

White farmers and African labourers in the pre-industrial Transvaal¹

J.S. Bergh*

In recent decades a number of scholars have provided penetrating perspectives on the relations between officialdom, white farmers and African labourers in pre-industrial southern Africa. Some observations, particularly those of Trapido, Delius and Ross, are relevant to this paper. Trapido's article, written in 1980, "Reflections on Land, Office and Wealth in the South African Republic",² identifies "important trends for the understanding of the structures and dynamics of the community of white settlers in the Transvaal from around the 1850s onwards ... [and] succeeds in analysing complicated social relations in a remarkably clear-cut way".³ In his work, *The Land Belongs to Us* (1983), Delius deals in two separate chapters with "migrant labour" and "land, labour and legislation" in connection with the Bapedi domain.⁴ Although Delius largely restricts himself to the eastern Transvaal region and this article focuses mainly on the central districts, his analyses of labour relations and related matters are obviously relevant. Further, his article written in collaboration with Trapido, "Inboekselings and Oorlams: The Creation and Transformation of a Servile Class",⁵ together with other contributions on this subject,⁶ is of decided interest to this analysis. Ross makes a thought provoking contribution from another perspective in a chapter on "The Origins of Capitalist Agriculture in the Cape Colony: A Survey".⁷ Although some historians are of the opinion that Ross "perhaps overstates his case in suggesting that fully capitalist relationships were established in such areas by the 1860s",⁸ his analysis still presents stimulating perspectives on the history of pre-

* Professor Johan Bergh is chair of the Department of Historical Studies at the University of Pretoria. He is co-editor (with F Morton) of "To make them serve ..." *The 1871 Transvaal Commission on African Labour* (Protea Book House, Pretoria, 2003). He is interested in intergroup relations in the pre-industrial Transvaal and is currently also working on a source publication of the documents of S J P Kruger.

1 An earlier version of this paper was presented at the Fifth International Conference on Hierarchy and Power in the History of Civilisations, Moscow, 23–26 June 2009.

2 S Trapido, "Reflections on Land, Office and Wealth in the South African Republic", in S Marks and A Atmore (eds), *Economy and Society in Pre-Industrial South Africa* (Longman, New York, 1980), pp 350–368.

3 J S Bergh, "Reflections on Land, Office and Wealth in the South African Republic, 1850–1900", *Historia*, 53, 1, May 2008, pp 24–25.

4 P Delius, *The Land Belongs to Us: The Pedi Polity, the Boers and the British in the Nineteenth-Century Transvaal* (Ravan Press, Johannesburg, 1983), pp 62–82, 126–157.

5 P Delius and S Trapido, "Inboekselings and Oorlams: The Creation and Transformation of a Servile Class", in B Bozzoli (ed), *Town and Countryside in the Transvaal: Capitalist Penetration and Popular Response* (Ravan Press, Johannesburg, 1983), pp 53–88.

6 See for example J C A Boeyens, "'Black Ivory': The Indenture System and Slavery in Zoutpansberg, 1848–1869", in E A Eldredge and F Morton (eds), *Slavery in South Africa: Captive Labour on the Dutch Frontier* (Westview, Boulder, 1994), pp 187–214.

7 R Ross, "The Origins of Capitalist Agriculture in the Cape Colony: A Survey", in W Beinart, P Delius and S Trapido, *Putting a Plough to the Ground. Accumulation and Dispossession in Rural South Africa 1850–1930* (Ravan Press, Johannesburg, 1986), pp 56–100.

8 Beinart, Delius & Trapido, *Putting a Plough to the Ground*, p 21.

industrial Transvaal. In addition to these publications, a few older contributions on this theme still provide useful surveys.⁹

Both Trapido and Ross emphasise that when analysing the relationship between white farmers and African labourers in this region, the fact that the white settlers in the Transvaal historically came from the Cape Colony must be taken into account. Trapido is convinced that “relationships of power and property which had existed in the Cape Colony from which they had migrated” were reproduced in the Transvaal.¹⁰ Ross states in this regard: “The South African white agricultural system is a specific historical construction which was developed in the Cape Colony during the first two centuries of European colonial presence and was then extended further and further north.”¹¹ Some of the influences and trends in the Cape Colony that might have impacted in important ways on the white migrants include: the absence of incentives for the establishment of a class of white labourers because of the liberal land policy of the Dutch authorities; the development of less industrious habits among white stock-farmers;¹² the increasing availability of African labour to white farmers on the Cape Eastern Frontier; the eventual dependence of these stock-farmers on permanent, contractual and casual African labour;¹³ the evolution of a system of apprenticeship, especially for Khoisan children who were left orphaned after battles with Boer commandos – with the knowledge of both Dutch and British authorities;¹⁴ the emergence of a class of wealthy farming families who were very successful with more market-oriented farming, with products such as wine, wheat and wool, in an increasingly commercialised economy; the dispossession of the land of some of the indigenous communities and the accumulation of land in the hands of a few;¹⁵ and the practice by white farmers of demarcating new farms in the immediate vicinity of indigenous communities in order to secure good quality land, as well as labour for themselves.¹⁶

It should be emphasised that although the focus of this article is the central districts of the Transvaal, labour relations between white farmers and African labourers in this region should not be seen in isolation. It is demonstrated, for example, (see below) that there was a direct trade link between the outlying districts

