'None of the accomplices have had any hatred or animoity [*sic*] towards the Appellant nor does [*sic*] there appear circumstances Subsequent to the crime, that could have animated the Appellant's accomplices against her, to the contrary, they have in serving the Appellant in her crime, become the Sacrifices there of, they who had not the least Self interest in the Delivery or birth of the Child, have rendered themselves guilty of the crime by their zeal to Serve their Mistress by which they have become liable to an equal punishment with the Appellant.... in their state of ignorance they were driven astray by a blind inclination to serve and obey their Mistress and in this manner have become the Machines of the most cruel Crime.'[50]

However, there is evidence that Rosalyn and the others implicated in the killing did not blindly obey Anna Sauer because they viewed her as a figure of absolute authority, and themselves as mere extensions of her will. The servants consistently refer to Anna Sauer as

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48 *ibid.*, pp. 85-7 (emphasis in original).

49 ZP 1/1/1/28: Somerset to Bathurst, 28 April 1823, second page. See also 1/GR 3/27: Deposition of Anna Sauer.

50 GH 49/22, pp. 91-2.

'Antje' or 'kleyn nonje', which suggests that they perceived her as a child.[51] However, this did not mean that her wishes could be disregarded. Nevertheless, it is apparent from the depositions of various slaves and servants involved in the events leading to the infanticide that Anna was obeyed partly because the older women were bribed, but also because they understood (although they did not share) her fear of bearing an illegitimate child.[52]

Nevertheless, Somerset apparently selected the more pleasant aspects of both speeches, since he acquitted Anna *and* chose to accept Rosalyn's essential innocence.[53]

In the course of the two years between 20 November 1821 and 23 April 1823, then, the character of slave and mistress, as well as the acts of abortion and infanticide, were discursively manipulated to suit the needs of the moment. The attitudes of Landdrost Stockenstrom and the Heemraden of Graaff Reinet towards the attempted abortion and the actual killing of Anna Sauer's baby are not explicit in the extant court records, but it is possible to gain some understanding from the language used in defining the women's crimes, from the tone of Stockenstrom's letter to Cape Town, and from the way in which the latter dealt with a different case of settler abortion at the time.

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51 See, for instance, depositions of Roosje, Philida and Roselyn (1/GR 3/27).

52 *ibid.*, deposition of Roosje, that her fellow worker Mina had asked Anna 'of zy ... niet schaamde waarop zy het kind niet liever hadden weggegeven, zy zeide daarop dat zy ... naar baai klein Nonjes ...bang was dat haar vader er agter zoude komen.' See A. Clark, "Whores and gossips: sexual reputation in London 1770-1825", in A. Angerman, G. Binnema, A. Keunen, V. Poels and J. Zirkzee (eds),*Current issues in women's history* (London and New York, Routledge, 1989), p. 231.

53 ZP 1/1/1/28: Somerset to Bathurst, 28 April 1823.

The terms in which Anna's and Rosalyn's indictments were framed suggest a transmutation in the meaning of the act in order to persuade the English Governor Somerset of the seriousness of the crime.[54] At the time of the trial by the Court of Justice, in the original Dutch Act of Accusation, Anna Sauer was accused of having attempted to destroy 'de vrugt' of her womb. No specific reference was made to whether or not 'quickening' had occurred, and the only reference to a child is in the 'kindermoord' which took place after birth. It is apparent that proof that Anna Sauer had tried to abort the foetus was important evidence concerning the question of the later infanticide, and that guilt in one act implied guilt in the other. This point was specifically made in the Appeal court by the prosecutor, who focused on the issue of premeditation. It was important to stress the evil intent of Anna Sauer and a direct translation of 'de vrucht' as 'the fruit' did not necessarily point to criminal behaviour in English common law. Because no reference was made to quickening, the use of the word 'Child' was unambiguous. The English translation quoted by Reitzz therefore accused her of attempting to 'abort' 'the *Child* of which she was Pregnant'.[55] Thus what in English

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54 In England the first statute concerning abortion was in 1803, and in America in 1821. In the first part of the nineteenth century the crime of abortion could only occur after 'quickening' had taken place, evidence for which depended on the mother's experiencing movement in her uterus. See, for instance, J.C. Mohr, *Abortion in America: the origins and evolution of national policy, 1800-1900* (New York: Oxford University Press, 1978), chapter 1 and 2 and K. Luker, *Abortion and the politics of motherhood*, (Berkeley, Los Angeles and London, University of California Press, 1984), chapter 2, which provides a brief outline of Western attitudes to abortion from the beginning of the Christian era, followed by a discussion of the legal and popular status of abortion in America in the nineteenth century. See also M.C. Horowitz, "The 'Science' of Embryology Before the Discovery of the Ovum" in M.J. Boxer and J.H. Quataert (eds), *Connecting Spheres. Women in the Western World, 1500 to the Present* (New York and Oxford, Oxford University Press, 1987).

55 GH 49/22, pp. 139-45: original English translation of 'Records kept by Chief Justice J.A. Truter and Members of the Court of Justice re R.O. Prosecutor (A. Stockenstrom) vs Anna Sauer' and others.

common law and the common lore of the Khoi and slaves was perceived as a means of 'bringing down the corses' or of regulating menstrual flow, became the unambiguously illegal act of abortion by the stress on the human nature of the foetus.[56] The very need to use the word 'child' rather than 'fruit' suggests an ambiguity in the moral status of abortion at the Cape, and further evidence suggests that not only Khoi and slaves but men of high rank like Stockenstrom and the District Secretary shared the belief that destruction of a foetus was not necessarily either immoral or illegal.

In a separate complaint, a certain Christoffel F. Rothman presented Stockenstrom with a list of complaints against his father-in-law, Graaff-Reinet's District Secretary, Theodorus Muller. Both Muller and Stockenstrom were present at the preliminary proceedings in the Sauer/Rosalyn trial which were taking place at the same time. Rothman's list included an attempt by Muller to force his step daughter to abort her illegitimate foetus in order to prevent her marriage to Rothman, being 'pregnant before marriage'.[57] Stockenstrom was shocked to the core that Rothman could desire that such an intimate family matter should be dealt with publicly, or indeed that Rothman should abandon his filial duty to protect the reputation of his father-in-law, despite the fact that his other complaints concerned the brutal flogging of a slave and treason. Stockenstrom attempted to persuade Rothman to drop the complaints;

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[56] 1/GR 3/27: Declaration of Roosje: 'Roselyn zeide aan haar [Mina], dat haar kelin nonje klaagde dat haare stonden vier maanden weggebleeuen[?] en dat zy het wilde gebruiken om die te bevordeneur'. It was not established that Mina had known 'dat Antje Sauer te vrugt was'; therefore the preparation she had provided for Anna was not proved to have been an abortifacient.

[57] CO 2641, Letters received from Graaff-Reinet, 1822: 31 January 1822. Stockenstrom to Bird. No pagination - the second complaint was '[t]hat the Said Secretary had attempted to Cause one of his Step Daughters (now the Wife of the Informer) who was pregnant before Marriage, to Miscarry.' See also CO 2463 No. 13.

it was scandalous that a son should take his father to court:

> '... I was thunderstruck and could hardly Consider the Man in his Senses....I would admit of no Secret Calumny against any one, but particularly against one in Mr Muller's Situation, and that Coming from so near a Relation .... Having pointed out to Rothman ... the impropriety of Such Conduct from a Son to a Father, he insisted....'[58]

The young woman, unnamed in the complaint, had wanted to marry Rothman against the specific desire of her step-father that she marry another man, which was apparently the reason she became pregnant. Muller insisted that she abort. It appears that Muller took for granted his right to interfere in and to direct his step-daughter's life, and Stockenstrom expressed no sense of outrage in this regard.[59]

Whatever might have taken place privately, the public contest was between two men, both of whom felt they had sole right to control the destiny and reproductive power of a certain, unnamed, woman. This case underlines the importance of patriarchal control over child-birth and that unwanted children would normally be dealt with within the patriarchal family. Significantly, although Muller had insisted on the abortion, he played no other overt role in the proceedings; his step-daughter was sent to her grandmother who was expected 'te persuadeeren [haar] om haar vrugt aftedryven, door haar buskruid, Azyn en schoorsteen Roed eene groote quantiteit te laat gebruiken'.[60] Although the abortion was Muller's strategy, the process was apparently a "women's affair". In the case of Anna Sauer, abortion and

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[58] CO 2461: 31 January 1822.

[59] He does not appear to have considered his attempt to force her to terminate her pregnancy as immoral. Because such attitudes were part and parcel of familial control, they are very difficult to discover and impossible to quantify.

[60] i.e., the method was to use bush herbs, vinegar and a chimney rod (*ibid.*, Enclosure).

infanticide similarly depended on the collusion of women, but in this public show-case men were effectively excluded.

The two men responsible for Anna Sauer's "condition" did not appear in the court records.[61] Her father was mentioned, when one of the witnesses was asked whether or not Sauer knew of the birth of the child. The witness doubted whether he had even known of the pregnancy.[62] There is a suggestion that Sauer wanted nothing to do with his daughter's pregnancy: one of the servants claimed that she had told him of Anna's condition, but that he had not responded. When the baby was born, her father was apparently in an adjoining room, yet he knew nothing. He was not called as a witness.[63] Neither was the father of the child, who is never mentioned.[64] Clearly, Anna could not depend on these men for support,

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61 The only two men who were initially implicated had been "weeded" out before the case came to trial before the Court of Justice in Cape Town. One, the 'apotheek' who was implicated in the provision of abortifacients, was apparently believed to be innocent, while the slave man Letjou, who was not only Sauer's slave but Rosalyn's "reputed" husband, died before the trial. (He made a statement to the Landdrost and Heemrade (1/GR 3/27) but in the trial record in the Court of Justice is described as Rosalyn's 'man, den overleden slaaf Litjou [*sic*]' (CJ 816 No. 17).

62 1/GR 3/27: Deposition of Philida.

63 This was despite the fact that he appears to have been a material witness; as Somerset pointed out to Bathurst, after the birth, the infant's body was apparently carried through the room in which Mr Sauer was sitting, without attracting his attention. Mr Sauer was apparently in the room adjacent to Anna's when she gave birth, but he noticed nothing (ZP 1/1/1/28). His testimony could have been used to demonstrate that the infant had been still-born and therefore to clear Anna's name, but there is no record of his having appeared.

64 The possibility of incest was not raised in the proceedings either, but it exists nevertheless. There was no attempt to discover the paternity of her baby, and no-one claimed such a relationship. In fact, Anna's ostensibly immoral sexual behaviour, as a young unmarried woman, was only hinted at by the prosecution in her appeal, as having been a case of "seduction". The "barbarity" and

and her mother was dead.[65] She discovered a broad network of support amongst subaltern women. Women used both patent medicines and traditional abortifacients. As is clear from the Rothmann/Muller case, the knowledge of abortion was not restricted to Khoi women, but '[i]ndigenous people... knew the veld best'[66] and in order to provide Anna Sauer with assistance, Rosalyn went to her Khoi neighbour, Mina, who prepared a concoction named 'Rabas'.[67] Mina contacted a free black woman named Marie who visited Anna during her pregnancy and applied some form of ointment and massage.[68] Rosalyn also acquired 'Hoffmann's Droppels' from the local 'apotheek', a European immigrant named Ernst, who desperately claimed that Rosalyn had said that the preparation was for her *free* sister, who lived beyond the colony's border.[69] It is unknown whether any of the women conceptualised the preparations as abortifacients or as methods of "regulating" Anna Sauer, who had not

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inhuman character with which Anna was presented by the prosecution concerned only the act of infanticide; the issue of bastardy was never raised.

65 Mother-daughter relationships at the Cape have not received historical attention; it is unknown whether Anna might have expected support from her mother, or whether the pregnancy might have been less likely to have occurred in the first place had her mother been alive. Anna's grandmother is mentioned, but it is unclear whether Anna had contemplated sending the baby to be brought up by her grandmother as a *voorkind* (as Truter claimed), or whether the Khoi servants thought that that would have been the best course to follow. See 1/GR 3/27, Depostion of Roosje.

66 H. Bradford, 'Herbs, knives and plastic: 150 years of abortion in South Africa' (Paper presented to the Africa Seminar, Centre for African Studies, University of Cape Town, 11 April 1990), p. 3.

67 1/GR 3/27: Declaration of Roosje, Mina's fellow Khoi worker, that Mina 'Rabas had gekookt en er van een bottel ... aan Rosalyn had gegeven om aan Antje Sauer te bezorgen'.

68 *ibid.*; see also deposition of Marie, 15 December 1821.

69 *ibid.*, deposition of Philida (co-accused); deposition of Frederik Willem Ernst (14 January 1822).

menstruated for four months when she asked her slaves for assistance,[70] although it does appear from the depositions that Anna and Rosalyn knew that she was pregnant, and considered abortion as killing. Although the meanings of abortion and infanticide were not not necessarily shared, the experience was, and women from the Sauer's household and farther abroad colluded in helping her with the abortion, although one of these women, Mina, was responsible for exhuming the corpse three weeks after the infanticide, and informing the authorities. Mina, the Khoi servant of Sauer's neighbour, Gabriel du Toit, was one of the women who had provided Anna Sauer with abortifacients, and had observed the burial of Anna's baby. She claimed that she had not realised at the time that she was committing a crime and later deliberately exhumed the body and placed it where it would be discovered.[71]

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[70] see p. 169, n. 56 above.

[71] 1/GR 3/27: Deposition of Roselyn, and of Mina: 'Ik Verzoek om Vergiffenes ik heb niet geweeten dat ik Zo een Groot kwaad heb gedaan, daarom heb ik het lyk uitgegraven Om 't aan den dag te brengen'. The motives of Khoi and slave women for publicising the crimes of their masters/mistresses are never selfevident or unambiguous. Wayne Dooling has argued that slave women complained of the sexual immorality of their owners because they shared the latter's morality (W. Dooling, *Law and community in a slave society: Stellenbosch district, South Africa, c.1760-1820* Communications No 23/1992 (Cape Town, Centre for African Studies, University of Cape Town, 1992), p. 74.). However, this cannot be ascertained from the court records. All that can be known is that slave and Khoi women were acutely aware of the sexual mores of the settlers, and that many women had knowledge of settler "immorality", and were thereby empowered. In this case it is unclear whether or not Mina foresaw that Rosalyn and other workers would be implicated in the killing - and spoke out in order to save herself or to avenge herself for some undisclosed matter, or whether she spoke out because she knew that it was the corpse of a white child. The solution to this problem would help to clarify the issue of slave morality, but unfortunately the solution is unknown.

The 1820s saw the transmutation of reproduction-related issues from privately regulated behaviour to public crimes, the concern of the criminal courts and the colonial state. In this period power was particularly fluid.[72] Pamela Scully has suggested that by incorporating infanticide into the official discourse of the 1840s, 'the British colonial state sought to demonstrate legitimacy against, and hegemony over, competing colonial actors when the balance of power ... was clearly contested and equivocal.'[73] This process can be traced to the 1820s which similarly constituted a period of intense political struggle, most overtly in the context of slavery between the 'old white population' of slaveholding settlers and the new British colonial authorities.[74] However, people who had previously been defined, and who

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72 Increased access to new forms of information and new definitions of self- and other-knowledge in a context of rapid political and economic upheaval raised expectations about the diffusion of power which had hitherto been controlled discursively if not "on the ground" within the private domain. It is perceptions of power which are crucial, perceptions of control and in this period perceptions of a massive undermining of traditional modes of control. Where expectations and forms of knowledge change, behaviour follows suit, at the same time that changes in behaviour reflexively influence discursive practices. In this kind of transitional period, or conjuncture between the old order and the new, in the absence of a totalizing state, Foucault's analysis of the murder trial of Pierre Riviere is instructive: 'By remanding the sentence of death and consigning Riviere to life imprisonment, the state in the person of the king reasserted its authority while simultaneously masking it behind an act of grace.' (H. White, *The content of the form. Narrative discourse and historical representation* (Baltimore and London, The John Hopkins University Press, 1987), pp. 125ff). Somerset's paternalism fitted this mould perfectly.

73 P. Scully, 'Rituals of rule: infanticide and the humanitarian sentiment in the Cape Colony c1834-1850' (paper presented at the Centre for African Studies Africa Seminar, University of Cape Town, 29 April 1992), p. 2.

74 C.W. Hutton (ed), *The autobiography of the late Sir Andries Stockenstrom, Bart., sometime lieutenant-governor of the Eastern province of the Colony of the Cape of Good Hope* 2 vols (Cape Town, J.C. Juta and co., 1887), vol 1, p. 258. The main difference in terms of the contestants between the 1820s and the 1840s is that in the former period missionaries played no role, their sphere of influence being limited to those who were not legally enslaved. Of course changes in the politics of slavery formed part of a history of societal upheaval at the Cape; not only was "the slave question" only part of a wider "labour

had arguably defined their own access to power, as relatively bounded by the patriarchal homestead/farm, including sons and daughters as well as slaves, began to take control of their destinies in such a way that personal matters became public.[75] Issues that had previously been "dealt with" within the family (meaning the slaveholding homestead) as mediated by the settler community[76] gradually became politicised in a more public sense.[77] Abortion and infanticide are two reproduction-related behaviours which reflect this shift. From public taboo status in the early years of the century,[78] what happened to unwanted babies in as distant a

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question", but in Mary Rayner's comment on the 1790s, '[i]t was a situation characteristic of the era. Wars amongst Europeans and rumours of change, of freedom, were affecting slaves everywhere, from the Caribbean to the Cape of Good Hope' and of the aftermath of the 1808 revolt, [f]our changes of government within thirteen years, the political and military conflict amongst the white colonists themselves in the 1790s, the well-nigh successful Xhosa-Khoi war against the settlers, and the abolition of the international slave trade in 1807 had collectively reduced the aura of permanence surrounding the colonial order of things' (M. Rayner, '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), p.84).

75 In the context of political and social flux, both slaves and slaveholders' children experienced a new kind of "freedom" as patriarchal control was weakened. For certain slaves the new configuration of power allowed them to actively revolt or to refuse to acknowledge their masters' authority; for young men, sons of slaveholders, this period was one of intense agitation because unlike the previous generation, the perpetuation of slave holdings was no longer assured, and it appears that certain young men expressed this lack of security in their fathers' investment in acts of extreme violence against slaves, particularly those who appeared to context their authority. There was a clear generational divide in this era - slaves had no complaints of the 'old man' but complained of ill treatment at the hands of his son. See paper 1, n. 64 above and paper 5 for an interpretation of the Bokkeveld rebellion in this context.

