

Slavery in Dutch Colombo

A social history

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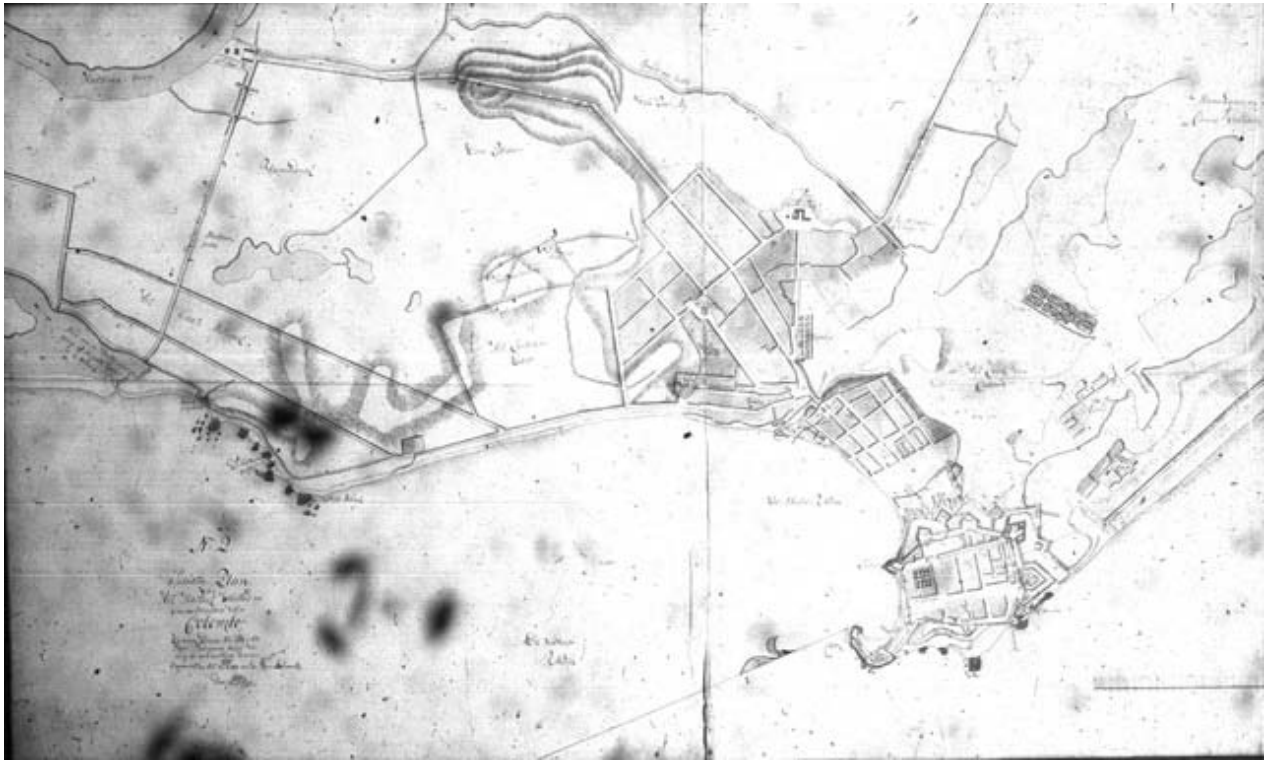
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Ceylon
NA Kaartenafdeling, P.A. Leupe, MCAL 4260



Fort, town and suburbs of Colombo by P. Elias, late eighteenth century.
NA Kaarten afdeling, VEL 980B



'View of Colombo over the lake seen from the so-called Slave Island, 1784. In Ceylon, copied by me 5 December, 1785.' Watercolour, J. Brandes, 1785, Rijksmuseum, Amsterdam. Reproduced in R.K. de Silva and W. G. M. Beumer, *Illustrations and view of Dutch Ceylon 1602-1796: A comprehensive work of pictorial reference with selected eye-witness accounts* (Leiden: Brill, 1988), 234-235.

Introduction

Slave Island, the suburb and its railway station of the same name, is a physical reminder of Colombo's slave past in the heart of the bustling city. During the Portuguese and Dutch periods, slaves were housed on the island in the hopes that the crocodile-infested waters surrounding it would deter any would-be absconders. In contrast to this physical presence of the past, the history of slavery in Ceylon is characterised by near silence. This is, at least in part, symptomatic of the state of scholarship on Indian Ocean slavery in general. But as Gerbeau wrote some 30 years ago, "[t]he specialist in the slave trade is a historian of men not merchandise, and he cannot accept the silence of those transported."¹ Limited progress has been made since to 'unsilence' the history of the men, women and children shipped across the Indian Ocean; much research remains to be undertaken, not least on Dutch Ceylon.

Indian Ocean Slavery

Slavery and bonded labour are enduring marks of numerous societies. In fact, Marcus Vink comments that slavery "has deep and far-reaching roots, stretching back at least to the beginnings of historical times in many parts of the world."² This is true of the Indian Ocean basin where slaves were traded long before the dawn of European maritime power in the region. But the arrival of Europeans in the sixteenth century, first the Portuguese and later their rivals, the Dutch, occasioned a number of changes in the mechanics of the trade, not least increased demand. Labour was needed in large quantities to build and maintain fortifications as well as to work in the port settlements which grew up around them; the solution was found in purchasing slaves.³ Portuguese power on the east coast of Africa facilitated the purchase of enslaved Africans to fulfil the labour requirements of the *Estado da India*. Moreover, the unofficial slaving activity of the Portuguese in the Bay of Bengal resulted in expansion of the trade in the northeastern Indian Ocean.⁴ In the early seventeenth century the Dutch also sourced slaves from this area to work in the maritime settlements established under the Dutch East India Company (VOC). Over time, Africa, South India and Southeast Asia were to become the major circuits through which the Dutch obtained slaves, always by indirect means. The Dutch tapped into existing slave trade networks, purchasing slaves from indigenous traders.⁵

Slavery in the Indian Ocean region is a significantly under-researched subject in the historiography of slavery, Indian Ocean commerce, the major European Companies which were active in the region for centuries, urban history of colonial cities established under the Companies, and in social history. In comparison to the very well-developed scholarship and matured historiography on the Atlantic slave trade, the study of Indian Ocean slavery is in its infancy.⁶

The last decade or so has seen the publication of a handful of studies on slave-trading patterns in the Indian Ocean region. In his work on the seventeenth century, Arasaratnam

¹ H. Gerbeau cited in Markus Vink, "'The World's Oldest Trade': Dutch slavery and slave trade in the Indian Ocean in the seventeenth century," *Journal of World History* 14:2 (2003): 135.

² Vink, "The World's Oldest Trade," 132.

³ Sinnappah Arasaratnam, "Slave trade in the Indian Ocean in the seventeenth century," in *Mariners, Merchants and Oceans: Studies in Maritime History*, ed. K. S. Mathew (New Delhi: Manohar, 1995), 198.

⁴ Arasaratnam, "Slave trade," 197, 201.

⁵ Vink, "The World's Oldest Trade," 139, 153.

⁶ Oostindie states: "Although for the Atlantic region much research has been undertaken on this subject, this is not the case for the operational sphere of the VOC" that is, the Indian Ocean region. Gert Oostindie, "Migration and its legacies in the Dutch colonial World," in *Dutch Colonialism, Migration and Cultural Heritage*, ed. Gert Oostindie (Leiden: KITLV Press, 2008), 9.

points out that the trade in slaves has not received “the intensive attention that the other high-profile commodities such as pepper, spices, textiles and bullion have.”⁷ Arasaratnam examines the interaction of supply and demand factors and ways in which the arrival of European maritime powers in the Indian Ocean reshaped the preexisting trade in slaves. In his survey of European slave trading in the Indian Ocean from the sixteenth to mid-nineteenth century, Allen proposes answers to a number of pertinent questions regarding the magnitude, nature and dynamics of the slave trade, as well as considering the impact of the entry of European traders in the region on local polities, societies and economies.⁸ In so doing Allen reinforces the historical significance of the slave trade in the Indian Ocean region. On British, Dutch, French and Portuguese slave trading in the Indian Ocean he comments:

Their activities warrant our attention not just because Europeans traded hundreds of thousands of slaves far beyond the confines of the Atlantic world, but also because these forced migrations were major components in the creation of the imperial networks that spanned the region, and ultimately facilitated the rise of an increasingly integrated global movement of migrant labor.⁹

One of the main contributions on Dutch activity is Markus Vink’s article ‘The World’s Oldest Trade’. Covering the whole Indian Ocean basin, his article provides illuminating detail of the volume, directions and mechanics of the Dutch slave trade and covers questions of slave origins, occupations and resistance in the seventeenth century. He describes his article as a “first step to ‘unsilence’ the history of the world’s oldest trade and to correct or ‘re-Orient’ the historiographical imbalance.”¹⁰ Rik van Welie’s work must also be noted. Unlike Arasaratnam, Allen and Vink who take the Indian Ocean basin as the region of analysis, van Welie focuses on slave trading in the Dutch colonial orbit encompassing west and east and thereby connecting the Dutch East and West India Company realms.¹¹ Yet these remain general studies in the form of overviews, characterised by vast temporal and geographical spans. While recent publications are evidence of our blossoming knowledge on forced labour systems in the Indian Ocean, detailed studies remain imperative.¹²

The growing literature on Indian Ocean slavery is characterised by a number of imbalances. Allen points out four. Firstly, Allen points out the ‘Africa-centric’ nature of the literature. Focus has tended to fall on the export of slaves from east Africa, but as a corrective Allen comments that slaves were shipped to the continent as well as away from it. The corollary is the limited research undertaken on the shipment of slaves from South and Southeast Asia. Secondly, Allen comments that histories of the charter Companies—French, Portuguese, Dutch and British—which operated in these regions are not forthcoming on the topic of slavery. In the case of surveys and regional studies of the Dutch East India Company, Vink attributes the near silence to the insignificance of the slave trade in economic terms.¹³ The third imbalance which Allen highlights concerns knowledge of European slaving activities. With sweeping strokes, Allen comments that for the seventeenth century more is known about the Portuguese slaving activities than any of their rivals. For the eighteenth century, it is the French who are most prominent in the literature as a result of research on the

⁷ Arasaratnam, “Slave trade,” 195.

⁸ Richard B. Allen, “Satisfying the ‘Want for Labouring People’: European slave trading in the Indian Ocean, 1500-1800,” *Journal of World History* 21:1 (2010): 52.

⁹ Allen, “Satisfying the Want,” 73.

¹⁰ Vink, “The World’s Oldest Trade,” 135.

¹¹ Rik van Welie, “Patterns of slave trading and slavery in the Dutch colonial world, 1596-1863,” in *Dutch Colonialism, Migration and Cultural Heritage*, ed. Gert Oostindie (Leiden: KITLV Press, 2008).

¹² Allen, “Satisfying the Want,” 47. Allen specifically comments on the need for detailed studies of the constituent elements of forced labour systems in the Indian Ocean and their interaction. Allen, “Satisfying the Want,” 72-73.

¹³ Vink, “The World’s Oldest Trade,” 135. That slavery hardly features in Els Jacobs’ study *Merchant in Asia* is a case in point. Els Jacobs, *Merchant in Asia: The trade of the Dutch East India Company in the eighteenth century* (Leiden: CNWS Publications, 2006).

Mascarene trade. For the nineteenth century, by which point the British had outlawed the trade in slaves, illegal trading is the focus of attention. Fourthly, Allen issues a warning: while fully aware of the benefits of defining the Indian Ocean as a region of analysis, notably the possibility of bringing into focus transoceanic networks and connections, Allen notes the potential danger to be found in obscuring various other channels of interaction beyond the basin.¹⁴

The growing literature on Dutch slavery in the Indian Ocean is also characterised by a marked imbalance. Scholarship has developed in an uneven way with much focus on the Cape and to a lesser extent Batavia.¹⁵ Thus Vink's call to 're-Orient' the scholarship on slavery can be applied as much to the Atlantic-Indian Ocean imbalance as to the Cape-Asia imbalance in the VOC sphere. The historiography of Cape slavery has matured over the last three decades with extensive research and publication in the field. The work of Richard Elphick and Herman Giliomee, Robert Ross, Nigel Worden, and Robert Shell amongst others has deepened understanding of Cape slavery.¹⁶ According to Vink,

The Afro-centric focus of Indian Ocean historiography is a derivative of the Atlantic slave trade in general, and reflects the take-off of plantation slavery on the Swahili coast and the Mascarene Islands (Mauritius and Réunion) in the late eighteenth century along with its obvious connections with the modern biracial system of apartheid in South Africa (1948-1994) in particular.¹⁷

For many years the Cape was drawn into the Atlantic Ocean world through comparative work, but a shift eastward has occurred: the Cape has been 'resituated' in the Dutch Indian Ocean world.¹⁸

In contrast to the well-developed literature on slavery at the Dutch Cape, seventeenth and eighteenth slavery in Dutch Ceylon is scarcely mentioned. Slavery in Ceylon does not feature much in edited collections on Indian Ocean slavery or even in volumes on South Asian slavery which tend to be India-centric, such as Chatterjee and Eaton's *Slavery and South Asian History* (2006). Moreover, the historiography of Dutch Ceylon has not taken notice of the matter of slavery, despite its prevalence and shaping influence on the colonial societies which formed in Dutch territories across the island. Sinnapah Arasaratnam's extensive research into the period which fills two monographs—*Dutch power in Ceylon* (1958) and *Ceylon* (1964)—and a collection of 20 essays entitled *Ceylon and the Dutch, 1600–1800* (1996) includes few references to slavery under the Dutch. There is near silence on this matter in Sri Lankan historiography.¹⁹ The little work on slavery that has been done has been undertaken by Remco Raben and Gerrit Knaap (Colombo), and Lodewijk Wagenaar (Galle). Slavery is a topic that surfaces in their work rather than the dedicated focus of their research.²⁰ Both Raben and Knaap's work focuses on seventeenth century population data

¹⁴ Allen, "Satisfying the Want," 47-52.

¹⁵ Remco Raben has made significant contributions to the urban history and historiography of slavery in Batavia. For slavery in the *ommelanden* of Batavia see Bondan Kanumoyoso, "Beyond the City Wall: Society and economic development in the Ommelanden of Batavia, 1684-1740" (PhD diss., Universiteit Leiden, 2011), Chapter Five.

¹⁶ For an overview of shifts in South African historiography since the 1980s with specific reference to writing VOC history, see Nigel Worden, "New Approaches to VOC history in South Africa," *South African Historical Journal* 59 (2007): 3-18.

¹⁷ Vink, "The World's Oldest Trade," 133.

¹⁸ Worden praised Kerry Ward's *Networks of Empire* for precisely this reason. Clare Anderson *et al* "Roundtable—Reviews of Kerry Ward, *Networks of Empire: Forced migration in the Dutch East India Company*, with a response by Kerry Ward", *International Journal of Maritime History* 21:1(2009), p. 336.

¹⁹ Symptomatic of this silence is that 'slaves' and 'slavery' do not feature in the index of numerous general histories of Ceylon. In cases where there is reference to slavery it is very much in passing.

²⁰ Lodewijk Wagenaar, *Galle, VOC-vestiging in Ceylon: Beschrijving van een koloniale samenleving aan de vooravond van de Singalese opstand tegen het Nederlands gezag, 1760* (Amsterdam: De Bataafsche Leeuw, 1994); Remco Raben, "Batavia and Colombo: The ethnic and spatial order of two colonial cities, 1600-1800"

through which slaves emerge as one subset of the wider population. Raben's doctoral thesis and Knaap's article provide fascinating insight into the composition of Colombo society and numbers, sex-ratio, and distribution patterns of slaves within that society as well as notoriously difficult issues of slave origins and ethnicity.

Markus Vink is correct in concluding that "the sufferings of the slaves in Asia occurred mainly in silence, largely ignored by both contemporaries and modern historians."²¹ There is certainly encouraging evidence that this is beginning to change but much remains to be done. Slavery in Dutch Ceylon is one area which requires much work—there is a lacuna in the historiography. The aim of this thesis is not only to add to the growing body of scholarship on Indian Ocean slavery by bringing to light the characteristics of slavery in Dutch Colombo, but also, it is to 'unsilence' the history of enslaved individuals who until now, have had no voice in history.

Colombo

Colombo, on the southwest coast of the beautiful island Ceylon (today Sri Lanka) was first settled by the Portuguese in 1517. It was more than a century until the Dutch ousted their Iberian rivals, finally conquering the port settlement in 1656. The Dutch took over a city shaped along Portuguese lines, or, as Raben puts it, "styled in the Portuguese fashion."²² The legacy of the Portuguese permeated the city, evidenced in language, religion, population and the physical structure and layout of the city.

After the conquest of Colombo, Portuguese inhabitants were evicted, shipped to Coromandel and Tuticorin during August and September 1656. Few Portuguese remained in Colombo; those who did were seen only as temporary residents by the new Dutch rulers who viewed them with deep suspicion. There were, however, people known as Portuguese who remained—a group of 'widows and daughters' and Topasses. These were individuals of Indian or Ceylonese descent who had been baptised into the Catholic church, learnt Portuguese and had taken on Portuguese names. It is most likely that African slaves who converted to Catholicism were incorporated into this group once emancipated. The first Dutch census of the population of Colombo dated 1684 displays the mixed society the Dutch took over from the Portuguese. The census covers four population groups denoted Dutch, Castizo, Mestizo, and Topass, bearing witness to the mixed parentage of many individuals.²³ The census covered only the free Christian population thereby excluding Sinhalese, Moors (Muslims), Tamils and slaves.

Other than in the faces and voices of the individuals who inhabited the city, the legacy of the Portuguese was clearly visible in the buildings and layout of the settlement. However, this changed within a few short years of conquest as the Dutch embarked on projects to transform the city. The Dutch took over a walled city consisting of a crisscross of streets and gardens. The apparently arbitrary layout was replaced by a strict grid pattern, also in use in Batavia and the Dutch Republic. Moreover, the walled area was divided in two. One part became the Fort, also known as the castle, which functioned as the centre of Dutch administration. After the seat of the Governor was moved from Galle to Colombo in 1659,

(PhD diss., Universiteit Leiden, 1996); Gerrit Knaap, "Europeans, Mestizos and Slaves: The population of Colombo at the end of the seventeenth century," trans. Robert Ross, *Itinerario V* (1981).

²¹ Vink, "The World's Oldest Trade," 132.

²² Remco Raben, "Facing the Crowd: The Urban Ethnic Policy of the Dutch East India Company 1600-1800," in *Mariners, Merchants and Oceans: Studies in Maritime History*, ed. K. S. Mathew (New Delhi: Manohar, 1995), 221.

²³ Raben, "Batavia and Colombo," 103. Castizo: child of a European and Mestizo; Mestizo: child of European and Asian.

the Governor took up residence in the castle, along with the highest of the Company officials, officers and soldiers. Work on this area begun after conquest, was not completed until 1700. The second part, known as the Black Town or *Stad*, provided a place of refuge for the indigenous population in case of war. Besides Company employees, burghers and tradesmen who made this area their home, the other inhabitants were described as “an amalgamation of black, white and yellow” by one seventeenth-century traveller. Today no trace of the walls remain but the area where the Dutch fort once stood is still known as Fort (Colombo 1) and the Town is now called Pettah (Colombo 11). Slaves were kept south of the castle across a lake, in the area now called Slave Island (Colombo 2) in reference to this past.²⁴

Transforming the city and recultivating the lands around Colombo which had been devastated and virtually depopulated during the war with the Portuguese required labour. As the Portuguese had done before them, the Dutch solved the problem of labour through slavery. The general policy of the VOC not to enslave indigenous subjects of Company territories resulted in the importation of slave labour. Slaves were shipped to Colombo to fulfil the Company’s labour needs as well as those of private individuals. Five topics—each crucial to slaves’ experience of bondage and freedom—are considered in the first chapter. These include the number of slaves, their origins, and labour, as well as ownership and manumission patterns.

The use of slave labour in Colombo precipitated a new problem—laws were needed to govern society and regulate the behaviour of slave-owners and slaves alike. The legal foundations of slavery in Colombo are considered in Chapter Two through a thematic analysis of the ordinances issued in Colombo throughout the Company period. In order to highlight both the ways in which slavery in Colombo bore the characteristics of other slave societies and the extent to which it was unique, Dutch Cape Town will be used as a comparative reference point.²⁵ A comparison of the Colombo and Cape ordinances forms the second part of the chapter. The comparative approach established in Chapter One is maintained in Chapter Two and subsequent chapters.

It is for the second half of the eighteenth century that various sources overlap: Wills, emancipation deeds and criminal case records in the form of criminal rolls and dossiers are extant for the period beginning 1750, although admittedly series are fragmented and some of the records have fallen into disrepair. The convergence of material may be coincidental; it is possible that it is the result of what has been preserved over time. The ‘enlightened’ colonial rule of late eighteenth-century Dutch Ceylon may also have played a role in this overlap. Considering their role as overlords, the Dutch in this period became more involved in the practice of ruling. It is possible that this deeper involvement resulted in more prolific documentation of processes of rule, both administrative and legal.²⁶

Chapter Three focuses on kinship and sexual relations, encompassing relationships between slaves as well as those which crossed the enslaved-free line. The topic of concubinage is addressed in the context of colonial society where few Dutch women were available as marriage partners for the many men shipped to Colombo in VOC employ. Somewhat surprisingly given the focus on liaisons between slave women and free men, the

²⁴ Quote from Knaap, “Europeans, Mestizos and Slaves,” 85. Raben, “Facing the Crowd,” 221-223. For a more detailed description of the Company’s plans and design for Colombo, see Raben, “Batavia and Colombo,” 23-33.

²⁵ The Cape was chosen for two reasons: firstly, as discussed, the historiography of Cape slavery is well-developed; secondly, my academic background is Cape slavery having worked on the topic during postgraduate Honours research at the University of Cape Town and thus it is an area of scholarship with which I am familiar.