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- 9 F A van Jaarsveld, “Die Veldkornet en sy Aandeel in die Opbou van die Suid-Afrikaanse Republiek tot 1870”, *Archives Year Book for South African History*, 13, II, (Government Printer, Parow, 1950), chapter 5 The work of B J Kruger covers a later period, but is also useful: “Bantoe-Arbeid in die Suid-Afrikaanse Republiek soos Benader deur die Boere en die Sendelinge”, *Historia*, 11, 2, June 1966, pp 82–95; “Hoe die Transvaalse Boer die Bantoe Gesien het”, *Historia*, 10, 3, September 1965
- 10 Trapido, “Reflections on Land, Office and Wealth”, p 351
- 11 Ross, “The Origins of Capitalist Agriculture”, p 58
- 12 P J van der Merwe, *Die Trekboer in die Geskiedenis van die Kaapkolonie* (Nasionale Pers, Cape Town, 1938), pp 176, 181
- 13 J B Peires, *The House of Phalo. A History of the Xhosa People in the Days of their Independence* (Ravan Press, Johannesburg 1981), pp 103–106
- 14 P J van der Merwe, *Die Noordwaartse Beweging van die Boere voor die Groot Trek (1770–1842)* (W P van Stockum & Zoon, The Hague, 1937), pp 161–168; Delius & Trapido, “Inboekselings and Oorlams”, pp 56–61
- 15 Beinart, Delius & Trapido, *Putting a Plough to the Ground*, pp 17–21
- 16 T R H Davenport, “Can Sacred Cows be Culled? A Historical Review of Land Policy in South Africa, with some Questions about the Future”, *Development Southern Africa*, 4, 3, August 1987, p 391; T R H Davenport, “Some Reflections on the History of Land Tenure in South Africa Seen in the Light of Attempts by the State to Impose Political and Economic control”, *Acta Juridica* 1985 (Johannesburg, 1986), p 56

supplying indentured labour and the western and central districts during the early years of the Transvaal. Another example of interaction between these two regions is the apparent migration of some African labourers from the central districts to independent chiefdoms in the surrounding districts to escape increasing demands for labour.¹⁷

The nature of labour relations in the outlying districts differed from the far more regulated labour relations that prevailed in the central districts. Delius alludes, for instance, to the eastern Transvaal in the 1850s and 1860s, where white farmers had to pay tribute to powerful chiefdoms for the land they were living on.¹⁸ Labour was secured “through establishing relationships of alliance exchange and, to some extent, clientage with more powerful chiefs”.¹⁹ In the Soutpansberg district the emergence of the “swart skutts” (black marksmen) in the ivory trade added another dimension to the cooperation between white hunters/farmers and African labourers in the frontier zone.²⁰ Legassick emphasises that in the frontier regions there was as much cooperation as conflict between white farmers and Africans.²¹

I

In view of the patterns that had emerged around their need for labour in the Cape Colony, the white emigrant farmers in the Transvaal put measures in place soon after their settlement in 1839 to secure African labour for themselves. Some of the stipulations in the ordinances and laws that were passed showed a clear resemblance to the provisions of the Masters and Servants Ordinance of 1841 and the Masters and Servants Act of 1856 in the Cape Colony.²² In the so-called Thirty-Three Articles of 1844 the white settlers gave an indication of how important African labour was to them. One of these articles, which dealt with the relationship between masters and servants (article 33), provided for the regulated discipline of African labourers, but also prohibited their ill-treatment.²³ In terms of a volksraad decision of 1850, field-cornets were responsible for recruiting labourers for the farmers in their respective wards. When they were not able to secure African labourers for contract periods of at least one year, farmers were allowed to use African labourers for a maximum period of fourteen days without compensation, but with enough food. For a contract period of one year the compensation in 1850 was one heifer. Africans who refused without reason to make their labour available were liable to a punishment of a maximum of twenty-five lashes.²⁴ It was apparently the task of the Military Council to divide the

17 See for example, National Archives of South Africa (hereafter NASA), Transvaal Archives (hereafter TAB), Archives of the State Secretary (hereafter SS) 139, Supl 91/1871, p 310: Declaration by S T Prinsloo, 11 September 1871 (translated in Bergh & Morton, “*To make them serve*”, p 74)

18 Delius, *The Land Belongs to Us*, pp 131–3

19 Delius, *The Land Belongs to Us*, p 135.

20 R Wagner, “Zoutpansberg: The Dynamics of a Hunting Frontier, 1848–67”, in Marks & Atmore, *Economy and Society*, pp 330–337

21 M Legassick, “The Frontier Tradition in South African Historiography”, in Marks & Atmore, *Economy and Society*, pp 64–68.