76 Dooling, *Law and community*.

77 R.P. Petchesky, *Abortion and woman's choice. The state, sexuality, and reproductive freedom* (Boston, Northeastern University Press, 1984), introduction.

78 H. Bradford, '"Her body, her life": 150 years of abortion in South Africa' (Paper presented at the Women and Gender in Southern Africa Conference,

district as Graaff-Reinet became a topic of public concern in Cape Town and London, starting in 1817 with rumours of unbridled infanticide at the Cape, and continuing during the spate of criminal trials around the time of Somerset's ameliorative proclamation.

The historical study of reproduction-related issues is particularly useful in illuminating the social construction of child-related values and attitudes which in turn tell us something about how power was organised within a society. In short, it is a question of who exercised control over resources, and the extent to which both child-bearing (including, but not limited to, fertility) and children themselves were considered resources worth controlling. Whereas in Victorian England middle-class values ensured that most killings of infants and "visible" abortions took place in the context of working class illegitimacy, a single hegemonic discourse could not pertain within a slave colony like the Cape.[79] Slave reproduction carried specific

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University of Natal, Durban, 30 January to 2 February 1991), p. 1: 'Of course, it's not only when lying spreadeagled on abortionists' tables that women have been silenced. But we have been particularly obedient when instructed to 'shut up' about induced miscarriages. For one thing, abortion fundamentally challenges patriarchal controls over female fertility and sexuality. In South Africa these controls function to police racial boundaries - and we rightly fear punishment for discussing a practice that is doubly subversive. For another, we ourselves often avoid naming of experiences beyond the first-hand knowledge of males. Especially if we are simultaneously breaking taboos surrounding death, and sexuality, and the private domain.'

[79] Although historians have consistently pointed to class differences in attitudes and behaviour towards women who kill their babies, particularly in late Victorian society and in twentieth-century industrial societies, seldom could the contemporary conceptualisations of such issues be as divergent as in colonial societies where different "modes of reproduction" were expected to articulate, or where one mode was expected to be subsumed within another. Colonial societies which were simultaneously slave societies represent an extreme of the continuum. Most historians tend to write the history of only one "group" within the slave-colonial context. For example, Daniel Blake Smith's analysis of reproductive issues ignores slaves, and most slave historians ignore the reproduction of their owners (D.B. Smith, *Inside the great house: planter family life in eighteenth-century Chesapeake society* (Ithaca, New York,

meanings which were not to be found in Britain at this time, for both slaves and their "proprietors".[80] Slave women's acts of infanticide, abortion and giving birth itself could not carry the same meanings as those attached by members of the slave-holding class. Certain assumptions might be shared by all, such as those related to the ultimate control of the household head; such shared meanings might partly account for female collusion in "anti-social" behaviour such as infanticide, but this should not be assumed *a priori*. Slavery forced the recognition that reproduction-related issues were matters of state and slaveholder concern.[81]

Abortion in particular was arguably used by all "ranks" as a method of contraception.[82]

Cornell University Press, 1980)). For an important exception, see E. Fox-Genovese, *Within the plantation household: black and white women of the Old South* (Chapel Hill: University of North Carolina Press, 1988). In fact, the reflexive nature of social reality, and the overlapping of social boundaries in terms of sexuality and body-related issues, ensured that attitudes towards reproduction amongst slaves were tied up with attitudes towards the reproductive practices of their mistresses.

80 The slave condition dictated that before 1823 slaves could not marry legally, and, as indicated in the previous paper, most slaves never married (at least while slaves). The distinction between legitimate and illegitimate children understood in settler society did not exist for slaves. The two prime motivations for abortion and infanticide for women in Britain, and also arguably settler women at the Cape, shame (or infamy) and poverty, did not apply to slave women in the same ways, because on the one hand their children were theoretically not their economic burden, and there was no question of slave children being recognised as legitimate.

81 Ironically, this fact makes it easier to trace the history of slave women than that of their mistresses. Thus the history of the slave Rosalyn has been easy to trace from her birth to her ultimate manumission, whereas Anna Sauer disappears from history once the case is closed.

82 J. Woycke, *Birth control in Germany 1871-1933* (London and New York, Routledge, 1988), p. 7: 'Human societies have demonstrated a broad range of efforts to achieve birth control, although historically most emphasis was on post-conceptive and even post-natal techniques.'; Bradford, '"Her body"', p.

Contraception, and therefore abortion, would theoretically be unnecessary and presumably *unheard of* within settler marriage;[83] it was essentially in the context of unwanted extra-martial pregnancies that abortion was practised,[84] although the Rothmann-Muller case reveals that unwanted pregnancies were terminated at the behest of the patriarch, and that local authorities were unwilling to bring abortion to trial. Helen Bradford has written that '... abortion fundamentally challenges patriarchal controls over female fertility and sexuality'[85]. In the 1820s it is apparent that the politics of abortion were being rewritten ;

1: 'At all times, in all places, females have tried to regulate their fertility. And they have resorted above all to abortion. According to a classic study of precapitalist societies, abortion is apparently absolutely universal. In the early 1970s, abortion was still the most widespread form of birth control in the world.' This might go some way to explaining, on the one hand, why there was so little public discussion of such issues before this period, and on the other hand why slaves appeared to be far less fertile than settlers. See the discussion of Shell's "nanny thesis" in paper 2 above.

83 I use the phrase "unheard of" in the sense that if it occurred within the context of settler marriage, it would be dealt with privately and would be unlikely to reach the criminal courts. Secondly, this phrase is probably correct in its more common usage in the case of many married women, specifically those whose genealogies reflect uninterrupted childbirth at regular intervals over the course of a woman's reproductive years. Despite its notorious inaccuracy, De Villiers and Pama's genealogical research does also include many cases which do not follow this pattern, and further research would be necessary before one could generalise with confidence about the incidence of abortion among married settler women (C.C. De Villiers and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema, 1981)).

84 Of course this would include adulterous pregnancies, but the most visible category is without doubt that of young, unmarried women. See the discussion below; for an analysis of the non-moral use of abortion as a method of contraception in America and England in this period, see Mohr, *Abortion in America*, chapter 1. Helen Bradford points out that this continues to be the case today, with the use of intra-uterine devices which pose as contraceptives but are in fact abortifacients (Bradford, '"Her body, her life"', p. 14). We do not know whether premarital pregnancy and/or birth was normal within settler society.

85 Bradford, '"Her body, her life"', p. 1.

an acute tension is evident between *settler* abortion as an overt challenge to patriarchal control (perhaps for the first time, at least in its overtness), and the use of abortion as a *method of patriarchal control*.[86] This is apparent in the fact that the district secretary of Graaff-Reinet found himself in the unenviable position of witnessing the criminalisation of Anna Sauer's attempts at abortion at precisely the same time as he was fighting to control the reproductive behaviour of his step-daughter by the same process. The contextual malleability of reproduction-related "crimes" is striking. It is clear from the analysis of the cases discussed in this paper that *kindermoord* and abortion were not conceptually fixed crimes. They were discursively constructed, undergoing significant transmutations according to their role in the power struggles within patriarchal families in Graaff-Reinet, and through the rhetorical flourishes of the Appeal Court to the Governor's paternalistic application for Royal clemency.[87] These acts were simultaneously unquestioned methods of patriarchal familial control and the most horrific crime imaginable, the latter when committed by (white) women

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86 Bradford's paper (*ibid*) refers to the patriarchal monopolisation of female sexuality amongst Transkeian Africans in the nineteenth century, and also to the attempts of the South African (white male) state in the current century to control African women's reproductive behaviour. There is therefore a tension in her paper in terms of the extent to which abortion reflects oppression or resistance. Of course the meanings of abortion, or of any behaviour, are not universally fixed, and it is important to investigate such tensions.

87 Whereas Stockenstrom wished to present the slaveowners of Graaff Reinet as paternalists, in fact his discourse revealed them to be prepared to discuss the emancipation of their slaves, as long as their patriarchal authority remained intact (Hutton (ed), *Autobiography*, p. 261): '...in an earlier letter to Sir R. Plasket, dated August 25, 1826, before the aid meeting took place he says:- "I collected all the Heemraden and ex-Heemraden I could find yesterday, and must do them the justice to say that I heard as liberal sentiments as even a Wilberforce or a Buxton would not have been ashamed of. The following expressions uttered with great warmth, I am sure will please you: Yes, emancipate the children as soon as you like. I will even volunteer to give up those already born, under a certain age, but do not deprive me of my paternal authority, under which both my children and slaves are happy, and which is necessary for their and my peace..."'

independently of men; they were evidence of barbarous inversions of nature on the one hand and filial/slavish duty on the other.

The exploration of abortion and infanticide in the context of slavery also raises the issue of the value of slave children to slave women and to their owners. Kenneth Hughes has made the point that "bastards" share many disabilities with slaves:

> "A bastard may have no recognized kin..., and be thus, like the slave in many societies, "socially dead". Like the slave, too, the bastard may be a person without honour.'[88]

Hughes does not make the connection that whereas the bastard is not always a slave, the slave is *almost always* a bastard; yet the issue of slave illegitimacy per se is so taken for granted that it is not considered worthy of analysis. This issue *is* relevant to an understanding of the meanings of slave marriage and the power relations between slaves and their owners, both marriage and slavery being (among other things) 'complex institution|s] designed to regulate sexuality and reproduction'.[89] It is also important because slaves were in such intimate contact with the culture of the settlers in which legitimacy was a key determinant of status.

The issues arise of how far slave women could be assimilated into the slaveholding family, and how far slaves could share the moral values of slave holders, when the meanings of such

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[88] K. Hughes, 'Law, religion and bastardy: comparative and historical perspectives' in S. Burman and E. Preston-Whyte (eds), *Questionable issue: illegitimacy in South Africa* (Cape Town: Oxford University Press, in association with The Centre for Cross-Cultural Research on Women, Queen Elizabeth House, University of Oxford, 1992), p. 2.

[89] Hughes, 'Law', p. 2, referring only to marriage.

fundamental social functions as child-bearing and marriage were by definition divergent;[90] the stigma which attached to illegitimacy for a settler like Anna Sauer could not be experienced by a slave like Rosalyn, yet it is apparently Rosalyn who urged her 'klein nonje' to kill the child to avoid *de Schaamte*.[91] This raises the issue of the extent to which slaves shared, as opposed to understood and manipulated, the moral universe of their masters.[92]

In the case of Rosalyn, her words concerning the shame of illegitimacy could not refer to her own experience as a slave, but show that she fully understood the workings of slaveholder morality. Her apparent surprise at the serious light in which the infanticide was viewed may

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90 *ibid.*, p. 13-14: 'In South Africa, the old Dutch colonial society of the seventeenth and eighteenth centuries was a highly status-conscious society based on slavery. Near the bottom of the heap, inferior to the burghers in the military census,/ we find the bizarre category of "Baptized Bastards"'. Hughes does not distinguish between the category of "bastard" as it referred to illegitimate settlers, and as it denoted the "bastard hottentots", which was the more probable referrent in this case. His point is valid, however: 'Burgher Military Council submit that for some years, and even daily now [1787], they have found that there are persons here, who, though not born in slavery, have not been born in wedlock, and for that reason cannot be enrolled among the burghers doing service; and also that they cannot very well be employed with those at the Fire Engines and Public Works, who have been born in slavery.... they unanimously propose that these persons be formed into a special Corps, in order at all times to do such duties as may be required of them....'(H.C.V. Leibbrandt, *Precis of the archives of the Cape of Good Hope: requesten (memorials), 1715-1806* vol 1 (Cape Town, South African Library, 1905), p. 170).

91 S. Burman and E. Preston-Whyte, 'Assessing illegitimacy in South Africa' in S. Burman and E. Preston-Whyte (eds), *Questionable issue: illegitimacy in South Africa* (Cape Town, Oxford University Press, in association with The Centre for Cross-Cultural Research on Women, Queen Elizabeth House, University of Oxford, 1992) , p. xiv. For examples of references to Anna Sauer as 'klein nonje' see the depositions of Roosje, Philida and Roselyn [*sic*], 1/GR 3/27.

92 Bush stresses the importance of African cultural norms in structuring slave women's attitudes to reproduction in the British West Indies (*Slave women*, chapter 7 *passim*.)

suggest an awareness of a double standard of sexual morality operating among settlers (the same double standard which allowed slaves to "catch" their owners in the act of incest, for instance).[93] It might also suggest that another double standard was operating in terms of the de facto criminalisation of abortion and infanticide vis-a-vis slaves and settlers. In other words, whereas settler infanticide, or the killing of 'white' babies, was viewed in a serious light, similar behaviour of slaves and other non-settlers might have been more easily ignored. This suggestion flies in the face of received wisdom concerning the value of slave children, but it should not *therefore* be rejected.

Rosalyn's amazement that she was to be indicted for infanticide was not a function of "barbaric ignorance", but it may have reflected an acute understanding of the way in which colonial society operated on the ground, as it were. It is possible that Rosalyn was amazed because she made the fatal error of assuming that infanticide by a member of her "class" had the same de facto standing as the killing of a 'white' baby ('white' being the term used to describe the child).[94] In other words, infanticide in Rosalyn's previous experience, may *not* have been criminalised. Slaves were generally well aware of the criminal laws regarding their rights. It is highly unlikely that Rosalyn - and the other slaves and non-slave workers in the vicinity - would have been ignorant concerning such intimately female behaviour, had it been criminalised in practice.

A witness stated that, fairly early in Anna's pregnancy, she had overheard Anna asking Rosalyn, her confidante, what she should do when people realised that she was pregnant.

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93 See Dooling, *Law and community*, chapter 5.

94 CO 2641: Stockenstrom to Bird, 31 January 1822.

Rosalyn reportedly replied that she should 'kill it'- a point omitted by Somerset in his appeal for clemency. This was the practical solution of one who had arguably faced such questions before. Truter claimed that Rosalyn was responsible for Anna's child's death, and he may have been right, not only because Rosalyn had committed the murder: Rosalyn may have advised Anna to kill the baby, and helped to try to abort it, because in her experience such behaviour among slaves and Khoi had not been criminalised. Had it been, she might never have so openly confessed; she would have been more likely to claim that the child had been still-born, as Anna herself claimed.

From Anna's perspective, there could be no doubt that infanticide was unlawful. When Rosalyn had told her to kill the unwanted child, Anna 'made no reply'. She feared the scandal when the news of her illegitimate pregnancy became widely known (not by her servants, of course, but by her own community).

This is not to suggest that slaves attached no moral values to children and their destruction, but rather that they necessarily operated in a paradigm different to that of their mistresses. Quite what that paradigm was, is extremely difficult to ascertain in the light of available sources, but it was influenced by the extent to which slaves shared the values of Khoi fellow workers, or of the slave holders, in the context of values imported from their, or their parents' or grandparents', regions of origin.[95] In the absence of unambiguous statements

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[95] The interaction between different paradigms is suggested in the rituals associated with rites of passage such as birth and death. For example, Cape Muslims incorporated Hindu symbolism in the mark made on the forehead of a child during the naming ritual within the first seven days of life; the Hindu symbol of love is used to protect the child from danger. It is probable that such rituals resulted from the incorporation of values brought to the Cape by slaves. (Personal Communication, Mrs K.Davids, 1 October 1992) The issue of slave

from the slaves themselves, this issue cannot be resolved. It is reasonable to assume that the value systems in which slaves constructed their worlds differed contextually, with Islam playing a more significant role in Cape Town than in the rural districts, for instance,[96] but it is certain that legal illegitimacy could not motivate slave abortion or infanticide.[97]

Central to the notion of marriage is the issue of control over children, and a core condition of slavery was that slave children were the property of the mother's owner.[98] This made nonsense of traditional familial rights regarding paternity, inheritance and so forth, and must logically have engendered attitudes towards children among slaves which were not shared by non-slaves. Again, such attitudes are very difficult to discover, because although reproduction was a concern beyond the slave's immediate family, the parents' feelings were not.[99] We have to try to decipher slave mothers' attitudes towards infant death from the former's

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grandparents is discussed in paper 3, pp. 132 ff above.

96 Certainly in the early twentieth century, Muslims were attributed with the incorporation of unwanted children into their families. See, for example, S. Burman and M. Naude, 'Bearing a bastard: the social consequences of illegitimacy in Cape Town, 1896-1939' *Journal of Southern African Studies* 17 (3) September 1991. For current South African Muslim attitudes to abortion, see Moulana Mujahidul Islam Quasemi, 'Family planning and abortion. An Islamic viewpoint', pamphlet published by the Muslim Students Association of South Africa and the Islamic Medical Association of South Africa, Mobeni, Natal, and E. Moosa, '"The child belongs to the bed": illegitimacy and Islamic law' in S. Burman and E. Preston-Whyte, *Questionable issue*.

97 The significance of Islam was certainly not limited to the town, however. As noted in the previous chapter, there was a great deal of intercourse between urban and rural slaves.

98 This core condition was not altered in any ameliorative legislation imposed at the Cape. See paper 3 above.

99 Some of these attitudes are examined in the previous chapter on slave family formation, particularly those of slave fathers. See pp. 120, 124 ff.

behaviour, and behaviour is always ambiguous. In the New World slave women were accused by slaveholders and managers of purposefully depriving their masters of slave property by long periods of breast-feeding, and by abortion and infanticide.[100] Certainly, attitudes of these women must have been influenced by (at the same time that they influenced) slaveholder policies. The importance attached by many slaveholders to their slaves' reproduction in both the Caribbean and North America after the abolition of the oceanic slave trade has been well documented,[101] but despite the voluminous contemporary literature on the topic for the British Caribbean,[102] Bush noted that 'there is no hard evidence for the conscious breeding of slaves' in that region.[103] Whether or not pro-natalist policies were widely implemented, the late eighteenth century witnessed intense debate concerning this issue, at which time many local authorities introduced regulations to encourage slave women to reproduce.[104]

Historians of Cape slavery have tended to assume that slaveholders here were equally concerned with slave reproduction, and that this concern was reflected in amelioration which in turn played a role in encouraging higher slave birth rates, so that by the time of

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100 For example, M. Lewis, *Journal of a residence among the Negroes of the West Indies* (London, 1845); see also Bush, *Slave women* pp. 137 ff.

101 For example, H.McD. Beckles, *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed press, 1989); Bush, *Slave women*, p. 135.

102 For instance, Thomas Roughley, *The Jamaica planter's guide, or a system for planting and managing a sugar estate, or other plantations in that island, and throughout the British West Indies in general* (London, 1823).