²⁶ It is possible that greater diligence in record-keeping is related to the increased colonial intervention which Alicia Schrikker has argued characterised the period 1780-1815, encompassing transition from Dutch to British colonial rule. This was a period marked by both expansion and reform. Alicia F. Schrikker, *Dutch and British Colonial Intervention in Sri Lanka c. 1780-1815: Expansion and reform* (Leiden: Brill, 2007), 211.

topic of concubinage also surfaces with regards to sexual relations between slave men and free women. The second part of the chapter deals with the very difficult issue of consent in relationships between people of vastly different legal and social status. This issue is epitomised in a rape charge laid by a slave woman against a French soldier. The themes of kinship and sexual relations touch on three very significant issues namely, natal alienation, which has been identified by Orlando Patterson as one of the constituent elements of slavery²⁷; the presence of women both in Colombo society and in the archive; and hybridity and the role of slaves in growth and establishment of Euro-Asian communities.

In Chapter Four the focus remains on connections but of a rather different nature. Slaves established connections with fellow slaves as well as free persons in the port city which were vital both in bondage and freedom. Slaves' connections were not limited to social contacts: Religious and cultural connections were of great importance too for persons dealing with their situation of bondage. These ties stretched beyond Colombo across the Indian Ocean; the connections between Colombo and Batavia in particular come to the fore.

Chapters Three and Four are based on reliable, anecdotal case-studies drawn from the criminal records of the Council of Justice of Colombo. The work of three historians—John Edwin Mason, Nigel Penn and Tonio Andrade—has been especially influential in encouraging and shaping the story-telling, or microhistory approach demonstrated in the case-studies. The formative influence came from Mason's *Social Death and Resurrection* in which he comments

Telling stories is an essential part of doing history, and, to be sure, of being human...Drawing on the evidence, on ideas about how individuals and societies function, and on our common sense, we comment on our stories as we tell them.²⁸

Of the characters which populate the microhistories in *Rogues, Rebels and Runaways*, Penn comments that they could not be ignored: "In keeping with the turbulent natures they displayed more than 200 years ago, and consistent with the irrepressible qualities with which they first forced themselves into the historical record, they demanded attention."²⁹ Not only do the individuals demand attention, they deserve it too. Penn suggests two reasons: Firstly, their stories are "intrinsically fascinating human dramas" in their own right; secondly, the stories shed light on a relatively ignored period of history.³⁰ The same applies to the enslaved men and women of Colombo who tell their stories in the Council of Justice records. Their stories are most certainly fascinating human dramas worthy of the telling. Moreover, they shed light on the subject of slavery in Dutch Colombo which, astonishingly, has been ignored until now. Andrade is an advocate of balance in World History which he argues has tended to focus too heavily on model-building, global structures and processes at the expense of "the human dramas which make history come alive."³¹ This thesis is in some ways a response to his call: "Let's bring the history of our interconnected world to life, one story at a time."³²

The stories buried in the VOC criminal records, wills and emancipation deeds do not present themselves to the historian ready to be told. In order to grasp fully and make use of the court cases which are especially problematic sources, understanding the way in which the documents were created is paramount. In her monograph *Along the Archival Grain* Ann

²⁷ Orlando Patterson, *Slavery and Social Death: A comparative study* (Cambridge, MA: Harvard University Press, 1982), 10.

²⁸ John E. Mason, *Social Death and Resurrection: Slavery and emancipation in South Africa* (Charlottesville, VA: University of Virginia Press, 2003), 5-6.

²⁹ Nigel Penn, *Rogues, Rebels and Runaways: Eighteenth-century Cape characters* (Cape Town: David Philip Publishers, 1999), 1.

³⁰ Penn, *Rogues*, 2.

³¹ Tonio Andrade, "A Chinese Farmer, Two African Boys, and a Warlord: Toward a Global Microhistory," *Journal of World History* 21:4 (2011): 574.

³² Andrade, "Global Microhistory," 591.

Laura Stoler argues that it is imperative to know the institutions that an archive served in order to get to grips with that archive.³³ Indeed, in order to use the documents produced via the legal procedures of the Council of Justice, it is necessary not only to know those procedures but also to link them to their institutional framework and the body of law from which they stemmed.

A number of issues arise in criminal records which are peculiar to this specific body of sources. Eliciting a confession from the accused was necessary in order to pass judgement and so the Fiscal's investigation was geared towards that end. As would be expected, the Fiscal's investigation also included gathering corroborating evidence from witnesses in the form of statements and other evidence, such as relevant letters. Of the documents generated by the court Worden and Groenewald state that "to take these sources at face value, or to assume that they reflected the normal experience of slaves and those around them, would clearly be foolhardy."³⁴ They highlight two important considerations: Firstly, the events in question were criminal, rather than everyday experiences; secondly evidence was given in extremely intimidating circumstances and with specific regard to slaves and slave testimony, the unequal power relations at play are of great import.³⁵ A third issue of importance is translation. Shahid Amin describes the British colonial archive of India as "an archive of translations"³⁶, a most fitting description of the Dutch East India Company archive of Ceylon. He argues that "[o]fficials then both make available and bar our access to the people whom it is their business to rule and document. Translation is one modality through which this blurring and invisibility comes about."³⁷

The last issue to address is 'the voice of the slave'. While criminal records do not contain verbatim testimony they remain a rich and fascinating source for the study of slavery. In using these official Company records it is necessary to read both along and against the grain and guard against privileging the Company's views and concerns. This is indeed one of the major issues in dealing with subaltern themes when the individuals left no written records of their own. While Worden and Groenewald are correct in stating that "the nature of the [court] records is such that the 'voice of the slave' is rarely heard in its purest form,"³⁸ nonetheless, as Penn comments, "[n]owhere else are the voices of the oppressed and vanquished—distorted though they might be—heard so clearly."³⁹

Each of the chapters is populated by numerous enslaved individuals; some remain nameless while other characters force their way out of obscurity. Taken together, their stories contribute to a picture of slave life in the VOC port city Colombo by illuminating different aspects of slaves' experiences of bondage. This in turn contributes to a multi-dimensional view of the eighteenth-century port city Colombo. The different thematic threads are interwoven in a concluding discussion of slave culture and silence.

³³ Ann L. Stoler, *Along the Archival Grain: Epistemic anxieties and colonial common sense* (Princeton, NJ: Princeton University Press, 2009), 9.

³⁴ Nigel Worden and Gerald Groenewald, *Trials of Slavery: Selected documents concerning slaves from the criminal records of the Council of Justice at the Cape of Good Hope, 1705-1794* (Cape Town: Van Riebeeck Society for the publication of South African historical documents, 2005), xviii.

³⁵ Worden and Groenewald, *Trials*, xviii.

³⁶ Shahid Amin, "Alternative Histories: A view from India," *Sephis Occasional Paper* (2002): 28.

³⁷ Amin, *Alternative Histories*, 28.

³⁸ Worden and Groenewald, *Trials*, xviii.

³⁹ Penn, *Rogues*, 6.

Chapter One

In Bondage and Freedom: Tracing slave numbers, provenance, labour, ownership and manumission patterns in Dutch Colombo

This chapter explores various facets of the slave market and slave-holding. It concerns both ‘types’ of slaves in Colombo—private slaves and those owned by the Company itself. The first section provides an overview of the number of private and Company slaves in Colombo, and provides evidence of the downward trend in Company-owned slave numbers which started in the late seventeenth century and continued throughout the eighteenth. Section two focuses on slave origins and includes some discussion of the mechanics of the trade. Evidence of slaves from Southeast Asia serves as a corrective to the exclusive focus on South India as the source of slaves in Dutch Ceylon. The following section concerns the work done by slaves. Section four focuses exclusively on privately-owned slaves. An attempt is made to determine patterns of ownership and the size of slave-holdings. The section concludes with a discussion of the various means by which individuals came to own slaves. From bondage the focus of this chapter shifts to freedom in Section five which deals with manumission.

Slave numbers

Company slaves

In the years following the conquest of Colombo from the Portuguese, slave labour was crucial to the Company’s plans. Slaves were set to work in the town—rebuilding the fortifications, loading and unloading ships in the port and felling trees—and some worked at agriculture.⁴⁰ According to Raben, “[i]n the initial decades their numbers were enormous, as the works on the fortifications and agriculture required a virtual army of labourers.”⁴¹ Raben indicates that Governor van Goens (1662-1663; 1665-1675) harboured the ambition of transforming Ceylon into a colony based on agriculture and so, through the Company, had thousands of slaves transported to south-western Ceylon in the years after conquest. By November 1660 they numbered approximately 3,000.⁴² Van Goens’ memoir, written for his successor Jacob Hustaart and dated 1663, confirms that he sought slaves to work as agriculturalists and states that he had already placed orders “for the purchase of as many slaves as possible as cultivators.”⁴³

The situation in Colombo is somewhat unusual, not because slaves worked as agricultural labourers but because many who were put to work on the land were promised freedom for themselves and their families in return for a year’s work. In June of 1661 instructions were given to the Dessave of Colombo which included this provision. Article seven relays the decision to have Company slaves cultivate and settle on the deserted land while article 11 goes on to include the promise of freedom.

And in order that we may lead these slaves with a soft and good government, following the order of the Honourable Lord Governor General and the Councillors of India we have declared and promised that

⁴⁰ Raben, “Batavia and Colombo,” 103, 110.

⁴¹ Raben, “Batavia and Colombo,” 110.

⁴² Raben, “Batavia and Colombo,” 131.

⁴³ Edmund Reimers. *Memoirs of Ryckloff van Goens governor of Ceylon delivered to his successors Jacob Hustaart on December 26, 1663 and Ryckloff van Goens the younger on April 12, 1675*. (Colombo: Ceylon Government Press, 1932), 20.

all those who behave well and are diligent in labour will be freed after one year, with their wives, children and families.⁴⁴

To free slaves after one year of faithful service seems an odd decision to make considering the Company's labour needs, and in light of the asset value of such a group of slaves. Perhaps it was a decision later regretted by the Company as it encountered difficulties in securing supplies of slaves to meet its demands. But while the slaves were still Company property, the Company made sure they could not be traded or stolen by branding them with a small Company mark either on their thigh or arm.⁴⁵ Article 13 of the 1661 instructions directed the Dessave to rebrand those slaves whose mark was not clearly visible and to keep a perfect list of each family household, with their name, caste, and place of residence.⁴⁶

Of the Company slaves employed in the immediate surrounds of Colombo, many were given the job of digging canals and raising dykes. Raben states that "[t]his presented serious problems, as they had to perform duties they had never been called upon to do before as these were not in keeping with their caste."⁴⁷ It seems that in this case the obligations of caste and those of bondage were in conflict.

The first precise figures of Company-owned slaves divided according to sex and distinguishing adults from children, are available for the years 1685 and 1697. The following table is drawn up based on data from Gerrit Knaap's article "Europeans, Mestizos and Slaves: The population of Colombo at the end of the seventeenth century" which is an excellent starting point from which to examine the slave population of Colombo.

Table 1: Company slaves, Colombo⁴⁸

Year	1685	1697
men	519	764
women	566	582
children	485	395
TOTAL	1570	1741

What is striking about this data is the ratio of adult slave men to women which in both years was close to 1:1. Data from Galle show that in 1760 the ratio of Company slave men to women was 2:1. These numbers confirm that the situation in Colombo in the late seventeenth century and Galle in the mid-eighteenth century was very different to the Cape where slave men consistently outnumbered women by as many as 4:1.⁴⁹ The topic of sex-ratios will be returned to in Chapter Three on kinship and sexual relations.

Over the decades following conquest slave numbers began to contract. Raben suggests that this was due to 'economizing measures' introduced at the turn of the century.⁵⁰ In Colombo, Company slave numbers continued to drop over the eighteenth century, as is clear from Table 2, below.

⁴⁴ L. Hovy, *Ceylonees Plakkaatboek: Plakkaten en andere wetten uitgevaardigd door het Nederlandse bestuur op Ceylon, 1638-1796* (Hilversum: Verloren, 1991), I:62/11 (June 1661), 69.

⁴⁵ Raben, "Batavia and Colombo," 131.

⁴⁶ Hovy, *Ceylonees Plakkaatboek* I:62/13 (June 1661), 69.

⁴⁷ Raben, "Batavia and Colombo," 131.

⁴⁸ Based on data from Knaap, "Europeans, Mestizos and slaves," 96.

⁴⁹ Robert J. Ross, *Cape of Torments: Slavery and resistance in South Africa* (London: Routledge & Kegan Paul, 1983), 16.

⁵⁰ Raben, "Batavia and Colombo," 110.

Table 2: Company-owned slaves⁵¹

Year	No. of Company slaves
1681	1993
1684	1570
1688	1520
1690s	1785
1704	1582
1741	876
1767	694

It is possible that declining demand for labour accounts for some of the decline in slave numbers, although the fortifications alone required constant upkeep. A second factor contributing to the decline in numbers is the return of Sinhalese people who had fled during the war against the Portuguese. In fulfilment of caste obligations they worked the land which had earlier been worked by slaves. This stands in contrast to the lands surrounding Batavia, known as the *ommelanden*, where slaves were consistently put to work in the fields.⁵² The third contributing factor was economic in nature. It is likely that the Company compensated for its declining slave numbers by continuing to hire private slaves, as it had done in the years after conquest. The fewer slaves the Company owned the less it had to spend both on the capital outlay required for purchasing slaves and on the day to day costs of feeding and housing a labour force. It is likely that it was more economical for the Company to hire private slaves from Company employees than to maintain a large slave labour force of its own. This is in line with the ‘economizing measures’ mentioned by Raben. Moreover, this strategy would surely have pleased Company employees who could enrich themselves by hiring out the labour of their private slaves.

At the end of January 1771 there were 395 Company slaves who worked within the castle, comprising 260 men, 95 women and 40 children.⁵³ Whether this list is exhaustive, is unknown. Following the list of occupations of the Company slaves is a note on the amounts payable to the *fabriek* van Massenveld, who had the job of overseeing all Company slaves, including those hired from private individuals to fulfil the Company’s labour needs. He had 437 individuals under his care, made up of 389 slaves and 48 convicts. It is possible that all 389 slaves were hired from individuals, thus swelling the number of slaves labouring for the company to 784. This both reinforces the decline in Company slave numbers over the eighteenth century and confirms the continuation of hiring private-slaves to labour for the Company. During the late seventeenth century the Company in Batavia followed the same practice of hiring slaves from private owners.⁵⁴ It is quite possible that this practice continued into the eighteenth century as it did in Colombo, although further research is needed to confirm this. At the Cape the Company hired slaves from private individuals and set some to work on the public works.⁵⁵

⁵¹ Raben, “Batavia and Colombo,” 103, 110.

⁵² Bondan, “Beyond the City Wall,” 114.

⁵³ NA VOC 3323, ‘In ‘t kasteel Kolombo en de maand January 1771, Onkosten van ‘s kompagnies lijfeijgenen,’ ff. 938v-939r.

⁵⁴ Bondan, “Beyond the City Wall,” 113.

⁵⁵ Nigel Worden, *Slavery in Dutch South Africa* (Cambridge: Cambridge University Press, 1985), 81, 88.

Worden makes passing reference to this practice which has not been the topic of much research or discussion in Cape slavery literature.

For an unknown reason, the costs related to Company and hired slaves were recorded for eight consecutive months of 1771. Numbers of slaves are shown in the table below.

Table 3: Company and hired slaves, 1771⁵⁶

Month	Company-owned slaves	Slaves under the <i>Fabriek</i>	Total slaves labouring for the Company
Jan	395	389	784
Feb	394	386	780
March	393	386	779
April	392	385	777
May	393	396	789
June	393	383	776
July	393	383	776
Aug	390	396	786

The number of Company-owned slaves fluctuated little from month to month in 1771. One reason for the changes was surely death. From July to August the number of slaves in the category “old and decrepit Company slaves” declined from five to four. The number of Company slaves in the slave hospital was consistently recorded as two, although because the slaves were not listed by name it is impossible to determine whether or not there was much shifting between categories, with ill slaves dying and others being admitted to the hospital and entered into the ‘decrepit’ category. Lists of deceased slaves included in records of broken instruments and crippled animals in the *materiaalhuis* record that between March and August 1771 11 slaves died and between March and June 1772 nine slaves died.⁵⁷ These changes are not reflected in the lists of slaves in the Castle. There can be only three possible explanations. It is possible, although most unlikely, that Company slaves in the *materiaalhuis* were not included in the lists of slaves in the Castle. It is more likely that slave births compensated for the losses. Seeing as only children of working age could be listed with an occupation, it is quite possible that babies and toddlers were not listed, but once old enough to work were added, partially compensating for the deceased. The Company may have purchased new slaves to keep the numbers relatively constant in the absence of enough children born into slavery. The data are clearly indicative of the way in which the Company swelled its labour force through hiring, almost doubling the ranks of labouring slaves for each of the eight months in Table 3. Moreover, Table 3 confirms the downward trend shown in Table 2.

Privately-owned slaves

In addition to Company slaves, there were numerous privately-owned slaves in Colombo from the early years of Company rule. Some of them were set to work alongside Company slaves on the land around the city which had been devastated during war against the Portuguese in the mid-seventeenth century. According to Raben, by April 1661 a total of 10,000 Company and private slaves had been put to work on the land in south-western Ceylon.⁵⁸

⁵⁶ NA VOC 3323, January: ff. 938v-939r; February: ff.958v-959r; March: ff. 976r-v; April: ff. 997r-v; May: ff. 1015v-1016r; June: ff. 1035v-1036r; July: ff. 1055r-v; August: ff. 1071r-v.

⁵⁷ NA VOC 3324, Resoluties [11 October 1771] ‘Slaaven in het materiaalhuis gebooren’; NA VOC 3350, Resoluties [15 September 1772] ‘Slaaven van het materiaalhuis overleeden’.

⁵⁸ Raben, “Batavia and Colombo,” 131.

Raben and Knaap have both made use of census data from 1694 which provide an excellent base from which to examine the slave population of Colombo. The consensus between Raben and Knaap is that in 1694 slaves accounted for more than half of the population of Colombo, encompassing both the fort and town. The slaves constituted 53.3% of the population.⁵⁹ Knaap thus concludes that “the town was largely dependent on slave labour.”⁶⁰

Table 4: Population of Colombo⁶¹

Year	Free	Slaves	Total	Slaves: percentage (%) of population
1694	1565	1787	3352	53.3

Unfortunately similar data are not available for the eighteenth century. Slaves consistently accounted for a high proportion of the Cape population, although differences in slave concentration need to be taken into account for different areas. Worden compares the eighteenth-century Cape with Italy under the Roman Empire, commenting that both areas contained similarly high proportions of slaves. In the Stellenbosch area—a farming district—slave ownership was very high and at some points the ratio of slaves to free people reached 2:1, leading Worden to compare the region to eighteenth-century South Carolina. The urban slave population of Cape Town grew over the eighteenth century, accounting for over one-fifth of the total slave population in the colony as a whole by the early 1770s.⁶² It is near impossible to draw any comparative conclusions regarding the urban slave populations of Cape Town and Colombo. Guesstimates of the privately-owned slave population of Colombo would be reckless; thus we turn to the topic of slave- making and provenance.

Tracing slave origins

The general policy of the VOC not to enslave the indigenous populations of Company territories meant that slaves had to be imported to meet labour demands.⁶³ Slaves were shipped to Dutch Colombo by burghers, Asian traders, on board Company vessels, and some Company employees conducted a private illegal slave trade on the side.⁶⁴ George Beens, appointed head of the Boelcomba and Bontyn outposts of Makassar in 1744, used his position to profit from illegal slave-trading. Beens had purchased a longboat on board which he shipped 180 to 200 slaves to Batavia annually. According to Raat, Beens went about slave-trading “without any scruple and in a very cruel manner”, enslaving individuals in lieu of fines imposed by him for trifling disobediences, or enslaving passengers on board passing ships.⁶⁵ From the numerous ordinances issued on the topic of transporting slaves to and from Colombo, it is clear that illegal private trade persisted in that area too and displeased the Company.⁶⁶

⁵⁹ Raben, “Batavia and Colombo,” 104. Knaap’s figure is 53.5%. Knaap, “Europeans, Mestizos and slaves,” 88.

⁶⁰ Knaap, “Europeans, Mestizos and slaves,” 90.

⁶¹ From Raben, “Batavia and Colombo,” 104 (Tables 4.10 and 4.11).

⁶² Worden, *Slavery*, 11-12, 15-16.

⁶³ Worden, *Slavery*, 7. Vink, “The World’s Oldest Trade,” 153.

⁶⁴ Raben, “Batavia and Colombo,” 131.

⁶⁵ Alexander J. P. Raat, *The Life of Governor Joan Gideon Loten (1710-1789): A personal history of a Dutch virtuoso* (Hilversum: Verloren, 2010), 105.

⁶⁶ For an analysis of the ordinances dealing with trade and shipment of slaves see Chapter Two.