22 Ross, “The Origins of Capitalist Agriculture”, p 84

23 J H Breytenbach and H S Pretorius (eds), *South African Archival Records, Transvaal No. 1* (Government Printer, Pretoria, 1949), p 9: Die Drie en Dertig Artikels, 9 April 1844

24 Breytenbach & Pretorius, *Archival Records, Transvaal No. 1*, p 117: Minutes of the Volksraad, 23 January 1850, Article 34

various African communities among the wards of the field-cornets for the purpose of making their labour available to farmers.²⁵

This system of coerced labour was refined in the Guidelines to Field-Cornets of 1858. These guidelines stipulated: that white inhabitants should apply to their field-cornets for African labour (article 39) and should not negotiate directly with African chiefs (article 40); that African labourers should be well treated, provided with food and remunerated; that complaints in this regard would be handled by the field-cornets, landdrosts and the state attorney (articles 42 to 44); that unemployed Africans who did not fall under a chief should report to their field-cornet, who would arrange for them to be employed (article 45); that African labourers should be hired under contracts in which the period of the contract and the remuneration should be stated (article 56); and that owners of farms on which African communities lived were entitled to four African households, who should also be remunerated for their labour (article 57).²⁶

In Ordinance No. 2 of 1864, new aspects were added to these stipulations. For example, Africans who were found guilty of certain minor transgressions such as settling close to towns without the permission of the landdrost, or infringements in connection with passes, had the choice of paying penalties or being contracted as labourers with remuneration for periods of between one and two years (article 5). Further, the payment of annual taxes was now linked to the obligation of Africans to make their labour available to white residents. Article 18 reads:

For the privileges and protection the natives enjoy from this Government and for the purpose of in this way making them liable to service to the white residents, it is resolved and determined hereby that the natives shall annually pay a tax for the benefit of the Government of this Republic

A distinction was also drawn between the taxes paid by Africans who lived on government land and those who lived on the land of white farmers – to the advantage of Africans in the last category. White farmers with African communities on their farms were also rewarded. They were entitled to the labour of five households and those households were exempted from paying taxes (article 20). Those Africans “who may wish to settle or have settled in this Republic for the protection and safety of their persons and possessions” were obliged to provide labour for one year – six months without remuneration and the other six months at a fixed rate (article 16).²⁷

Core aspects of Ordinance No. 2 pertaining to labour were retained in a law promulgated in 1866. The law also included new labour stipulations,²⁸ and was in turn superseded by Law No. 9 of 1870. Law No. 9 of 1870, like Ordinance No. 2 of 1864, stipulated that those Africans found guilty of breaching pass laws (articles 4 and 23)

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- 25 D W Krynauw and H S Pretorius, *Transvaalse Argiefstukke Staatsekretaris; Inkomende Stukke, 1850–1853* (Government Printer, Pretoria, 1949), pp 191–192: Minutes of the Military Council, 19 March 1852
- 26 F Jeppe and J G Kotzé, *De Locale Wetten der Zuid Afrikaansche Republiek 1849–1885* (J F Celliers, Pretoria, 1887), pp 96-99: Instructie voor de Veldcornetten, 17 September 1858
- 27 J H Breytenbach and D C Joubert (eds), *South African Archival Records, Transvaal No. 5* (Government Printer, Pretoria, 1953), pp 271–274: Ordinnantie ter Voorkoming van Landlooperij, Dievery en Andere Ongeregelheden , 6 October 1864
28. Breytenbach & Joubert, *Archival Records, Transvaal No. 5*, pp 423–426: Wet ter Voorkoming van Landlooperij, Dievery en Andere Ongeregelheden , 13 July 1866

and those from outside the republic who settled in the ZAR (article 13) were required to conclude labour contracts. Article 15 reiterated the view that Africans should pay taxes for the “privileges and protection” they received, “in this way making them liable to service of white residents”. But in contrast to the two categories of taxation in Ordinance No. 2 of 1864, article 16 of Law No. 9 of 1870 provided for three categories: Those Africans who were “in the service of citizens ... and living with these citizens on their farms”; those who were “in the service of their masters but did not live with their masters on the farm”; and those “who are not serving”. Since African labourers in the last category were taxed ten shillings per annum and those in the other two categories two shillings and sixpence and five shillings respectively, it is clear that this was designed to encourage Africans to make their labour available to white farmers. The stipulation that farmers were entitled to five of the households of those Africans living on their farms was retained but, in contrast to the previous requirement, these Africans were now also compelled to pay taxes (article 17). Africans were free to hire themselves out to persons of their own choice (article 17).²⁹

Alongside this system, which endeavoured to regulate African adult labour, the practice of indentured African child labour was also in operation in the Transvaal. A reference to this system can be found in the Thirty-Three Articles of 1844. Article 28 prohibited the “unlawful” capture of African children, for example.³⁰ The existence of this system is confirmed by the Apprentice Act of 1851. This act provided for the regulation of the apprentice system by field-cornets and landdrosts and stipulated that apprentices should receive good treatment. In legitimate cases, African children could be indentured until their twenty-fifth year.³¹ According to a statement by the president of the South African Republic, M.W. Pretorius in 1857, the capture of women and children was not intended to enslave them. The aim was to rescue them from starvation and hardship when their relatives were killed in battle.³² In practice, however, it seems as if white farmers did not always adhere to the restrictions imposed by the law. Indentured labour was obviously an important source of labour for white farmers in the Transvaal until the early 1870s.³³

II

These labour measures were inconsistently applied and were not equally effective in the various districts of the Transvaal. In the central districts, with their higher white population and proximity to the seat of government, it would have been easier to implement and administer labour laws, regulations and practices than in the outlying districts where African communities maintained a large measure of independence in the 1860s and 1870s.³⁴

29 F Jeppe and J G Kotzé, *De Locale Wetten 1849–1885*, pp 378–383 (translated in Bergh & Morton, “*To make them serve*”, pp 171–176)