103 Bush, *Slave women*, p. 128.

104 Beckles, *Natural rebels*, pp. 97 ff.

emancipation, the slave population was naturally self-reproducing.[105] The relationship between amelioration and slave family formation has been explored in the previous chapter; it is apparent from the case against Anna Sauer and Rosalyn that slaveholders and the colonial state were less concerned with slave reproduction than with other imperatives specific to their position in colonial society. Slaveholders, especially those in districts like Graaff-Reinet, did not conceptualise their labour needs solely in terms of slavery.[106] Indeed, for the colony as a whole, alternative sources of labour were constantly debated and tried out.[107] In terms of slavery, it is arguable that slaveholders were primarily concerned with their own political autonomy and the preservation of patriarchal control within their own "families" and communities, whereas the state, in the person of the governor, was concerned with projecting its/his own paternalistic authority.

Rosalyn van de Kaap was born in about 1790 in Cape Town. By the time that she was twenty six years old, in 1817, she and her *man* Letjou were living and working in Graaff Reinet, as slaves of J.A. Sauer. In that year Rosalyn gave birth to a son, whom she named Letjou, who died the day he was born. In 1819, Rosalyn had another baby who survived. On the 7th

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105 W. Dooling, "Slaves, slaveowners and amelioration" (BA (Hons), University of Cape Town, 1989), p. 10; M. Rayner, 'Slaves, slaveowners and the British State: the Cape Colony, 1806-1834', ICS/SSA Collected Seminar Papers, University of London, vol. 12, No. 26, 1981, p. 17; J. Armstrong and N. Worden, 'The slaves, 1652-1834' in R. Elphick and H. Giliomee (eds), *The shaping of South African Society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989), pp. 133-4.

106 W.M. Freund, 'The Cape under the transitional governments, 1795-1814', in Elphick and Giliomee, *Shaping*, p. 338.

107 E. Bradlow, 'The Children's Friend Society at the Cape of Good Hope', *Victorian Studies* 27, 2, Winter 1984; the 1820 settlers themselves are a case in point, so too are prize negroes.

October 1821, Francois was born to Rosalyn.[108] Her mistress, Anna Sauer, was pregnant at the same time. Rosalyn's baby died six days after birth. Anna's baby was born, and died, on the 2nd November. *Rosalyn's recent motherhood and the death of her new-born child were never mentioned in the voluminous trial records*; certainly in the appeal by Anna Sauer, the defence attorney could have argued that the abortifacients procured by Rosalyn from the local pharmacist might have been for Rosalyn's own baby, not for Anna's. He did not make this connection. At no point did anyone hint that Rosalyn might have killed her own child/ren, or that the death of her own child might have played a role in Anna's baby's death. In a society in which slave reproduction was apparently a central issue because of the ending of the slave trade, at a time when amelioration was about to be introduced, presumably to encourage slaves to reproduce, and in the context of a case in which a slave woman is not only indicted for the murder of her mistress' baby, but in which her character is presented as thoroughly debased and amoral, attaching no evil to the act of infanticide, it is inconsistent that no reference whatever was made to the dangers of slave infanticide.

Reproduction was certainly a crucial issue for slave women, as their complaints to the Guardian throughout the 1820s and 30s testify, but their concern was the emancipation of children born of their masters, and their own manumission for allowing their masters sexual access to their bodies. Never was the issue raised, either by the slaves or by their masters or mistresses, in the office of the Guardian of Slaves, that slaves were reproducing too few children, although there were a few complaints that mistresses had tried to force slave women to enter into conjugal relations with particular slave men.[109]

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[108] SO 6/74, folio 43: Slave Register of Johan Nicolaas Sauer.

[109] See below.

For slaveholders, it is possible that slave reproduction was never at issue "on the ground" at the Cape.[110] A key reason was that the Cape had not been a British possession during the initial phase of ameliorative measures in the 1780s, whereby the planters of the Caribbean sought to balance the projected losses of labour to be caused in the future by the ending of the slave trade, with the reproduction of their own future workers. Thus specific measures were legislated in the British Caribbean whereby women slaves were given incentives to reproduce at the highest possible rate; at least in theory pregnant women were to labour less than other slaves, and slave mothers of at least six living children were to be exempt from labour altogether.[111] Although it is debatable how effective such measures were, and indeed how far they were implemented, the point is that the measures were important from the perspective of the mindset of the slaveowners themselves, because the planters allowed measures to be introduced, perhaps even imposed (again, theoretically) onto their management of the slave labour force. This provided the context for later metropolitan interference - and it was clear at this early stage that the ameliorative measures were solely for the benefit of the planters themselves.

The Cape at this time was under VOC rule, and no similar measures were implemented

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110 Cases of ill-treatment of pregnant slaves, and of slave babies support this suggestion. See, for instance, Theal, *Records* 32, pp. 64 and 105, concerning a charge brought against Johannes Mans "of having ill-treated his female slave Lea in such manner that she miscarried in consequence" (p.64). This is not to suggest that most slaveholders ill-treated such slaves, but that there was not a consensus that pregnant women should be particularly well treated. It appears that slave mothers were more highly valued as wet nurses (and often hired out in that capacity) rather than for the value invested in their babies, who were often necessarily neglected. Pregnant Khoi women were not treated particularly well either: see paper 1, p. 28, n. 93 above.

111 For example, Beckles, *Natural rebels*, pp. 97 ff.

there.[112] At the beginning of the nineteenth century, the Batavian government 'determined that slavery was unnecessary at the Cape and that it should be gradually removed by the emancipation of slave children and the encouragement of immigrant labourers from Europe',[113] but the second British occupation put an end to such measures, except in the individual capacity of particular slaveholders who signed a declaration to the effect that from 31 January 1831 their slave children would be freed. From that date, no children are listed in their slave registers.[114] In other words, the Cape experienced neither British nor Batavian amelioration before 1823.[115] One reason was undoubtedly the belief that Cape slavery was particularly mild, and that there was therefore no need for the amelioration of conditions.[116] This argument was certainly part of governmental and slaveholder lore under the British occupation too, as it became part of the received wisdom of Cape slavery, until (and, for many, notwithstanding) the violence of the system was unearthed by historians such as Worden and Ross.

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112 Ross, *Cape of torments*, p. 2.

113 Armstrong and Worden, 'The slaves' p. 163, n. 265. See also *South African Commercial Advertiser*, Vol. II, No. 30, 11 July 1826: editorial.

114 Andries Stockenstrom was among these prominent Cape slaveholders. See, for example, SO 6/32 folio 35. The memorial, dated 31 January 1831, is enclosed. Watson is of the opinion that this declaration came to nothing: Watson, *The slave question*, pp. 59-62. See also Theal, *Records* 14, p. 475 regarding the emancipation of slave children in Ceylon and St. Helena (Hansard's Parliamentary Debates: Slavery at the Cape of Good Hope. Wilberforce's speech, 25 July 1822).

115 For correspondence regarding Batavian amelioration which involved the freeing of slave children from 12 August 1816, see *South African Commercial Advertiser* vol. II, No. 37, 5 August 1826.

116 Armstrong and Worden, 'The slaves', pp. 150 ff.

In nineteenth-century England, the killing by a woman of her infant was an act which undermined the supposedly natural maternal relationship, throwing severe doubt on what Wilberforce termed the 'natural softness of the female character' and threatening the fragile infrastructure of the bourgeois family.[117] At the Cape, it was an extremely volatile act in a political climate in which the very notion of "the female" slave was in a state of flux, when attempts were being made by the increasingly paternalist authorities to impose a new definition of gender and the family onto slave women, a definition which threatened slaveholder's notions of social control and as such was fiercely contested by them. At the same time British colonial attitudes to the colonised reflected an expectation of infanticide among 'uncivilised peoples'.[118] Rosalyn-and-Anna's infanticide took place at this precise historical moment. The trial of Rosalyn and her mistress Anna Sauer acts as a reminder that sexuality is not a "woman's issue" which belongs to a separate sphere of women's history. Although activities concerned with childbirth were controlled by women, childbirth was not a woman's *issue*; it was firmly within the patriarchal domain, and the publicisation of such behaviour suggests a disintegration of the boundaries of that domain.

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[117] Theal, *Records* vol 14 (London, 1902), p. 472.

[118] Rose, *The massacre of the innocents*, p. 36.

BIBLIOGRAPHY

UNPUBLISHED PRIMARY SOURCES

Cape Archives

Archives of St George's Church, Cape Town, incorporating the records of the military chaplain.

A 1939 2/1/1-3	Baptismal Registers, 1806-1834.

Court of Justice

CJ 816	Criminal sentences, 1822.
CJ 3176	Miscellaneous Inquests 1803-1827
CJ 3177	Inquests 1800-1808
CJ 3178	Inquests 1813-1819

Colonial Office

CO 2463	Index to letters received, 1822
CO 2633	Letters received from Graaff-Reinet, 1821
CO 2641	Letters received from Graaff-Reinet, 1822

Microfilm of Colonial Office records in the Public Records Office

ZP 1/1/28, microfilm of CO 48/60.

Magistrate of Graaff-Reinet

1/GR 3/27	Judicial Declarations, Interrogatories and 'Insinuatien' in Criminal Cases, 1821-1822.

Government House

GH 49/22	Criminal and Civil Pleadings, 1822 April-July

Slave Office

SO 3/1-13	Reports of the Protector of Slaves, 1826-1834
SO 5/1	Day Book of the Protector of Slaves, 1826-1829
SO 6/8-35	Slave Registers, Cape Town and District
SO 6/ [74]	Slave Registers, Graaff-Reinet
SO 12/13	Return of slaves manumitted 1828-1830.

PUBLISHED OR PRINTED PRIMARY SOURCES

De Villiers, C.C. and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema, 1981).

Hutton, C.W. (ed), *The autobiography of the late Sir Andries Stockenstrom, Bart., sometime lieutenant-governor of the Eastern province of the Colony of the Cape of Good Hope* 2 vols (Cape Town, J.C. Juta and co., 1887).

Leibbrandt, H.C.V., *Precis of the archives of the Cape of Good Hope: requesten (memorials) 1715-1806*, 5 vols, (Cape Town, South African Library, 1905-1989).

Lewis, M., *Journal of a residence among the negroes of the West Indies* (London, 1845).

MacGibbon, J.(ed), *Stevie Smith, selected poems* (Harmondsworth, Penguin, 1975).

Roughley, T., *The Jamaica planter's guide; or a system for planting and managing a sugar estate, or other plantation in that island, and throughout the British West Indies in general* (London, 1823).

South African Commercial Advertiser 1826.

Theal, G.M. *Records of the Cape Colony* 35 vols (London, 1897-1905).

UNPUBLISHED SECONDARY SOURCES

Bradford, H., '"Her body, her life": 150 years of abortion in South Africa', (paper presented at the Women and Gender in Southern Africa Conference, University of Natal, Durban, 30 January to 2 February 1991).

Bradford, H., 'Herbs, knives and plastic: 150 years of abortion in South Africa' (paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town, 11 April 1990).

Dooling, W., 'Slaves, slaveowners and amelioration', (BA (Hons), University of Cape Town, 1989).

Elks, K., 'Crime, community and police in Cape Town 1825-1850' (M.A., University of Cape Town, 1986).

Judges, S., 'Poverty, living conditions and social relations: aspects of life in Cape Town in the 1830s' (M.A., University of Cape Town, 1977).

Malherbe, V.C., 'Diversification and mobility of Khoikhoi labour in the eastern districts of the Cape Colony prior to the Labour Law of 1 November 1809.', (M.A., University of Cape Town, 1978).

Mason, J., '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

Rayner, M., 'Slaves, slaveowners and the British State: the Cape Colony, 1806-1834', ICS/SSA Collected Seminar Papers, University of London, vol. 12, No. 26, 1981.

Rayner, M., 'Wine and slaves: The failure of an export economy and the ending of slavery in the Cape Colony, South Africa, 1806-1834' (Ph.D, Duke University, 1986).

Scully, P., 'Rituals of rule: infanticide and the humanitarian sentiment in the Cape Colony c1834-1850', paper presented at the Centre for African Studies Africa Seminar, University of Cape Town, 29 April 1992.

Smith, K.W., 'From frontier to midlands. A history of the Graaff-Reinet District, 1786-1910', Occasional paper No. 20, Institute of Social and Economic Research, Rhodes University, 1976.

Sumerling, P., 'Infanticide, baby-farming and abortion in South Australia 1870-1910' (BA (Hons), University of Adelaide, 1983).

van der Spuy, P., 'Women and crime: the involvement of women in violent crime as processed by the institutions of justice in Cape Town 1860-1879' (BA (Hons), University of Cape Town, 1989).

PUBLISHED SECONDARY SOURCES

Angerman, A., G. Binnema, A. Keunen, V. Poels and J. Zirkzee (eds), *Current issues in women's history* (London and New York, Routledge, 1989).

Armstrong, J.C. and N. Worden, 'The slaves, 1652-1834', in R. Elphick and H. Giliomee (eds), *The shaping of South African society, 1652-1840* (Cape Town, Maskew Miller Longman, 1989).

Bank, A., *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991).

Beall, J., 'Women under indentured labour in colonial Natal, 1860-1911' in C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Beckles, H.McD., *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Press, 1989).

Botha, C.G., *Collected works* vol II: *History of law, medicine and place names in the Cape of Good Hope* (Cape Town, C. Struik, 1962).

Boxer, M.J. and J.H. Quataert (eds), *Connecting spheres: women in the western world, 1500 to the present* (New York and Oxford, Oxford University Press, 1987).

Bradlow, E., 'The Children's Friend Society at the Cape of Good Hope' *Victorian Studies* 27, 2, winter 1984.

Brana-Shute, R., 'Approaching freedom: the manumission of slaves in Suriname, 1760-1828', *Slavery and Abolition* 10 (3) 1989.

Burman and E. Preston-Whyte, 'Assessing illegitimacy in South Africa' in S. Burman and E. Preston-Whyte (eds), *Questionable issue: illegitimacy in South Africa* (Cape Town, Oxford University Press, in

association with The Centre for Cross-Cultural Research on Women, Queen Elizabeth House, University of Oxford, 1992).

Burman, S. and M. Naude, 'Bearing a bastard: the social consequences of illegitimacy in Cape Town, 1896-1939', *Journal of Southern African Studies* 17 (3) September 1991.

Burrows, E.H., 'The first anaesthetic in South Africa', *Medical History* II, 1, January 1958.

Burrows, E.H., *A history of medicine in South Africa up to the end of the nineteenth century* (Cape Town and Amsterdam, A.A. Balkema, 1958).

Bush, B., *Slave women in Caribbean society 1650-1838* (London, James Currey, 1990).

Campbell, J., 'Work, pregnancy and infant mortality among Southern slaves', *Journal of Interdisciplinary History* 14 (4) Spring 1984.

Clark, A., 'Whores and gossips: sexual reputation in London 1770-1825', in A. Angerman, et al., (eds), *Current issues in women's history* (London and New York, Routledge, 1989).

Craton, M., *Searching for the invisible man: slaves and plantation life in Jamaica* (Cambridge, Mass., Cambridge University Press, 1978).

Davis, D.B., *Slavery and human progress* (New York, Oxford University Press, 1984).

Davis, D.B., *The problem of slavery in the age of revolution, 1770-1823* (Ithaca, New York, Cornell University Press, 1975).

Devereux, G., *A study of abortion in primitive societies* (New York, International Universities Press, 1976).

Dooling, W., *Law and community in a slave society: Stellenbosch district, South Africa, c.1760-1820*, Communications No 23/1992 (Cape Town, Centre for African Studies, University of Cape Town, 1992).

Elks, K.D., 'Crime and social control in Cape Town, 1830-1850' in C. Saunders et al, *Studies in the history of Cape Town* 6.

Elphick, R. and R. Shell, 'Intergroup relations: Khoikhoi, settlers, slaves and free blacks, 1652-1795', in R. Elphick and H. Giliomee (eds), *The shaping*

of South African society, 1652-1840 (Cape Town, Maskew Miller Longman, 1989).

Fox-Genovese, E., *Within the plantation household: black and white women of the Old South* (Chapel Hill: University of North Carolina Press, 1988).

Freund, W.M., '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, Maskew Miller Longman, 1989).

Gelfand, M., *South Africa: its medical history 1652-1898* (Cape Town, C. Struik, 1971).

Genovese, E.D., *Roll, Jordan, roll: the world the slaves made* (New York: Pantheon Books, 1974).

Gordon, L., *Woman's body, woman's right: a social history of birth control in America* (Harmondsworth, Penguin, 1977).

Guy, J., 'Gender oppression in southern Africa's precapitalist societies' in C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Henning, C.G., *Graaff-Reinet. A cultural history 1786-1886* (Cape Town, T.V. Bulpin, 1975).

Higman, B.W. *Slave population and economy in Jamaica, 1807-1834* (Cambridge, Cambridge University Press, 1976, repr. 1979).

Higman, B.W., *Slave populations of the British Caribbean, 1807-1834* (Baltimore: John Hopkins University Press, 1984).

Hoffer, P.C. and N.E.H. Hull, *Murdering mothers: infanticide in England and New England, 1558-1803* (New York: New York University Press, 1984).

Horowitz, M.C., 'The 'science' of embryology before the discovery of the ovum' in M.J. Boxer and J.H. Quataert (eds), *Connecting spheres: women in the western world, 1500 to the present* (New York and Oxford, Oxford University Press, 1987).

Hughes, K., 'Law, religion and bastardy: comparative and historical perspectives' in S. Burman and E. Preston-Whyte (eds), *Questionable issue: illegitimacy in South Africa* (Cape Town: Oxford University Press, in association with The Centre for

Cross-Cultural Research on Women, Queen Elizabeth House, University of Oxford, 1992).

Luker, K., *Abortion and the politics of motherhood* (Berkeley, Los Angeles and London, University of California Press, 1984).

McNamara, J., 'Illegitimacy and the family in Hindu society', in S. Burman and E. Preston-Whyte (eds), *Questionable issue* (Cape Town, Oxford University Press, 1992).

Mohr, J.C., *Abortion in America: the origins and evolution of national policy, 1800-1900* (New York: Oxford University Press, 1978).

Moosa, E., '"The child belongs to the bed"', in S. Burman and E. Preston-Whyte (eds), *Questionable Issue* (Cape Town, Oxford University Press, 1992).

Moulana Mujahidul Islam Quasemi, 'Family planning and abortion: an Islamic viewpoint', pamphlet published by the Muslim Students Association of South Africa and the Islamic Medical Association of South Africa, Mobeni, Natal, nd.

Murphy-Lawless, J., 'The obstetric view of feminine identity: a nineteenth century case history of the use of forceps on unmarried women in Ireland', in Alexandra Dundas Todd and Sue Fisher (eds), *Gender and Discourse: the power of talk* volume 30 in the series Advances in Discourse Processes, edited by R.O. Freedle (Norwood, New Jersey: Ablex Publishing Corporation, 1988)

Petchesky, R.P., *Abortion and woman's choice. The state, sexuality and reproductive freedom* (Boston, Northeastern University Press, 1984).