Tracing the origins of these human cargoes is a notoriously difficult task. Vink identifies three “interlocking and overlapping circuits of subregions” through which the Dutch in the Indian Ocean sourced slaves: the westernmost, African circuit; the middle, South Asian circuit; and the easternmost, Southeast Asian circuit.⁶⁷ The Dutch in Ceylon did not import slaves from the African circuit which consisted of East Africa, Madagascar and the Mascarenes. It is possible that concerns over caste and social stability on the one hand, and geography and transportation on the other, were the reasons behind this. The other two circuits identified by Vink—the South Asian circuit, consisting of Malabar, Coromandel, and the Bengal/Arakan coast, and the Southeast Asian circuit encompassing Malaysia, Indonesia, New Guinea, and southern Philippines—were important provenance zones for Dutch Ceylon. Slaves from South Asia were usually the products of famine: Individuals either sold themselves or family members into slavery in times of famine, precipitated by natural causes, political strife or warfare. In contrast, war, slave-raiding and debt-bondage were more prevalent means of ‘slave-making’ in the Southeast Asian circuit.⁶⁸

During the years immediately after conquest the Company’s labour needs were immense and the thousands of slaves imported into Colombo were set to work on the land surrounding the town. Conveniently for the Company, this period of high demand coincided with a period of high supply. Vink identifies a number of slaving booms in the seventeenth century during which periods the Dutch East India Company bought up thousands of slaves in South India. In particular, between 1659 and 1661 8,000-10,000 slaves were purchased by the Company and the bulk were shipped to Ceylon, and some to Batavia and Malacca. Raben specifies that slaves shipped to Colombo in the decade after conquest were transported on Company ships from Coromandel, Tanjur, and Canara in South India.⁶⁹ During a later boom period—1694-1696—close to 4,000 individuals were transported from Coromandel to Ceylon, destined for private-ownership.⁷⁰ Other than boom periods during which time thousands of slaves were shipped from Coromandel, Vink indicates that slave supplies from South India contracted over the seventeenth century. He comments that from the 1660s, relatively more slaves were sourced from the Southeast Asian circuit.⁷¹ Bondan states that after the fall of Makassar in 1667, Eastern Indonesia replaced South Asia as the main source of slaves for Batavia.⁷² The limited and fragmented evidence of slave origins in records from Dutch Colombo confirm this pattern for both private and Company slaves in Colombo.

The literature on late seventeenth century Colombo focuses exclusively on South India as the source of slaves for the Dutch settlement. Following Arasaratnam’s work, Knaap is unequivocal on the origins of slaves in Colombo in the late seventeenth century: He states that “[u]ndoubtedly most of the slaves in Colombo had been purchased in South India before being sent to market in Ceylon.”⁷³ Tracing slave origins via naming patterns and records of birthplace indicates that by the second half of the eighteenth century, the South Indian circuit was no longer the exclusive supplier of slaves; many private and Company slaves originated from Southeast Asia.

Names give an indication of slave origins but are notoriously unreliable. Because slaves were renamed by their masters, birthnames cannot be used to trace their ethnic

⁶⁷ Vink, “The World’s Oldest Trade,” 139.

⁶⁸ Vink, “The World’s Oldest Trade,” 143, 159. Allen, “Satisfying the Want,” 57.

⁶⁹ Raben, “Batavia and Colombo,” 131. Niemeijer cites the same enormous figures as Raben. Niemeijer, *Batavia*, 54.

⁷⁰ Vink, “The World’s Oldest Trade,” 142-143; Niemeijer, *Batavia*, 55.

⁷¹ Vink, “The World’s Oldest Trade,” 142-143.

⁷² Bondan, “Beyond the City Wall,” 110.

⁷³ Knaap, “Europeans, Mestizos and slaves,” 96.

background.⁷⁴ Lodewijk Wagenaar has distinguished four clusters of slave names based on the origin of the name. Many slaves were given names borrowed from classical mythology or ancient times, such as Augustus, Aurora, Cleopatra and Leander. The second category contains Biblical names, including Christina, Daniel and David amongst others. The third grouping is names which are derived from months of the year or days of the week. Naming slaves Januarij, Maart, Meij, September and such like was common, impressionistically more so than names based on days of the week, for instance Vrijdag. Wagenaar labels the last category 'other names'. This group includes Dutch names such as Geertruida, Jan, Johanna, and Reijnier amongst others.⁷⁵ Naming patterns in wills, emancipation deeds and criminal cases from the second half of the eighteenth century confirm Wagenaar's categorisation: Salomon, Fortuijn, Januarij, Filander, Meij and Apollo were common names for men, while Catharina, Christina, Dina and Cleopatra were common names for slave women. Interestingly, the category 'other' also includes a number of Asian names. For instance, slaves were named Moeyer Plema, Moettoe, Nadje, Deidame, Ontong, Itam and Kassim. One possibility is that slaves owned by Sinhalese, Chitties and Moors were more likely to keep or be given Asian names while those owned by burghers and Company employees were more likely to be given names from one of the first three categories mentioned above. Impressionistically, this was not the case. If renaming is understood as a means of breaking ties of kin and culture, and imposing a new slave identity, allowing slaves to have Asian rather than Dutch names takes on unexpected significance. In allowing such names slave masters may have granted their slaves a relative amount of freedom.

Names such as Apollo van Makassar and Januarij van Malealan may refer to birthplace but are indistinguishable from those which indicate last port of shipment. Cape slaves were consistently given Dutch names and instead of a second name or surname 'van X' was added to indicate the slave's origin or at least a previous place of residence. Examples include September van Boegies, April van Ceilon, and Reijnier van Madagascar amongst many others. Surprisingly, the pattern of slave naming in the Company records from Colombo differs from the Cape records. There were very few slaves named in this way, not more than a handful, and even then the pattern is followed with little consistency in the court documents. Examples include Apollo van Makassar, Januarij van Malealan, Augustus van Cochin and Modest van Sumbauwa. However, in some instances, court records include the slave's birth place, listed with his approximate age and his religion. There are 23 instances in which a slave's birthplace is recorded or some indication of his origin is given. Of these, eight refer to Southeast Asia: Itam was born in Goda, Java; Modest was from Sumbauwa (Sumbawa); Apollo was from Makassar; three slaves were described as 'Malay'; and two as 'oosterche'. The second largest group is of slaves from Ceylon: there are two who were born in Colombo and three slaves noted down as from Jaffna. There were only four slaves who were from South-India: Januarij van Malealan; Augustus van Cochin; Anthonij was listed as originating from Malabar and Philander from the Coromandel Coast. There is only one slave noted as from Bengal, a woman named Hestria who had received her freedom, and there are two ex-slaves whose places of origin were listed as Tranquebar and Batavia. The remaining

⁷⁴ There are two wonderful examples of the problems that could arise with regards to naming. Common names could cause confusion. Salomon was called before the Council of Justice to give evidence in a case against a fellow slave, Filander. But on seeing Salomon, Filander announced they had the wrong man. It turned out that Hendrik Jansz owned three slaves all named Filander. See SLNA 1/4610, CR 1779, f. 25r. Emancipation deeds sometimes include that slaves had been renamed. This was the case for the slave man Simon whose owner, also named Simon, renamed him Manuel so that the two men no longer shared the same name. SLNA 1/4146, 22 November 1787 [Simon Nonis; Simon/Manuel].

⁷⁵ Wagenaar, *Galle*, 51.

three slaves were African but only in the case of Louison was a specific place recorded: She was from Mauritius.

Tracing slave origins through court cases highlights the number of privately-owned slaves in Dutch Colombo who originated from Southeast Asia in the late eighteenth century.⁷⁶ While the small size of the sample discussed above as well as the criminal nature of documents from which the data have been drawn, throw into question the representativeness of the sample, a similar shift to Southeast Asia is discernible in the origins of Company slaves which reinforces the validity of the argument.⁷⁷

In the records of the contents of the *materiaalhuis* in Colombo lists of Company slaves to be struck out of the books were wedged between lists of broken tools and numbers of animals. Three lists, dated 11 October 1771, 15 Sept 1772 and 29 December 1775 confirm that it was not only privately-owned slaves who were sourced from Southeast Asia during the second half of the eighteenth century. Between March and August 1771 ten Company slaves died: Two were recorded as “Bataviase”, seven as “Mallab[arsche]” and one as “Koromandel” indicating the regions of shipment rather than origin. The two “Bataviase” slaves were April van Boegies and Bimbie van Sumbauwa.⁷⁸ The following year, between March and June a total of eight slaves died, four of whom had been transported through Batavia and the remaining four from Malabar. The four slaves from Southeast Asia were recorded as originating from Makassar, Ternate, Timor and Boeton. The four slaves noted as “Mallab[aarsche]” do not have a place of origin recorded. One is only listed as Santiago, the other three are recorded as Aijenperoeman *magen* Joean, Gans *magel* Paskwella and Aleksander *magel* Inasiael. It is likely that *magel* and *magen* denote kinship, possibly daughter and son respectively, although this could not be confirmed. The fact that Gans is a slave woman and Paskwella is a female name while Aijenperoeman is a man listed as “*magen* Joean” which was a man’s name, indicate the likelihood of this possible explanation. If this theory is indeed correct, the list of deceased slaves also provides some insight into the birth of slaves in the *materiaalhuis*, although this is obscured by still listing these locally born slaves as foreign, *Mallabaarsche* in this case.⁷⁹

The list from December 1775 is the longest, enumerating 19 deaths between March and August of that year.⁸⁰ Ten of the 19 slaves originated from Southeast Asia: six from Bugis; and one each from Makassar, Mangarij, Timor and Sumbawa. All ten of these slaves were men who were transported through Batavia. The other nine slaves named in the list were transported through Coromandel, Tuticorin and Malabar. In two cases places of origin were specified: Kalpetti and Kosta Kodon. In four cases the slave was listed as the son or daughter of a slave transported from South India. The list of deceased slaves is followed by a note on

⁷⁶ The exception is Apollo van Makassar, a Company slave who murdered a fellow Company slave in the *materiaalhuis*. SLNA 1/4662.

⁷⁷ It is possible that racial stereotypes and prejudicial ideas played into issues of criminality and justice and led to more convictions of slaves of Asian origin. That is not to say that Asian slaves were more criminally-minded; it is possible that because of fear instilled by racist ideas, crimes committed by slaves from Southeast Asia were more often found out. At the Cape various stereotypes existed about the nature and character of slaves who originated from specific places. According to both Ross and Worden, the Dutch were most fearful of Buginese slaves because of their reputation for violence and brutality. Ross, *Cape of Torments*, 19-20; Worden, *Slavery*, 122. Moreover, according to Mason, “[w]hat had previously been an elaborate hierarchy of prejudices about the inherent characteristics of slaves from various ethnic backgrounds had, by the 1820s, settled into a three-tiered system. Most whites believed that Cape-born slaves were the best and the brightest, that Mozambican and Malagasy slaves were dull, but well suited to heavy repetitious labor, and that Malays and other Asian slaves were clever, treacherous, and dishonest.” Mason, *Social Death*, 153. It is possible that similar stereotypes existed in the hearts and minds of slave-owners in Colombo.

⁷⁸ NA VOC 3324, Resoluties [11 October 1771] ‘Slaaven in het materiaalhuis gebooren’.

⁷⁹ NA VOC 3350, Resoluties [15 September 1772] ‘Slaaven van het materiaalhuis overleeden’.

⁸⁰ NA VOC 3433, Resoluties [29 December 1775] ‘Slaaven tot het materiaalhuis gehorende overleeden’.

runaways. The Company lost two slaves, Joeput van Balie and Maroe van Banjar who managed to escape from the *materiaalhuis* during 1775. They had to be written off in the books until they returned or were caught.

That the Company lost 21 slaves to death and desertion over a period of six months gives an idea of the conditions endured by slaves in the *materiaalhuis*. Only one of the 19 slaves died of old age; the others suffered various diseases. Kamoedoe van Mangarij and Latoe van Boegies died of the vitamin B₁ deficiency beriberi. Four of their fellow slaves died of diarrhoea and another three gave in to colic. These are all diet and nutrition related illnesses. Tuberculosis and fever claimed the lives of eight slaves and the remaining slave died of smallpox. Two slaves escaped successfully during the six month period under review; how many others dreamt of or attempted to runaway cannot, of course, be known.

In addition to slaves imported from South Asia and Southeast Asia, there were of course locally-born slaves. This group of slaves is not highly visible in the Company records. At the Cape, 'van de Caap' can be used to trace the locally-born slave population but seeing as this naming pattern was not used with any frequency or consistency in Dutch Ceylon, searching for individuals with 'van Colombo' attached to their names does not yield anything. There is evidence of locally-born slaves in the list of Company slaves in Galle in 1760: Wagenaar notes that most of the Company-owned slaves in Galle had been born in Galle, some were born in Colombo and a small group originated from South-India. The fact that so many of the Company slaves were born in Dutch Ceylon is noteworthy.⁸¹ Other than this specific reference to Company slaves and more general references to young slave children who most likely were born in Dutch Ceylon if not Colombo specifically, there is little evidence of locally born slaves. No indication of how large a segment of the slave population was locally born was found in the documents consulted and there is thus no way to determine whether or not the slave population of Colombo was self-reproducing during the second half of the eighteenth century. The ratio of adult slave men to women is an important factor in this regard and more comments will be made on this subject in Chapter Three.

Slave Labour

Based on sources dating from 1750 to the end of the Company period, my impression is that privately-owned slaves were used in domestic service. Unfortunately, slaves' household duties were not specified in wills, emancipation deeds and criminal case records. Itam, Javanese slave of van Berski, explained his household tasks in general terms: "That since he the deponent was purchased by aforementioned his master, he continuously had to work in the kitchen, and also do other incidental work."⁸² Privately-owned slaves lived in their master's house and presumably completed such tasks as cleaning, cooking, serving at table and caring for children. On the living and working conditions of private slaves, Knaap states:

In all probability the majority of Colombo's slaves lived in their master's house. Most were domestics, with all kinds of household tasks. Sometimes they were also hired out, for instance to the VOC when labour was short. In addition, many private slaves were employed as artisans and labourers in the workshops of the freeburghers.⁸³

Knaap's work concerns the late seventeenth century, but the tendency for private owners to use their slaves for domestic service persisted well into the eighteenth century.

Private owners could use their slaves to generate income. As discussed in an earlier section, and mentioned by Knaap in the above quotation, private slaves were hired by the Company throughout the VOC period in Colombo. During the 1690s the Company hired

⁸¹ Wagenaar, *Galle*, 57.

⁸² SLNA 1/4673, f. 13r.

⁸³ Knaap, "Europeans, Mestizos and slaves," 96.

some 800-900 slaves, and from eighteenth-century data it is clear that this practice continued.⁸⁴ That the Company consistently hired private slaves to swell its labour force is a striking feature of slavery in Dutch Colombo. The consequence for slaves is that the distinction, in terms of labour at least, between Company- and privately-owned slaves was blurred.

It was not uncommon in other VOC port cities for masters to hire out their slaves for a fee—at the Cape slaves were hired out at the height of the harvest season when labour needs were greatest on the farms in rural areas; in Cape Town itself some slaves were allowed to hire out their own labour and in return paid their masters a set sum per month. These slaves who worked outside their master's household could hire out their labour to others, sell goods in the market or work as a porter on the docks. Another means of supplementing income was through prostitution which Andaya suggests “was a convenient and readily available option.”⁸⁵ Whatever the means of earning, an agreed upon sum had to be paid to their master monthly in order to secure this privilege. The money earned by such slaves was known as *koelij geld*.⁸⁶ While it is likely that some slaves landed themselves in trouble when they could not raise the required payment and so defaulted, others accumulated enough money to purchase their freedom.⁸⁷ There is evidence in the case against runaway Janaurij van Malealan that slaves in Colombo also did *koelij dienst*. Janaurij van Malealan was a privately-owned slave man who was transported to Colombo sometime during the early 1770s and sold first to the *vlaggewagter* and then at some point during 1773, to Andries Willem Dhieme. After buying Janaurij van Malealan, Dhieme instructed him to do *koelij dienst*. No further details of what exactly this entailed were recorded but, one morning, after returning from completion of his *koelij dienst*, Janaurij van Malealan attempted to flee his master.⁸⁸ Because his attempt was unsuccessful, he entered the records of the Council of Justice in 1775 as a criminal.

The details of the case include that Janaurij van Malealan had some money on him—precisely fourteen *schellingen*—when he was taken prisoner near Negombo. Some of this money was taken as payment for his upkeep in the *mandoe* and some as payment for the treatment he received from the *inlandse meester* who tended his wounds. The remaining cash was given in safe keeping to the *lascorijn* who returned him to his master.⁸⁹ When asked what he took with him from his master's house, Janaurij van Malealan replied that he took nothing, except the *koelij* money ‘which he had collected for so long’.⁹⁰ Dhieme confirmed that Janaurij had not stolen anything from his house, nor taken anything with him except for the *koelij* money.⁹¹ Together these statements reinforce that the money did in fact belong to Janaurij.

Lodewijk Wagenaar explains that *oeliammer dienst* was a sort of residency tax imposed on Moors and Chitties, who were considered ‘foreigners’ or temporary residents by the Company. Men between the ages of 20 and 60 had to complete three months of work for the Company each year in exchange for permission to live in Colombo. This could include work on the Company's public works or carrying Company employees' palanquins. He notes

⁸⁴ Raben, “Batavia and Colombo,” 110.

⁸⁵ Barbara W. Andaya, “Globalizing trade, the VOC and the Growth of Prostitution in the Malay-Indonesian Archipelago” (paper presented at the Internasionale Konferensie oor die VOC, Stellenbosch, South Africa, 3-5 April 2002), 6.

⁸⁶ Ross, “Oppression, sexuality and slavery at the Cape of Good Hope,” *Historical Reflections/Reflections Historiques* 6:2 (1980):424.

⁸⁷ Worden, *Slavery*, 142.

⁸⁸ SLNA 1/4675 ff. 14r-v.

⁸⁹ SLNA 1/4675 f. 8r.

⁹⁰ SLNA 1/4675 f. 11r.

⁹¹ SLNA 1/4675 f. 14v.

that in some cases individuals paid their way out of this service.⁹² Details from the case against Augustus van Cochin indicate a second means of circumventing the Company's labour requirement. Augustus van Cochin, experienced thief though he was, took one too many chances. On 25 February 1759 he was caught red-handed stealing canvas from the sailmakers' room at the *matroosen punt*. He confessed to having stolen canvas on four separate occasions and named an accomplice, fellow slave Daniel. Daniel was described in the records numerous times as "currently serving under the oeliammers."⁹³ This is evidence that a Moor or Chitty man could provide a slave—his own or perhaps one he hired from someone else—to complete the *oeliammer* service in his stead.

A list of expenditure on Company slaves from January 1771 reveals the surprising variety of tasks to which they were set.⁹⁴ Of the 395 slaves, 20 slave men are listed as working in the Government and in the garden behind the building along with four slave women.⁹⁵ Three slave men and one woman worked for the Chief Administrator. One man had the duty of gatekeeper and another was a scribe (*kannekappel*). Of the rest, one was a cook, another worked in the carpentry workshop and a few men tended the paddy. Two of the slave women had the job of buying provisions and working in the kitchens and one was a midwife. Thirty men and 23 women worked on the fortifications and the same number worked at carpentry and repair work. Twelve men worked in the stables and ten in the gunpowder mill. Slaves were also listed as working in gardens amongst various other tasks. A handful of slaves were noted as in hospital and 'old and decrepit', thus were no longer productive but continued to cost the Company monthly.⁹⁶

A list of Company slaves living in Galle in 1760 indicates a similar diversity of tasks. Of the 69 slaves listed, 32 were set to work on the Company's public works, comprising 14 men, 14 women and all four young girls. The remaining four slave-women worked in the stables fetching grass for the horses, as did three men. The remaining 22 slave men were divided among seven functions: Two worked for the Commander, one for the Administrator, three worked in the trade warehouse, most likely as porters, six at the gunpowder mill, three in the dispensary, four worked with the masons and three with the carpenters. Of the eight young boys owned by the Company, one worked in the *materiaalhuis*, three in writing offices, two worked for the Commander and two were left out, perhaps because they were too young to occupy any such positions.⁹⁷ The slave men, women and girls set to work on the Company works were most likely involved in the upkeep of the fortifications. It is unclear what sort of work the five slave men and boys who worked for the Commander and Administrator would have done. It is quite possible that they were for the functionaries' private service and so were in essence domestic slaves. This was certainly the case in 1685 when 15 Company slaves worked in the Governor of Ceylon's household, alongside the 47 slaves he owned in his private capacity. Some of the Company slaves looked after the Governor's sheep, pigs, chicken and geese, there were six who tended the garden, three who

⁹² Wagenaar, *Galle*, 46, 60-61, 225.

⁹³ SLNA 1/4607, CR 1759, f. 22r. See also ff. 74r, 74v, 84v.

⁹⁴ NA VOC 3323, 'In 't kasteel Kolombo en de maand January 1771, Onkosten van 's kompagnies lijfeijgenen,' ff. 938v-939r.

⁹⁵ This refers to what Raat calls 'Government House', the home of the Governor of Ceylon and his family. Raat describes it as "a massive but elegant building which fronted the sea on the north side of the Castle-Fort. It was a building of two-storeys, with two additional wings of one floor that housed various offices of the Government." He also notes the presence of a small garden. Raat, *Governor Joan Gideon Loten*, 140.

⁹⁶ Similar lists are available for September 1770 to August 1771 in NA VOC 3323. A list from 1775 is also available. NA VOC 3459, 'In het kasteel Kolombo en de maand Zepتمبر Anno 1775, Onkosten van 's Kompagnies lijfeijgenen,' f. 914r.

⁹⁷ Wagenaar, *Galle*, 56, 57.

carried water, one whose task it was to grind wheat and another who removed the rubbish.⁹⁸ It is likely that the pattern of Company slaves working as domestic servants in high-ranking Company officials' households endured well into the eighteenth-century.

Ownership patterns

Two groups of slaves have been distinguished according to ownership: Privately-owned slaves and those owned by the Company. This section focuses exclusively on privately-owned slaves and examines who owned slaves. In addition to considering who owned slaves, some comments will be made regarding the size of urban slave-holdings in Colombo and how individuals come to acquire slaves.

Lodewijk Wagenaar has shown that slave-owning was widespread amongst the population in Galle: Company employees, both civil and military, burghers, Moors, Chitties and Sinhalese people all owned slaves. Based on wills and emancipation deeds, in which the owners were named I argue that the same conclusion can be drawn regarding slave-holding in Colombo.