30 Jeppe & Kotzé, *De Locale Wetten 1849–1885*, p 5: Drie en Dertig Artikelen, 9 April 1844

31 Jeppe & Kotzé, *De Locale Wetten 1849–1885*, pp 8–11: Apprentice Wet, 9 May 1851

32 J H Breytenbach (ed), *South African Archival Records, Transvaal No. 3* (Government Printer, Pretoria, 1951), pp 472–473: M W Pretorius – Committé van het Britsche en Buitel Genp tot Afschaffing der Slavery te Londen, 10 January 1857

33 Delius & Trapido, “Inboekselings and Oorlams”, pp 53–75

34 See for example NASA, TAB, SS 139, Supl 91/1871 and Supl 109/1871, pp 310 and 369: Declarations of S T Prinsloo, 11 September 1871 and P J van der Walt, 2 October 1870 (translated in Bergh & Morton, “*To make them serve*”, pp 74, 118)

It would appear that a substantial number of labour tenancy, rent tenancy and sharecropping agreements were concluded in the central districts in this period.³⁵ It seems probable that in at least some of these instances African communities were forced into them because they had lost the land they regarded as traditionally theirs to white settlers. The Bafokeng in the vicinity of present-day Rustenburg claimed a large surrounding area as their traditional land. There was initially partial acknowledgement of this claim by the white authorities, who set some land aside for the Bafokeng. But white settlers later encroached on this land too³⁶ and the Bafokeng were forced into labour tenancy, rent tenancy and share cropping agreements with white settlers.³⁷

Similarly, the Bakgatla ba Motsha on the Apies River north of Pretoria declared:

When we first came to the Aapjes [Apies] River the farm was still wild Nobody was then master over the farm There were then not yet [white] people in the vicinity The [white] people came later Hendrik Klopper was the fist white person who came there He then said we must dam up the Aapjes [Apies] River and make a water furrow The people had to work for him³⁸

In 1856 the Motsha signed a labour tenancy agreement with a consortium of white farmers (“belanghebbers”) and renewed it in 1870. In terms of the contract the Motsha had to supply labour to the “belanghebbers” for the privilege of living on and utilising two farms on the Apies River – the very land they had once possessed.³⁹

A neighbouring community, the Bakgatla ba Mosetlha, suffered a similar fate. They were involved in a land dispute with a white farmer, W.H. Boshoff. Despite the fact that the authorities had assigned the land on which they lived, the farm Goedewaagd No. 465, to them in the early days, with the promise that they would not be molested, it was later awarded to Boshoff. When this allocation was later reversed, Boshoff still retained a portion of Goedewaagd. A consortium of farmers under Jan G. Marais acquired the farm soon afterwards and a labour tenancy agreement was concluded between them and the Mosetlha. In terms of this agreement the Mosetlha had to supply labour to farmers in the Heidelberg and Waterberg districts.⁴⁰

35 J S Bergh, “‘To make them serve’: The 1871 Transvaal Commission on African Labour as a Source for Agrarian History”, *History in Africa*, 29, 2002, pp 48–53

36 J S Bergh, “‘We must never forget where we come from’: The Bafokeng and their Land in the 19th-Century Transvaal”, *History in Africa*, 32, 2005, pp 99–101

37 Bergh, “To make them serve”, pp 51–3

38 NASA, TAB, SS 139, Supl 103/1871, pp 349–51: Declaration by David, 25 September 1871 (translated in Bergh & Morton, “*To make them serve*”, p 104)

39 Bergh, “To make them serve”, pp 49–50; Bergh & Morton, “*To make them serve*”, pp 53–56: Contract between A [P] v d Walt with Kapitein Mahep [Moepi Maubane], November 1870

40 NASA, TAB, Archives of the Landdrost of Pretoria 1, Statements of H J van Staden, 30 October 1857, and Makapan, and others, 3 November 1857; TAB, Archives of the Executive Council (hereafter UR) 1, Executive Council Resolution, 25 September 1858, Article 18, pp 22–23; TAB, SS 104, R1467/68, Makapan Apie to (M W Pretorius?), 22 December 1868, pp 322–323; SS 139, Supl 93/1871 and 101/1871, pp 320–321, 323, 343–347 Declarations of Makapan Ntshaupe, 14 September 1871 and T Erasmus, 22 September 1871 (translated in Bergh & Morton, “*To make them serve*”, pp 82–83 and 100–101); H J van Zyl, *Die Bakgatla van Mosetlha* (Voortrekker Pers, Johannesburg, 1958), pp 28–29; J S Bergh, *Geskiedenisatlas van Suid-Afrika. Die Vier Noordelike Provinsies* (J L van Schaik, Pretoria, 1999), p 174; TAB, Plas Requesten Register (hereafter RAK) 2987–3008, Farm Register for Pretoria District, Goedewaagd No 465

A similar arrangement to that which existed between the Motsha and Mosestha and the white farmers was apparently also instituted between a third community on the Apies River, the Bahwaduba Amandebele of Mathibe Kgosi, and white farmers. In the case of the Bahwaduba the contract was with Field-Cornet Gert Engelbrecht and farmers from Gatsrand in the District of Potchefstroom.⁴¹