Rose, L., *The massacre of the innocents: infanticide in Britain 1800-1939* (London, Boston and Henley, Routledge and Kegan Paul, 1986).

Saunders, C., H. Phillips, E. van Heyningen and V. Bickford-Smith, *Studies in the history of Cape Town* vol. 6 (Cape Town, Centre for African Studies, University of Cape Town, 1988).

Searle, C., *The history of the development of nursing in South Africa, 1652-1960* (Cape Town, C. Struik, 1965).

Shell, R., 'Land, labour and Cape families: the introduction of slavery and serfdom' (paper presented at the University of Cape Town History Department post-graduate seminar, August 1992).

Simkins, C. and E. van Heyningen, 'Fertility, mortality and migration in the Cape Colony, 1891-1904', *International Journal of African Historical Studies* 22,1 (1989).

Smart, C., *Women, crime and criminology: a feminist critique* (London, Boston and Henley, Routledge and Kegan Paul, 1976).

Smith, D.B., *Inside the great house: planter family life in eighteenth-century Chesapeake society* (Ithaca, New York, Cornell University Press, 1980).

Todd, A.D. and S. Fisher (eds), *Gender and discourse: the power of talk*, volume 30 in the series Advances in Discourse Processes, edited by R.O. Freedle (Norwood, New Jersey: Ablex Publishing Corporation, 1988).

van Heyningen, E., 'Prostitution and the Contagious Diseases Acts: The Social Evil in the Cape Colony, 1868-1902' in C. Saunders, H. Phillips, E. van Heyningen and V. Bickford-Smith (eds), *Studies in the history of Cape Town* vol. 3 (History Department, University of Cape Town, 1984).

Walker, C. (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Walker, C., 'Women and gender in southern Africa to 1945: an overview', in C. Walker (ed), *Women and gender in southern Africa to 1945* (Cape Town, David Philip, 1990).

Watson, R.L., *The Slave question: liberty and property in South Africa*, (Johannesburg, Witwatersrand University Press, 1990).

White, H., *The content of the form: narrative discourse and historical representation* (Baltimore and London, The John Hopkins University Press, 1987).

Woycke, J., *Birth control in Germany 1871-1933* (London and New York, Routledge, 1988).

'Possibilities of freedom':[a]

Galant's rebellion revisited.[b]

[a] Antonio Gramsci, cited in Hilary McD. Beckles, 'Rebels without heroes: slave politics in seventeenth century Barbados', *The Journal of Caribbean History* 18 (3) 1983, p. 1.

[b] The archival record was very difficult to decipher, and it was unclear whether the clerk who transcribed the proceedings had intended to use the digraph 'ij' or 'y'. I have been as faithful to the transcripts as possible, with the result that the spelling is inconsistent. However, for purposes of presentation, within a single quotation, I have tried to be consistent.

In February 1825, 26-year old Galant van de Kaap led a revolt of slaves and Khoikhoi labourers against their masters in the Koue Bokkeveld, 'an area of high mountains and secret valleys',[1] about '150 kilometres north-east of Cape Town'.[2] They planned to murder the slaveholders and then travel to Cape Town in order to claim the freedom which they

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1 N. Penn, '*Droster* gangs of the Bokkeveld and Roggeveld, 1770-1800' *South African Historical Journal* 23 (1990), p. 21. The revolt is transcribed in G.M. Theal, *Records of the Cape Colony* (London, 1905) vol 20, pp. 188-341, and summarised and analysed in R. Ross, *Cape of torments: slavery and resistance in South Africa* (London, Boston, Melbourne and Henley, Routledge and Kegan Paul, 1983), pp. 105 ff. This paper is indebted to Ross's discovery of relevant genealogical and other information pertaining to the case. This paper assumes that the reader is familiar with this well-known rebellion, and refers him/her to Ross's summary of the case. Richard Watson describes the rebellion in some detail, focusing on the perspective of the slaveholders, but breaks no new ground analytically. His main purpose is to demonstrate 'that on the frontier both whites and blacks fundamentally misunderstood the amelioration measures' (R.L. Watson, *The slave question: liberty and property in South Africa* (Johannesburg, The University of the Witwatersrand Press, 1990), p. 52), a point previously made by Ross (*Cape of torments* p. 105). Andre Brink's novel *Houd-den-bek* (Emerentia, Taurus, 1982), translated by him as *A chain of voices* (London, Faber, 1982), runs the risk of supplanting the primary source material in the historical imagination. Although Brink's novel is a skilful evocation of the case, it is not necessarily historically accurate. This paper is based entirely on historical sources and therefore does not provide a critique of, or in any way draw on, the novel. The most recent attempt to analyse the rebellion in depth draws no distinction between the literary imagination of Andre' Brink and historical fact when discussing issues relevant to this paper (B.J.I. Rutherford, 'The Galant rebellion of 1825: a study of labour relations within the Worcester District, between the years 1820-1830' (B.A.(Hons) University of Cape Town, 1990); see, for instance, p.p. 7, 8, 12, 16, 17 and 18. See also P.G. Warnich, 'Die toepassing en invloed van slawewetgewing in die landdrosdistrik Tulbagh/Worcester, 1816-1830' (M.A., University of Stellenbosch, 1988), especially the illustrations of the homestead and an identikit portrait of Galant, pp. 164 and 131 respectively. The major primary sources for the present paper are Theal's *Records of the Cape Colony* vol. 20; (Cape Archives) CJ 633, case 8: 14 March 1825, pp. 879-1505 and CJ 819, case 9: pp. 134 ff.

2 Ross, *Cape of torments*, p. 105.

ostensibly believed their masters to be withholding from them.[3] In the event the rebels stole arms and ammunition, committed a number of murders, and cast terror into the heart of elite Cape society. The revolt was planned and constituted by men; the only role ascribed to women, both by the rebels and the courts, was passive.[4] Contemporary officials and later historians have tried to understand why "hottentots" joined the slaves in their quest for freedom, when 'a sigh after freedom' could apparently have no meaning for people who were not enslaved,[5] but the fact that the rebels and their targets were male has not been accorded explanatory significance.

According to Genovese, after the French Revolution slave revolts changed in character from isolationist/ restorationist to bourgeois-democratic, aiming at joining

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3 *ibid.*, p. 96. Similar expectations motivated the Jamaican revolt of 1831: see, for instance, M. Rekord, 'The Jamaican slave rebellion of 1831', *Past and Present* 40 (1968); M. Turner, *Slaves and missionaries: the disintegration of Jamaican slave society 1787-1834* (Urbana, University of Illinois press, 1982) and M. Craton, *Testing the chains: resistance to slavery in the British West Indies* (Ithaca, Illinois University Press, 1982). However, the idea of going to Cape Town had been extremely rare in the eighteenth century: most deserters or *drosters* 'were, to some extent, parasites who were obliged to live off the livestock of the farmers' (Penn, '*Droster* gangs', p. 25).

4 Theal, *Records* 20, pp. 188 - 341 (for female passivity see p. 204); Ross, *Cape of torments*, pp. 96 ff.

5 Theal, *Records* 20, p. 320; CJ 633 No. 8: pp. 1222-3, 14 March 1825. According to the fiscal, Daniel Denyssen, the 'hottentotten' 'konden door de dugt om vry te zyn niet gedreven worden; want zy waren vry, geen wraakzugt over eene te lang uitgestelde vrygeving kan hen hebben aangespoord, want zy behoefden daavoor niet bezord te zyn.' See also Watson, *The Slave question*, p. 52: '...it is clear that the outright end of slavery was the main objective of the rebels; van der Merwe was killed in part because the slaves thought he was denying them emancipation that was legally theirs. It was ominous that several Khoisan, who were oppressed but not technically slaves, were also willing to risk all to achieve their freedom...' and Theal, *Records* 33, p. 14: Report of the Commissioners of Inquiry upon Criminal Law to Colonial Office, 18 August 1827.

> 'the dominant society ... on equal terms.... When they did become revolutionary and raise the banner of abolition, they did so within the context of the bourgeois-democratic revolutionary wave, with bourgeois-democratic slogans and demands and with a commitment to bourgeois property relations.'[6]

Genovese's model does not account for the choices of particular slaves whether or not to rebel,[7] nor does it allow for the influence of gender on slaves' political strategies.

This paper examines the gendered nature of the revolt in the context of amelioration, when the redefinition of slave gender constituted a site of intense struggle between masters and slaves.[8] It is concerned with the gendered meanings of slavery, anti-slavery and freedom as well as the ways in which gender shaped the psychological preconditions, motivation and form of the revolt.

Slave historians such as Robert Ross and Hilary Beckles have argued that the motivation for (or ideology behind) resistance is analytically distinct from the form that resistance takes.[9] Ross's analysis of the 1825 rebellion argues that its form was similar to that of other slave-Khoi acts of desertion throughout the slave era, but that its ideology was specific to the nineteenth century. According to Ross, Galant's revolt shared the specific ideology of the 1808 uprising, when slaves confused the abolition of the oceanic slave trade with emancipation

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6 Genovese, *From rebellion to revolution*, p. xix-xxii.

7 See Beckles 'Rebels without heroes' for a similar criticism of Craton.

8 In this paper the term 'gender' is used in two senses: in the sense of the social construction of a gendered identity, ie., in terms of masculinity/femininity, and secondly in the sense of the relationships and power struggles between men and women, and indeed between members of the same sex. See paper 1 above.

9 Ross, *Cape of torments*, p. 105; H.McD. Beckles, *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Books, 1989), chapter 8. See also H.McD. Beckles, Review of M. Craton, *Testing the chains. Resistance to slavery in the British West Indies* in *The Journal of Caribbean History* 19 (1), 1984.

and marched to Cape Town to claim their freedom: in the context of amelioration in the 1820s, then, slaves once again decided to go to Cape Town for their freedom.

> '... this rising did not differ so very much from a number of other movements when the slaves and Khoi of a particular farm rose, murdered the whites living there and then headed off to the north, to join the outlaw bands. The events in the Bokkeveld in February 1825 were ... certainly not an exception to a recurring pattern.... Rather, *it was the ideology* behind the murders that was exceptional.'[10]

Although the form of the revolt was certainly typical in many respects, the centrality of the plan to murder the masters was not.[11] It was crucial for Galant that his master be killed before he could realise his goal of freedom: in this respect, the motivation for the revolt crucially underwrote its form. In other words, it is useful to look for a synthesis between the different aspects of resistance, rather than imposing artificial dichotomies, particularly when exploring the slaves' perspectives. In Beckles' words, slaves should be analysed as subjects, as actors making positive decisions, rather than as objects.[12] John Mason has suggested that the 'harshness' of slavery was sufficient motivation for the revolt,[13] but this specific socio-economic context of public and personal politics must be examined in order to explain why these particular men revolted at this time. It is unsatisfactory to speak in general terms of 'harshness' because it begs the question of why all other slaves in a similar context did not

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10 Ross, *Cape of torments*., p. 105 (emphasis added).

11 Theal, *Records* 20, p. 227, testimony of Isaac Thys: 'On a certain night some time ago, Galant ... said that he would murder my master.' See also p. 229: 'Galant wanted to murder all the masters, because as he said they had wronged him and taken away his Cattle.'

12 H. McD. Beckles, 'Rebels without heroes: slave politics in seventeenth century Barbados', *The Journal of Caribbean History* 18 (3) 1983, p. 3.

13 J. Mason, '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992), p. 143.

rebel in the same manner;[14] the issues of gendered responses to slavery and the gendered experience of the slave condition itself loom large.[15]

From the point of view of Barbadian slavery, Beckles argues that the only impact of gender on resistance was in terms of its form, because slaves' gender delimited their structural positions in the plantation political economy, and therefore the terms in which antislavery beliefs could be expressed.

> 'The question of women's role as carriers of antislavery ideas and agents of antislavery mobilization should not be considered as exceptional or phenomenal. The political consciousness of women warrants no particular examination since both men and women created the intellectual basis of the culture of resistance that characterized the slave world. Only the organizational forms of resistance took shapes that sometimes showed evidence of gender bias, ... the ideology of anti-slavery was ... gender free.' [16]

This paper suggests to the contrary that gender fundamentally influenced both the form and ideology of freedom and therefore of antislavery, and that in this sense they are not analytically distinct. As was suggested in an earlier paper in this collection, if one accepts the assumption that gender fundamentally ordered the ways in which slaves perceived their world, one must accept that it ordered their opposition to that world, in terms of motivational

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[14] Beckles, 'Rebels without heroes', pp. 3-4. The Fiscal summed up his understanding of Galant's motivation with the words '... it was not the ill treatment which Galant alleges to have suffered that brought him to the step, as he calls it, of fighting himself free; no, it was his disappointed hopes of freedom that induced him to to' (Theal, *Records* 20, p. 318). It is the nature of those 'disappointed hopes of freedom' that needs to be deconstructed.

[15] In 'Rebels without heroes', Beckles does not address this issue, but he does in *Natural rebels*, chapter 8.

[16] Beckles, *Natural rebels*, p. 152. See the discussion of this statement in the first paper, p. 40 above.

ideology as well as form.[17] This paper will focus on the dialectic between the social construction of masculinity vis-a-vis slave men and their masters on the one hand, and slave resistance on the other.[18] The motivation of the 1825 revolt was distinct from that of 1808, because of this dialectic; the redefinition of slave gender forced slave men to confront the issue of their masculinity, and this in turn impacted reflexively on slaveholder's self-concepts of their own patriarchal authority.[19] Although amelioration did not overtly reconstitute the gender of male slaves, slave men had to define their masculinity in opposition to the new femininity of slave women. This femininity was in fact transmuted by the discourse of slaveholders into a new female *masculinity*, as slave women began to claim better treatment as women, which their masters bitterly resisted by denying the possibility of slave femininity.[20]

For the slaveholders, slave masculinity was only associated with the capacity of female slaves to do the same labour as males. This denied not only slave femininity, but also male slave masculinity. Of course this definition of masculinity was of a different order to slaveholders' construction of their own masculinity, which consisted in patriarchal authority, in essence the power to control themselves and other people (the members of their households). Indigenous Khoikhoi or San gender systems (as transmuted through the colonial system) also provided a counterpoint to the socio-political impotence of male slaves, particularly in a region like the

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17 *ibid.*

18 See paper 1 above.

19 A. Giddens, *The consequences of modernity* (Cambridge, Polity Press, 1990).

20 See the discussion in paper 1 *passim*.

Koue Bokkeveld; moreover, Galant's fellow adult male slave Achilles[21] had been imported from Mozambique[22] and he would possibly have retained his parents' notion of a "natural" sex-gender system.[23]

The slave condition by definition denied slave men masculine authority within any of these sex-gender systems,[24] at the same time that amelioration allowed them a modicum of civil personhood, including the (theoretical) possibility of paternal power by the legitimation of slave marriage[25] and increased access to manumission.[26] Slave men therefore had to define their own masculinity in a context of extreme tension and ambiguity.

Ross correctly insists that '[r]ebellions occurred when they did because of a perceived change in the coherence and ideology of the masters', but he does not analyse the changing

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21 Achilles' companion Ontong (Antony in Theal's transcription) may also have been imported from Mozambique, but his place of birth is not given in the records (Theal, *Records* 20, pp. 243 ff).

22 See Ross, *Cape of torments*, p. 101 and Ross, 'The final years of the slave trade to the Cape Colony', *Slavery and Abolition* 9 (3) December 1988, p. 215.

23 Theal *Records* 20, pp. 208-9: Galant's testimony: '... my Master then asked Achilles and Antony if they also had an intention of going to their own Country, to which they answered yes, but said that they could not find the way there... they were afraid their parents were dead and that they should not be known by their nation.' The original Dutch transcription uses the terms 'Land' and 'natie' (CJ 633 pp. 880-1).

24 See paper 1, p. 6 above.

25 Of course this was only the merest hint of a possibility, because the regulations overtly retained all control over slave children firmly in the slave-holders' hands.

26 A. Bank, *The decline of urban slavery in South Africa, 1806-1834* Communications, No. 22/1991 (Cape Town, Centre for African Studies, University of Cape Town, 1991), chapter 5.

consciousness of the slaves themselves, despite his noting that the ideology behind the murders distinguished nineteenth-century uprisings from earlier ones.[27] He denies that rebellions took place 'because of a sudden surge of militancy on the part of the slaves, among whom there had always been very many militant individuals'.[28] For Ross it is important to underline the perpetual violence which haunted slave society, but in so doing, he underplays the role of changing forms of consciousness among slaves themselves. The issue at stake is not the level of slave militancy per se at any given moment, but rather it is that slaves' perceptions of the changing material and ideological conditions of the 1820s crucially influenced the ways in which they identified their own roles within the rapidly changing society, indeed, the ways in which they identified themselves.

Moreover, the dialectical relationship between masters and slaves requires analysis: the consciousness of each was partly shaped by that of the other.[29]

> '... we need some conception, no matter how vague, of the slaves' consciousness and its growth, because it is specifically on this terrain that political actions and inactions are to be explained.... it is precisely the slave's consciousness, that is, the organized amalgam of his [*sic*] beliefs, attitudes, values, and psycho-social preferences, which is real and material in its capacity to propel him [*sic*] into action. This is where we must direct our energies, breaking away from the so-called "sequential models" of the Craton type, which outline certain "variables" (or conditions) that might lead to instability in the "slave yard"'.[30]

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27 Ross, *Cape of torments*, pp. 96, 105.

28 *ibid.*, p. 96.

29 E.D. Genovese, *Roll, Jordan, roll: the world the slaves made* (New York: Pantheon Books, 1974), p. xvii: 'Masters and slaves shaped each other and cannot be discussed or analyzed in isolation'. Genovese identifies this mutuality as characteristic of paternalism, but in fact it is characteristic of any intimate relationship.

30 Beckles, 'Rebels without heroes', p. 3.

In other words, there are two crucial elements in slave revolts - being in the right place at the right time, and knowing it to be the right place and the right time:

> '... the existence of objective conditions, of possibilities of freedom is not enough; it is necessary to "know" them, and know how to use them; and to want to use them.'[31]

Galant (or Geland)[32] was one of six adult slaves (three of either sex) on the farm of Willem Nicolaas van der Merwe.[33] His peers were both slave and Khoi men and women, and he had at least two (non-legal) wives, one a slave and the other Khoi.[34] He was also part of a subaltern network which included the surrounding farms, and which spread at least to Worcester, if not all the way to Cape Town. Galant made these contacts when he travelled with his master, and when he went on his own volition to complain of ill treatment at his master's hands. During the year preceding the revolt, Galant had been subjected to a number of severe beatings, and had complained to the landdrost at Worcester and Tulbagh, in vain. At one stage he deserted the farm with the apparent intention of going to Cape Town to complain to the Guardian of Slaves. He was forced to return, after which he was beaten - according to him, harshly, according to other slaveholders, extremely mildly.[35]

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31 A. Gramsci, cited in *ibid.*, p. 1.