There is much evidence that Company employees owned slaves, from the upper echelons of the Company elite namely Governors and Commanders, down through the ranks to the *boekhouders* and assistants. Considering that this is well established in literature on VOC port towns, and Colombo was no exception, two examples suffice. One-time Governor of Ceylon and member of the esteemed Council of Indies Johan Gerard van Angelbeek was a slave owner, evident from the fact that he emancipated a number of slaves in 1794 and 1795.⁹⁹ On the opposite end of the Company ranks, the *boekhouder* Jan Fredrik Spoor emancipated his slave woman Marina, renamed Deliana, in 1786.¹⁰⁰

Along with Company employees, burghers also owned slaves. Examples include Andries Willem Dhieme and Arnoud Caspersz who freed slave women in 1784 and 1790 respectively.¹⁰¹

While it is possible that soldiers who lived in barracks may not have owned slaves, other military men did. Lieutenant Colonel and Commander of the Luxembourg regiment Jean Francois Marie Ridder de Raimond freed his slave woman Kietjiel in 1788.¹⁰² The following year, Lieutenant of the regiment De Meuron, Andre Garnier freed his slave woman Louison.¹⁰³

According to Wagenaar, Moors living in Galle in 1759 owned 16 slaves between them; in the same year Galle Chitties owned 26 slaves. Wagenaar adds that Sinhalese people living in Company territory owned slaves too.¹⁰⁴ No slave owners who emancipated slaves in the period 1779-1795 were described as Moors in emancipation deeds. Edicts issued during the Company period indicate that the VOC persevered in trying to constrict the numbers of slaves owned by Moors.¹⁰⁵ The existence of this legislation is proof that Moors did indeed own slaves in Colombo. As was the case in Galle, Chitties living in Colombo owned slaves.

⁹⁸ Knaap, "Europeans, Mestizos and Slaves," 98.

⁹⁹ SLNA 1/4146, 19 November 1794 [Johan Gerard van Angelbeek; Rampe], [Johan Gerard van Angelbeek; Pieter Arnoldus] and [Johan Gerard van Angelbeek; Alida, Bintang, Kassim and Patra]; 6 June 1795 [Johan Gerard van Angelbeek; Kananga/Maria, Salomon and Godfried] and [Johan Gerard van Angelbeek; Minrva/Dorothea and Elizabeth]; 17 September 1795 [Johan Gerard van Angelbeek; Spadilje].

¹⁰⁰ SLNA 1/4146, 9 March 1786 [Jan Fredrik Spoor; Marina/Deliana].

¹⁰¹ SLNA 1/4146, 30 October 1784 [Andries Willem Dhieme; Constantia]; 30 January 1790 [Arnoud Caspersz; Albertine].

¹⁰² SLNA 1/4146, 5 September 1788 [Jean Francois Marie Ridder de Raimond; Kietjiel].

¹⁰³ SLNA 1/4146, 6 August 1789 [Andre Garnier; Louison].

¹⁰⁴ Wagenaar, *Galle*, p. 56.

¹⁰⁵ See Chapter Two for analysis of ordinances regarding ownership and specifically related to religion.

In late November 1787 Simon Nonis freed his slave man Manuel. Simon Nonis was described in the deed as a Chitty.¹⁰⁶ Eight years later, Simon Nonis appears in another deed as a guarantor: On 17 June 1795 Nicolaas Nonis emancipated the slave woman Aijate for whom Simon and Christoffel Nonis were guarantors. Considering that Aijate's two guarantors were noted down as Chitties and had the same surname as the owner, it is more than likely that Nicolaas Nonis was a Chitty too.¹⁰⁷

The most decisive evidence of Sinhalese ownership of slaves is an emancipation deed from 1781. On 21 November of that year Michiel Fernando, described as Sinhalese, freed his slave Leander.¹⁰⁸ There are numerous examples of Sinhalese people owning slaves in emancipation deeds, if the surname Fernando can be taken as a reasonably reliable indication of Sinhalese ethnicity. Surnames such as Perera and Rodrigo also appear in the deeds repeatedly.

In an amendment to his last will, Cornelis van Brattem, captain and *equipagiemeester* in Colombo, freed the slave woman Patra. While it was by no means exceptional to free slaves by testament, his wishes were somewhat unusual. Not only did Patra inherit the massive sum of 100 *Rijksdaalders* (Rds) from her master, she also inherited a slave man Februarij. Van Brattem specified that the slave man should be transferred into Patra's name.¹⁰⁹ This is the only evidence in wills of a slave being freed and becoming a slave-owner in the same moment. It confirms that ex-slaves could indeed own slaves themselves, as was the case amongst 'Free Blacks' at the Cape.¹¹⁰ It is near impossible to determine from emancipation deeds whether or not a slave-owner was a former slave. No examples were found of a slave-owner being described as a freed slave in the emancipation deeds consulted.

The size of households

According to Raben's data, the average urban household, including European and Asian households, contained 3.82 free persons and 4.37 slaves in 1694. However, as would be expected, slaves were not evenly distributed among urban households. In fact, far from it—of the individuals who owned slaves, the majority were Europeans, who owned 5.29 slaves per household.¹¹¹ In a later publication, Bosma and Raben state that in 1694 70% of slaves were owned by Europeans at an average of 11 slaves per household.¹¹² In households headed by people of other ethnic origins, slave-holdings were much smaller, with the exception of Sinhalese smiths, part of the Navandanna caste, who owned close to six slaves per household, presumably dictated by the needs of their trade.¹¹³ While the averages are very interesting in terms of distribution patterns across ethnic groups, slave-ownership within such groups must have varied significantly. A case in point is the massive slave-holdings of three clearly very wealthy European widows who owned 80 slaves between them in 1694.¹¹⁴ Such wealth in slaves must have been exceptional, even in the very upper echelons of society

¹⁰⁶ SLNA 1/4146, 22 November 1787 [Simon Nonis; Simon/Manuel].

¹⁰⁷ SLNA 1/4146, 17 June 1795 [Nicolaas Nonis; Aijate].

¹⁰⁸ SLNA 1/4146, 21 November 1781 [Michiel Fernando; Leander].

¹⁰⁹ SLNA 1/2665, Cornelis van Brattem, 22 January 1781, amendment to will dated 20 December 1780, ff. 62v-63r. Patra, in full Cleopatra, was emancipated on 21 February 1781 according to her master's dying wish. The deed by which she was legally free was signed by the executors of van Brattem's estate. SLNA 1/4146, 21 February 1781 [Cornelis van Brattem; Cleopatra].

¹¹⁰ Worden, *Slavery*, 147.

¹¹¹ Raben, "Batavia and Colombo," 114.

¹¹² Ulbe Bosma and Remco Raben, *Being "Dutch" in the Indies: A history of creolisation and empire, 1500-1920*, trans. Wendie Shaffer (Singapore: National University of Singapore Press, 2008), 46.

¹¹³ Raben, "Batavia and Colombo," 114.

¹¹⁴ Raben, "Batavia and Colombo," 115 (Table 4.16).

In his article entitled ‘Europeans, Mestizos and Slaves’, Knaap’s analysis of the census data and ranking of households according to slave-ownership leads him to conclude that “there was considerable differentiation in slave ownership.”¹¹⁵ According to his data, 74.8% of Colombo households listed in 1694 owned slaves with 28.6% owning one or two slaves; 35.2% owned three to ten slaves; and 11% owned 11 or more slaves.¹¹⁶ Moreover, Knaap analyses ownership of slaves and the ethnicity of the head of the household and finds a close relationship: European and Castizo headed households, whether male or female, owned above the average for other population groups. In the case of the female-headed households the average was three times higher than that for other population groups.¹¹⁷

To the best of this author’s knowledge, no such comprehensive list of households and slave-holdings is extant for the second half of the eighteenth century. In place of such data, fragmented evidence from wills and emancipation deeds can be pieced together to bring into focus a number of slave-owning households.

In wills dated between 1752 and 1785, 38 include named slaves to be inherited by family members and friends of the testator.¹¹⁸ Ranking these according to the number of slaves mentioned in each will provides the following data: 32% of owners represented owned one or two slaves; 55% owned between three and ten slaves; and 13% owned 11 slaves or more. One will which falls into the last category contains mention of 22 slaves. It was drawn up in 1776 by Johanna Petronella Schade, widow of the senior merchant Harmanus Jeronimus van Cleeff.¹¹⁹ What is noteworthy is that these provide the most conservative figures and it is likely that slave-holdings were even larger. There is no way to determine whether the slaves mentioned in a will constituted an exhaustive list of the testator’s wealth in slaves. It is likely that only the favoured slaves were mentioned in wills: Generally slaves were mentioned because the testator wanted to ensure they were not sold but rather passed on through the family; because their master promised freedom on his deathbed; or because slaves were named as benefactors of their master’s accumulated wealth.

Because only one slave could be emancipated per deed, except for a slave woman who was freed along with her children, the nature of emancipation deeds is such that they indicate nothing regarding the size of slave-holdings. An exception is when one owner emancipated numerous slaves on the same date. 21 August 1784 was one such day: Anna Maria Giethoorn freed a total of 16 slaves.¹²⁰ Johan Gerard van Angelbeek freed 12 slaves over the period November 1794 to September 1795.¹²¹ A much earlier example of many slaves freed at once dates from June 1752 when Geertruijda Stadlander, widow of a burgher, freed eight slaves. Remarkably, seven of the eight were family members: Maria and six of her children—Jousina, Mikella, Amelia, Adriaan, Jamatje and Gabriel—purchased their freedom

¹¹⁵ Knaap, “Europeans, Mestizos and Slaves,” 93.

¹¹⁶ Knaap, “Europeans, Mestizos and Slaves,” 93.

¹¹⁷ Knaap, “Europeans, Mestizos and Slaves,” 94.

¹¹⁸ This pertains to wills contained in volumes SLNA 1/2663, 1/2665, 1/2666. Volume SLNA 1/2664 contains wills but in none were slaves named.

¹¹⁹ SLNA1/2663, Johanna Petronella Schade, 30 March 1776, ff. 56r-58r. It must be noted that five of the slaves named in the will she comments were freed by her husband, but it is possible that they remained in the household under conditional emancipation. Thus whether or not all 22 slaves lived in the household at the same moment cannot be confirmed.

¹²⁰ SLNA 1/4146, 21 August 1784 [Anna Maria Giethoorn]. She signed 16 deeds, one for each slave.

¹²¹ SLNA 1/4146, 19 November 1794 [Johan Gerard van Angelbeek; Rampe], [Johan Gerard van Angelbeek; Pieter Arnoldus], [Johan Gerard van Angelbeek; Alida, Bintang, Kassim and Patra]; 6 June 1795 [Johan Gerard van Angelbeek; Kananga/Maria, Simon and Godfried], [Johan Gerard van Angelbeek; Minerva/Dorothea and Elizabeth]; 17 September 1795 [Johan Gerard van Angelbeek; Spadilje].

for 250 Rds. Geertruijda Stadlander emancipated the slave man Koonen, also known as Claas Jan, on the same day as a result of a 50 Rds payment.¹²²

This analysis leads to the conclusion that slave holdings were larger than expected, both in the late seventeenth century as Raben and Knaap's analyses indicate, and during the latter part of the eighteenth century. This casts doubt on the validity of the assumption that domestic slave-holdings were generally small, with only a handful of slaves per household. But, the uneven distribution of slaves amongst different segments of the urban population must be borne in mind. Knaap's comment that "slaves were not merely an expense, a luxury, as they could be hired out and used to earn money in various ways" helps to explain the reasonably large urban slave-holdings in Colombo.¹²³

Acquiring slaves

As has been indicated in the above discussion, inheritance was a means for individuals to acquire slaves. This was only possible because slaves were legally defined as property. Other than being freed or inheriting property themselves, slaves feature in last wills in one of two ways: Either all property including slaves, was left to a named heir or individual slaves were named and given to specific individuals. A few examples follow.

In 1782 Cornelis Matthijse from Denmark and Jacoba van Kesteren from Amsterdam drew up their last will. It included the general statement that all goods, "moveable or immovable, gold, silver, trinkets, slaves, debits and credits, nothing in the world excluded, that one of the two of us vacate or leave behind" would be inherited by the longest-living spouse.¹²⁴ This general pattern was used frequently in wills, with all possessions being left to the spouse or a named heir.

Some slave-owners were more specific in their wishes and named the slaves who were to be inherited by individual family members or friends. According to his will of 1782, Jan Jakob Fransz left Bastiana, her daughter Kleopatra and Kleopatra's two children, as well as the slave man Anthonij, to his widowed sister Anna Maria. His second sister, Prosina Jakoba, also a widow, inherited the slaves September, Aurora and Aurora's son Markoe. Jan Jakob also left a slave man each to his cousin and his godchild.¹²⁵ Perhaps Jan Jakob had neither wife nor child at the time of drawing up his will. My impression is that it was usually the longest living spouse or children who inherited slaves. Maria Swinnas from Jaffna, widow of the *boekhouder* Willem van Buuren, left a number of slaves to her children and grandchildren. Maria's daughter inherited two slave men, Adam and Gerbino; her two grandsons inherited the two slave men Maert and Jafta, having to decide between themselves who got which slave; one of her granddaughters inherited the slave woman Rosa; and the other granddaughter inherited Saphira.¹²⁶

An interesting exception to this pattern is the will penned by once Dessave of Colombo, Godfried Leonhard de Coste. He allowed his children to choose which of his slaves they would like, and provided some sage advice at the same time. He wrote:

Also, I desire that my children may choose a few of the best slaves out of the estate...but I pray especially that they will not overload themselves with a great number of slaves, whereby much sadness and damage would be brought on them, but on the contrary keep only few, and not more than is necessary.¹²⁷

¹²² SLNA 1/4145, 27 June 1752 [Geertruijda Stadlander; Maria *et al*], ff. 370r-371r; [Geertruijda Stadlander; Koonen/Claas Jaan], ff. 371r-372r.

¹²³ Knaap, "Europeans, Mestizos and Slaves," 99.

¹²⁴ SLNA 1/2663, Cornelis Matthijse and Jacoba van Kesteren, 1782, ff. 5r-6v; quote f. 6r.

¹²⁵ SLNA 1/2663, Jan Jakob Fransz, 21 May 1782, ff. 3r-4v.

¹²⁶ SLNA 1/2666, Maria Swinnas, 23 January 1774, ff. 13v-14r.

¹²⁷ SLNA 1/2666, Godfried Leonhard de Coste, 18 October 1769 with later amendments, ff. 21r-v.

Clearly experience had taught De Coste that too many slaves did not make for a happy household.

Some wills include how the testator came to be in possession of the slave he was leaving to someone else or emancipating in his will. In his will dated 1782 Gerrardus Cornelis Kersse included the detail that the slave woman Florinda and her children had been left to him by his grandmother, Francina van Gijzel.¹²⁸ Similarly, Anna Isabella Cuijk van Meijrop noted in the will that she and her husband made in 1762 that the slave woman Geertruijda had been left to her by her deceased father and the slave woman Cornelia by her grandmother.¹²⁹

A second means of acquiring slaves was through purchase. Like inheritance, this was only possible because slaves were defined as property. Individuals could buy slaves from another owner through public auction. In the case of maltreatment against Hendrik Hopker, initiated by his slave man Filander, it was decided that all slaves owned by Hopker would be sold at auction. This was in line with the Statutes of Batavia, according to which slaves owned by an abusive master had to be sold, never to fall into his hands, or those of family members, again.¹³⁰ A more common reason for slaves to end up at auction was the death of their master or mistress. Slaves not named in the will as the inheritance of specific individuals were sold to the highest bidder on public auction. Wagenaar describes a number of examples of slaves sold at auction in Galle after the death of their master.¹³¹

Manumission

The final section of this chapter deals with various issues related to manumission, using as the main source emancipation deeds preserved from the eighteenth century. During the first period under consideration, February 1750 to June 1752, a total of 81 slaves were emancipated. Forty-two were female, 30 were male and in nine cases the slave's sex was not specified and could not be determined by the given name. During the second period, from February 1779 to September 1795, 127 slaves were freed consisting of 83 female slaves and 44 males. Because deeds did not include a slave's age a distinction cannot be made between women and girls, and men and boys. Even in cases where a slave woman was freed with her children, that is no guarantee that the children were youngsters. In 1794 Alida was freed with her daughter Bintang, but Bintang was already old enough to have two children of her own, Kassim and Patra.¹³² Thus Table 5 divides slaves into only three groups: Male, female and unknown sex.

Because numbers of privately-owned slaves are not available for this period, what proportion of the total slave population was constituted by the 81 individuals freed in 1750-1752 and 127 freed in 1779-1795 cannot be calculated. From the table it is clear that during both periods, the majority of slaves emancipated were female. During the first period close to 52% of slaves freed were female. Unfortunately the large category 'unknown sex' makes the first data set somewhat less useful. Over the second, longer period more than 65% of emancipated slaves were female. There are two possible explanations for this. It is possible although most doubtful that slave men and women were freed with equal frequency and the higher number of females emancipated reflects the higher number of female slaves in the

¹²⁸ SLNA 1/2663, Gerrardus Cornelis Kersse, 12 April 1782, f. 11v.

¹²⁹ SLNA 1/2663, Philipus Jacobus van Houten and Anna Isabella Cuijk van Meijrop, 12 August 1762, f. 37v.

¹³⁰ SLNA 1/4610, CR 1779, f. 53r. The case against Hopker dragged on for many months and was not concluded by the end of the calendar year. No evidence confirming whether or not the auction eventually took place was found.

¹³¹ Wagenaar, *Galle*, 54. He also provides an example of a slave being given as a gift.

¹³² SLNA 1/4146, 19 November 1794 [Johan Gerard van Angelbeek; Alida, Bintang, Kassim and Patra].

society. Far more likely is that female slaves were more often granted their freedom, consistent with manumission patterns from other slave societies, for instance the Cape. Shell comments that this pattern is particularly surprising considering that the Cape slave population was overwhelmingly male.¹³³ Data suggest that the slave population of Colombo was more balanced than at the Cape. The higher proportion of women in Colombo partly explains the higher number of manumissions. The pattern of manumitting female slaves, both at the Cape and in Colombo, is more striking when considering that it entailed a double sacrifice from the owner's point of view because his slave-holding would not increase through any future births and the children already borne to the slave woman were emancipated with their mother.¹³⁴ For the Cape situation, Shell argues that concubinage explains the high proportion of female slaves manumitted at least until 1713: Men freed their concubines in order to marry them and children of the union were also manumitted. Shell concludes that these women and children "enjoyed greatly enhanced opportunities for freedom through their domestic connections and their conjugal liaisons with their owners."¹³⁵ The need to find sexual and marriage partners from within the slave population was common to Colombo as well, thus it is likely that concubinage provides another part of the explanation for the high proportion of female slaves emancipated.

Table 5: Emancipated slaves

	February 1750 to June 1752	Percentage (%)	February 1779 to September 1795	Percentage (%)
Male	30	37	44	34.6
Female	42	51.9	83	65.4
Unknown sex	9	11.1	0	0
Total	81	100	127	100

As a general pattern, emancipation deeds did not include details of slaves' origins; slaves were noted down with only a first name. Moreover, deeds did not include the slave's age or a note of what sort of work he did. Emancipation deeds follow a set pattern and contain some combination of seven elements. Typically, a deed begins with the slave-owner's declaration that he emancipates his slaves of his own accord, "without inducement, persuasion or deception by anyone in the world."¹³⁶ The second element is the reason for emancipation which, when included, was most commonly a reward for years of faithful service, or the result of payment indicating that slaves bought their way out of bondage. The *bewijs* details were included next as proof that the owner had rights to the slave, which he then renounced. But freedom was not always unconditional: Sometimes a slave was required to work for his former-master until his death, or for one of his master's children. The sixth element, paying 10 Rds to the poor fund as an administrative cost for emancipation, became a necessity after 1773. The seventh element was always a requirement: At least one person had to take on the responsibility of guarantor to make sure that for six years after being emancipated the slave did not become a burden on anyone, most importantly, the parish poor fund.¹³⁷

¹³³ Robert C.-H. Shell, *Children of Bondage: A social history of the slave society at the Cape of Good Hope, 1652-1838* (Hanover, NH: Wesleyan University Press, 1994), 384.

¹³⁴ Shell, *Children of Bondage*, 384.

¹³⁵ Shell, *Children of Bondage*, 384, quote 386.

¹³⁶ For example SLNA 1/4146, 25 February 1779 [Jean Brohier; Joseph/Philip].

¹³⁷ The topic of guarantors is addressed further in Chapter Four.

Reasons for emancipation

As noted, freedom was either a reward for faithful service or the result of money changing hands. In the period February 1750 to June 1752 a total of 81 slaves were freed. In 49 instances, reasons for emancipation were given and in the overwhelming majority of those cases the reason given was faithful service. In 15 deeds, the reason given was receipt of money. One exceptional deed stood out amongst the 1750-1752 batch in which the reason given was neither faithful service nor payment. Kito was emancipated in a deed dated 13 January 1751. She was freed because she supplied her master with a slave woman to take her place. Rosetta was given in bondage in exchange for Kito's freedom.¹³⁸ The issue of exchange will be returned to in a later section.

During the period from February 1779 to September 1795 127 slaves were emancipated. In only 52 deeds were reasons for freedom included and in the overwhelming majority of those—42 deeds constituting 81%—the reason was faithful service. The same phrase was always used: “good and faithful service.”¹³⁹ There are only two exceptions to this rule. The reason for Manuel's freedom was recorded as “he behaved himself well and was a help to his master.”¹⁴⁰ In the case of Breana and her son who were freed according to the last will of their mistress, Christina Elisabeth van Angelbeek, it was noted that Breana served her mistress “with exemplary loyalty.”¹⁴¹ The remaining ten deeds included a reference to receipt of money, indicating that the slave bought his way out of bondage. Between 1779 and 1795 there were 12 slaves freed in this way, four of whom were male and the other eight female. Some were children who were bought out of bondage along with their mothers, such as Kastoerie and her daughter Thomasie who bought their freedom from their master Manuel Adam Fernando in 1786.¹⁴² Such instances of slaves purchasing their own freedom also bring into focus the issue of how much slaves were worth at the time.

Between 1750 and 1752 the amounts received by owners varied hugely: In June 1750 Kandaijen and her two children Victoria and Domingo were freed for 30 Rds in total while at the opposite end of the financial scale, Catharina bought her freedom for 225 Rds in December of the same year. Examples which fall between those extremes include two slave men, Adjeran renamed Aalie and Moettoe Carper, who bought their freedom for 100 Rds each; four slaves, two men and two women, paid 50 Rds each for their freedom; and Maria and her six children paid an average of 36 Rds per person for their freedom.