In addition to labour agreements with African communities, white farmers also concluded agreements with individual Africans. Although the field-cornets who arranged these contracts encountered resistance from African labourers, they were successful in some instances in concluding contracts for periods that ranged from one to three years. In many cases the remuneration was a bone of contention. Wages were paid either in cash or in kind, for example in sheepskins. The level of remuneration may have been one of the reasons why some African labourers were reluctant to conclude such contracts with farmers. In the early 1870s they could have earned £1 per month in hard cash on the diamond fields. Towards the end of the 1870s the same rate of remuneration was being offered in Pretoria.⁴²

It would seem that despite extensive measures to regulate African labour in the central districts, there were still continuous complaints from white farmers that their labour needs were not being satisfied. Much of the correspondence in the Archives of the State Secretary, the Volksraad and the Landdrosts of various districts was devoted to complaints by white farmers about the availability of labour and other labour related matters. For example, a large number of white farmers, apparently mainly from the central districts, petitioned the government at the end of 1869 and the beginning of 1870 to take steps to relieve what they regarded as a serious labour shortage.⁴³

White farmers and hunters in the outlying areas, such as Soutpansberg and the eastern Transvaal, experienced even more difficulty in acquiring African labour. It seems that they relied to some extent on labour in terms of the volksraad resolution of 1850 – a maximum of fourteen days without remuneration but with food (see above) – or were in some instances provided with contract labour through the offices of field-cornets. This labour appears to have been inadequate and white farmers in these areas apparently relied largely on indentured (“inboekseling”) labour. In the eastern Transvaal white farmers often acquired Swazi indentured labour after raids on African communities in the lowveld and southern Mozambique. Various Boer officials acted as intermediaries in getting the indentured labour to the farmers.

41 NASA, TAB, SS 139, Supl 105/1871, p 353: Declaration of Mathibe Kgosi, 27 September 1871 (translated in Bergh & Morton, “*To make them serve*”, p 107)

42 Bergh, “*To make them serve*”, pp 50–51 and 53

43 See for example NASA, TAB, Archives of the Volksraad (hereafter EVR) 210, No 280, pp 114–117: Field-Cornet G Brits, Roodekopjes, Krokodil River, and 76 others, Petition to Volksraad, 8 December 1869; EVR 211, No 264, pp 291–294: P S Prinsloo, Pretoria, and 138 others, Petition to Volksraad, 3 May 1870; EVR 213, No 329, pp 60–62: J M Janse van Vuuren and 103 others, Petition to Volksraad, 1870; EVR 212, No 321, No 264: Petition of L Geldenhuis and 25 others to Volksraad, undated; EVR 212, No 264: Petition of C N Prinsloo and others to Volksraad, received 27 May 1870; EVR, No 314: Petition of E M du Plessis and 136 others to Volksraad, undated

The extensive trade in indentured labour extended to the Soutpansberg area as well and also supplied the central and western districts of the Transvaal. Various factors contributed to the decline of this trade in the late 1860s and early 1870s. One of these was that the Transvaal authorities took more decisive action against the use of indentured labour in this period – probably spurred on by renewed agitation against the practice.⁴⁴ As early as 1857 the volksraad voiced strong opposition against aspects of the indentured labour system.⁴⁵

III

To what can the persistent requests for labour by white farmers in the Transvaal and their many complaints in this regard be attributed? At least some of the factors that impacted on the labour demand of the white settlers in the Transvaal can be traced back to the Cape Colony, the area from which they emigrated. For example, the same circumstances in the Cape Colony that discouraged the establishment of a class of white labourers (see above) also prevailed in the Transvaal. The ease with which settlers, especially the early settlers, were able to acquire land was a contributing factor. Until 1852 white settlers were entitled to two farms each, which they were able to demarcate and settle on without much trouble.⁴⁶ This immediately acted as an incentive to acquire labour in order to utilise the land. The demand escalated as the number of white settlers increased.⁴⁷

Although most farmers opted for stock-farming,⁴⁸ which is less labour intensive, some also grew maize and wheat (rainfall permitting) or cultivated vegetables and fruit under irrigation, which required more labour. The farming in which S.J.P. Kruger, subsequently the state president of the ZAR, was involved at the time, illustrate this point. He was the owner of a number of farms near Rustenburg, where he produced crops including wheat, maize, apricots, figs and pumpkins. He also had a brandy still. These farming activities were labour intensive, especially in the seasons when the harvests were gathered and processed.⁴⁹

The relatively high level of agricultural production and the accompanying demand for African labour was related to the increasingly market-oriented mode of farming in the 1860s and 1870s. One of the reasons for this trend must surely have been the flourishing market for agricultural produce on the nearby diamond fields

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- 44 Delius & Trapido, “Inboekselings and Oorlams”, pp 62–75 See also P Bonner, *Kings, Commoners and Concessionaires: The Evolution and Dissolution of the Nineteenth-Century Swazi State* (Ravan Press, Johannesburg, 1983), pp 80–82; Boeyens, “Black Ivory”.
- 45 Breytenbach, *Archival Records, Transvaal No. 3*, p 154: Minutes of the Volksraad, 15 September 1858, Article 17
- 46 J H Breytenbach (ed), *South African Archival Records, Transvaal No. 4* (Government Printer, Pretoria, 1952), p 79: Minutes of the Volksraad, 28 September 1860, Article 149
- 47 J S Bergh, “S J P Kruger and the Transvaal Hardliners on Race Policies and Practices in the Early 1870s”, *South African Historical Journal*, 58, 2007, p 146
- 48 F J Potgieter, “Die Vestiging van die Blanke in Transvaal (1837–1886) met Spesiale Verwysing na die Verhouding tussen Mens en Omgewing”, *Archives Year Book for South African History*, 21, II (Government Printer, Pretoria, 1959), p 79
- 49 NASA, TAB, EVR 217, No 1624, pp 216, 218, 220–221, 225, 331 and 236–237: Evidence of P J van Staden, Magatla [Mokgatle], H L Gonin, J H Penzhorn, 23 October 1872 and D J van der Merwe and S J P Kruger, 24 October 1872; TAB, SS 139, pp 359, 364: Declarations of H L Gonin, 28 September 1871 and C Penzhorn, 29 September 1871 (translated in Bergh & Morton, “To make them serve”, pp 111, 115)