32 CJ 633 No. 8, p. 988.

33 J 421, *Opgaaf* Worcester 1824; Ross, *Cape of torments*, p. 107. The information in the following paragraphs is taken from Theal, *Records* 20, pp. 188 - 341, CJ 633 and CJ 819 except where otherwise indicated. See also Ross, *Cape of torments* pp. 105 ff.

34 Only two wives are mentioned in the court records.

35 Theal, p. 216.

The revolt was planned by Galant and his friend Abel,[36] a slave on a neighbouring farm (owned by Barend van der Merwe), together with a number of other slave and Khoi men. On the evening of 1 February 1825, the rebels attacked the house of Barend van der Merwe. (Meanwhile, Galant's Khoi wife, Betje, had been tied up at their hut to prevent her raising the alarm.)[37] Barend fled, as did his wife a little later with the aid of a slave named Goliath. The rebels stole arms, ammunition and horses and rode to Willem van der Merwe's house, where the main action took place the following morning. The 'Christians' were eventually rounded up inside the house, together with a number of slave women, including Galant's slave wife, Pamela,[38] who was later accused of passivity,[39] while the rebels attacked it from without. Galant's intention was to steal arms, and to kill his master, which he was eventually able to do. He also shot his mistress, Elsje, with whom the struggle was protracted, but unplanned.[40]

Elsje was the most indefatigably active woman during the rebellion. Like Barend van der Merwe's wife Hester, Elsje was in bed when the rebels broke into the bedroom to steal arms.

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36 He was also written as Awil or Avel: CJ 633 No. 8, pp. 985, 987.

37 Theal, *Records* 20, pp. 193, 273, 280.

38 *ibid.*, p. 198: in the Act of Accusation she was described as galant's concubine.

39 Theal, *Records* 20, pp. 198, 204: The Act of Accusation stated '[t]hat she by her passiveness and silence contributed to the misfortunes which befell the family of the late W.N. van der Merwe' (p. 204). This kind of indictment was not unprecedented: Philida, one of the accused in the case against Rosalyn and Anna Sauer discussed in the previous paper, was also indicted for passivity. It was not a slave-specific crime, because Philida was a Khoi woman. It was rather related to the theoretical duties of domestic workers in general.

40 Elsje van der Merwe was seriously, but not mortally, wounded. Her wound prevented her from attending the trial, although her statement was read.

Unlike Hester, however, Elsje,

> '... having immediately jumped out of bed, laid hold of the two guns by the muzzles,and held them fast till she got to the hall, when Galant succeeded in getting possession of one of them, while she continued to struggle with Hendrik in order to get the other from him ...'[41]

Even after Galant had shot her in the hip, she managed to hide in the oven, go into another room and hide beneath a table, and force the muzzle of Galant's gun away from her when she mistakenly believed he intended to shoot her (he had not noticed her hiding beneath the table). She successfully pleaded for her life, and escaped to the bedroom. At a later stage, peripheral to the main action, she took her children and hid them in the rye loft (with the assistance of the women servants), where she also managed to hide, despite her serious wound.[42] It is crucial to note that the struggle between Elsje and the rebels was entirely spontaneous; Galant's initial target was his master, not his mistress.[43] There is no reason to doubt Galant when he stated during the trial that he had not initially intended to shoot his 'nonje',[44] but that

> 'heeft 't ander volk my gezegt om op Nonje te Schieten en ... ik 't geweer bezyde haar wilde afschieten om haar bang te maken...'[45]

It is significant that Galant shot her in the hip, whereas all the men were later shot to kill; moreover, he used the term of relative endearment or intimacy, 'nonje', only in this particular

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41 Theal *Records* 20, p. 310; CJ 633 No. 8, p. 995: Elsje's statement, 6 February 1825: 'Zy Sprong dadelijk uit haar bed, en greep beide de gewerent aan 't trompen, en heeld dezelven vas...'

42 See Dr Wieshing's report: CJ 633 No. 8: p. 993, 5 February 1825.

43 See Theal, *Records* 20, pp. 219, 220, 222.

44 CJ 633 No. 8, p. 1009.

45 *ibid.*, p. 1010: 'Verbaal ... wegens de Conspiratie in her Bokkeveld van Galant', 13 February 1825; Theal *Records* 20, p. 207.

context; elsewhere he referred to his mistress as 'juffrouw'.[46] This interaction took place before the killings had begun and Galant's intentions were relatively "pure" or narrowly delineated;[47] later he became 'steeped in blood so far' that anyone who opposed him became fair game,[48] including his wife Betje, whom he wanted to kill when she tried to protect the white women and children.[49]

By the time the rebels took to the hills, three men had been killed, starting with Willem van der Merwe. Galant and his comrades were ultimately rounded up by a commando. After a lengthy trial, Galant, Abel and one of the Khoi rebels were executed, while the other accused received various lesser punishments, except the slave woman Pamela and a white man who were acquitted.

For the purposes of this paper, the Bokkeveld rebellion of 1825 should be termed more accurately *Galant's* revolt. Indeed, in certain respects Galant appears as a tragic hero of Shakespearean proportions, a man whose noble aim was freedom which included the full realisation of his manhood, but whose pursuit of this goal carried within it the seeds of its own destruction, because the only way to become fully a man was through the blood of his

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46 For example, CJ 633 No. 8, pp. 880, 908-9, 1009.

47 Of Barend van der Merwe's wife, Galant said '[t]he wife of Barend van der Merwe likewise made her escape, we did not do her any harm' (Theal, *Records* 20, p. 206).

48 Theal, *Records* 20, p. 197.

49 *ibid.*, p. 198. Galant's fellow rebel, Klaas, prevented him.

master (with whom he was intimately related, possibly although not necessarily by blood).[50] Had Galant been content to leave the farm and the colony, he might have succeeded, but this could not be. His master had to die.[51]

Despite the validity of Beckles' point that historical analyses of revolt tend to be presented in terms of personalities and the construction of heroes, and that '[o]ver-emphasis upon the great leader(s) of particular plots and rebellions, whose views and visions are said to have been dominant in understanding the nature of the struggle' has distorted the study of slave resistance,[52] it is clear in the case of the Bokkeveld rebellion that Galant's status as an extraordinary personality and leader has not entered history merely because his name happened to be mentioned during the trial,[53] but because he dominated the entire proceedings, from the planning[54] through the revolt to the trial itself. For instance, the

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50 Galant's paternity (and maternity) is unknown: we do know that he was brought up on the farm of his master's mother, and the possibility exists that he was his master's half brother. This would render the remarks of both Willem and Elsje van der Merwe regarding miscegenation particularly significant. See also Ross, *Cape of torments*, p. 111 who raises the issue, but does not pursue it, and below.

51 After killing his master, Galant was able to say 'my gun is good and I am likewise good' (Theal, *Records* 20, p. 199).

52 Beckles, 'Rebels without heroes', pp. 1-2.

53 *ibid.*: 'Sometimes, the names of slaves were used in court-martial proceedings as if these individuals were in fact leaders, but in most cases little or no evidence exists to give them this status.' Barbara Bush makes a similar point in *Slave women in Caribbean society, 1650-1838* (London, James Currey, 1990) in her discussion of the role of slave women in revolt: in the case of marroons, women often played crucial roles, but were not considered to be leaders by the Jamaican officials. *ibid.*, p. 70; P. van der Spuy, 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991), p. 190.

54 See, for instance, Theal, *Records* 20, pp. 237-8.

Fiscal, Daniel Denyssen, had no doubt that Galant was personally responsible: in attempting to explain why all the rebels apart from Abel joined the revolt, he stated that '[t]hey were all seduced' by 'the craft and subtlety of their leader Galant'.[55] The rebels consistently referred to Galant as the 'Captain', although he claimed that one of the Khoi men, Admiral Slinger, was the leader, a claim which was not borne out by any of the evidence, including Galant's own testimony.[56] At the trial, Galant dominated the interrogation of witnesses of the underclasses, with the Court's acquiescence. Other than Galant's Khoi wife, Betje, who spoke out against him, female witnesses in particular were easily silenced as Galant imposed his masculine authority.[57] For instance, in the course of her testimony, Roos, a Khoi servant, aged 41, told Galant 'I am but a woman, and had nothing to say to you', which Galant ignored, saying 'I now wish that Antony [Ontong] would speak'. Roos tried again: 'If you did not get victuals enough why then did you not complain to your master instead of always quarrelling with me at the land?', to which he responded 'I now wish to speak with Achilles', and Roos was heard no more.[58] Part of the answer to Roos' question is that in complaining to her, and to his wife Betje,[59] Galant was able to project a degree of authority,

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55 *ibid.*, pp. 320-1. The original Dutch transcription, which did not have the idiomatic flair of the English, reads: 'zy hunnen door de list[?] en het bedrag van hunnen aanvoerder Galant tot vyanden van hunne meesters zyn gemaakt, by wien[?] zy ongetwyffeld minder voorrechten genoten, dan over 't algemeen an slaven zyn vergund; de hoop op roof en buit [?] kan ook op hunne gemoedered gewerkt hebben; maar zy worden door my slechts als instrumenten anngemerkt, waarvan ... Galant en Abel zig bedien hebben om hun oogmerk te bereiken' (CJ 633 No. 8, p. 1223).

56 Theal, *Records* 20, pp. 208, 223, 319.

57 Galant's mistress, Elsje van der Merwe, was unable to attend the trial because of her wounds, so Galant had unwittingly silenced her too.

58 Theal, *Records* 20, p. 287.

59 *ibid.*, p. 212.

which would have been impossible in any complaint to his master, quite apart from the fact that his master reacted violently when he overheard Galant's complaints about food to Betje.[60]

Although his fellow slave Abel played an important role in the revolt, as the second-in-command,[61] Galant's personal struggle against the constraints of slavery *as he perceived them* constitutes the focus of this paper, then, largely because he was 'written' as the central figure in the records. The interrogations and the trial itself centred around the person of Galant, so on the one hand there is a great deal more information about him than about any of the other rebels, and on the other hand the records project him as the dominant rebel. However, the intention is not to undermine the role of the other actors, who certainly claimed to have been subsumed beneath his commanding personality,[62] which was probably partly true - slave men, Khoikhoi men, and the slave woman Pamela who was Galant's second (and apparently junior) wife.[63] Much of the analysis of Galant's personal response to slavery can

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60 *ibid.*, pp. 212-3.

61 For instance, Abel stated that 'Galant was Captain, I was Corporal, and the others soldiers' (*ibid.*, p. 220). See also *ibid.*, pp. 210 and 319.

62 For instance, *ibid.*, p. 220: Abel claimed that he had acted as he did because 'Galant told me to do so; I had not any other reason thereto.' He did, however, add: 'Whatever I did or did not I could not please my Master .... I was ill treated the whole of the day and night.' See also *ibid.*, p. 226, 231, 234, 246. Klaas stated that 'I am not so guilty. Galant was the cause' (p. 240).

63 Galant only referred to Betje as his wife; he did not refer to Pamela at all (*ibid.*, pp. 205-217). See also *ibid.*, p. 239: all that the rebel slave Klaas (of Barend van der Merwe) apparently knew of Pamela was that she was 'a slave who belonged to the late Willem van der Merwe'. When asked whether or not Galant had a wife, most accused replied that Betje was his wife.

be applied to Abel in particular, who held a similar position to Galant on Barend van der Merwe's farm and who was also driven by a need to kill his master; according to the testimony of Klaas, one of slave rebels, 'Abel ... said that he would not murder [his mistress], for that he only wanted the Masters'.[64] Galant and Abel were both "house-born" slaves, whose rebellion made the break-down of the patriarchal slave-holding family all the more threateningly apparent to the Fiscal, who expressed his fears in a paternalistic rhetoric which was beginning to wear a little thin:

> 'Men zegge niet de ondervinding teent, dat aan slaven door hunne meesters het leven is benomen. Ik betwist die waarheid niet, maar er zijn ook voorbeelden van Vader en van kindermoord, en echter waar kan een kind zoo veilig zijn als in de armen van zijn Vader, hoe kan een Vader beter zijn gedekt dan door de liefde van zijn eigen kroost. Men make eene voorgelykende begrooting van de voorbeelden van moorden door lijfeigenaaren aan hun Slaven en die van anderen aan anderen gepleegd, en men zal wel ras bevinden, dat de slaaf bijna zoo veilig is onder de bescherming van Zyn Meeste also het kind is onder die van zyne Vader. Vooral Huisboorlingen, hoedanige Galant en Abel beide zijn, ontrent ween het natuurlijk gevoel van liefde zig met het eigenbelang vereenigt, om hen in hunne meesters ware vrienden en beschermers te doen vinden.'[65]

Although in certain respects Galant was unique, for instance in terms of his domineering

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[64] *ibid.*, p. 236. See also p. 220: '... I said there she sits with her little children, but I shall not do her any harm.'

[65] CJ 633 No. 8, pp. 1220-2 ff: Fiscal Denyssen's summation. Theal's translation: 'I do not say that Slaves have never been killed by their masters; but there are also examples of fathers having murdered their children, and yet where can a child be safer than in the arms of his father? Or how can a father be better protected than by the love of his own offspring?

If we compare the examples of murders committed on slaves by their masters with the numbers of those committed on and by others, we shall soon see that the slave is almost as safe under the protection of his Master as the child under that of the father; and especially those slaves who are born in the house, of which description both Galant and Abel are, with respect to whom the natural feeling of affection combines with self interest to make them true friends and protectors in their masters' (*Records* 20, p. 320)

personality,[66] in other respects the development of his "militant" masculinity reflects developments experienced by many subaltern males in rural Cape society at this time.[67] Denyssen conceded of the Khoi men that

> '[h]et is egter waar, zij stonden onder meesters, en hunnen door de hoop gekitteld zijn worden, om ook op hunne beurt eens meesters over hunne meesters te worden...'[68]

It would seem that the revolt succeeded at a symbolic level as a rite of passage towards autonomous masculinity, because whereas Galant had previously been perceived as exceptional for his refusal to call van der Merwe 'baas',[69] at the trial the rebels use such terms of respect irregularly: thus they were free to speak of 'van der Merwe' and 'Verlee' as equals.[70]

Galant's revolt was more than an act of resistance to authority, which characterised slave-Khoi uprisings and desertions during the eighteenth century. His intention was not to leave Cape society, but to revolutionise his place within it. According to the 'Act of Accusation', which is supported by other evidence,[71] Galant's intention was

> 'to attack the places and effect a general effusion of blood among their masters, and in this manner to get possession of the places as far as should be

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66 Ross, *Cape of torments*, p. 107.

67 It is significant that the rebels identified themselves as an army, with captain, corporal and other soldiers. See, for instance, Theal, *Records* 20, p. 220.

68 CJ 633, No. 8, p. 1222, statement of the Fiscal, D. Denyssen. See also Theal, *Records* 20, p. 321.

69 Theal, *Records* 20, p. 297; Ross, *Cape of torments*, p. 107.

70 See, for instance, Theal, *Records* 20, p. 236: testimony of Klaas. This "freedom" was certainly incomplete, as they often did use the terms 'master' or 'baas'.

71 For instance, *ibid.*, p. 282 and the fact that his earlier attempt had been frustrated (*ibid.*, p. 215-6.)

> in their power, and finally *to repair to Cape Town*; or in case they might not be safe in Town or within the Colony, to proceed beyond the boundaries to the Great or Orange river and join a number of Bastards who had collected there.'[72]

The key which distinguishes the intention behind this revolt from most other forms of 'open resistance to authority' is that the rebels intended to go to Cape Town to take and assert their freedom. In Genovese's terms, their goal was not isolationistic but they intended to take what they considered to be their right place in Cape society.[73] Moreover, due to amelioration, the process of "repairing to Cape Town" was becoming a tradition among rural slaves who were prepared to walk there to complain to the Guardian of Slaves about ill-treatment, and to request his intervention in issues which included their own manumission.[74] For slaves in the Koue Bokkeveld, "going to Worcester" was the initial option, but when Galant and the others learnt how corrupt the local landdrost was, their only hope of justice lay in Cape Town.[75] Cape Town had acquired an almost mythical status among both slaves and masters - as the seat of the protective or intrusive colonial government respectively. According to Achilles, Galant had expressed the desire to stand on Lion's Head and fight for his freedom:

> 'Galant said, let the Commando come; the whole Bokkeveld will begin, and we will shoot at them to the upper Country. I will stand with my gun on the

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72 *ibid.*, p. 191.

73 Genovese, *From rebellion to revolution*, pp. xiv, xviii.

74 See paper 3 above; Mason '"Fit for freedom"', p. 123.

75 Theal, *Records* 20, pp. 212 - 216; Ross, *Cape of torments*, p. 108. See also Mason, '"Fit for freedom"', pp. 112-3: 'Martha, a slave owned by Johannes Louw of the Stellenbosch district, walked the 35 to 40 miles from Stellenbosch to the guardian's office in Cape Town wearing leg irons when she could not obtain satisfaction from the assistant guardian in Stellenbosch. T. Venter's slave Jeptha, who lived in the Graaff-Reinet district, walked one-hundred miles "over high mountains" to reach an assistant guardian.'

Lion's head at the Cape and face the gentlemen'.[76]

Galant's wish to go to Cape Town, then, was laden with symbolism for slaves and their masters, for the same reason, but from diametrically opposed points of view. However, whereas the goal of freedom, associated with a "march" on Cape Town, was shared by the 1808 and 1825 revolts, the meanings of that freedom differed. In 1825 the slaves (not to mention the Khoi rebels) were not motivated by a simple belief that the King had freed them and that all they needed to do was to go to Cape Town to receive their freedom. Freedom was associated with the realisation of a form of masculinity which was not possible in 1808 before amelioration had broadened the possibilities of freedom in terms of self-definition. Unlike in 1808, Galant's revolt was aggressive, focused on the shedding of blood, in particular that of his master; it was a rite of passage into manhood.[77]

The 1825 revolt supports Nigel Penn's conclusion that slave (men) in the rural districts of the Cape at the end of the eighteenth century did not perceive themselves as an exclusive category, but were socially integrated with other subaltern workers on the farms. Slaves and Khoikhoi workers ate together, slept together, lived and worked together, and tended to perceive their oppression in similar terms.[78] Penn suggests that by the end of the eighteenth century, slaves and Khoi resisted in similar ways.[79] If the political ideology of resistance was shared, Khoikhoi workers may have perceived themselves to be enslaved, an important possibility, as Susie Newton-King insists:

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[76] Theal, *Records* 20, p. 282.