The amounts received by owners in the period 1779 to 1795 also varied wildly: Cardoes paid 30 Rds for his freedom while Achilles paid the enormous sum of 250 Rds.¹⁴³ Variation in price likely depended on a number of factors including the slave's age, level of skill and relationship with his owner. The sum paid for freedom was surely one set by the slave-owner; a generous master may have been more open to the idea of a slave buying himself out of bondage and so have set a reasonable price. Between the extremes of Cardoes and Achilles, the slave women Matra and Susanna, and the slave man Lechumanne paid 100 Rds each for their freedom; Kastoerie and her daughter together bought their freedom for 138 Rds and Anna Cleopatra and her daughter Clarisa theirs for 130 Rds; Lea and Amaris each paid 50 Rds to be emancipated.¹⁴⁴ Wilhelmina Elisabeth Schreuder emancipated Tipa in

¹³⁸ SLNA 1/4145, 13 January 1751 [Domenicus Danielsz van den Bosch; Kito], ff. 337v-338r.

¹³⁹ SLNA 1/4146, 15 November 1780 [Maria Agnietha Bierens; Klarinda, Elisabeth and Sara]; 9 March 1786 [Jan Fredrik Spoor; Maria/Deliana]; 15 December 1792 [Magdalena Fernando; Battoe].

¹⁴⁰ SLNA 1/4146, 22 November 1787 [Simon Nonis, Simon/Manuel].

¹⁴¹ SLNA 1/4146, 5 July 1792 [Christina Elisabeth van Angelbeek; Breana and Adam].

¹⁴² SLNA 1/4146, 20 February 1786 [Manuel Adam Fernando; Kastoerie and Thomasie].

¹⁴³ SLNA 1/4146, 5 January 1791, [Adriana Elisabeth Luders; Cardoes]; 5 September 1779 [Philippus Matteus Trekels; Achilles].

¹⁴⁴ SLNA 1/4146, 6 August 1783 [Anthonij van Baale; Matra]; 26 November 1792 [Salomon Fernando; Susanna]; 17 April 1787 [Cadieraaman; Lechumanne]; 20 February 1786 [Adam Fernando; Kastoerie and

March 1786 and instead of ‘receipt of X Rds’ noted that Tipa “paid the value of her person” without specifying how much exactly Tipa was worth.¹⁴⁵ From these examples there is no clear pattern regarding the value of female and male slaves.

It is likely that slaves were able to buy their freedom with money earned via *koelij dienst*, discussed above, or with financial help from former slaves. Robert Shell has argued that at the Cape the ‘free black’ population made considerable sacrifices to buy their family members, and sometimes their friends, out of bondage.¹⁴⁶ In fact, proportionally, the ‘free black’ population freed more slaves than any other group.¹⁴⁷ Sums of money received as inheritance from deceased masters may also have allowed slaves to buy their own freedom and ex-slaves to free their family members. Some slaves inherited large amounts of money—in the hundreds of *Rijksdaalders*—as well as land or buildings. A case in point is the will of Johanna Petronella Schade in which numerous slaves were freed and left both property and money. Siblings Thomas and Thomasia inherited 400 Rds each and a small outbuilding, and the slave family—Floris, his wife Lisie and their two children, Bastiaan and Marie—were left two rooms behind Schade’s house and 300 Rds between them.¹⁴⁸ These slaves and others like them would have had the means to buy others out of bondage.

During the two periods under scrutiny, there were a number of exceptional deeds which stood out by virtue of deviating from the general pattern. One such deed from each period will be discussed in more detail to follow.

As was briefly mentioned above, Kito was freed in 1751 when she presented Rosetta to become a slave in her place. This is the only example of exchange as a reason for freedom that was found in the deeds covering the periods 1750-1752 and 1779-1795. This indicates that the practice was exceptional in Colombo. All evidence in the deed points to the fact that Kito was a privately-owned slave. One example of Company slaves being manumitted in exchange for others who would take their place dates from March 1739. The Malabar slaves Perreman and Elappa presented Pasqual and Coridon to take their places and so were manumitted via direct exchange.¹⁴⁹ Newton-King discusses a similar example which took place at the Cape: The slave man Johannes Morgh was freed because he provided the Company with “‘a sturdy male slave named Titus of Bengal’ in exchange for himself.”¹⁵⁰ Newton-King comments that “[b]y the early 18th century it had become standard practice that any person requesting the manumission of a Company slave (including the slave himself or herself) should provide a ‘sturdy male slave’ as a substitute.”¹⁵¹ Worden comments that this practice “tended to reinforce rather than break down the pattern of slavery and to maintain slave numbers,” but adds that most rural slaves, who would have been privately-owned, were freed in wills without the condition of exchange.¹⁵² Considering that only three slaves were freed in this way in the periods 1738-1739, 1750-1752, 1779-1795, evidence indicates that exchange was by no means a common way for slaves, Company or privately-owned, to achieve freedom in Colombo.

Thomasie]; 9 December 1786 [Assuerus Issendorp; Anna Cleopatra and Clarisa]; 24 May 1787 [Wilhelmina Cornelia Groegorius; Lea]; 9 September 1787 [Adriana Koersse; Amaris].

¹⁴⁵ SLNA 1/4146, 22 March 1786 [Wilhelmina Elisabeth Schreuder; Tipa].

¹⁴⁶ Shell discussed in Susan Newton-King, “Family, friendship and survival among freed slaves,” in *Cape Town Between East and West: Social identities in a Dutch colonial town*, ed. Nigel Worden (Sunnyside: Jacana Media, 2012), 154.

¹⁴⁷ Shell, *Children of Bondage*, 389.

¹⁴⁸ SLNA 1/2663, Johanna Petronella Schade, 30 March 1776, f. 59r.

¹⁴⁹ SLNA 1/4145, 16 March 1739 [VOC; Perreman and Elappa], ff. 18r-19r.

¹⁵⁰ Newton-King, “Family, friendship and survival,” 156.

¹⁵¹ Newton-King, “Family, friendship and survival,” 158.

¹⁵² Worden, *Slavery*, 63.

Bewijs details

The following constituent element of emancipation deeds was the *bewijs*. The consistency with which *bewijs* details were included in deeds and the fact that they preceded the owner's renunciation of his rights over the slave leads to the conclusion that it was a legal necessity to prove rightful ownership of a slave before being able to renounce those rights through manumission. To prove that the individual emancipating the slave was the legal owner he had to present the *bewijs*, details of which—the clerks' names, the date and place where the *bewijs* was signed—were then noted in the emancipation deeds. While in some cases the date the *bewijs* was signed was the date of purchase, this cannot be taken for granted in all cases because the edicts make plain the fact that the Company faced incredible difficulty in forcing slave-owners to have the correct legal documentation of ownership. With this in mind, the date and place at which the *bewijs* was signed cannot reliably be taken as the date and place of purchase of the slave. Unfortunately there is no way to tell apart the certificates which do indicate place of purchase and those which indicate place of registration alone. Despite this, examining patterns which come to the fore proves revealing.

In the majority of deeds the place at which the *bewijs* was signed was not included, possibly because they were drawn up in Colombo.¹⁵³ In cases when the *bewijs* was signed elsewhere, the place was specified. Other port towns in Dutch Ceylon—Galle, Jaffna, Trincomalee and Negombo—as well as Tuticorin, Coromandel, and Cochin in South India feature in the proof of ownership documents. For example Jan Godfriet Pape freed his slave Canariga (Canaga) in April 1750. The certificate of ownership had been drawn up in Galle ten years prior to emancipation.¹⁵⁴ Further examples include Johanna Obrack's slave Catharina, whose *bewijs* was signed in Galle during 1725; Dirk Berghuijs' slave Lea, whose *bewijs* was signed in 1729; and the slave of Warnar Berghuijs, Cato (Clarinde), whose *bewijs* was signed in Galle on 13 January 1744.¹⁵⁵ It is noteworthy that the four certificates signed in Galle were dated, in chronological order, 1725, 1729, 1740 and 1744. One example each of deeds signed in Jaffna, Trincomalee and Negombo were found.¹⁵⁶ The reference to Negombo is noteworthy because the *bewijs* was signed in 1696—the earliest *bewijs* date found—and the slave freed 56 years later, in 1752. A total of eight deeds included references to certificates signed in Tuticorin. Johanna Obrack, widow of the kapitein militair Pieter de Moor freed the slave man Alexander in 1750. The certificate which proved that she was Alexander's legal owner was signed in Tuticorin in 1724.¹⁵⁷ Three slaves belonging to Michiel Symans who were freed in 1781 also had certificates signed in Tuticorin, as did Asseurus Issendorp's slave woman Anna Cleopatra and Adriana Koersse's slave Amaris.¹⁵⁸ Two examples of certificates signed in Coromandel were found: The slave Lechumanne, belonging to Cadieraaman who was noted in the deed as a Chitty, was freed in 1787. The deed includes that the *bewijs* was signed in Coromandel in 1766. Spadille, one of 16 slaves

¹⁵³ There is only one instance of Colombo being specified as the place the *bewijs* was signed. It is the fourth of five emancipation deeds in which a slave-owner freed nine slaves. It is possible that because the certificates mentioned in the two preceding deeds were signed in Tuticorin, the clerk thought it necessary to specify that the *bewijs* was signed in Colombo in order to avoid confusion. SLNA 1/4146, 24 October 1781 [Michiel Symans; Rosetta, Roselin, Annatje, Regina and Lodewijk].

¹⁵⁴ SLNA 1/4145, April 1750 [Jan Godfriet Pape; Canariga/Canaga], ff. 317r-v.

¹⁵⁵ SLNA 1/4145, 8 November 1751 [Johanna Obrack; Catharina], ff. 353r-v; 10 May 1751 [Dirk Berghuijs; Lea], ff. 345v-346r; 24 April 1750 [Warnar Berghuijs; Cato/Clarinde], ff. 321r-322r.

¹⁵⁶ Jaffna: SLNA 1/4145, 25 May 1751 [Joan Helfrig Raket; Paarpadie Moeten/Wintoera], ff. 346v-347r.

Trincomalee: SLNA 1/4146, 5 January 1791 [Adriana Elisabeth Luders; Cardoes]. Negombo: SLNA 1/4145, 27 June 1752 [Geertrijda Stadlander; Koonen alias Claas Jaan], ff. 371r-372r.

¹⁵⁷ SLNA 1/4145, 31 August 1750 [Johanna Obrack; Alexander], ff. 332r-v.

¹⁵⁸ SLNA 1/4146, 24 October 1781 [Michiel Symans; Louisa and Salomon]; 24 October 1781 [Michiel Symans; Catharina]; 9 December 1786 [Asseurus Issendorp; Anna Cleopatra]; 9 September 1787 [Adriana Koersse; Amaris].

emancipated by Anna Maria Giethoorn, also had a certificate signed in Coromandel dated 1769.¹⁵⁹ Furthermore, in one deed Cochin was noted down as the place where the *bewijs* was signed and in another, Malabar was specified.¹⁶⁰

While it may not provide reliable evidence of where slaves were purchased, the place at which the *bewijs* was signed does indicate where the slave lived at one point in his life. The geographical data highlight the mobility of slave-owners and their slaves. It is both possible and likely, that Company servants took their slaves with them as they moved between different Company port towns.¹⁶¹ Moreover, of the 20 times in which a reference to place is included in the *bewijs* details provided in the deed, Galle is mentioned four times and Tuticorin eight times. There are two possible explanations for this: Firstly, slaves could be sourced in these two places more easily than in others; and secondly, Company employees moved from Galle and Tuticorin to Colombo and took their slaves with them.

Similar to the issue of place, the date the *bewijs* was signed cannot reliably be taken as the date of purchase. In some deeds, the *bewijs* was signed only days before the emancipation deed. For instance, two of the four slaves Hendrik Cramer emancipated on 18 August 1783 had certificates signed on 8 August 1783. The two slaves were young children named Mina and Mingo and it is possible that they were born in Cramer's household rather than purchased.¹⁶² Further examples include the slave Karpen whose certificate was signed on 24 Nov 1787, just under a month before he was emancipated¹⁶³, and many years earlier, Jan de Run freed his slave woman Kaatje on 23 Nov 1751, two days after the certificate of ownership was signed.¹⁶⁴

Conditional freedom

Freedom from slavery was not without conditions: In many wills and emancipation deeds owners specified that slaves had to continue working for their master or a specified member of his household and only after that individual's death enjoy unencumbered freedom. Examples include the slave man Joseph, renamed Philip, who was emancipated in 1779 by his owner Jean Brohier under the condition that he continued to serve Brohier until Brohier's death.¹⁶⁵ Similarly, Klarinda and her daughters Elisabeth and Sara could only enjoy complete freedom after serving their mistress's daughter Anna Sicilia de Moor until her death.¹⁶⁶ It is likely that when slaves were freed under such conditions their everyday circumstances changed little, if at all. Their legal status of course changed dramatically but how far that resulted in any material change is unknown.

Conditionality was attached to manumission far more frequently in Colombo than at the Cape. According to Shell, 88% of slaves at the Cape were freed unconditionally and it is therefore "quite clear that most manumitted slaves left their owners' families behind to enjoy

¹⁵⁹ SLNA 1/4146, 17 April 1787 [Cadieraaman; Lechumanne]; 21 August 1784 [Anna Maria Giethoorn; Spadille].

¹⁶⁰ SLNA 1/4146, 30 October 1784 [Andries Willem Dhieme; Constantia]; 30 April 1784 [Jan Stevens; Tareja].

¹⁶¹ An example of this is Ernst Christoph Barchewitz who took his slaves with him when moved to Banda before returning to Europe. He profited from selling his seven personal slaves when he arrived at Fort Nassau. J. Fox, "For Good and Sufficient Reasons: An examination of early Dutch East India Company ordinances on slaves and slavery," in *Slavery, Bondage and Dependency in Southeast Asia*, ed. Anthony Reid and Jennifer Brewster, (New York: St Martin's Press, 1983), 246-247.

¹⁶² SLNA 1/4146, 18 August 1783 [Hendrik Cramer; Mina and Mingo].

¹⁶³ SLNA 1/4146, 20 December 1787 [Juliana Rodrigo; Karpen]. Surprisingly, the deed was entirely crossed out and in another deed dated two years later, Karpen was freed.

¹⁶⁴ SLNA 1/4145, 25 November 1751 [Jan de Run; Kaatje], f. 360v.

¹⁶⁵ SLNA 1/4146, 25 February 1779 [Jean Brohier; Joseph/Philip].

¹⁶⁶ SLNA 1/4146, 15 November 1780 [Maria Agnitha Bierens; Klarinda, Elisabeth and Sara]. Numerous examples of conditional freedom exist in volumes of emancipation deeds and wills.

real freedom.”¹⁶⁷ In Colombo, it is more likely that slaves who were freed under conditions of service exchanged one form of bondage for another and experienced little change in their circumstances.

There are two particularly fascinating questions regarding conditional freedom that must be highlighted. Firstly, what happened when former slaves did not meet the conditions of their emancipation? And secondly, how could conditional freedom be made complete without serving out the condition? A deed dated 25 February 1794 provides an answer to the first question. On that date the slave man Thomas was emancipated by his master “under this constraint: that he Thomas will be obliged to continue to serve his master and his master’s wife as long as they live and show obedience.” In December 1794 the deed was scratched out and a note was added at the bottom: “Under the authority of the decision of the Honourable Council of Justice of this Castle, from this date the emancipation deed will be rescinded.”¹⁶⁸ This indicates that an owner could change his mind and reverse the legal manumission of a slave. It is likely that in the case of Thomas the reason the deed was reversed was non-adherence to the conditions of freedom, although this is not stated anywhere on the crossed out deed. On the one hand the Company had to guard against fickle slave-owners freeing and re-enslaving people by writing and rejecting emancipation deeds; manumission was after all a legal matter and due process, including payment to the *Diaconie*, had to be followed. On the other hand, the condition of emancipation was legally-binding and if not met, had legal consequences. A deed from 1751 demonstrates that it was possible to circumvent the conditions of freedom instead of serving out the time. On 12 October 1751 Saviel Britoe Fernando freed the slave woman Magdalena. The reason provided was receipt of 50 Rds. What is significant about this deed is that it included the detail that Magdalena had been emancipated two years earlier by Fernando’s wife, Maria de Croes provided that Magdalena serve de Croes’ son until the time that he married. Saviel Fernando defied his wife’s wishes and freed Magdalena from that condition; or rather, Magdalena paid her way out of conditional freedom.¹⁶⁹

¹⁶⁷ Shell, *Children of Bondage*, 378.

¹⁶⁸ SLNA 1/4146, 25 February 1794 [crossed out].

¹⁶⁹ SLNA 1/4145, 12 October 1751[Saviel Britoe Fernando; Magdalena], ff. 354r-355r.

Chapter Two

The legal foundation of slavery in Dutch Colombo

The legal foundation of slavery is imperative for understanding the nature of the slave society in question. Through analysis of three sets of intertwined laws—The Statutes of Batavia (*Statuten van Batavia*) and collections of local ordinances from Colombo (*Ceylonees Plakkaatboek*) and Cape Town (*Kaapse Plakkaatboek*)—this chapter sets out the legal framework of slavery in the VOC settlements. Because ordinances were reactive rather than preemptive, they provide evidence of the social reality as well as reveal the continual concerns of the Company. The first section highlights a number of the Statutes of Batavia which together bring into focus the issues of social and sexual interaction. The second section sets out a thematic analysis of the ordinances issued in Colombo from the time of conquest until the end of the Company period in the 1790s. Following this, a comparison between the Colombo and Cape ordinances provides insight into the ways in which slavery in Colombo was unique.

The Statutes of Batavia

The sentence passed against the enslaved man Modest van Sumbauwa¹⁷⁰ precipitated a lengthy discussion in the Criminal Roll of 1759 which got to the heart of the issue of slavery. It is one of few examples of a discussion by the Council of Ceylon on the nature of slavery, legal theory and common practice. In addition to being flogged, branded and banished for 50 years, Modest van Sumbauwa was sentenced to pay the costs of justice.¹⁷¹ It was this last issue of payment which was so problematic because as property himself, a slave could not theoretically own property.¹⁷² Unsurprisingly, practice was at variance: slaves not only earned money in some cases, but also inherited money and fixed property. The discussion of who should be held responsible for paying the costs of justice when a slave was convicted—the slave, his owner, or the Company—drew on the legal authority of the Statutes of Batavia and customary law.¹⁷³ In Dutch Ceylon, a colony under Company rule, criminal law bore a close relationship to that of the United Provinces. However, with regards to slavery, the law of the United Provinces was silent. Because slavery did not exist in the United Provinces and there was no body of slave law to transplant from the metropole to the colony, Company authorities were faced with a legal conundrum, namely how to control their newly imported slave labour.¹⁷⁴

Worden and Groenewald explain that in response to a 1619 query from Batavia, the Company headquarters in the Indian Ocean, the Gentlemen Seventeen (*Heeren Zeventien*) announced that the laws and practices in effect in the provinces of Holland should be in effect in Batavia too, and specifically local issues were to be dealt with in an *ad hoc* manner via

¹⁷⁰ Sumbawa is an island in the middle of the Lesser Sunda Islands chain in present Indonesia.

¹⁷¹ SLNA 1/4607, CR 1759, f. 30r. His crime was not recorded.

¹⁷² SLNA 1/4607, CR 1759, ff. 33v, 34r.

¹⁷³ SLNA 1/4607, CR 1759, ff. 30v-31r.

¹⁷⁴ Vink states: “While servitude was virtually non-existent in the territory of the Dutch Republic except for some vestiges of seignorial duties in parts of the eastern land provinces, in the Indian Ocean world slavery found almost universal acceptance among the self-righteous civil, military and religious officials of the ‘Honourable’ Dutch East India Company.” Markus Vink, “Freedom and Slavery: The Dutch Republic, the VOC World, and the Debate over the ‘World’s Oldest Trade,’” *South African Historical Journal* 59 (2007): 21.

ordinances (*plakkaten*) following common civil and Roman law.¹⁷⁵ Slavery was one such local issue, ubiquitous in Company settlements and factories. In 1642, the numerous ordinances that had already been issued in Batavia were gathered together and adopted as the foundation of government in all Company territories.¹⁷⁶ Thus, legal matters in Ceylon were dealt with according to the Statutes of Batavia amplified with local regulations drawn up in response to local issues which arose throughout the Company period. The fact that Dutch colonial law was a civil code—as opposed to the common law tradition in Britain—made the ordinances all the more important. As Jones points out,

In a civil law tradition, judges viewed the law code as a comprehensive body of rules and regulations, always referring the facts in a given case back against that original corpus. Juries and defense attorneys, for example, were deemed unnecessary because justice in the form of the court, far from being blind, looked directly at the accused and decided if and to what extent they stood in violation of the statutes.¹⁷⁷

The statutes were thus paramount.