from the late 1860s. The developing town markets in Potchefstroom and Rustenburg from the 1850s onwards and Pretoria from the 1860s also contributed to the growth in market-oriented farming. Another issue was that the expanding state, local government and private institutions in the towns were beginning to compete with white farmers for African labour.⁵⁰

Ross points out that:

the absence of towns did not mean an absence of commercialization Throughout the South African interior, trading relations began not with settled traders but with travelling pedlars, the smouses, and with butchers' agents Only after a period of time, of varied length, did the volume of trade rise to the point at which it became viable for permanent stores to be opened⁵¹

Travelling peddlers were known to have been active in the Transvaal from shortly after the arrival of white settlers.⁵² By 1864 the Transvaal agricultural and hunting sectors were already earning £133 500 a year from the export of cattle, wool, ivory, ostrich feathers, cereals and leather products.⁵³

Officials and missionaries who testified before the 1871 Transvaal Commission on African Labour identified additional reasons for the so-called labour problem in the Transvaal. They appear to have been in agreement that the most important of these was the inefficient application of the labour stipulations in the various laws and regulations, largely as a result of differences in interpretation. On the one hand, military officers and civil officials differed among themselves on their understanding of Article 16 of Law No. 9 of 1870. They could not agree on whether Africans who were not in the service of white farmers but were paying the higher tax of ten shillings per annum per person should still be liable to provide labour. On the other hand there was disagreement on whether military officers (commandant-general, commandants and field-cornets) or the civil officials (landdrosts) should have the final authority to interpret and apply the labour stipulations. In his declaration before the 1871 Commission S.J.P. Kruger explained this in the following manner:

As far as is known to me the cause of the disobedience of the natives originated in that the officers and Landdrosts together issued orders to the natives, giving divergent interpretations of the Native Act Some Landdrosts and Public Prosecutors interpreted the Act as meaning that the native peoples were free of service and the officers thought that they had to serve This was the reason for different punishments being given to the natives The natives maintained the interpretation that they were free Then the Act could not be maintained by the officers ... I think that when it is clearly made known who has the authority, the officers or the Landdrost, the natives will be obedient, but they will not obey these two together⁵⁴

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- 50 Bergh, "S J P Kruger and the Transvaal Hardliners", pp 146–147 See also F J Potgieter, "Die Vestiging van die Blanke in Transvaal (1837–1886), *Archives Year Book for South African History*, 21, II, pp 93–96
- 51 Ross, "The Origins of Capitalist Agriculture", p 65
- 52 A C van Wyk, "Jode in Transvaal tot 1910 'n Kultuurhistoriese Ktudie" D Phil thesis, U P, 2003, pp 109–112
- 53 Potgieter, "Die Vestiging", pp 95–96
- 54 NASA, TAB, SS 139, Supl 116/1871, p 195: Declaration by S J P Kruger, 17–18 October 1871 (translated in Bergh & Morton, "To make them serve", p 137)

Many farmers claimed that the larger, semi-autonomous African communities in the outlying areas of the Transvaal, who were reluctant to provide labour to white farmers, had a detrimental influence on the provision of labour in other districts. From the perspective of the Transvaal authorities and white farmers, these semi-autonomous communities set a bad example to Africans in the central districts, and furthermore they also presented an opportunity for the recalcitrant labourers to flee to them.⁵⁵

In the eyes of the Transvaal authorities and white farmers the large number of African labourers from the Transvaal attracted by the diamond fields on the south-western border was the most visible and dramatic reason for their labour problem. In 1871 Commandant S.T. Prinsloo of the Pretoria District described this as the main reason why white farmers in this vicinity experienced a shortage of African labour.⁵⁶ Less than a year later he reiterated his views:

... what should I do, no burgher can get one native for pay any more Every burgher must do the work himself, because all the natives are going to the diamond fields and it is impossible to employ them for any amount More than three hundred natives ... passed my property in the last two weeks on their way to the diamond fields ...⁵⁷

Some Africans worked in Pretoria for about a week to earn enough for a pass to the diamond fields. *De Volksstem* reported that in August 1877 there were as many as 1 044 Africans who travelled through Pretoria to Kimberley. This trend was confirmed by officials in 1879. Africans apparently also used the mission station at Wallmansthal, north of Pretoria, as a stopover on their way to the Cape Colony.⁵⁸