[77] *ibid.*, p. 191.

[78] Penn, 'Droster gangs', p. 18 and *passim*.

[79] *ibid.*

> ... the concept of slavery and the ideas and practices usually associated with it ... provide more useful filters [than the notion of clientship] through which to view the relations between Boers and Khoisan on frontier farms.... [She intended to show] how and why a pattern of interaction that more closely approximates slavery than clientship should have come into being.'[80]

According to Penn, by the 1790s,

> 'the term "droster" reflected a consciousness, amongst both colonists and their labourers, that there was little difference between the condition of being a slave and the condition of being a servant.'[81]

This has important implications for the nature of the meanings of enslavement and freedom. Ross does not distinguish analytically between slave and Khoi in the 1825 revolt. He describes the uprising as a slave rebellion, and confuses the status of Galant's Khoi wife, whom he describes as a slave.[82] Whereas Ross's intention may be to underline the similarities between Khoi and slave oppression and resistance, he tends to assume such cohesion *a priori*. If the experience of slavery was not distinct, slaves' conception of freedom

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80 S. Newton-King, 'The enemy within' (paper presented at the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989), preface (no pagination). See also C. Crais, 'Slavery and freedom along a frontier: the eastern Cape, South Africa: 1770-1838', *Slavery and Abolition* 11, 2, 1990.

81 *ibid.*, p. 15; 'It was indeed an unfortunate truth that, by the end of the century, the conditions [*sic*] of Khoi "in het veld" was no better than that of a "Bastaard-Hottentot" or a slave' (*ibid.*, p. 40). Penn points out the personification of 'the fusion of Khoi and slave identity' in the category of 'bastard-hottentot' which defines as 'children of mixed slave and Khoi parentage' (p. 18). However, this is not quite accurate. The category could only refer to the children of slave fathers and Khoi mothers, because children inherited the status of their mothers. The terms 'bastard hottentot' itself should be decoded: on the one hand it underlines the importance of the status of bastard within settler society, and on the other hand it stresses the illegitimate status of slave fathers: slave men could not confer legitimacy on their children.

82 Ross, *Cape of Torments*, p. 112.

must have excluded a notion of legal emancipation; yet this is precisely what so many slaves desired, considering 'apprenticeship' to be superior to slavery.[83] It is feasible that a new understanding of gender in the context of amelioration provided a platform on which slaves and Khoikhoi could unite against their masters in the 1820s. Ross identified a trend towards solidarity between Khoi and slaves during the course of the eighteenth century,[84] but it is the particularity of the 1825 revolt that requires analysis.

It is possible that the Khoi labourers who joined the 1825 revolt had an entirely different agenda to that of the slaves. One of the Khoi rebels, Isaac Thys, claimed that '[w]e intended to go to the Great River and not to kill any more people.'[85] They may have suggested joining the 'bastard hottentots' at the Great River if Galant's plan failed, but nevertheless they were prepared to accompany Galant to Cape Town. Yet, as the Court of Justice officials noted with amazement, the Khoi rebels could not have harboured the same desire for freedom as Galant and the other slaves apparently did, because as Khoi they were already free. Galant's wife Betje articulated her position as a Khoikhoi woman in these words:

> 'Een Maand voor ... mijn Baas doodgeschoten heft Galant mijn gevraagd, of ik hem wilde volgen, dat zij zig zullen wilde vrij maken en voor hem vrijheid vegten; waarop ik hem geantwoord heb, dat hy en Slaaf en ik vrij was, en hem niet konen volg.'[86]

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83 For instance, some women chose to have their children apprenticed rather than to remain enslaved. See for instance paper 3 above, SO 13/1: Applications for Separation and Certificates granted by the Protector of Slaves (1827-1834) and Bank, *The decline* chapter 5 for a discussion of conditional manumission.

84 Ross, *Cape of torments*, pp. 48-9.

85 Theal *Records* 20, p. 229.

86 CJ 633 No. 8, p. 928; Theal, *Records* 20, p. 270: 'Galant asked me if I would follow him, for that he would make himself free and fight for his freedom, to which I answered that he was a slave and I was free, and that I

She could not follow Galant, but Khoi men could: it is possible that slave and khoi men shared a similar perception of oppression within the slave-holdings in terms of frustrated masculinity, with which neither Khoi nor slave women could identify. Achilles, a slave, had a Khoi wife named 'old Frein', who knew of the plan, but did not join the revolt, despite the fact that her son as well as her husband were involved (her son was Isaac Rooy, another accused);[87] Ontong's wife Lydia, a slave, was not included,[88] and neither was Abel's wife Saartje, who was working in the fields at the time,[89] nor was Klaas's wife Stein.[90] The only woman who joined the rebels (and then only after the event, although everyone except the slave woman Lea apparently knew of the plan), was the slave Pamela, who did not articulate her motivation in the court records. However, her structural position in the slave-holding is suggestive: she identified herself as Galant's wife, and deferred to him throughout the court proceedings, unlike his Khoi wife, who was certainly senior to Pamela, and does not appear to have considered herself inferior to Galant.[91] Certainly, to judge by her actions, Pamela's idea was not to revolt per se; she had no intention of killing anyone, but wished to leave the farm, arguably to fulfil the role of Galant's only wife, as Betje had seen no point in joining the rebels.

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could not follow him'.

87 Theal *Records* 20, p. 226.

88 *ibid.*, pp. 216-7.

89 *ibid.*, p. 220.

90 *ibid.*, p.266.

91 There can be no doubt that at the trial itself, Betje was seeing to her own needs, rather than portraying any sense of loyalty to Galant: everything she says confirms her status as loyal servant, rather than loyal wife (for instance, *ibid.*, pp. 270 ff.).

Despite Pamela's ostensible role as Galant's wife, which must have entailed certain obligations to him, her work had kept her within the slaveholder's house. It is unknown how long she had been working for van der Merwe, because she claimed that she was 'still a Slave of old Mistress Du Plessis, and was placed with the late Wm van der Merwe only for a time.'[92] Nevertheless, she slept in van der Merwe's bedroom, and although a sexual relationship was not overtly alluded to in the English version of the trial,[93] her words in the Dutch version are ambiguous, in that "slapen bij" could mean concubine:

> 'Galant is mijn man maar *ik slaap alle nagten bij mijn Baas in de kamer* ...'[94]

Far from being psychically assimilated into the slave-holding family, though, Pamela's position was particularly alienating because she, like countless other female slaves, straddled two worlds, and was comfortable in neither.[95] Galant's revolt gave her the opportunity to chose between those worlds, and she chose the tyranny of her husband over that of her master; when she met up with Galant, he beat her, her child and her fellow slave Lea.[96]

Slaves' ideas of freedom are elusive, but those of rural slave men at the Cape were arguably

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92 *ibid.*, p. 252.

93 *ibid.*, p. 250.

94 CJ 633, No. 8, p. 1075: 25 Feb 1825 (emphasis added).

95 For an alternative view, see R. Shell, 'Tender Ties: the women of the slave society' (paper presented at the Department of History Conference, Cape Slavery- and After, University of Cape Town, August 1989), p. 31.

96 Theal, *Records* 20, p. 250. cf. paper 1, p. 14, n. 44 above: she might have agreed with the African woman in Durban in the 1950s who insisted that "[n]o one has the right to beat a woman, only her husband."'

more closely connected to the old patriarchal order of the slave-holders and the indigenous sex-gender systems of the Khoi than the new liberal or bourgeois-democratic ideology. Their determination to revolt was bolstered by rumours of successful uprisings elsewhere in the new World, and more immediately by rumours of their own pending emancipation, but it was not necessarily delimited by such ideologies. It is unclear how far Galant and his comrades were motivated by bourgeois-democratic ideals and notions of freedom, rather than by an inability psychologically to fit any longer into notions of enslavement. According to Genovese,

> '[t]he revolt against slavery ... emerged as the basic assertion of human dignity and of humanity itself.... The dominant liberal and democratic strands of bourgeois ideology demand the responsibility of the individual for himself in the polity, the economy, the society.... the notion of propertied male individualism.... In bourgeois theory, freedom emerges as an absolute quality and right of the human being.'[97]

There is certainly evidence of a recognition of the need for self-responsibility in Galant's revolt, although the notion of '*propertied* male individualism' does not apply; the rebels had no intention to own the farms or any other of the masters' property. If anything, their goal was to destroy the symbols of their oppression; Galant had to be dissuaded from setting fire to his master's house.[98]

The revolt was certainly male and individualistic, but the individualism was arguably more circumstantial than ideological. Pamela Scully has suggested that part of the meaning of freedom in the post-emancipation Cape was closely associated with 'the family', which she argues

> 'emerges as an important locus around which definitions of freedom were forged in the apprenticeship period...[including] slaves and dependent

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97 Genovese, *From rebellion to revolution*, p. xiii.

98 Theal, *Records* 20, p. 196. See below, pp. 240 ff for a discussion of the symbolic significance of the slaveholder's house.

labourers' concerns with protecting and reinforcing personal relationships'.[99] In the slave era, the structural conditions in terms of which slaves defined their families were different. Whereas a slave man after emancipation could identify his family as a means of asserting the autonomy he identified with freedom, this was not possible in 1825.[100] Moreover, subaltern perceptions of "the family" are not easily discernable.[101] There is no evidence concerning the motivation behind the decision of Abel, Achilles, or Ontong to leave the farms without their families, but Abel's first words to his (former) master when they met at the trial were 'Where is my wife and child?'.[102] It is unknown if Galant wanted Pamela to accompany him, but he certainly asked Betje. She, and presumably the other women too, felt that the revolt would not satisfy their needs.[103] Practicalities such as child-care constituted an essential aspect of feminine constructs of freedom, as did the personal politics within subaltern familial relationships. It is clear that in 1825 freedom could not be

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99 P. Scully, 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented at the History Department Post-graduate Seminar, University of Cape Town, 19 March 1992), p. 1.

100 Katie Jacobs described her husband's wishes to leave the farms after emancipation, but he was persuaded to stay at her former master's farm for four years. *Die Banier*, 2 June 1963. See also paper 3 above.

101 Subaltern families were often a site of struggle in their own right, although of course they were never completely autonomous. For instance, see p. below and 1/UIT, Criminal Records Book (Uitenhage), No. 92, 9 June 1829, No. 611, 23 October 1832 and No. 709, 9 January 1833, for examples of men assaulting their 'reputed wives'.

102 Theal, *Records* 20, p. 264; CJ 633 p. 921. Barend significantly replied 'At home at my house'.

103 Galant's approach to Betje contrasts very strongly with that of Adam described by Penn, '*Droster* gangs', pp. 23-4, who forcibly abducted two women.

identified with the liberation of the family which Scully describes post 1834.[104]; the freedom which Galant and the other rebels envisaged had no specific connection to their ideas about their families; they were all prepared to leave their wives and children in order to claim their personal freedom.

Galant's familial choices and attitudes were necessarily delimited by his slave condition. Much has been made of his polygynous status.[105] In other New World slave societies polygyny is characterised as a status symbol, and it apparently functioned as such in Galant's case from the slaveholders' perspective as a symbol of Galant's masculine defiance of his master, although the status of polygyny among slaves and Khoi is unknown.[106] The trial record should act as a reminder that we do not know how widespread this form of family was;

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104 P. Scully, 'Liberating the family? Thoughts on the private meaning of emancipation in the rural Cape, 1834-42' (paper presented at the conference on Cape Slavery- and After, University of Cape Town, 1989); P. Scully, 'Liberating the family: gender, state and emancipation in the rural western Cape, South Africa, 1830-1870' (Ph.D, University of Michigan, Forthcoming 1993); P. Scully, 'Private and public worlds of emancipation in the rural western Cape, South Africa, c. 1830-1842' (unpublished paper, University of Michigan, 1991); P. Scully, 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented to University of Cape Town History Department post-graduate seminar, April 1992).

105 Ross has stated that polygyny was extremely rare and that it was a clear sign of Galant's social status. As Ross noted, Galant participated in a market economy, owning property such as a jacket which van der Merwe destroyed during a particularly harsh whipping. He also owned cattle. It is unclear whether such property underlined Galant's status or whether such ownership was widespread. *Cape of torments*, p. 106.

106 Willem du Toit, when asked how Willem van der Merwe treated 'his people', stated 'I cannot say otherwise than well, Galant in particular. He had more to say than his master. He had likewise two wives, although it was contrary to the wish of his Master.' (Theal, *Records* 20, pp. 260-1.) See M. Craton, 'Changing patterns of slave families in the British West Indies', *Journal of Interdisciplinary History* X:1 (Summer 1979), p. 27.

many of the witnesses and accused stated that he had only one wife, Betje.[107] Galant lived among indigenous people, among whom polygyny was a way of life. It is possible that Galant took his cue from these gender systems rather than that of his master in terms of his polygynous familial arrangement, although in fact any authority which Galant might have exercised in terms of marriage was undercut by the illegitimacy of any sexual relationships involving slaves, as both his wives and his children were firmly within the domain of the slave-holder.[108]

Galant and Betje had lived together for ten years and apparently produced six children, although only two survived to 1825.[109] When the van der Merwe's children were infants, Betje worked as their wet-nurse, which necessarily entailed the neglect of her own children, who may have been fathered by Galant, although the evidence is uncertain.[110] It is also unclear how far blood relationships determined Khoi and slave familial concepts; on the one

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107 See, for instance, Theal, *Records* 20, pp. 225, 231, 242, 244. However, Valentyn stated that Galant had two wives, and mentioned Pamela first (*ibid.*, p. 247). It is only because Galant revolted that we have access to this information concerning his family, and had the evidence survived in incomplete form, it is possible that a monogamous relationship would have been reflected.

108 Interestingly, there are hints that the slave-holder felt less in control of Galant's 'bastard hottentot' children in the episode where van der Merwe beat Galant and Betje's young son David, when Galant was away at a *veeplaats*. This episode is discussed below.

109 For instance, Theal, *Records* 20, p. 225. Barbara Bush has argued that wives in polygynous unions experienced more authority and control over their children than those in monogamous unions, and this way well apply to Betje: Bush, *Slave Women*, p. 92. Betje is represented as a loyal servant rather than as a loving mother; apparently she did not complain of the murder of her child because Van der Merwe had apologised to her and had said that he had not intended to kill David. It is impossible to know how she really felt (Theal, *Records* 20, p. 274).

110 See the discussion of wet nurses in paper 2 above.

hand, Pamela claimed that Galant had less power over her than over Betje because he had not fathered her child/ren: 'he did not say anything to me, besides he is my husband, but I have not any children by him'.[111] On the other hand, Galant referred to Betje's children as his own, but not to Pamela's,[112] and one of the younger rebels referred to Betje as 'Mammy Betje', although he was not her child.[113] The extent of Galant's familial authority is therefore difficult to assess given the contradictory evidence, particularly in a context in which everyone was most likely to say whatever would save herself or himself. At the time of the trial Betje no longer nursed the slaveholder's children; she then identified herself as an outdoor servant. She and Galant shared a hut and were recognised as man and wife, whereas Pamela worked and slept in the masters' house, which arguably undermined, and certainly created a tension in whatever status Galant's polygyny may have given him.

However, Galant's ultimate vulnerability and impotence as an enslaved father is underlined by his description of the beating of his son, David.[114] In a sense it is irrelevant how true this story was, because it perfectly encapsulated Galant's perceptions of the intricacies of the ties that bound him and his family to that of his master.[115] Galant had been away for some

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111 *ibid.*, p. 250. However, Betje later challenged Pamela on this point: 'Did I not say to you at Louw's place, "Why do you not tell me the truth?" and did you not answer me saying: "Yes, but I have a child by Galant, and therefore I will not bear hard upon him?" Answer: No.' (*ibid.*, p. 278).

112 If Galant *had* fathered Pamela's child, he did not appear to consider it his own: 'Pamela just at that moment came running in with her child...' (*ibid.*, p. 281).

113 *ibid.*, p. 248.

114 *ibid.*, pp. 216 ff. According to Pamela, Galant was not David's genitor: *ibid.*, p. 251.

115 There is certainly truth in the beating, because other slaves testified to it, but it is unclear whether or not Galant actually fathered David: he certainly

time working on a distant *veeplaats*, at which time Willem van der Merwe mercilessly beat Galant's and Betje's infant son, David, who had just begun to 'creep about'.[116] Van der Merwe's motivation for beating the child is significant: after the beating he apologised to Betje and said that he had beaten the child because he was angry with his wife,[117] whom he apparently could not beat.[118] The focus of the flogging is significant, because van der Merwe was intimately involved with Galant and at least one of his wives; his relationship with Betje is not revealed in the records. It is apparent that flogging was an expression of van der Merwe's sexuality; in this respect he was typical of New World slaveholders.[119] Betje was very distressed by the beating, but attempted to kill the child herself rather than project her anger at van der Merwe, whom she apparently forgave; she certainly did not complain to the landdrost.[120] Galant apparently complained, but the landdrost 'was not at home' and on his

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claimed such a relationship, and it may be irrelevant who the father was. See, for instance, *ibid.*, p. 278.

116 *ibid.*, p. 216.

117 *ibid.*, p. 274.

118 *ibid.*, p. 217. This is not surprising considering Elsje van der Merwe's strength of character as suggested by her behaviour during the revolt. This kind of transference may also have been partly responsible for his many erratic beatings of Galant, for whom he certainly felt much emotional attachment, at the same time as he was probably involved in a sexual relationship with Galant's wife.

119 Nigel Penn stressed the link between flogging and sexuality (pers. comm, History Department Post-Graduate Seminar, 1992); See D. Hall, *'In miserable slavery': Thomas Thistlewood in Jamaica, 1750-1786* (London, Macmillan, 1989), A. Baker (ed), *Narrative of the life of Frederick Douglass, an American slave* (Harmondsworth, penguin, 1982), p. 52 and T. Pringle (ed),'The narrative of Mary Prince: a West Indian slave' in H. Gates (ed), *The classic slave narratives* (New York, New American Library, 1987), p. 202.

120 Galant said, 'She told me that she was going herself to dash the child against the ground, but that her master and mistress prevented it' to which Betje replied:' That is true, I did say that through heartsore, because my Master beat

return to the farm, van der Merwe flogged him.[121] This incident, one of many, underlined Galant's emasculation as a slave.