In some of the Statutes of Batavia it is difficult, as Fox points out, to separate the general rules for all Company territories from the specific conditions in Batavia.¹⁷⁸ From the point of view of slavery, one of the most significant of the Statutes in force in all Company territories dealt with the issue of punishment. First issued in 1625, the ordinance limited the owner to ‘domestic correction’ of his slave, warning that he was not allowed to chain his slave and that the punishment for maltreatment consisted of both a fine and confiscation of the abused slaves. This ordinance also established a slave’s right to complain against his master, but included the warning that unfounded accusations would be punished by a severe public whipping.¹⁷⁹

Slaves’ interaction with their master was regulated in the Statutes—a slave would be shown no mercy if he attacked his owner physically, earning the death penalty, however he would be emancipated as a reward for saving his owner’s life¹⁸⁰—as was slaves’ behaviour towards other people of higher social standing than themselves. Very careful instructions were set out for slaves walking in the streets, specifying that they avoid the side walk in order not to cause any inconvenience or discomfort to any Europeans or hat wearers, of whatever social standing they may be. Provisions were set out for the event that a slave jostled a European—a crime—in order to avoid being run over by a vehicle in the street. If the slave’s warnings had gone unheeded then he, the slave, could not be punished for his actions. However, if there were no such mitigating circumstances, a slave would be punished for intentionally jostling a European of any social rank by whipping.¹⁸¹ Other statutes dealt with

¹⁷⁵ Interestingly, the English (later British) Empire diverged from colonial rivals in not basing slave law on Roman precedent. Hoffer argues for the spreading influence of the 1661 Barbados ‘Black Code’, developed when planters were confronted with the problem of developing and justifying slave law—imperative considering their reliance on slaves for the increasingly profitable production of sugar. According to Hoffer, planters “simply assumed that slavery existed...and then passed laws to deal with disorders expected of slaves. In effect, they reformatted what was a category of labor relations as a subject of criminal law, the latter of which their assembly was legally competent to treat.” Peter C. Hoffer, *The Great New York Conspiracy of 1741: Slavery, crime and colonial law* (Lawrence: University Press of Kansas, 2003), 15. Similar to what is seen in the Dutch ordinances, the contingent and piecemeal nature of the development of British slave law comes to the fore.

¹⁷⁶ Worden and Groenewald, *Trials*, xx.

¹⁷⁷ Eric A. Jones, “Fugitive Women: Slavery and social change in early modern Southeast Asia” *Journal of Southeast Asian Studies* 38:2 (2007), 221.

¹⁷⁸ Fox, “For Good and Sufficient Reasons,” 252.

¹⁷⁹ Fox, “For Good and Sufficient Reasons,” 256; NA VOC 638 ‘Leijfeigenen en vrijgemaekten nevens derselver afkomelingen,’ Article 11, f. 730.

¹⁸⁰ NA VOC 638, Articles 18 and 15 respectively, ff. 732, 731.

¹⁸¹ NA VOC 638, Articles 39-45, ff. 738-740.

different issues but with the same intention: Slaves had to know their place in society and transgressions of the social order would not be tolerated.

Numerous statutes dealt with the issue of absconding, not only the punishments meted out for slaves who abandoned their owners but also for those found guilty of harbouring or employing runaways. The fines were set at 25 Rds per day, the equivalent of half a year's salary for a common VOC soldier.¹⁸² Provision was also made for a situation in which an owner did not want his troublesome slave back in which case the owner had to pay the cost incurred in maintaining and returning the slave and the slave would be sold at auction.¹⁸³ This provision did not feature in the regulations drawn up for Colombo but an example of this law in action will be described in a later chapter. Other issues associated with runaways and specific to the situation in Dutch Ceylon were dealt with in an *ad hoc* manner and are discussed below.

Sexual relations were another area of life regulated by ordinances. Believing the consequences of tolerating sexual immorality to be disastrous—threatening the very foundation of Company rule and inviting God's judgement—concubinage was declared a crime in December 1620. Fox concludes that the laws were ineffective, despite the severe punishments promised for contravention. When the idea of importing Dutch women as marriage partners was abandoned in 1633, authorities encouraged mixed marriage and turned a blind eye to concubinage. However, the regulations against concubinage were never revoked.¹⁸⁴ A very telling issue dealt with in the statutes was what should happen to the children of slave owners and their slave concubines. Clearly this was a significant issue in Batavia considering laws had to be made regarding the treatment of such children. Firstly, it was decided that a child of such a union could not be sold by the executors of the will in the event that the father/slave-owner died.¹⁸⁵ If the child was born to a Christian father and his slave the child could be sent to a willing family to be brought up in a Christian way, but if no such families were available and the child's father was European, the child could be sent to the orphan house.¹⁸⁶ By virtue of being statutes these regulations would also have been in force in Colombo.

Local Ordinances: Colombo

The core principles embedded in the Statutes of Batavia were applied to the specifics of the local situation in Colombo via ordinances, which can be divided into five categories. As these are artificial groupings rather than inherent divisions, numerous issues overlap. The laws can further be divided between those aimed at regulating the behaviour of slave-owners as opposed to the slaves themselves. In some instances, a particular category is specifically for one or the other group, while in others, ordinances were intended to regulate interaction between the free and enslaved. Because of the *ad hoc* nature of the regulations some dealt with more than one issue at a time.

The largest category of ordinances relates to slave ownership: This grouping includes laws concerning who owned slaves, who could not be enslaved and various administrative commands pertaining to proof of legal ownership of property. These ordinances, as well as the second grouping which relates to trade and transportation of people, were intended to regulate the behaviour of slave-owners. The third category concerns issues of punishment—these regulations set out the punishments for runaways and accomplices, and for thieves. The

¹⁸² NA VOC 638, Article 21, f. 733. Thanks to Lowdewijk Wagenaar for pointing out the enormity of the fine.

¹⁸³ NA VOC 638, Article 30, f. 736.

¹⁸⁴ Fox, "For Good and Sufficient Reasons," 254-255.

¹⁸⁵ NA VOC 638, Article 35, f. 737.

¹⁸⁶ NA VOC 638, Article 36, ff. 737-738.

fourth category, which attempted to regulate sexual relations and social interaction, prohibited concubinage, gambling and forming contracts with slaves and providing them with alcohol through sale or exchange. These laws closely relate to the extent to which the authorities could control interaction between different segments of the population. The last category consists of sumptuary laws, of which there are surprisingly few.

The first regulation relating to ownership of slaves was issued in late March 1652 in Galle and renewed in September 1657 in both Galle and Colombo. It dealt specifically with the situation of war between the Dutch and Portuguese. From the opening paragraph of the ordinance it is clear that some people fled the Portuguese areas because of extreme need and in order to support themselves either became servants for Dutch inhabitants or sold their children into some form of bondage to the Dutch.¹⁸⁷ In response to the situation, which was declared to be against all godly and Christian laws, an ordinance was issued by which it was forbidden to enslave any of the people who fled the Portuguese area and went over to the Dutch as a result of war. The regulation went a step further by declaring that all people who had been enslaved in such a way in the years preceding the regulation would be freed. An ordinance issued in December 1660 reinforced the proscription on enslaving free people and while it does not mention the context of war it is clear that no freeborn inhabitants could be drawn into slavery no matter what situation of debt, poverty or shortage they faced.¹⁸⁸

The following regulation outlines another complication—the fate of already enslaved persons who belonged to the conquered Portuguese. After the Dutch conquest of Colombo, a number of Portuguese inhabitants sold or emancipated their slaves and in some way were guilty of transgression.¹⁸⁹ In response to the situation, a regulation was issued in June 1656 in Colombo which required all persons involved—‘purchasers and barterers’—to inform the chief of the fort at Negombo of the transactions. All those in non-compliance would not only have to forfeit the slaves they acquired but would also be corrected according to the severity of the case. Furthermore, all Portuguese inhabitants were ordered to give an account of slaves still in their possession and were forbidden to sell or emancipate any of them. Similarly, Company servants and burghers had to inform the chief of Negombo of any slaves who had been freed or seized since the time of conquest.¹⁹⁰

In 1673 an ordinance was published which required slave-owners to prove legal ownership of their slaves. The opening section of the ordinance indicates that previous regulations had been issued, as early as 1659, which obliged Company servants, burghers and other inhabitants of Colombo to verify and prove ownership of slaves they had not yet registered or had kept in secret, before the appointed officials.¹⁹¹ This was no longer being observed: The Company found that with the daily importation of slaves the regulations were contravened as many owners could not prove legal ownership of their slaves.¹⁹² Furthermore, it seems in some cases free people were found amongst the slaves—if owners could not prove that their slaves were their legal property, it could not be determined whether that person was bought as a slave or was actually free. Because of this situation the Company once again ordered all slave-owners under the jurisdiction of Colombo not only to register and show

¹⁸⁷ Hovy, *Ceylonees Plakkaatboek* I:20 (28/29 March 1652), 19.

¹⁸⁸ Hovy, *Ceylonees Plakkaatboek* I:59 (27 December 1660), 62. It is not clear if this refers only to indigenous inhabitants. The Dutch had had bad experiences trying to enslave local populations in other settlements which may be the reason behind prohibiting the enslavement of the locals in Ceylon.

¹⁸⁹ Hovy, *Ceylonees Plakkaatboek* I:24 (19 June 1656), 23. From the ordinance it is not clear if selling or emancipating slaves constituted a transgression or if they transgressed by entering into unauthorised contracts.

¹⁹⁰ The meaning of the ordinance is not entirely clear but it appears that some burghers and Company servants had acquired slaves and freed them and in other instances had taken free inhabitants for slaves.

¹⁹¹ Hovy, *Ceylonees Plakkaatboek* I:109 (7 October 1673), 167. Hovy notes that the ordinance from 1659 referred to in the 1673 ordinance could not be found. Hovy, *Ceylonees Plakkaatboek* I, 167 n. 72.

¹⁹² Hovy, *Ceylonees Plakkaatboek* I:109 (7 October 1673), 168.

their slaves to the appointed committee but also to prove ownership and get letters of verification for their until then unregistered slaves from the secretary of the government.¹⁹³ A decade later another ordinance was issued which dealt with the same issues: negligent slave-owners were ordered to prove legal ownership of their slaves. It had come to the authorities' attention that the previous laws were being contravened—slave-owners were underhandedly selling and exchanging slaves without having verified the legality or ownership of the slaves with the secretary such that it could not be proved that there were no free people among the slaves. Consequently, all slaves-owners were again commanded to register their slaves for whom they had no verification letters or other legal proof, to prove ownership of their slaves and get letters of verification from the secretary.¹⁹⁴ That such regulations were issued numerous times over the following years indicates that the Company did not have complete control over the small-scale slave trade within the community.¹⁹⁵ People bought slaves from their neighbours or sold them off without following the procedure set out by the Company. This was an ongoing concern for the authorities.

Throughout the Company period, regulations regarding ownership were issued. In 1773 another ordinance was issued dealing with the problem of enslavement—in an advertisement against all possible crimes it was stated that anyone found to have stolen and enslaved free people would be punished with the death penalty.¹⁹⁶ Maintaining legal boundaries between free and enslaved was clearly problematic.

Another ever-present worry for the Company in the context of slave-ownership was religion. A regulation issued in 1657 in Galle and 1658 in Colombo forbade Christians to sell their slaves, irrespective of the slaves' religion, to either Muslims or 'heathens' while commanding Muslims and 'heathens' to make public their ownership of Christian slaves.¹⁹⁷ The opening of the ordinance provided the justification for these regulations: Baptised slaves were bought from greedy people and over time the small, wholesome light in their souls was extinguished; as a result they were drawn to either Muslim or 'heathen' feeling.¹⁹⁸ A regulation issued in 1659 took this one step further by stating that non-Christians could not own Christian slaves. In 1749 again a regulation was issued stipulating the same conditions of ownership according to religion.¹⁹⁹

In the regulations regarding ownership of slaves, the authorities specified three religious groupings – Christians, Muslims and 'heathens'. No division was made amongst the Christians but other regulations indicate the authorities' worries about the spread of Catholicism. In 1715 and 1733 regulations were issued by which all Roman Catholics were forbidden to baptise their dependants into the Roman Catholic Church, including children and slaves.²⁰⁰ The first of the two ordinances indicates very harsh punishments for those found in contravention of the law: for the first offence a fine of 100 Rds was imposed, and 200 Rds for the second offence. In the event that the guilty party was not able to pay the fine, he would be put in chains and banished to the Cape of Good Hope to labour on the Company's works there for six years for the first offence, 12 years for the second and 25 years for the third. The priest, father or monk who had performed the baptism would also be punished with a fine of

¹⁹³ Hovy, *Ceylonees Plakkaatboek* I:109 (7 October 1673), 168.

¹⁹⁴ Hovy, *Ceylonees Plakkaatboek* I:152 (13 March 1683), 221.

¹⁹⁵ Similar regulations were issued in 1749, 1757, 1772 and 1787. Hovy, *Ceylonees Plakkaatboek* II:378 (20 June 1749), 547; II:413 (13 May 1757 Colombo/4 June 1757 Galle), 584-585; II:523 (15 August 1772), 764; II:619 (23 July 1787), 888-889.

¹⁹⁶ Hovy, *Ceylonees Plakkaatboek* II:530 (1 July 1773), 769.

¹⁹⁷ Islam was recognised by the Company as a religion because, like Christianity, it is monotheistic. People of other faiths were grouped together under the label 'heathen'.

¹⁹⁸ Hovy, *Ceylonees Plakkaatboek* I:29 (28/29 December 1657 Galle; 19 January 1658 Colombo), 27.

¹⁹⁹ Hovy, *Ceylonees Plakkaatboek* I:48 (27 June 1659), 46; II:379 (20 June 1749), 548-9.

²⁰⁰ Hovy, *Ceylonees Plakkaatboek* II:232 (28 August 1715), 355-356; I:263 (25 March/4 April 1733), 402-3.

50 Rds. In addition to the ban on baptism, Catholics were not allowed to hold religious services.²⁰¹ That religion is one of the recurring themes in the regulations reveals that it was an issue of great concern to the authorities.

A second category of ordinances intended to regulate the behaviour of slave-owners and traders relates to laws concerning the transportation of slaves. From the regulations it comes to light that permits were required to transport slaves—clearly there was a legal slave trade going on in the area. The Company issued ordinances to stamp out the illegal trade, that is, to stop shipment of slaves by those who had not received licences or permits. The first such regulation was published in 1658 in Jaffna, by which it was forbidden to send slaves on the ships sailing from there.²⁰² The ordinance announced that some ships were ready to sail out of Jaffna in the next few days but everyone, whoever he may be, was expressly forbidden to send slaves on the ships, to take slaves with them on the ships or otherwise to sell slaves, with the exception of those over whom they had legal ownership. The punishments proposed in the regulation for contravening this law give great insight into the hierarchical nature of Ceylonese society in the mid-seventeenth century. For ‘someone of quality’ the punishment would be deportation while others would receive corporal punishment.²⁰³

A similar ordinance was issued the following year in Colombo which forbade the transport of slaves to Batavia and elsewhere without a permit and imposed the same punishments for transgressors.²⁰⁴ According to the regulation, previous laws had been made which forbade such behaviour²⁰⁵; the need to issue another ordinance indicates that the Company could not limit the transportation of slaves to the extent that it wished. Again, later in 1659, as well as in 1676 and 1746 regulations were issued by which it was forbidden to transport slaves without a permit.²⁰⁶

An ordinance which gives deeper insight into the trade of slaves from the South Indian coast to Ceylon was issued in 1685. It was titled “Ordinance forbidding those on board Company and private ships to carry slaves from the Malabar and Madura coast on board.”²⁰⁷

The third category of regulations relates to punitive measures for slaves that could be meted out either by their master, or by the authorities in the case of criminal proceedings. By far the majority of ordinances of this kind deal with the latter situation; notification was made of punishments for slaves and their accomplices in committing crimes. These can be grouped together as in all cases they refer to a slave stealing property from his master, whether goods or himself, in the sense that he was seen as property belonging to his master.

In only one ordinance was there reference to the sort of ‘domestic correction’ that could be meted out by slave-owners. Issued in 1659, the regulation limited the power of the master to punish his slaves. The opening of the ordinance refers to some instances in which slave-owners punished slaves excessively—their handling of slaves is described as “unlimited and unchristian”—sometimes even leading to death. Because this was in contravention of the Statutes of Batavia and constituted unacceptable behaviour on the part of the owners, chaining, tormenting, torturing and mishandling of their slaves, without the knowledge of the officer, was forbidden. Further owners could not bind their slaves or beat bound slaves with damaging instruments, or attack them. Punishment for such behaviour was confiscation of the injured slaves as well as further punishment according to the case.

²⁰¹ Hovy, *Ceylonees Plakkaatboek* I:232 (28 August 1715), 356.

²⁰² Hovy, *Ceylonees Plakkaatboek* I:36 (8 July 1658), 31-32.

²⁰³ Hovy, *Ceylonees Plakkaatboek* I:36 (8 July 1658), 32.

²⁰⁴ Hovy, *Ceylonees Plakkaatboek* I:40 (28 January 1659), 35-6.

²⁰⁵ Hovy, *Ceylonees Plakkaatboek* I:40 (28 January 1659), 36.

²⁰⁶ Hovy, *Ceylonees Plakkaatboek* I:48 (27 June 1659), 46; I:129 (2 December 1676), 197; II:361 (24 August 1746), 529. In the last of the regulations slaves are not specifically mentioned but would surely have been included in the general ban on transporting people to and from Tuticorin.

²⁰⁷ Hovy, *Ceylonees Plakkaatboek* I:163 (6 December 1685), 117-118.

However, the legislation did not entirely limit an owner's power over his slaves. In situations where punishment was necessary, which it was acknowledged in the ordinance certainly would be the case with slaves, masters could punish their slaves with "household, domestic and reasonable correction." When harsher punishment was required, this had to be left to the authority of the officer.²⁰⁸

Most of the regulations related to punishment concerned runaways, imposing harsh punishments for fugitives who were caught as well as those found guilty of providing assistance of any sort. The first of such ordinances was issued in 1663, followed by similar regulations in 1674, 1677, 1757 and 1786.²⁰⁹ The title of the 1663 ordinance gives a very clear indication of the seriousness with which runaways and accomplices were dealt: "Ordinance making known that the death penalty will be fixed on the running away of slaves and complicity." The regulation indicates that both Company and private slaves were running away to Kandy without any reason and thus were falling into enemy hands. The polite and grace-filled punishments that had until then been meted out on runaways were having no effect in lessening the evil but slaves were running away more and more rather than fulfilling their duties. For that reason it was decided to institute the death penalty against the slaves who ran away and were later caught to serve both as a punishment to them and a deterrent to other potential criminals. Furthermore, those found to have helped runaways in any way would receive the same punishment. In contrast, a proper reward was promised to anyone who fetched or returned a runaway slave.²¹⁰

It is significant that the ordinance mentions slaves running away to Kandy—it seems that by escaping the Dutch territory slaves would be able to escape their masters and perhaps even their bondage. However, the Dutch had an agreement with Kandy which stipulated that runaway slaves would be returned rather than harboured.²¹¹ Considering that relations between the Dutch and Kandy were often poor, it is possible that the terms of this agreement were not always upheld.

The Company took on the enormous challenge of regulating social interaction between slaves and other sectors of the population. Amongst the eight ordinances which regulated behaviour, three groups emerge—ordinances which forbid sexual relations between slaves and others and set out punishments for various transgressions of the rules; those which limited the behaviour of tavern owners and clientele with regards to serving slaves alcohol and interacting in bars; and regulations which prohibited buying goods from slaves and other suspicious persons.

The first of the three ordinances pertaining to sexual relations between slaves and free people was issued in 1704 and addressed concubinage. The ordinance forbade Company slaves from living in concubinage with free indigenous women and privately-owned female slaves.²¹² What is striking about this regulation is that it was very clearly directed towards male slaves. Perhaps the Company would not have been too concerned about female slaves living in concubinage with indigenous men or privately-owned slaves because the children of such unions would have become property of the Company by virtue of the inheritability of slavery through the maternal line. However, in the case of Company slave women becoming concubines the possibility of their sexual partner buying their freedom may have been high. From the ordinance it seems that the Company's underlying concern was indeed the offspring of slave men's relationships: Male slaves belonging to the Company had to choose their

²⁰⁸ Hovy, *Ceylonees Plakkaatboek* I:49 (24/27 August 1659), 47.

²⁰⁹ Hovy, *Ceylonees Plakkaatboek* I:69 (7 August 1663), 109; I:111 (17 April 1674), 169-70; I:134 (13 August 1677), 201; II:415 (31 May 1757 Colombo/ 4 July 1757 Galle), 587-88; II:608/9 (28 December 1786), 869.

²¹⁰ Hovy, *Ceylonees Plakkaatboek* I:69 (7 August 1663), 109.

²¹¹ Thanks to Lodewijk Wagenaar for this information. Personal Communication, 9 June 2011.

²¹² Hovy, *Ceylonees Plakkaatboek* I:206 (14 June/14 October 1704), 309-310.

wives or concubines from among the Company's female slaves so that the fruit of the womb would remain with the slave-owner.²¹³

Twenty-eight years later the ordinance was reissued, but this time the prohibition was turned around—free indigenous people were forbidden to sleep with Company slaves.²¹⁴ Of course the intended outcome of the law was exactly the same, however it was worded and whomever the subject. The renewal was issued in a very specific context: It was part of a regulation which required all indigenous inhabitants who had made their homes in the slave quarter, situated outside the Rotterdam Gate, to move out. It appears that the proximity had presented various opportunities for “committing all kinds of theft and unseemliness.”²¹⁵

A century later issues of sexual relations resurfaced in the “Advert against all possible crimes.” Article 12 set out the punishments for slaves caught in inappropriate—according to the authorities—sexual relationships. A slave found to be in a sexual relationship with a woman of free origin would be clapped in chains and set to labour on the Company works for the rest of his life. In the case of a slave found to have committed adultery with his master's wife or daughter, he would be put to death.²¹⁶ Once again, the regulations applied to male slaves belonging to the Company.