IV

Africans in the Transvaal responded in different ways to coercive labour measures. At this stage it was still possible, for example, for outlying communities to refuse outright to comply with the labour demands of the white farmers and Transvaal authorities.⁵⁹ However, this was not an option for Africans in the central districts. Refusal would have exposed them to punitive measures which they would have been unable to sustain. Furthermore, it was impossible for them to take up arms, because they were surrounded by large numbers of white farmers and the seat of government was nearby. Some of them apparently opted for the possible loophole in Law No. 9 of 1870 – that those who were “not serving shall annually pay ten shillings sterling” (article 16).⁶⁰ They tried, in other words, to take advantage of the different interpretation of the law by military and civil officials.⁶¹

55 Bergh, “To make them serve”, p 59

56 NASA, TAB, SS 139, Supl 91/1871, p 310: Declaration by S T Prinsloo, 11 September 1871 (translated in Bergh & Morton, “To make them serve”, p 74)

57 NASA, TAB, SS 145, R 813/72, p 91: S T Prinsloo – S J P Kruger, 1 July 1872

58 NASA, TAB, Archives of the Superintendent of Native Affairs (hereafter SN) 1A, R Lys – Colonial Secretary, 16 April 1879 and 26 April 1879; TAB SN 2, 264/79, Commissioner Waterberg – SNA, 20 October 1879 and H Bergsma – H Shepstone, 30 October 1879; *De Volksstem* (Supplement), 10 October 1877; D E Kratzenstein, *Kurze Geschichte der Berliner Mission in Süd- und Ostafrika* (Auflage, Berlin, 1893), p 248

59 Bergh, “To make them serve”, p 59

60 Translated in Bergh & Morton, “To make them serve”, p 174

61 See for example TAB, SS 139, Supl 91/1871, 96/1871, 101/1871 and 116/1871, pp 310, 327–328, 344–345, 396: Declarations by S T Prinsloo, P J van Staden, T Erasmus and S J P

The better option open to these communities appears to have been migration. This was not an unusual solution, as African history shows. For example, the Bapedi under Sekwati migrated northwards during the pre-colonial period to escape attacks by the Khumalo Amandebele of Mzilikazi in the 1820s. They later returned.⁶² The Bapedi and other African communities in the eastern and northern Transvaal were also involved in migrant labour to the Eastern Cape and Natal (and later to the diamond fields) from as early as the 1840s. They brought back guns and other sought after commodities.⁶³

In the 1860s and 1870s a number of African communities in the central districts used migration as a means of moving away from arduous labour conditions. A group of the Bakgatla ba Moseitlha of the Apies River under Makapane, son of chief Nchaupe I, migrated in 1872 because of a land dispute with W.H. Boshoff and the conclusion of a labour tenancy agreement with Jan G. Marais and other farmers. A further reason was dissatisfaction because the land on which they were living was too small (see above). They settled some 100 km northwest in the Waterberg Mountains. Individual members had apparently already left by 1871.⁶⁴

A nearby community, the Bakgatla ba Motsha, had a similar experience. As indicated above, they concluded a labour tenancy agreement with the farmers (“belanghebbers”) in that vicinity in 1856. This contract was renewed in 1870. The Motsha’s experience of this agreement was not to their liking; they complained of harsh labour demands and intimidation by the white farmers. They also maintained that they were not regularly remunerated in terms of the stipulations of the contract and therefore requested that the government intervene to terminate it. With the aid of the local Berlin missionary, Otto Sachse, they bought four farms some 70 kilometres to the northeast of the farms where they had formerly been living, and settled on these new farms in 1873.⁶⁵

A third chief in the central districts who attempted to migrate locally to escape harsh local labour conditions was Klein Magato alias Nicodemus [Molefê? Mmamogale]. He was acting chief of the Bakwena ba Mogôpa. The Mogôpa were located in both the Krokodil River ward in the District of Pretoria and the Hex River ward in the District of Rustenburg. Apparently because of comprehensive labour demands made on him by Field-Cornet Gert Brits of the Krokodil River ward and because he did not get along well with Brits, Klein Magato settled in the Hex River ward with some of his followers. This created friction between the two field-cornets and other officials – especially when Brits administered corporal punishment to Klein

Kruger on 11, 19, 22 September and 17–18 October 1871 respectively (translated in Bergh & Morton, “*To make them serve*”, pp 74, 88–89, 100 and 137)

62 R K Rasmussen, *Migrant Kingdom: Mzilikazi’s Ndebele in South Africa* (David Philip, Cape Town, 1978), pp 35–40

63 Delius, *The Land Belongs to Us*, pp 62 *et seq.*

64 NASA, TAB, SS 139, Supl 93/1871 and 104/1871, pp 320–321, 323, 343–347: Declarations by Makapane Ntshaupe, 14 September 1871 and T Erasmus, 22 September 1871 (translated in Bergh & Morton, “*To make them serve*”, pp 82–83 and 100–101); TAB, SS 144, R737/72, p 244: C J Erasmus – D J Erasmus, 1 June 1872; Van Zyl, *Die Bakgatla*, pp 28–29; Bergh, *Geskiedenisatlas*, p 174

65 Bergh, *Geskiedenisatlas*, p 173

Magato in the Hex River ward. Klein Magato's migration was therefore unsuccessful from his perspective.⁶⁶

The migration of chief Kgamanyane and the majority of the Bakgatla ba ga Kgafela of the Pilanesberg area in September 1870 to the present Botswana differed in some respects from the previous three migrations. For one thing, this was not a local migration. It can, however, be compared with the other migrations in that it also had its origin in the heavy labour demands of white farmers and the authorities. In the case of the Kgafela the different interpretations by officials and military officers of the relevant labour clauses of Law No. 9 of 1870 and the effect of this on the Kgafela, including the corporal punishment that Kgamanyane received, seem to have been the direct cause of their migration. Although some of the Kgafela stayed behind, Kgamanyane's migration can be regarded as successful from their perspective because they escaped from the scene of so much trouble.⁶⁷