Although Galant's familial role cannot be characterised as patriarchal as the word applies to the slaveholders, there can be no doubt that Galant tried to dominate his wives.[122] Pamela appears to have been more submissive than Betje, but both women were subjected to physical violence at Galant's hands. He did not hesitate to bind Betje to prevent her betraying him,[123] which underlines the insecurity of slave family relationships: Galant could not trust his wife, because he could not be her 'lord and master', even though she was not legally enslaved. She depended for her livelihood on the van der Merwes, and she was intimate with Elsje van der Merwe. As it turned out, Betje saved the lives of the van der Merwe children, because, having wet-nursed them, she pleaded for their lives, and although Galant considered killing her and them, she persuaded him to spare their lives.[124] Indeed, Betje had previously warned her mistress and master that Galant was planning to revolt, but van der Merwe had been too blinded by his positive perception of the intimacy of his association with Galant to believe her.[125] According to his own testimony, Galant attempted to assert his authority as

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the child, although it was not so much, and it is true that when I was so angry Master and Mistress prevented me' (Theal, *Records* 20, p. 278).

121 *ibid.*, pp. 215-6.

122 See the discussion on the use of the term "patriarchy" in paper 1 above.

123 Theal, *Records* 20, p. 193.

124 *ibid.*, p. 273.

125 *ibid.*, pp. 271.

Betje's husband by refusing to accept her knowledge of what was reported in the newspapers.[126]

Theoretically Galant could have exercised manly authority over Betje now that she was no longer a house slave (which might refer to place of sleeping rather than work, as she did the cooking and worked in the kitchen).[127] However, Betje derived authority from her own privileged relationship with the slaveholder's wife, Elsje van der Merwe, who was an indomitable woman. Perhaps because Betje had wet-nursed her children, Elsje appears to have treated her as a confidante; she certainly read newspaper articles to her. Therefore Betje was in a similar position to literate house slaves in other New World societies, who were able to inform other slaves of developments beyond the "slave yard". This Betje tried to do, but Galant apparently resented her position of authority and refused to listen to her, although the information which she passed on to him must have helped to shape his knowledge.[128] Access to information, normally associated with literacy, was crucially empowering. Galant apparently complained to Abel that 'there were so many newspapers come from the Fieldcornets that were never read to him'.[129] Galant felt the need to eavesdrop a great deal on his master's conversations, rather than relying entirely on Betje's information.

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126 *ibid.*, p. 209: 'I again told her [Betje] to be quiet, for that I could not well believe her although she was my wife, as she could not read or write no more than myself.'

127 See testimony of Betje, for instance, *ibid.*, pp. 271, 276. She defined herself as an outdoor slave, although she worked in the kitchen as a cook.

128 *ibid.*, pp. 209, 276.

129 *ibid.*, p. 220.

Central to the frustration inherent in the slave condition for slaves everywhere, including Galant and his counterpart in North America, Frederick Douglass, was their lack of access to information via the written word, because literacy symbolised knowledge, and the 'means of knowing' is really the means to power.[130] Literacy had long been a site of struggle for settlers at the Cape; under the VOC, the settlers were denied access to the written word by the refusal of the Company to permit printing presses; control over the word was a crucial component of power and authority in Cape society,[131] and the terrain of this struggle shifted to incorporate slaves in the period of British control, when printing presses were introduced, and the right to a 'free press' was fiercely contested among the settlers themselves. One of the central issues of the Galant case was the role of the press in disseminating subversive ideas among the slaves.[132] At one level the Galant case was therefore an object lesson in the

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130 This is certainly how Douglass saw it: see H.A. Baker (ed), *Narrative of the life of Frederick Douglass, an American slave, written by himself* (Harmondsworth, Penguin, 1982). In Foucault's formulation, the will to knowledge, or to truth, is really a manifestation of the will to power, H. White, *The content of the form. Narrative discourse and historical representation* (Baltimore and London, The John Hopkins University Press, 1987), p. 112. Edward Said noted that for Foucault '... knowledge has been transmuted into an antagonist. To it he pessimistically attaches power, as well as the ceaseless, but regularly defeated, resistance to which it gives rise' (E.W. Said, 'Michel Foucault, 1926-1984', in J. Arac (ed), *After Foucault: humanist knowledge, postmodern challenges* (New Brunswick and London, Rutgers University Press, 1988), p. 5.

131 Y. Brink, 'Gender theory: an aid to understanding problems in historical archaeology.' (paper presented at the Gender and Archaeology workshop, Centre for African Studies and Department of Archaeology, University of Cape Town, 12-13 September 1991).

132 It is striking that at the same time, freedom of the press was a matter of debate. The libel trial of William Edwards against the Governor dominated the correspondence between Somerset and Bathurst. See, for instance, Theal *Records* 20, p. 182: Letter from Lord Charles Somerset to Earl Bathurst, 14 March 1825, which noted 'a scurrilous and libellous Paragraph in the *Times*...'

dangers of a free press.[133]

As far as Galant was concerned, the issue went deeper. For slaves and their masters everywhere, literacy was an extremely powerful weapon; Douglass described the power to read as a liberating experience, one of which slaveholders were afraid.[134] Literacy enabled Douglass to articulate the evils of slavery;[135] for him literacy was identified with freedom, and learning to read was one of the most important experiences of his life.[136] Douglass could become literate mainly because he was a house slave in an urban environment at the time; this was an unusual occupation for a male slave. In a rural context, such as the Koue Bokkeveld, literacy (or access to the written word, albeit heard rather than read personally) was the domain of house slaves, who were normally female, and therefore the power to read and the power to know was a feminine power. It is easily assumed that the women who could read passed on their knowledge to the rest of the slave community, thereby empowering all members. This ideal does not take into account the will to power of those slaves who did not

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133 Watson, *The slave question*, p. 33.

134 '"... if you teach that nigger ... how to read, there would be no keeping him. It would forever unfit him to be a slave..."... I now understood... the white man's power to enslave the black man.... From that moment, I understood the pathway from slavery to freedom' (Baker (ed), *Narrative* p. 78. See also p. 79 and pp. 81 ff).

135 *ibid.*, pp. 84-5: 'It was this everlasting thinking of my condition that tormented me. There was no getting rid of it. It was pressed upon me by every object within sight or hearing, animate or inanimate. The silver trump of freedom had roused my soul to eternal wakefulness. Freedom now appeared, to disappear no more forever....'

136 Literacy empowered Douglass; it facilitated his escape, as it did many other slaves, but more importantly for him, it freed his psyche: he realised that slavery was not his only option, and thenceforth he considered himself more free than enslaved.

have this direct access to knowledge. Galant was frustrated by his lack of access to the written word. According to Abel,

> 'Galant said [the reason for committing the murders was] because no one would read the newspaper to him, and there came so many newspapers in which it was said that the slaves were free and that the farmers would not let them go...'[137]

The impact of the written word on Galant was two-fold: at the level of inciting him to fight for freedom because of rumours of emancipation associated with the press, and secondly Galant's own lack of direct access to this medium emphasised his powerlessness and emasculation as a slave. Access to information was one symbol of slave-holding power; the slave-holder's house was another.

Yvonne Brink has pointed to the crucial role played by domestic architecture in the construction of settlers' self-respect and psychological empowerment, their language of defiance when they were denied access to the written word by the VOC in the 17th and 18th centuries.[138] The sanctity of the house or habitation of Cape settlers was a central motif throughout the eighteenth century, a representation of settler identity. The worst imaginable scenario was murder and the destruction of one's home.[139] Cape criminal law underlined this importance; according to the members of the Court of Justice, '[h]e who murders a person in his own house, which ever ought to be his Safest asylum' was traditionally punished

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137 Theal, *Records* 20, p. 308.

138 Brink, 'Gender theory', *passim*; p. 8: '... it is possible to constitute the free burgher discourse of dwelling as an abnormal discourse'. See also Mason, '"Fit for freedom"', pp. 166 ff.

139 This was reiterated in an editorial in the *Zuid Afrikaan*, 5 December 1834, where fear of slave emancipation was likened to the destruction of one's [Fairbairn's] house. See also *ibid.*, 25 May 1832, in which slaveholders spoke of their sacred, inviolable *huisregt*.

more severely than in the case of a murder on neutral territory.[140] Galant arguably understood the symbolic value of the house, and in order for him to be truly free, it had to be destroyed. However, the house symbolised more for Galant than merely a representation of his master's power and identity. The house was the place where Betje and/or Pamela learnt about the newspapers, where Betje suckled the master's children, where van der Merwe beat Galant's child David,[141] and where Pamela slept, sexually accessible to van der Merwe but not to Galant; it is clear from the action that the slave men did not feel 'at home' in the house, whereas the women did.[142] The house was simultaneously symbolic of the master's identity and power, and space from which male slaves like Galant were excluded. In the event the action of the men involved rushing into the house and leaving it as soon as possible, except when they drank the master's brandy, itself an empowering symbol.[143] It is crucial to recognise that Galant did not wish to simply replace his master, i.e., to become master of the house and the lands.[144] His desire was to go to Cape Town (where legal freedom could be found, being the seat of colonial authority), but he had to destroy both his master and his

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140 Theal, *Records* vol 1 (London, 1897), p. 303: Letter from the Court of Justice to Major General Craig, 14 January 1796. Theft, when accompanied by housebreaking, was a capital offence (Theal, *Records* 33, 'Report of the Commissioners of Enquiry to Earl Bathurst upon Criminal Law and Jurisprudence', 18 August 1827, p. 6).

141 *ibid.*, p. 275.

142 Galant noted regarding the house, that they 'rushed into the house in order to get possession of the guns'(*ibid.*, p. 206) and 'I did not want to remain there long' (*ibid.*, p. 281).

143 *ibid.*, p. 199.

144 Although the Act of Accusation claimed that the rebels' goal was to 'gain possession' of the farms, it was clearly not their intention to remain there: to overpower the masters would be to gain possession, at which point the rebels could move on towards Cape Town.

master's house first.

Ross's exploration of the revolt focused on the inherently violent relationship between Galant and his master, Willem van der Merwe.[145] He characterised Galant's role in the revolt as the outcome of an extended battle of wills between the two men, in the tense and uncertain political climate characterised by rumours of emancipation.[146] Ross did not account for the importance attached by Galant to the murder of the masters before heading off, either towards Cape Town and ostensible justice, or to the Berg River and beyond the limits of the colony. Indeed, if Galant is to be believed, the original plan was to find an excuse to rise up and murder Willem van der Merwe, and it was only when this plan failed due to van der Merwe's own unpredictability and inconsistency, that the second plot was hatched.[147] As Betje reported, 'My Master then said, you have got my horses and saddles, take them away, and

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145 Ross, *Cape of torments*, pp. 105 ff. This particularity holds despite his claim that the revolt was similar to 'a number of other movements when the slaves and Khoi of a particular farm rose, murdered the whites living there and then headed off to the north...' (*ibid.*, p. 105.)

146 'It seems as if Willem van der Merwe had got into a contest of wills from which, in the end, there could only be one winner.' (Ross, *Cape of torments*, p. 108). According to Ross, Galant's strength of personality did not permit him to accept the violence of the master/slave relationship which was inherent to slavery. Galant testified that numerous attempts at gaining justice via the customary methods of complaint to the local landdrost (which Ross points out was many miles from the farm) had failed, and there were few alternatives open to Galant other than to desert, particularly when he believed, and could convince others, that the road to Cape Town might lead to justice. See *ibid.*, p. 110: 'Galant was able to persuade his fellows to undertake highly dangerous and ultimately fatal actions not only because of their oppression by Willem and Barend van der Merwe [and Galant's own strength of personality - see p. 113], but also because he could offer them the illusion that justice and the government were on their side, and that therefore their struggle was not hopeless.'

147 Theal, *Records* 20, p. 205.

go away, but leave me my life.'[148] This Galant was not prepared to do. It is necessary to delve more deeply into the construction of Galant's relationship with his master in order to understand why flight from the farm was not his first objective.

In attempting to explain the causes of the rebellion, the Fiscal emphasised the point that Galant and Abel were privileged slaves; Galant in particular had been exceptionally well treated by his master, Willem van der Merwe.[149] (This was despite Galant's many scars which testified to a more contested terrain of privilege.)[150] The Court was concerned with the loss of control over slaves epitomised by this relationship. Accordingly, van der Merwe brought about his own demise because he permitted the boundary between master and slave to blur; the hierarchy of social control within the state in miniature, and therefore the State itself, was no longer intact.[151] The active role in violent resistance of privileged slaves is well documented.[152] However, the psychological motivation for, and impact of, privilege have not been analysed in any depth. As Betje stated,

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148 *ibid.*, p. 272.

149 *ibid.*, p. 316-7; see also testimony of Isaac Rooy, *ibid.*, p. 224: 'Galant said that Master did not treat him well; but that is not true, for Master was very fond of him...'; *ibid.*, p. 245: testimony of Antony (Ontong).

150 *ibid.*, p. 297; Ross, *Cape of torments*, p. 107.

151 *ibid.*, p. 188 and CJ 633, No. 8, pp. 1220-1: Fiscal's summation, 21 March, 1825. See J. Mason, 'The popular culture of slavery', in N. Worden and C. Crais (eds)., *Breaking the chains* (Johannesburg, University of the Witwatersrand Press, forthcoming, 1993) for a discussion of the importance of these hierarchies in terms of social control.

152 A prime example is, of course, Nat Turner. One advantage was their access to information and skills (such as literacy) which were denied other slaves. Aptheker, H., *American Negro slave revolts* (New York, International Publishers, 1969).

> '... my Master said that I must not frighten my Mistress so, and would not believe it, he said that he knew Galant would not [murder him], for that he had brought him up himself.'[153]

Despite the age difference of about ten years, Galant and his master had grown up together in the household of van der Merwe's mother, the widow Hester Cecilia.[154] On the eve of emancipation, the *South African Commercial Advertiser* commented on the degenerative effect of slavery on slaveholders:

> '... the Children of the Colonists associate from childhood with a race thus shut out by Law from the path of honourable ambition, and excluded by practice by the elevating influences of the Christian faith. From such a nursery could we expect to derive a population one whit better-principled than those over whose degeneracy we have cause every day to lament!'[155]

In the case of Willem van der Merwe, his childhood association with Galant may well account for his inability to exert authoritative control over this slave in particular, although he was generally erratic in his dealings with his labourers.[156] It is suggestive that two of the men Galant was most eager to kill, were his master, Willem, and Willem's brother Isaac.[157]

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153 Theal, *Records* 20, p. 271: Testimony of Betje.

154 Unfortunately it has not been possible as yet to trace her will, in which she presumably left Galant to her son Willem Nicolaas.

155 *South African Commercial Advertiser* 26 November 1834.

156 For instance, Theal, *Records* 20, p. 275: Testimony of Betje: 'Master frequently pardoned them; but if he was angry, then he punished severely'; Ross, *Cape of torments*, pp. 107, 109.

157 C.C. De Villiers and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema,, 1981) lists Isaac as Willem's only brother. Ross made the point that although Barend speaks of Willem as his brother, the former is not listed as related. However, neither are any of Willem's children, although it is clear from the court record that he had at least two. De Villiers and Pama are not infallible.

Such a childhood association would tend to foster intimacy of the sort normally associated with house slaves. Similarly, such intimacy would 'privilege' Galant in certain respects, but it would also subject him to the emotional expressions of his master and mistress. It would militate against Galant developing respect for Willem because Galant would know his weaknesses, and it would also lead to frustration for Galant when Willem became his master.[158] This relationship, in the context of Galant's powerful personality, could account for Galant's overt insubordination and complete lack of respect for his master whom he variously described as 'witkop'[159] and 'moerneuker', the latter which might have been meant literally if his master was sleeping with Pamela, and also for Willem's inability to assert the

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158 The psychological impact of growing up practically as fictive siblings (albeit never as equals) and later having to deal with a transformation in their respective statuses, one becoming master and the other that person's slave, was equally difficult for slaves of both sexes. It is in their responses that gender may have been influential. Hester, a slave woman living in Cape Town, shared Galant's experience of being the slave of the person with whom she had grown up, in her case a woman. Neither Galant nor Hester could accept their degraded status. Like Galant, Hester could not play the role of subservient, passive, dutiful slave. Although she claimed that she worked so hard that she was forced to neglect her children, her attitude was particularly insolent and disrespectful. However, whereas Galant's solution was to kill and thereby master the man who had been his brother, his female counterpart introverted her aggression and tried to kill herself and her three youngest children. She was executed for their murder (Theal, *Records* 16, pp. 379-395: Letter from Lord Charles Somerset to R. Wilmot, Esqre, 20 October 1823, with enclosures). To characterise the attempted suicide and murder of her children as resistance to slavery is of course accurate, but insufficient. One needs to ask why particular slaves committed suicide, while other murder, and others never overtly resisted their condition. A gendered analysis opens one window, no doubt among several, onto this motivation. Whether suicide was gendered needs much further research; nevertheless, the difference between these two responses to similar psychological processes is striking.

159 Theal, *Records* 20, p. 199: Galant was supposed to have said 'Whitehead I have already got, but now I must have Isaak van der Merwe ... my gun is good and I am likewise good.'

control required of the slave relationship.[160] The janus face of Galant's privileged status therefore consisted in the intimacy of the relationship, in terms of which Galant was vulnerable to the expression of van der Merwe's weakness as a slaveholder in unpredictable outbursts of passionate anger. Galant's very presence was a reminder of van der Merwe's failure to assert masterly authority, and the tension of their relationship often resulted in severe beatings for Galant.[161] Moreover, due to his privileged status, Galant would have been acutely aware of the emasculating effect of slavery; no matter how much he ignored it, he was still a slave, and that meant his masculinity was a privilege, not a right. In order to become free, ie fully a man, Galant had to remove the symbol of his emasculation, Willem van der Merwe.[162]

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160 *ibid.*, p. 223: testimony of Isaac Rooy: '... Master opened the door for the third time and asked Abel why they wanted to shoot him, on which Galant called out "*Moerneuker*" (an obscene term of abuse)[*sic*] "do you still prate? Abel fire"...'.

161 As noted above, van der Merwe likewise could not exert authority in his relationship with his wife; when angry with his wife on one occasion, he used Betje and Galant's child David as a scapegoat for his passion.

162 This conflict is reminiscent of a classical Oedipal conflict. It is possible that Galant realised the possibility of such self-liberation in a similar way to that described by Frederick Douglass: 'This battle with Mr. Covey was the turning point in my career as a slave. It rekindled the few expiring embers of freedom, and revived within me a sense of my own manhood.... He only can understand the deep satisfaction which I experienced, who has himself repelled by force the bloody arm of slavery.... My long-crushed spirit rose, cowardice departed, bold defiance took its place; and I now resolved that, however long I might remain a slave in form, the day had passed forever when I could be a slave in fact.' (Baker (ed), *Narrative*, p. 113).