In addition to trying to control the slaves' sexual lives, the Company regulated their social lives in the taverns around the city. In the ordinance entitled “Rules for the innkeepers and tappers” it was forbidden to serve beer to slaves, on pain of a 12 Rds fine.²¹⁷ In 1757 the law was restated to include various other subtleties: Alcohol could not be sold or served to slaves, nor could other goods be sold or exchanged for drink. Gambling and playing games with slaves in bars was also forbidden.²¹⁸ From the regulation it is clear that there were earlier laws which forbade such behaviour.²¹⁹

The third set of social limitations concerns slaves selling goods. The fundamental problem with slaves trying to sell goods was that as slaves, they themselves were property and therefore could not own anything, as the ordinance of 1786 pointed out.²²⁰ The fine for people who did purchase or pawn things from slaves was steep—double the value of the goods had to be paid to the slave's master as well as a fine of Rds50 paid to the Fiscal and parish poor. If it was found that the purchaser had put the slave up to the theft, he would be criminally prosecuted by the Fiscal.²²¹ Two other regulations by which it was forbidden to buy goods from slaves were issued in 1770 and 1789 which seems to indicate that purchasing goods from slaves was not a problem of great concern to the authorities until late in the Company period.²²²

The regulations comprise surprisingly few sumptuary laws. In fact, only two were found. The earlier, and more interesting, of the two was issued in November of 1659 in Colombo. It is titled “Ordinance commanding the slave-owners to cut their slaves' hair short and not let them wear hats so long as they cannot speak the Dutch language.”²²³ While it is not explicitly stated in the edict, this must have been a local application of the ordinance issued in Batavia in 1641 which, in order to promote the Dutch language over Portuguese,

²¹³ Hovy, *Ceylonees Plakkaatboek* I:206 (14 June/14 October 1704), 309-310.

²¹⁴ Hovy, *Ceylonees Plakkaatboek* I:259 (30 April 1732), 394-395.

²¹⁵ Hovy, *Ceylonees Plakkaatboek* I:259 (30 April 1732), 395.

²¹⁶ Hovy, *Ceylonees Plakkaatboek* II:530/12 (1 July 1773), 770.

²¹⁷ Hovy, *Ceylonees Plakkaatboek* I:126/9 (2/11 September 1676), 191.

²¹⁸ Hovy, *Ceylonees Plakkaatboek* II:417 (31 May 1757 Colombo/ 4 July 1757 Galle), 590-591.

²¹⁹ Hovy, *Ceylonees Plakkaatboek* II, 591 n. 20. Hovy notes the archival whereabouts of the documents but adds that they are illegible.

²²⁰ Hovy, *Ceylonees Plakkaatboek* II:608/10 (28 December 1786), 869.

²²¹ Hovy, *Ceylonees Plakkaatboek* II:608/10 (28 December 1786), 869.

²²² Hovy, *Ceylonees Plakkaatboek* II:515 (1 November 1770), 759-760; II:631 (18 July 1789), 925-926.

²²³ Hovy, *Ceylonees Plakkaatboek* I:52 (14/21 November 1659), 62-63.

prohibited slaves from wearing hats or caps unless they could speak Dutch.²²⁴ The opening of the Colombo ordinance echoes the intention of the authorities in Batavia: According to the regulation, the honourable council was always concerned with the fame, policy and honour of the Dutch nation and earnestly sought ways of making these shine all the more. One of these means was believed to be the promotion and fixation of the Dutch language on the one hand, and the destruction and abolition of Portuguese on the other. The desired outcome was that the name and memory of their enemy the Portuguese would be forgotten while their own was engraved on society. In order to achieve this it was decided to begin with the slaves and through them whole families, especially young children, could learn the language of their fathers. It was with this goal in mind that slave-owners were ordered to cut the hair of their slaves and not allow them to wear hats. This was a visual sign that the slaves could not yet speak Dutch. Those who had already learnt the language did not have to follow this practice.

This ordinance brings to light a number of very interesting issues. Firstly domestic slaves' crucial position in the household, specifically their role in bringing up children, is hinted at. The choice to begin with the slaves and from them to spread the Dutch language can only be a veiled recognition of this role. Secondly, it is interesting that having long hair was a privilege reserved only for those who could speak Dutch, as was wearing a hat. Numerous slaves must have had long hair in order for such a regulation to be meaningful.²²⁵ With regard to the wearing of hats, Robert Shell comments that “[s]hoes, hats and horses—symbols of the master class—were important props in the theater of subordination of all slaves in all the Dutch colonies.”²²⁶ The absence of a hat was a visual marker of low slave status.

Continuing the theme of visual markers of difference, the second ordinance dealing with sumptuary regulations was issued in 1664 in Galle. Rather than concerning the honour of the Dutch nation and promotion of language, it dealt with religion and the ease with which free and enslaved Muslims could be distinguished from one another. The ordinance was issued because slaves of Muslims were going around covered and dressed exactly like free Muslims and the Dutch and other inhabitants could not tell them apart. According to the regulation, this was a problem when it came to trading because the Muslim slaves feigned ignorance and many people were cheated of money. Titled “Ordinance forbidding the wearing of head-coverings by Muslim slaves” the regulation forbade the wearing of red hats and other head-coverings by Muslim slaves so that there was a clear visual distinction between enslaved Muslims and free Moors. Various punishments were proposed for those found in breach of this law: the slave-owner would be punished with a fine of 20 current *Realen* over and above which he was obliged to guarantee—perhaps reimburse—the value of the goods negotiated by the slave. Moreover, the guilty slave would have to labour on the Company’s works for three consecutive months.²²⁷ The Company considered it necessary to issue this regulation to protect its inhabitants from being cheated in the event of not being able to distinguish a free Muslim from a slave. Underlying this is the need to maintain order in society and keep the dividing lines between free and slave clear.

²²⁴ This ordinance is discussed in Fox, “For Good and Sufficient Reasons,” 257.

²²⁵ On the topic of hair, an ordinance issued in Batavia specified shaving a slave’s head along with whipping as the punishment for carrying a *kris* (bladed weapon) without permission. Fox, “For Good and Sufficient Reasons,” 258.

²²⁶ Shell, *Children of Bondage*, 374.

²²⁷ Hovy, *Ceylonees Plakkaatboek* I:75 (19 May 1664), 115.

A comparison of the Colombo and Cape Ordinances

As was the case in Colombo, the ordinances issued at the Cape were intended to regulate the behaviour of slave masters on the one hand, and their slaves on the other, while also limiting the scope of interaction between free and enslaved. A comparison of the edicts issued over the Company period in both territories reveals a number of common themes and brings into focus the differences which shed light on the idiosyncrasies of slavery in Dutch Colombo.

The largest category of ordinances in Colombo comprised those relating to ownership of slaves, with a strong focus on the different religious communities in the city. Forcing slave-owners to have the correct legal documentation as proof of ownership and regulating who owned which slaves according to religion were not serious concerns for the Company at the Cape. The explanation for this lies in the composition of the slave-owning population of Colombo and Cape Town. As discussed in the previous chapter, in Colombo slaves were owned by Moors, Chitties, free Sinhalese people, Eurasians and Europeans; in Cape Town, the majority of the slaves were owned by burghers with Company officials and 'Free Blacks' the other two groups of slave-owners.²²⁸ Language and religion were two arenas in which the Dutch in Ceylon were confronted with the legacy of their colonial predecessors, the Portuguese. Edicts were drawn up to promote the Dutch language over Portuguese and ordinances drawn up were based on the distinction made between Christianity and Catholicism. These issues were entirely absent from the Cape ordinances.

In terms of trade and transport of slaves, the concerns of the Company in Colombo and in Cape Town were slightly different. The proximity of Ceylon to the slave markets of South India and the presence of Asian traders provide part of the explanation for the predominance of edicts regarding permission, or lack of it, to ship slaves in or out of Ceylon. The gravitational pull of Batavia's demand for slaves must also be taken into account. At the Cape some Company officials engaged in clandestine private slave-trading and although there were sporadic requests sent to the Gentlemen Seventeen to grant burghers permission to go on slaving voyages, permission was not granted until the 1790s.²²⁹ One of the few regulations regarding the slave trade at the Cape was about goods to use in payment for slaves. In November 1792 an ordinance was issued dealing with private trade, including slaves. It stipulated that gunpowder could be used in exchange for slaves and that weapons could be imported from the Netherlands to use in the slave trade, provided that permission was received from the Gentlemen Seventeen and that the weapons were stored in the Company magazine.²³⁰ That same day another ordinance was issued, on the topic of levying customs duties. A tax of 10 Rds had to be paid to the Company for each slave imported into the colony.²³¹

In both Colombo and Cape Town, runaways were a problem. As expected, in both areas the Company had a problem with slaves who absconded and those who assisted them. Punitive measures were established for dealing with those who escaped and equally harsh punishments were settled upon those who gave any sort of assistance—'word or deed'—to those trying to flee bondage.²³² As early as 1658 the Company issued regulations to stop slaves escaping.²³³ It is no coincidence that this was also the year in which the first two

²²⁸ James C. Armstrong, "The Slaves, 1652-1795" in *The Shaping of South African Society, 1652-1820* ed. Richard Elphick and Herman B. Giliomee (Cape Town: Maskew Miller Longman, 1979), 90.

²²⁹ Armstrong, "The Slaves," 79, 81-82.

²³⁰ Argiefkommissie, *Kaapse Plakkaatboek* IV, "Bepalings i.s. die partikuliere vaart" (21 November 1792), 145-146.

²³¹ Argiefkommissie, *Kaapse Plakkaatboek* IV, "Heffing van doeaneregte" (21 November 1792), 159.

²³² Argiefkommissie, *Kaapse Plakkaatboek* I, "Nopens die wegloop van slawe" (28 August 1658), 37-38.

²³³ Argiefkommissie, *Kaapse Plakkaatboek* I, "Verbod teen die ophou, en spysiging van gedroste Kompagniesdienaars, vryliede, knegte of slawe" (18 November 1672), 120-121

shipments of slaves arrived at the Cape. In spite of numerous regulations, slaves running away continued to be an issue for the Company during the seventeenth and throughout the eighteenth century.

Tied into the Company's issues with runaways was their obsession with conspiracy: This fear underscores many of the ordinances issued on a range of topics from collecting firewood to being out in the dark. There is no equivalent terror regarding conspiracies in Colombo. The Statutes of Batavia against slaves gathering in the streets were of course in force in the city, and these regulations must have been based on a fear of conspiracy but it does not pervade the ordinances in Colombo to the same extent it did at the Cape. It is possible that the relative proportion of the population comprised by slaves at the Cape sparked this panic and a number of particularly violent crimes committed by bands of slaves certainly fanned the flames of panic. One night in mid-July 1760, Company employee Michiel Smuts and his family were murdered in their home by a group of slaves. Commandos sent out with the express purpose of catching the criminals had failed. Because of this, no slaves were allowed to be sent out by their masters to collect firewood. The authorities feared that slaves out collecting wood would make contact with the murderers who remained at large and pass on information that would help them evade capture. In addition, the regulation which required slaves to carry a lantern when out in the dark was renewed.²³⁴ A few days later a reward of 25 Rds was advertised for anyone who could deliver the murderers into the hands of justice.²³⁵ The murder of Hendrik Breemeyer in April 1790 was also cause for a regulation; a financial reward would be given to the person who brought the criminal to justice and it was specified that if it were a slave who handed over the murderer his reward would be manumission.²³⁶

A particularly fascinating collection of ordinances are those which fall into the category of sexual relations and social interaction. Company authorities in Colombo and at the Cape had similar concerns and extreme difficulty in regulating the behaviour of individuals and maintaining their idea of order and hierarchy in colonial society. The three groups within this category—sexual relations, alcohol, buying and selling goods—will be examined in turn.

The ordinances dealing with concubinage in Colombo and Cape Town are similar to the extent that the Company tried to limit sexual contact between free men and slave women. In 1678 the Cape authorities legislated against the keeping of concubines and included prohibitions against free men carousing with non-Christian and slave women. It had come to light that Company servants as well as settlers, 'being totally insensitive to the fear of God in their conscience', were sexually involved with non-Christian and Company and privately-owned slave women. Not only did 'the scandalous crime of fornication or whoring' take place in private, but men appeared in public places with women reputed to be their concubines and acted as if they were married.²³⁷ Clearly, the problem did not stop because three years later another regulation was issued. According to the edict issued in November 1681, the slave lodge in Cape Town had become one of the favoured meeting places for illicit sexual relations between free men and Company slave women. In order to prevent these liaisons punishments were set out for individuals discovered in the lodge at any time of day

²³⁴ Argiefkommissie, *Kaapse Plakkaatboek* III, "Insake boosdoenders (15 July 1760)", 29-30.

²³⁵ Argiefkommissie, *Kaapse Plakkaatboek* III, "(1) Optrede teenoor slawe wat moor..." (17/18 July 1760), 30-31.

²³⁶ Argiefkommissie, *Kaapse Plakkaatboek* IV, "Beloning vir die uitlewering van een moordenaar" (13/22 April 1790), 28.

²³⁷ Argiefkommissie, *Kaapse Plakkaatboek* I, "Verbod teen die hou van bysitte; en teen omgaan met nie-kristelike of slawe-vrouens" (30 November/9 December 1678), 151-152.

or night. Moreover, settlers were forbidden to condone such meetings in their homes.²³⁸ This indicates that some slave-owners must have allowed men, their friends or colleagues, access to their slave women in order to satisfy their sexual desires.

At the Cape, regulations regarding concubinage dealt exclusively with sexual relations between free men and enslaved women. This is not surprising when the preponderance of men over women—a defining feature of both the free and enslaved populations—is taken into account. The Colombo regulations did not deal exclusively with sexual relations between free men and enslaved women; sexual relations between free women and enslaved men also feature in the legislation. This is a very important point of divergence in the ordinances issued in Colombo and Cape Town and may be explained by differences in the sex-ratios of the two cities' slave and free populations. The ordinance suggests that the sex-ratio of the Colombo slave population in the second half of the eighteenth century was not as skewed towards the male as was the case in the Cape. This idea was taken up in Chapter Two in which the issue of sex-ratios is addressed briefly in the context of slave numbers; it is dealt with more fully in Chapter Three where the importance of the sex-ratio as a shaping influence in the forging of kin and social connections is highlighted.

Legislation dealing with social interaction amongst free and enslaved people in Colombo centred around two issues: gambling and drinking on the one hand, and buying and selling goods on the other. From as early as 1669 various ordinances stipulated that the enormous fine of 150 Rds would be imposed on anyone found guilty of selling slaves strong alcohol, including brandy and arrack. Moreover, a tapper would forever lose his right to tap alcohol if found guilty of selling to or serving slaves.²³⁹ In Colombo gambling went along with drinking as tavern pastimes. Similarly, at the Cape it was one of various ways that slaves and free people interacted at a social level. In December 1658 regulations against gambling were issued. Following the Statutes of Batavia, no-one of any legal or social status was allowed to gamble at the Cape on pain of a fine. The punishment for gambling with a slave was more severe: eight days in prison with only bread and water.²⁴⁰ Regulations against selling alcohol and gambling were ineffective and had to be reissued throughout the Company period.²⁴¹ The same can be said of regulations against buying from and selling goods to slaves. The first ordinance issued on this topic was intended to stem the sickness which had caused death amongst a number of Company and private slaves. The authorities were perplexed as to why slaves were dying and suspected that eating too much '*traan*'—fishoil from the fat and liver of whales and seals—was the cause of death. Thus in 1661 it was forbidden to give or sell slaves *traan*.²⁴² Ordinances issued in later decades dealt with more general issues of buying and selling goods. Similar to Colombo, goods offered for sale by slaves at the Cape were assumed to be stolen based on the sentiment expressed in the case against Modest from Sumbauwa, that as property himself, a slave could not own property. The ordinance issued in July 1700 described a situation in which some people had made it their job to buy up goods from slaves and then sell them in. In some cases, they even

²³⁸ Argiefkommissie, *Kaapse Plakkaatboek* I, “Verbod teen byeenkomste van Kompagniesdienaars en slavinne” (26 November 1681), 179-180.

²³⁹ Argiefkommissie, *Kaapse Plakkaatboek* I, “Verbod teen die verkoop van sterke drank aan slawe of Hottentotte” (11/12 December 1669), 107-108. The ordinance mentions the sorry case of a slave who drank himself to death.

²⁴⁰ Argiefkommissie, *Kaapse Plakkaatboek* I, “Verbod teen dobelspel” (6/8 December 1658), 46.

²⁴¹ Because regulations were forgotten or ignored, ordinances specifying rules of conduct for slaves as well as interaction between slaves and free people including buying and selling goods, were reissued. For instance, Argiefkommissie, *Kaapse Plakkaatboek* II (15 February 1715), 40-54; II (1 February 1727), 109-128; III (3/5 September 1754), 2-6; IV (20/22 August 1794), 244-250.

²⁴² Argiefkommissie, *Kaapse Plakkaatboek* I, “Verbod teen die verkoop van traan aan slawe” (23 October 1661), 69-70.

encouraged slaves to steal to ensure a supply of goods to fence. Thus no-one was allowed to buy anything from a slave unless the slave had special permission from his master to sell the items in question.²⁴³ An appendix to the General Ordinance which was reissued in 1701 added that no goods could be bought from or exchanged with a slave, whether he was owned by the Company or a private individual. Not only would the purchaser have to return the stolen goods, he also had to pay a fine 50 Rds for the first offence, 100 Rds for the second, and if he was found guilty a third time, he would be tried as a criminal for fencing stolen goods.²⁴⁴ Surprisingly, the appendix does not include mention of punishment meted out to the slave who sold the goods in the first place. The regulations against buying goods from slaves and the specified punishments were included in the General Ordinance which was reissued in 1704.²⁴⁵

An interesting point which emerges from the regulations against buying goods from slaves is that some individuals, specifically Company soldiers and sailors, had started buying clothes from Company slaves. Unsurprisingly, the Company was not happy about this situation because it meant they had to reissue clothes to their slaves, and consequently were losing money.²⁴⁶ Not only does this indicate that at least in the early years of Company rule at the Cape soldiers, sailors and slaves all wandered the streets dressed in the same clothes, but it raises the question why Company employees would need to resort to buying clothes off a slave's back. From the lack of ordinances issued on this specific topic in Colombo the conclusion can be drawn that it was not a problem faced by the Company authorities there.

The ordinances issued in Company territories were first and foremost a legal tool to control the inhabitants under Dutch authority and impose regulation on society. As an important means of communication between the VOC and its subjects, ordinances reveal the nature of this relationship as Dewasiri has pointed out.²⁴⁷ The legislation was intended to carve a way through the complex relationships which formed between free and enslaved, based on legal ownership, trade, religion, sexual intimacy or social hierarchy. It is evident from the structure of the regulations that they were reactive rather than pre-emptive, responding to issues which had already arisen and legislating against their recurrence. Therefore the ordinances provide fascinating insight into the social milieu of localities in which they were issued. Moreover, they highlight the sorts of worries that plagued the Dutch administration and in cases where regulations were issued and then renewed numerous times, some of the trials the Company faced on an on-going basis. As has been demonstrated, “[t]he accumulation of these specific ordinances, their reissue, especially in cases of blatant noncompliance, their amendment, amplification or rescission, all with accompanying commentary, provide a major resource for understanding social life under the Company.”²⁴⁸

²⁴³ Argiefkommissie, *Kaapse Plakkaatboek I*, “Verbod teen die inkoop of ruil van eenige goedere van slawe, sonder kennis van hul meesters” (5/6 July 1700), 320-321.

²⁴⁴ Argiefkommissie, *Kaapse Plakkaatboek I*, “Vernuwung van Generaal Plakkaat” (7 January 1701), 323.

²⁴⁵ Argiefkommissie, *Kaapse Plakkaatboek I*, “Vernuwung van Generaal Plakkaat” (10 January 1704), 340.

²⁴⁶ Argiefkommissie, *Kaapse Plakkaatboek I*, “Verbod teen die inkoop of ruil van klere van slawe” (16/30 December 1677), 148-149; reissued 1715: II, ‘Hernuwung van verbod op die inkoop of ruil van goedere van slawe” (24 September 1715), 30-31.

²⁴⁷ Nirmal Dewasiri, *The Adaptable Peasant: Agrarian Society in Western Sri Lanka under Dutch Rule, 1740-1800*, (Leiden: Brill, 2008), 21.

²⁴⁸ Fox, “For Good and Sufficient Reasons,” 248.

Chapter Three

Kinship and Sexual Relations

In January 1759 a case came before the Council of Justice regarding two sheets which had disappeared from the Council of Policy assembly room. Three individuals were arrested on suspicion of the crime but in the end none was sentenced. Cupido, freed slave of the deceased widow Foers, Bellesante, a free woman born in Batavia but living and working in Colombo, and her son, the slave man David, who belonged to widow Ritscher, were arrested for the crime of theft. When questioned, David denied involvement completely. But when the soldier Jan Diederig Arensberg was questioned, he provided incriminating information which contributed to the suspicion clinging to Bellesante and David. His relationship with Bellesante is not spelled out in the records, but it appears they lived in the same house—perhaps she was his servant, or even his concubine. Arensberg recognized the two sheets shown to him and told the Council that when Bellesante brought the sheets to his house she said she got them from her son, David. Arensberg had not thought the situation in the least suspicious.²⁴⁹

The Fiscal suspected that mother and son were accomplices in the crime of theft, but they refused to confess. Because fellow suspect Cupido had died in detention he could neither corroborate their story nor incriminate them further. The case was shrouded in doubt and without a confession mother and son could not be punished. Thus, Fiscal van Senden suggested that Bellesante and David be released from detention. The Council acquiesced but Bellesante had to pay half the costs of justice, the other half taken from the estate of the by then deceased widow Ritscher.²⁵⁰

This story provides an introduction to the theme of slave families and sexual interaction across the enslaved-free line. Kinship ties between slaves and in some cases between slaves and free persons come to the fore incidentally in criminal cases such as Bellesante and David's, as well as more explicitly in wills and emancipation deeds. Mining these sources reveals the various types of families that were formed by slaves: In some cases families were formed freely between slaves and between slaves and free persons; but some sexual relationships were conducted under duress, such as the exploitative sexual relationships that could form between a master or free man and a slave woman.

According to Orlando Patterson, 'natal alienation' is one of the constituent elements of slavery.²⁵¹ While this applies to the breaking of kinship bonds in the process of enslavement and transportation to a foreign land, it applies equally to the way in which slaves were denied opportunities to marry, create families and exercise parental authority and responsibility for their offspring. Slaves were cast as individuals by law and in many slave societies became part of the master's patriarchal household rather than independent families of their own. But the limitations imposed on slaves in Colombo, both by the Company and by masters, were not absolute. Kinship ties that wove individuals together can be traced through the archive.