V

The 1860s and 1870s can be regarded as an important transitional phase in the Transvaal agricultural and labour history. It is clear that the discovery of diamonds on the south-western border had a substantial influence on both white farmers and African labourers, at least in some respects. It contributed, for example, to a more market-oriented mode of farming, as well as to a more mobile African labour force. For the first time in the history of South Africa mining, capitalism and the agricultural sector were involved in extensive competition for the African labour pool. This important theme was to repeat itself with more intensity after the discovery of the rich gold reef on the Witwatersrand in 1886 and the emergence of a flourishing gold mining industry. In the late 1860s and the 1870s the diamond mining industry was responsible for a large migration of African labour to the diamond fields and for an apparent labour shortage in the Transvaal.

There were also other factors that contributed to the development of market-oriented farming and the putative labour shortage. Some of the forces that Ross identifies in the Cape Colony were also evident in the pre-industrial Transvaal. For example, the growth of urban markets and the increasing local and state bureaucracy that created a demand for agricultural produce tended to tie farmers to the market. The mineral revolution that began with the discovery of diamonds in 1867 had a more direct impact on the Transvaal than on the Cape Colony.

Despite this, the following view expressed by Ross appears to be compatible with the results of my own research on labour relations in the pre-industrial Transvaal:

Well before the great transformation brought about by diamonds and gold, a previous slow process of transformation had occurred, as the colonizers of the country had, by the use of force, established over at least the southern half of the modern country the agricultural system that, *mutatis mutandis*, was later applied further north. The pattern was set early, and was later extended as necessary. Modern South African agriculture developed out of the pre-industrial relations of production, which were at least quasi-capitalist in the sense that labour was largely alienated from the means of production⁶⁸

66 Bergh, "S J P Kruger and the Transvaal Hardliners", pp 160–161
67 Bergh, "S J P Kruger and the Transvaal Hardliners", pp 161–162
68 Ross, "The Origins of Capitalist Agriculture", p 86

Abstract

This article argues that the 1860s and 1870s represent an important transitional phase in the agrarian history of the Transvaal with regard to the relationship between white farmers and African labourers. Despite measures put in place by white settlers to secure labour, the availability of African labour emerged as a critical problem in this period and forced the Transvaal authorities to launch investigations into this matter. A number of causes can be identified. These include the discovery of diamonds on the southwestern Transvaal border in 1867, which created a huge demand for African labour and farm products; the emergence of markets in the towns and the transformation of production on white farms to more labour intensive, market-oriented farming. This situation was exacerbated by the inefficient application of labour stipulations; infighting between military officers and civil officials on labour matters and the presence of large semi-autonomous African communities in the outlying areas of the Transvaal, who were reluctant to provide labour. At least some of the factors that affected the labour demands of white settlers can also be traced back to the Cape Colony from which they had emigrated. African communities responded to the labour measures in various ways. For those in the central districts of the Transvaal migration appears to have been the most effective countermeasure.

Opsomming

Blanke boere en swart arbeiders in pre-industriële Transvaal

Hierdie artikel voer aan dat die sestiger- en sewentigerjare van die negentiende eeu 'n belangrike oorgangsfase in Transvaalse agrariese geskiedenis, met betrekking tot die verhouding tussen wit boere en swart arbeiders, verteenwoordig. Ten spyte van maatreëls deur die setlaars om arbeid te bekom, het die beskikbaarheid van swart arbeid in hierdie tydperk as 'n kritiese probleem na vore gekom en het dit die Transvaalse owerheid gedwing om ondersoek daarna in te stel. 'n Aantal oorsake kan geïdentifiseer word – onder andere die ontdekking van diamante aan die Transvaalse suidwestelike grens in 1867 wat 'n groot aanvraag vir swart arbeid en plaasprodukte geskep het; die opkoms van dorpsmarkte en die omskepping van produksie op plase na meer arbeidsintensiewe en markgeoriënteerde boerdery; die ondoeltreffende toepassing van arbeidsbepalings en onenigheid tussen militêre en siviele amptenare hieroor; en die teenwoordigheid van groot semi-otonome swart gemeenskappe in die afgeleë gebiede van Transvaal, wat teensinnig was om arbeid te verskaf. Ten minste sommige van die faktore wat die arbeidsaanvraag van die wit setlaars beïnvloed het, kan na die Kaapkolonie, vanwaar hulle geëmigreer het, teruggevoer word. Swart gemeenskappe het op verskillende wyses op arbeidsmaatreëls gereageer. Vir dié in die sentrale distrikte van Transvaal was migrasie klaarblyklik die mees doeltreffende teenmaatreël.

Keywords

African communities; African labour; African response; agrarian history; discovery of diamonds; labour demands; labour stipulations; market-oriented farming; markets; Transvaal.

Sleutelwoorde

Agrariese geskiedenis; arbeidsaanvraag; arbeidsbepalings; markte; markgeoriënteerde boerdery; ontdekking van diamante; swart arbeid; swart gemeenskappe; swart reaksie; wit boere; Transvaal.