The revolt and the trial which followed were both dominated by masculine action. In terms of the revolt, men dominated both in the composition of the rebels, and the slaveholders, the latter both as targets of attack and in quashing the revolt. Barend van der Merwe, the first to be attacked, escaped on his horse, leaving his wife and children behind. The Act of Accusation does not consider significant the fact of Hester having been in the bedroom when Abel and Galant broke in to steal guns; yet rumours broke out at the time of the trial that she had been raped. Hester escaped from the house, but only with the assistance of a loyal slave man. Later, when Barend wanted William Pearson to look after his wife (he was too busy to care for her himself), Pearson refused, on the grounds that the women were insignificant: 'Barend van der Merwe requested me to go and look after his wife, for that he did not know what was to become of her, to which I answered that it was no time then to look after the women....'.[163] It is significant in this context that it was Barend's wife who was cast in the public mind as a potential rape victim, and not Elsje. Barend's wife was entirely passive throughout, whereas Elsje refused to lie down for long.

New world slave historians have been at pains to demonstrate the eighteenth century European stereotype of slave women as highly sexualised, licentious and promiscuous creatures.[164] This image applied equally at the Cape.[165] Unlike in the pro-slavery propaganda of the Old South, however, Cape slave men were not burdened with hysterical sexualized stereotypes until late in the slave era; there appear to have been few criminal indictments of slave men

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163 Theal, *Records* 20, p. 293.

164 For instance, Bush, *Slave Women*, chapter 2.

165 W.W. Bird, *State of the Cape of Good Hope in 1822* (London, John Murray, 1823), p. 74.

for sexual assaults against mistresses throughout the eighteenth and nineteenth centuries,[166] and no indication of the operation of lynch law for sexual misconduct.[167] Watson has argued that Galant's revolt 'brought to the surface the sexual tension and slaveholders' dark fears of murder and rape'.[168] Whereas the fear of murder had long been a widely publicised dilemma in the context of 'marauding hoardes',[169] this threat only became overtly sexualised in the context of open rebellion in the nineteenth century.[170] It is only then that the state was called upon to intervene in the control of underclass male sexuality, which had previously fallen within the domain of the individual slaveholder.[171] By 1825 whereas the press and

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166 There is no indication that slave men were stereotyped as rapists, or as a sexual threat to white society; indeed, according to the reported words of Galant's mistress, the main threat appeared to be the number of slaves who had been fathered by white men (Theal, *Records* 20, p. 209).

167 There has been no systematic analysis of all the criminal cases at the Cape. Therefore, historians have sampled the record books. Any quantitative assessment based on the criminal records is therefore necessarily tentative and could be overturned by more thorough research.

168 Watson, *The slave question*, p. 58.

169 Theal, *Records* vol 7, p. 171; vol 8, p. 56-7, 72ff, 88-9, 109, 130; vol 9, pp. 15ff. In all cases murder and theft are central, with no hint of a sexual threat.

170 This is not the precise point made by Watson, who does not imply that the idea of rape was a newly publicly articulated phenomenon in the context of rebellion. The extent to which 'mistresses' commanded respect and therefore exercised authority is a lacuna in Cape slave historiography. It is an important issue, because the role of the mistress would emphasise the emasculation of the male slaves, and it would be important to examine the contexts within which this emasculation was contested.

171 The reasons for this might include the increasing hegemony of paternalistic notions of women in need of protection, as opposed to former assumptions by self-styled patriarchs that they were in total control of their households; in the nineteenth century patriarchal slaveholders overtly began to lose control over the sexuality of their underlings, whether their children or their slaves. The 1808 rebellion involved one accusation of rape, but the accused, a slave named Cupido van Java, received no particular punishment for this offence. He was convicted of high treason only and along with the other 'traitors' condemned

public opinion voraciously devoured the possibility that Galant and Abel had raped Mrs Barend van der Merwe, the topic was ignored by the Court of Justice until it could bear the public pressure no longer.

> 'Previously to the Court being opened, His Honour the Chief Justice states that the reports which were circulated at the beginning of the trial respecting the wife of Barend van der Merwe having been ravished have been so far corroborated by some of the prisoners, that it has become the duty of the Court to waive all delicacy and investigate into this circumstance.'[172]

The van der Merwes were questioned *in camera* and their replies suggest that they believed there to be absolutely no foundation in the accusation of rape.

Watson cites a memorial of 1826 to the local landdrost and heemraden, in which the fear of rape is explicitly linked to the 1825 rebellion, which itself appears to have contributed to a shift towards the public stereotyping of male slave sexuality.

> 'The murder from the dagger of the incited slaves, animated with a spirit of freedom, is aimed at the heart as well of you as of us ...Not we, not we alone, but you all will weep over the corpses of murdered wife and children. The flames of devastation will not alone destroy our habitations, but will also cause your houses to fall to ruin. Not alone our wives and daughters, but also yours, will in a libidinous manner be prosecuted by our slaves with rape and defloration, and when after all this, out of the pit of our murdered fellow citizens a St. Domingo has risen, then, may God grant that we may be no more amongst the living.' [173]

The desire for freedom is overtly linked to male sexuality in the discourse of this memorial;

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to death and executed. Despite the legal custom that what happened to the body after death should suit the crime, Cupido's corpse was not 'punished' for rape, and this crime was not mentioned at all in the dispatches concerning the various sentences. See Theal, *Records* 6, pp. 422-3 and 435, and Ross, *Cape of torments*, pp. 97-105.

172 Theal, *Records* 20, pp. 283-4.

173 Theal, *Records* 27, p. 114: Memorial to landdrost and heemraden of Stellenbosch, 10 July 1826, cited in Watson, *The slave question*, p. 57.

it is clear that the subjects of the complaint are hypothetical men who have been incited (presumably via the press in particular) by rumours of emancipation, a la Haiti, and a la Galant. The sanctity of both the habitation and the family symbolised the integrity of the slaveholders' patriarchal identity. Galant's rebellion threatened the very fibre of such pillars of slaveholder society, and served as a reminder that slaves were no longer willing to be genderless workers; Galant and Abel were reported to have stated that they would refuse to accept a pardon, were it offered.

Whereas it is evident that the different contexts in which men and women found themselves as slaves influenced the forms of their resistance,[174] the Galant revolt suggests that the ideology of anti-slavery *was* gender-biased, because notions of slavery and freedom, which necessarily dove-tailed, were shaped in part by slaves' gendered identities. Similarly, the shape of resistance was partly determined by the gendered filters through which slaves necessarily gave meaning to their lives.[175] Higman has argued that a gender division is less useful in explaining why particular groups revolt than 'perceptions of organizational efficiency and the uneven distribution of knowledge and consciousness', but it is precisely these key variables that are inextricably bound up with contextual opportunities and perspectives which

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174 Such contexts would include the impact of gendered occupations. In the case of Galant's rebellion, the treading floor was masculine territory, and this was where the plans were discussed, as well as in the workers' huts. Women would have been excluded from the former setting by virtue of their work as slaves, but their exclusion from the latter would depend on whether they had to sleep in the slaveowner's house, as the slave women did, or for those who lived in huts outside, like Betje, the crucial variable would be the dynamics of the intimate relationships between the men and women.

175 On the choices and experiences of rural Cape slaves post emancipation see P. Scully, 'Liberating the family: gender, state and emancipation in the rural western Cape, South Africa, 1830-1870' (Ph.D, University of Michigan, Forthcoming 1993).

are heavily influenced by gender.[176] Beckles' 'typology of Barbados slave resistance' lists as the objective of 'violent revolt' 'permanent self-liberation and abolition of slavery'.[177] This was precisely Galant's objective; his definition of self-liberation was necessarily influenced by gender.

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Galant and his fellow male rebels were all accused of actively rebelling against their masters, whereas the only female rebel, Pamela, was charged with passivity. She was not the first female domestic worker to be so charged; Rosalyn van de Kaap's fellow worker, Philida, was also accused of actions she had not performed regarding the killing of Anna Sauer's baby,[178] of 'not having prevented the killing of the said child ... by Rosalyn while she had it in her power, and was bound so to do, as belonging to the family.'[179]

What the Court of Justice failed to see was that the rhetoric of 'the family' could no longer serve to disguise the cracks in patriarchal slaveholder authority, as not only slave women like Rosalyn and Pamela and Khoi women like Philida, not to mention all the slaves and Khoikhoi who actively pursued their own families and their freedoms, but slaveholder's daughters like

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176 Barry Higman, cited in Beckles, *Natural Rebels*, p.153. The words quoted are Beckles'.

177 *ibid.*, p. 156.

178 See paper 4.

179 GH 49/22, p. 143-4.

Anna Sauer and Muller's unnamed step-daughter, exposed the crumbling edifice of familial control for the myth it was.

The three empirical papers in this collection, then, explored aspects of the dialectic between gender and amelioration in terms of constructs such as those of the family and of enslavement and freedom. It is clear from the third essay that Cape slave society was structured differently for slave men and women, and that these differences profoundly delimited the choices slaves could make in terms of family formation. This theme ran through papers 4 and 5 as well, but from the perspective of process rather than structure, with a greater focus on the interaction of different meanings of the family. Constructs such as family are important to deconstruct not only for their value in delineating the private spheres of slaveholders and subaltern workers, but for the ways in which they reflected, and influenced, wider political processes within slave society. This is particularly evident in the period of amelioration, when slave women and men were forced to reconcile their new rights as gendered beings with their enslaved status. For slave men like Galant and his comrades this proved impossible to do, while slaveholders could not surrender their personal despotism for a new paternalism which denied them the right to define themselves as patriarchs with ultimate authority over the destinies of those within their domain.

The papers in this collection have argued that a gendered approach to slavery permits greater sensitivity to the complexities of that society. Gender crucially influenced both the shape of the worlds inhabited by slaves and other subaltern workers at the Cape, and the choices they were able to make within that gendered framework; therefore there can be no "gender issues", a concept which implies that some issues are unrelated to gender. Historians have always

known that the ameliorative measures of the 1820s crucially affected the nature of Cape slavery, but these papers have suggested that men and women of all ranks interpreted and were changed by amelioration differently, as women and as men.

BIBLIOGRAPHY

UNPUBLISHED PRIMARY SOURCES

Cape Archives

Court of Justice

CJ 633	Documents in Criminal Cases, 1825 (Jan-Feb).
CJ 819	Criminal Sentences, 1825.

Slave Office

SO 2/11	Letter Books of the Protector of Slaves, 1826-1830.
SO 3/1-13	Reports of the Protector of Slaves, 1826-1834
SO 3/20a	Confidential Reports, Protector of Slaves, 1829-1834.
SO 4/2-3	Book of complaints kept by the Guardian of slaves, 1826-1831.
SO 6/74	Slave Register, Graaf-Reinet, ('S'), 1816-1834.
SO 13/1	Applications for Separation and Certificates granted by the Protector of Slaves (1827-1834).

Government House

GH 49/22	Criminal and Civil Pleadings, 1822 April-July

Magistrate of Graaff-Reinet

1/GR 3/27	Judicial Declarations, Interrogatories and 'Insinuatien' in Criminal Cases, 1821-1822.

Magistrate of Stellenbosch

1/STB 3/11-13	Sworn Statements, 1759-1796.

PRINTED/ PUBLISHED PRIMARY SOURCES

Baker, A. (ed), *Narrative of the life of Frederick Douglass, an American slave* (Harmondsworth, penguin, 1982).

Barrow, J., *An account of travels into the interior of southern Africa between the years 1770 and 1779* (London, 1801, repr. New York, 1968).

Bird, W.W., *State of the Cape of Good Hope in 1822* (London, John Murray, 1823).

Brink, A.P., *Houd-den-bek* (Emerentia, Taurus, 1982).

South African Commercial Advertiser 1834.

De Villiers, C.C. and C. Pama, *Geslagsregisters van die ou Kaapse families* (Cape Town and Rotterdam, A.A. Balkema, 1981).

Mentzel, O.F., *A geographical and topographical description of the Cape of Good Hope* (repr. Cape Town, Van Riebeeck Society, 1944).

Sparrman, A., *A voyage to the Cape of Good Hope*, Van Riebeeck Society, 2nd series, vol 6,7 (Cape Town, Van Riebeeck Society, 1975, 1977).

Theal, G.M., *Records of the Cape Colony* 35 vols (London, 1897 - 1905).

Thunberg, C.P., *Travels in Europe, Africa and Asia performed between the years 1770 and 1779* (London, n.d).

Wright, W., *Slavery at the Cape of Good Hope* (London, 1831).

Zuid Afrikaan 1832, 1834.

UNPUBLISHED SECONDARY SOURCES

Brink, Y., 'Gender theory: an aid to understanding problems in historical archaeology.' (paper presented at the Gender and Archaeology workshop, Centre for African Studies and Department of Archaeology, University of Cape Town, 12-13 September 1991).

Digby, A., 'Victorian values and women in public and private' (paper presented at the History Department Post-Graduate Seminar, University of Cape Town, August 1992).

Mason, J., '"Fit for freedom": the slaves, slavery and emancipation in the Cape colony, South Africa, 1806 to 1842' (Ph.D, Yale, 1992).

Mason, J., 'Slaveholder resistance to the amelioration of slavery at the Cape' (Cape Town, Centre for African Studies, University of Cape Town, Conference paper, July 1986).

Newton-King, S., 'The enemy within', (paper presented at the Conference, Cape Slavery - and After, History Department, University of Cape Town, 1989).

Posel, D., 'Women's powers, men's authority: rethinking patriarchy' (paper presented at the Conference on Women and Gender in Southern Africa, University of Natal (Durban), 1991).

Rutherford, B.J.I., 'The Galant Rebellion of 1825. A study of labour relations within the Worcester District, between the years 1820-1830.' (BA (Hons), University of Cape Town, 1990).

Scully, P., 'Emancipation and family in the rural western Cape, South Africa, c1830-1842' (paper presented at the History Department Post-graduate Seminar, University of Cape Town, 19 March 1992).

Shell, R., 'Tender ties: the women of the slave society' (paper presented at the Conference, Cape Slavery- and After, History Department, University of Cape Town, August 1989).

van der Spuy, P., 'Some thoughts on gender and its application to the study of Cape slavery at the end of the 18th century' (paper presented at the Conference 'Cape Slavery- and After', Department of History, University of Cape Town, 1989).

Warnich, P.G., 'Die toepassing en invloed van slawewetgewing in die landdrosdistrik van Tulbagh/Worcester, 1816-1839' (M.A., University of Stellenbosch, 1988).

PUBLISHED SECONDARY SOURCES

Aptheker, H., *American Negro slave revolts* (New York, International Publishers, 1969).

Arac, J. (ed), *After Foucault: humanist knowledge, postmodern challenge* (New Brunswick and London, Rutgers University Press, 1988).

Beckles, H. McD., 'Rebels without heroes: slave politics in seventeenth century Barbados', *The Journal of Caribbean History* 18 (3) 1983.

Beckles, H. McD., Review of M. Craton, *Testing the chains. Resistance to slavery in the British West Indies* in *The Journal of Caribbean History* 19 (1), 1984.

Beckles, H. McD., *Natural rebels: a social history of enslaved black women in Barbados* (London, Zed Press, 1989).

Bush, B., 'Towards emancipation: slave women and resistance to coercive labour regimes in the British West Indian colonies, 1790-1838', *Slavery and Abolition* 5 (3) December, 1984.

Bush, B., *Slave women in Caribbean society, 1650-1838* (London, James Currey, 1990).

Craton, M., *Sinews of empire: a short history of British slavery* (London, Doubleday, 1974).

Craton, M., 'Changing patterns of slave families in the British West Indies', *Journal of Interdisciplinary History* X:1 (Summer 1979).

Craton, M., *Testing the chains: resistance to slavery in the British West Indies* (Ithaca, Illinois University Press, 1982).

Genovese, E.D., *Roll, Jordan, roll* (New York: Pantheon Books, 1974).

Genovese, E.D., *From rebellion to revolution: Afro-American slave revolts in the making of the modern world* (Baton Rouge and London, Louisiana State University Press, 1979).

Giddens, A., *The consequences of modernity* (Cambridge, Polity Press, 1990).

Kulikoff, A., *Tobacco and slaves: the development of southern cultures in the Chesapeake, 1680-1800* (Chapel Hill, University of North Carolina Press, 1986).

Mason, J., 'The slaves and their protectors: reforming resistance in a slave society: the Cape colony, 1826-1834', *Journal of Southern African Studies* 17 (1991).

Mason, J., 'The popular culture of slavery', draft paper for N. Worden and C. Crais (eds)., *Breaking the chains* (Johannesburg, University of the Witwatersrand Press, forthcoming, 1993).

Patterson, O., *The Sociology of slavery: an analysis of the origins, development and structure of negro society in Jamaica* (London, London Universty Press, 1967).

Rekord, M., 'The Jamaican slave rebellion of 1831', *Past and Present* 40 (1968).

Robertson, C., 'The perils of autonomy', *Gender and History* vol 3, no. 1, Spring 1991.

Ross, R., *Cape of torments: slavery and resistance in South Africa* (London, Boston, Melbourne and Henley, Routledge and Kegan Paul, 1983).

Ross, R., 'The last years of the slave trade to the Cape Colony', *Slavery and Abolition* 9, 3, 1988.

Ross, R., 'Structure and culture in pre-industrial Cape Town: a survey of knowledge and ignorance', in W.G. James and M. Simons, *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip in association with the Centre for African Studies, university of Cape Town, 1989).

Said, E.W., 'Michel Foucault, 1926-1984', in J. Arac (ed), *After Foucault: humanist knowledge, postmodern challenges* (New Brunswick and London, Rutgers University Press, 1988).

Shell, R., 'The family and slavery at the Cape, 1680-1808.', in W.G. James and M. Simons (eds), *The angry divide: social and economic history of the western Cape* (Cape Town and Johannesburg, David Philip, in association with the Centre for African Studies, University of Cape Town, 1989).

Turner, M., *Slaves and missionaries: the disintegration of Jamaican slave society 1787-1834* (Urbana, University of Illinois press, 1982).

van der Spuy, P., 'Gender and slavery: towards a feminist revision', *South African Historical Journal* 25 (1991).

Watson, R.L., *The slave question: liberty and property in South Africa* (Johannesburg, The University of the Witwatersrand Press, 1990).

White, H., *The content of the form: narrative discourse and historical representation* (Baltimore and London, The John Hopkins University Press, 1987).