²⁴⁹ SLNA 1/4607, CR 1759, ff. 7r, 5v. It seems that of the accused only David was questioned—Cupido died in detention shortly after his arrest; and there is no record of Bellesante being interrogated.

²⁵⁰ SLNA 1/4607, CR 1759, ff. 61r-63r. The fiscal concluded his report with an interesting discussion of how to deal with cases shrouded in doubt. With reference to legal texts and presumably established legal practice, he argued when there was doubt regarding culpability, the defendant's case should be favoured over the complainant's. Thus, he suggested the accused be freed.

²⁵¹ Patterson, *Slavery and Social Death*, 10.

Slave families

Because of the nature of the Company records, whole slave families are difficult to find in the archives. Most frequently, family ties between slaves were incidental to the main concern of the particular Company record. Moreover, marriage between slaves was not recognised by the Company and possibly neither by slave-owners. At the Cape slaves could not marry until the early 1820s, during the period of so-called Amelioration under the British, and before that *de facto* marriages had no legal standing.²⁵² Despite this slaves forged committed partnerships and called each other ‘*man*’ and ‘*vrouw*’, inscribing their relationships with the characteristics of marriage. In some cases, the Company also used the terms husband and wife to describe the relationship between a slave man and woman; however, sometimes they used the word ‘*bijzit*’, thus characterising the relationship as concubinage. John E. Mason defines slave marriage at the Cape as “a loving, if not necessarily stable, sexual and emotional partnership between a man and a woman; no marriage ritual was necessarily involved.”²⁵³ This chapter follows Mason’s definition of marriage rather than perpetuating the way the Company precluded slave family life.

One slave family that can be pieced together from late eighteenth-century notary documents spanned three generations. Bintang, a slave woman, was emancipated in November 1794 along with her mother, Alida, and her children, Kassim and Patra.²⁵⁴ No other information was given in the deed about this small family but a later deed bound in the volume reveals the identity of Bintang’s husband. She was in a committed relationship with a slave man named Spadilje, who was the father of her children. The whole family belonged to the same man—Johan Gerard van Angelbeek—but they were freed at different times. Spadilje was freed almost a year after his mother-in-law, wife and two children were emancipated and unlike the four of them who had to serve their former owner until his death, Spadilje was freed unconditionally.²⁵⁵ This difference in conditionality may have meant that setting up an independent family was still a challenge although it was not specified in the will whether or not Alida, Bintang, Kassim and Patra were allowed to move out of their master’s household. Other slave families that are made visible include Bootje and Samia, a couple who were freed in 1784²⁵⁶, and the slave man Orendatius, his wife Maria and their young daughter Susana who similarly entered the Company records when they were emancipated by Daniel Ternooij in 1782.²⁵⁷ Familial ties were also recorded in wills. For instance, five individuals who formed one family, consisting of Maart, his wife Aspatie and their three children Ismael, Rebecca and Christoffel, were promised freedom by testament.²⁵⁸ The slaves Floris, Lisie, Bastiaan and Maria, “being husband, wife and two children” were named as beneficiaries in a will—the family stood to inherit property as well as 300 Rds from their mistress.²⁵⁹

While such examples of whole family units are uncommon, the Company records contain frequent references to maternal relationships between slaves. Examples abound in wills and emancipation deeds as well as court cases, as in the above example of Bellesante

²⁵² Worden, *Slavery*, 57; Worden and Groenewald, *Trials*, 263 n. 1.

²⁵³ Mason, *Social Death*, 212.

²⁵⁴ SLNA 1/4146, 19 November 1794 [Johan Gerard van Angelbeek; Alida, Bintang, Kassim and Patra].

²⁵⁵ SLNA 1/4146, 17 September 1795 [Johan Gerard van Angelbeek; Spadilje].

²⁵⁶ SLNA 1/2665, 14 December 1784 [Jan Hendrik Borwater and Barbara Bregantina Lebeck], f. 8v. The couple was also left 200 Rds, a considerable sum during the late eighteenth century.

²⁵⁷ SLNA 1/2665, 8 July 1782 [Daniel Ternooij], f. 15v. Another family is revealed in the will. Ternooij left money to his goddaughter Maria who was the daughter of Ternooij’s servant Waijtje and Waijtje’s wife Christina. It is unclear if this is the same Maria who was emancipated although perhaps it is unlikely that Ternooij would have been godfather to a slave girl.

²⁵⁸ SLNA 1/2663, 1762 [Godfried Leonhard de Coste], ff. 41r-42r.

²⁵⁹ SLNA 1/2663, 1776 [Johanna Petronella Schade], ff. 56r-57r.

and David. The case documents are clear that the relationship between Bellesante and David was one of mother to son. But what is unclear is why David was a slave but his mother free. While it is possible that David became enslaved through debt bondage, it is far more likely that he was born to Bellesante while she was a slave and as a result of the hereditary nature of slavery through the maternal line, he too was a slave. At some later stage, Bellesante may have been freed while her son remained enslaved. The relative abundance of references to slave mothers and their children stems from the nature of bondage as matrilineal and thus the importance of the mother's identity for the legal status of the child. Far less common is a record of the paternal line, because it had no bearing on the child's official identity. In fact, only one example was found in the five volumes of wills preserved in which the relationship between a slave man and child was specified with no mention of the child's mother: The slave man Filander and his daughter Anna were listed among the testator's slaves.²⁶⁰ None was found in the emancipation deeds.

In contrast to the Cape there seem to be very few criminal cases specifically about family issues in the records of the Council of Justice of Colombo. At the Cape there were numerous instances of violence between slave men and their wives over issues of fidelity. One such example took place in 1786 on a farm in the Tjiggerberg area outside Cape Town when Ceres van Madagascar attacked Louisa. He and Louisa had been in a relationship for four years and they had several children together. Ceres, suspecting that Louisa had been unfaithful to him, confronted her and the altercation turned violent when Ceres hit her, and then stabbed her causing a fatal wound.²⁶¹ Numerous other such cases occurred at the Cape during the eighteenth-century.²⁶² In addition, there were cases about the issue of parenthood and paternal authority. In theory, slave men and women had no authority over their children who were also subject to the master's power. In an outburst of parental rage and as a refusal to accept his powerlessness to protect his daughter from their master's cruelty, Reijnier van Madagascar stabbed his abusive owner with a kitchen knife.²⁶³ In another instance, when Julij van de Caab disciplined his young son Februarij for ridiculing a fellow slave woman he was punished by the *knecht*, essentially for usurping the authority of the master.²⁶⁴ These cases illustrate two ways in which slave men were denied the opportunity to "be 'masters of their own families and were so prevented from developing the gendered role which was customary for other fathers at the time."²⁶⁵ John Iliffe argues that "one way for slaves to defend their dignity was to create areas of life partly beyond their masters' control."²⁶⁶ At the Cape, family life was one such area and was therefore "a focus of acute conflict between slaves and masters because slaves sought independent adulthood, while masters regarded them as members of their patriarchal households."²⁶⁷ Intriguingly, no cases about these or related issues were found in the dossiers or criminal rolls from late eighteenth-century Colombo clearly indicating a difference in the societies. Divergent sex-ratios in the slave populations of the two cities may provide some insight into the underlying difference, as the ratio of men to women was a major factor in determining slaves' experience of bondage.

At the Cape, slaves were predominantly male with the ratio as horrifyingly extreme as 4:1, according to Ross. However, he suggests that in Cape Town itself, the ratio was less

²⁶⁰ SLNA 1/2666, Gabriel Hofland and Elisabeth Andriesz, 18 January 1776, f. 51r.

²⁶¹ Worden and Groenewald, *Trials*, 520-525.

²⁶² See cases against Anthonij van Goa [1721], Jephtha van Batavia [1729], Andries van Bengalen [1741] and Januarij van Boegies [1755]. Worden and Groenewald, *Trials*, 83-95, 115-119, 202-206, 323-330 respectively.

²⁶³ Worden and Groenewald, *Trials*, 263-269.

²⁶⁴ Worden and Groenewald, *Trials*, 457-459.

²⁶⁵ Worden and Groenewald, *Trials*, 457.

²⁶⁶ John Iliffe, *Honour in African History* (Cambridge: Cambridge University Press, 2005), 133.

²⁶⁷ Iliffe, *Honour*, 133.

extreme.²⁶⁸ On the effect of the imbalanced sex-ratio Shell comments: “If one accepts the notion that a superfluity of men in a society has deleterious effects, then Cape slaves must have suffered greatly, since the Cape ratios were among the most imbalanced slave sex compositions in the colonial world.”²⁶⁹ Because of the lack of census data for the entire eighteenth century, there is no way of determining the sex-ratio amongst slaves in Colombo. However, an indication of the feminine nature of domestic slavery is the fact that many court cases—impressionistically more than at the Cape during the same period—involved slave women in a central role. Moreover, it is predominantly women who were emancipated, and they were frequently mentioned in last wills, although there were other factors besides a numerical one involved in the dynamics of manumission and inheritance. At the Cape the skewed sex-ratio was a significant hindrance to the forming of committed partnerships and families amongst slaves. In the absence of numbers one can only give an impression from the sources consulted, that this may not have been the case in eighteenth-century Colombo. According to Knaap’s analysis of census data dating from 1694, the ratio of private adult slave men to adult slave women was 5:4 in Colombo, indicating an almost balanced adult population. Despite this, the slave population did not reproduce itself: The ratio of adult females to children was surprisingly low at 6.5:1, indicating that Colombo was strongly dependent on new imports of slaves in the late seventeenth century.²⁷⁰

Details of the composition of the Company slave population are available for 1685 and 1694. From the earlier data set, slaves owned by the Company numbered 1570 and it can be calculated that the population consisted of 33% adult men, 36% adult women, and 31% children. Twelve years later the population had grown to 1741 and the composition had changed, most significantly the adult male population had swollen to nearly 44% while the percentage of children dropped into the low twenties. From this data Knaap concludes that the ratio of adult women to children was far more favourable amongst Company slaves than privately owned slaves.²⁷¹ While Knaap does not offer an explanation for this, Worden’s comments on the slave lodge in Cape Town may be instructive. According to Worden, the Company “imposed no limitations on its own slaves, and the Company Slave Lodge in Cape Town was the best known brothel in Cape Town.”²⁷² While there was no slave lodge in Colombo, it is possible that the ratio of female Company slaves to children was higher than amongst private slaves due to relationships established between slave women and free men. Unfortunately the absence of data for eighteenth century Colombo precludes any description or explanation of how the privately-owned and Company slave populations changed in composition over time.

The sex-ratio of the slave population of Colombo and its effect on the nature of slavery in the city certainly warrant further investigation. Shell suggests a causal link between the level of violence and the imbalanced sex-ratio at the Cape: “The extreme violence, murder, rape, gambling, homosexuality, and bestiality that characterized the behaviour of some of the burgher slaves...may be principally the result of the unbalanced sex composition.”²⁷³ If indeed further research confirms the more balanced sex composition of Colombo slaves, then in light of Shell’s argument, this will explain, at least in part, the low incidence of slave crimes in the Colombo Criminal Rolls.

²⁶⁸ Ross, *Cape of Torments*, p. 16. See also Worden, *Slavery*, Chapter 5: Slave demography.

²⁶⁹ Shell, *Children of Bondage*, 73.

²⁷⁰ Knaap, “Europeans, Mestizos and slaves,” 95-6.

²⁷¹ Knaap, “Europeans, Mestizos and slaves,” 96.

²⁷² Worden, *Slavery*, 57. Penn also comments on soldiers visiting the slave lodge “which doubled in the evenings as a brothel.” Nigel Penn, “Soldiers and Cape Town Society,” in *Cape Town Between East and West: Social identities in a Dutch colonial town*, ed. Nigel Worden (Sunnyside: Jacana Media, 2012), 185.

²⁷³ Shell, *Children of Bondage*, 76.

Concubinage

As highlighted in Chapter Two, the Company took on the immense challenge of regulating sexual interaction through ordinances against concubinage. Numerous ordinances were issued and the majority did not deal with issues of slavery specifically. The first order was issued as early as 1641 in Galle in which it was forbidden for men of the garrison to take concubines. This followed a Batavian statute penned in 1622. It was renewed in Galle on 8 September 1657 and later that month in Colombo.²⁷⁴ Most of the regulations dealt with the issue of relations between people of different religions: Relations between Christians and non-Christians, or baptised and non-baptised, were outlawed and harsh punishments were suggested for transgressors.²⁷⁵

While concubinage was considered morally and legally wrong, these edicts must be seen in the context of a very specific demographic problem. Like the Portuguese before them, the Dutch in Asia faced the issue of marriage in colonies lacking any number of European brides. Out of necessity, the idea of marriage as a relationship between two Europeans had to be relinquished. Jones states:

Structural and demographic constraints—namely, distance and disease—kept the ratio of Europeans to Asians in the colonies very low. These forces entrenched interracial marriage and mixing as the norm in the social world of early modern Dutch Asia, impacting the lives of all Asian women there.²⁷⁶

As had been the Portuguese way, the Dutch realised that marriage between European men and Asian women was, as Jones comments, “the only viable option for maintaining a presence in Asia.”²⁷⁷ Thus men were encouraged to take Asian brides. The visible manifestation of this could be seen in the faces of the mixed populations—‘Euro-Asians’²⁷⁸— which grew up in port cities in the Indian Ocean, including Dutch Colombo. This had a profound effect on the free female population, as well as on slave women.

In some cases, concubinage provided a means of social advancement if not a route to freedom for slave women. Two cases from Batavia are instructive. As her master’s concubine Sitie van Makassar gained a position of authority within the household and was treated both by her master and by those she interacted with beyond the walls of his home as a free woman. She dressed, behaved and was treated as if she were free, overshadowing her legal status as a slave. She was later led astray by a Javanese healer who incited her to run away from her master. Christina also lived in a relationship of concubinage although her master was not the object of her affection. She was in a sexual relationship with a free man who offered to purchase her freedom from her master, or even buy her. The fact that her master refused to free or sell her led to her attempted escape.²⁷⁹ Because both Sitie van Makassar and Christina were unsuccessful in their efforts to escape, their stories were recorded via criminal proceedings. Based on their stories as well as the unsuccessful runaway attempts of a number of other slave women, Jones argues that the legally entrenched opposition between slavery and freedom which replaced a far more fluid conception of bondage in Southeast Asia, compromised opportunities for social advancement of underclass women outside the Company. Moreover, towards the late eighteenth century he argues that master/mistress-slave

²⁷⁴ Hovy, *Ceylonees Plakkaatboek* I:2 (30 May/3 June 1641 Galle), 3.

²⁷⁵ Hovy, *Ceylonees Plakkaatboek* I:195 (15 May 1699), 279; I:257/4 (4 April 1732), 391; II:457 (3 June 1760), 673-674; II:530/16 (1 July 1773), 770.

²⁷⁶ Eric A. Jones, *Wives, Slaves, and Concubines: A history of the female underclass in Dutch Asia* (DeKalb: Northern Illinois University Press, 2010), 30.

²⁷⁷ Jones, *Wives, Slaves, and Concubines*, 36.

²⁷⁸ This is the term used by K. Jayawardena, to denote all individuals and groups who trace European ancestry in either the maternal or paternal line. Kumari Jayawardena, *Erasure of the Euro-Asians: Recovering early radicalism and feminism in South Asia* (Colombo: Social Scientists’ Association, 2007), Introduction.

²⁷⁹ Jones, “Fugitive Women,” 230-240, 225-227.

relationships shifted from affective to pecuniary in nature. Together these factors created both the conditions and opportunities for slave women to run away, particularly in Batavia.²⁸⁰ In a more recent publication Jones has extended his argument to encompass the female underclass of Dutch Asia; however, despite the subtitle, his work remains rooted in Batavia specifically and Southeast Asia more generally.²⁸¹

Silvia Vilanders and Rosetta are two women for whom upward social mobility became a reality, at least in the higher status afforded them by their changed legal status—from slave to free. Living in relationships of concubinage with their respective masters provided each woman and her children a route to freedom.

In 1782 Gerrardus Cornelis Kersse drew up his last will. In naming his heirs and dividing up his possessions he mentioned a number of slaves and freed slaves and in so doing revealed a family unit which bound individuals across the slave-free line. The first important character named in his will is Silvia Vilanders.²⁸² Kersse left her the sum of 50 Rds accompanied by three trunks. A far larger inheritance was left to Kersse's 'natural daughter' Susanna Cornelia Kersse, who he states was born to him of the former slave Silvia. While it is not spelled out in the will, it is most likely that while Silvia was working for Kersse as a slave they began some sort of sexual relationship and as a result Kersse decided to emancipate her. It is possible that she was already pregnant when manumitted, or she may have had the child at a later stage during their liaison. Because there is no tag relating to slavery attached to young Susanna her mother must have been free at the time of her birth.²⁸³

An emancipation deed from August 1738 records the relationship between Frans Gomes and four of his slaves who formed his immediate family. He freed the slave woman Rosetta who was his concubine as well as their three children named Louisa, Agida and Elisabeth. The children are described as "procreated by the deponent."²⁸⁴ Clearly the relationship between Frans and Rosetta was an enduring one, lasting long enough to produce three children. While the emancipation deed does not specify a reason for manumission, it is possible that Frans freed her in order for the two to marry or continue their relationship publicly in a socially acceptable way. More cynically, it is possible that their relationship went sour and Frans freed her and their children *in lieu* of divorce, thus allowing the quarrelling couple to go their separate ways. This is of course only speculation—the family appears briefly in the emancipation deed and then disappears from the historian's sight.

These two cases validate the argument that social mobility via concubinage was a possibility for slave women in Dutch Colombo. The fact that there were only two such instances in the five volumes of wills and 21 years of emancipation deeds consulted is the result of either slave-owners not frequently divulging their home circumstances in official documents or that upward social mobility was not often achieved through concubinage in Dutch Colombo. Thus, the extent to which Jones' arguments can be extended from Batavia to encompass Colombo is a matter requiring careful consideration. Jones' characterisation of Southeast Asian society as fluid is epitomised in his comment that "[s]ociety did not fix status and rank at birth; they were always subject to one's fortunes in the market of mutual obligation and the making and breaking of patron-client relationships."²⁸⁵ Opportunities for

²⁸⁰ Jones, "Fugitive Women," 217.

²⁸¹ See Jones, *Wives, Slaves and Concubines*.

²⁸² While a slave she was known only as Silvia, but since receiving her freedom from Kersse she had taken on a surname.

²⁸³ SLNA 1/2663, 12 April 1782 [Gerrardus Cornelis Kersse], f. 11r. From the naming pattern in the will it is possible that Kersse fathered another daughter, but with a free woman. He left the daughter of the free woman Mida 50 Rds, and like Susanna Cornelia Kersse, the child also had Cornelia for a second name. This however cannot be confirmed as his relationship to the child was not made explicit.

²⁸⁴ SLNA 1/4145, 6 August 1738 [Frans Gomes; Rosetta, Louisa, Agida and Elisabeth], ff. 5r-v.

²⁸⁵ Jones, "Fugitive Women," 220.

underclass women in Colombo society to be upwardly mobile were hampered by caste, which—although not the monolithic rigid social structure it is often assumed to be—did set social positions and relationships of obligation from birth. As a mechanism for structuring and ordering relationships between individuals and groups, caste set South Asia and Colombo specifically, apart from Southeast Asia, and Batavia in particular. With this in mind a cautious approach to the applicability of Jones' arguments for Dutch Colombo, and the whole of the female underclass of Dutch Asia, is required.

Silvia and Rosetta's stories leave us in no doubt that sexual relationships were conducted between masters or free men and slave women in Dutch Colombo and further, that at least in some cases, concubinage provided potential benefits to slave women, even freedom. While it was illegal, slave masters, both private owners and the Company, are likely to have turned a blind eye—as long as the practice did not threaten the stability of their households or the colony—because of the potential benefits accruing to them through 'slave-breeding.' From Mentzel's travel account of his time at the Cape, Worden concludes that the value of slave-breeding did not go unnoticed amongst slave-owners. Worden argues that at the Cape masters encouraged cohabitation of female slaves with whites for two reasons: Firstly, the cost of upkeep was reduced by the gifts bestowed by a free man on his concubine; and secondly, children of the union belonged to the master. He states that "[i]n a society where slave prices were high and supplies limited, it is to be expected that many masters would have encouraged their slaves to breed."²⁸⁶ It is possible that the situation in Colombo was comparable and that masters similarly, condoned relationships from which they stood to benefit.

However, it is clear that there was a limit to the Company's tolerance of illicit relations. In November 1772 the Council of Justice entered a note in the criminal roll, based on an extract from the General Resolutions made in the Council of the Indies, Batavia, which was an amplification of a previous regulation against the selling of children procreated by a Christian and his slave woman. Not only was it forbidden to sell the child, but the mother too could not be sold. She had to be emancipated.²⁸⁷ This prevented a slave owner from generating wealth by sexually exploiting his female slaves. While all children he fathered with a slave would have automatically enriched him because of their value as property, he could not turn that property into cash. Clearly, some men in Batavia had been selling their own children and the same must have been happening in Colombo in order to warrant such an entry in the roll.

Slave men

Sexual relations between slave men and free women are the topic of far less scrutiny, perhaps because these dalliances are near invisible in Company records. No evidence of slave men forming sexual relationships with their mistresses or free women was found. The evidence that such liaisons existed is the fact that the Company specifically legislated against them during the eighteenth century. As noted, a number of the ordinances against concubinage did not mention slaves specifically; those that did surprisingly address the issue of concubinage specifically related to male slaves conducting sexual relations with free women. In 1704, it was expressly forbidden for male Company slaves to live in relationships of concubinage with free women. The punishment set out for women who took Company slave men as sexual partners was to have their hair cut off, to be clapped in chains and set to work on the public works for three years. Children of such unions were to be made Company slaves, despite being born to free women.²⁸⁸ In 1732 the ordinance was reissued, indicating that the previous

²⁸⁶ Worden, *Slavery*, 57.

²⁸⁷ SLNA 1/4608, CR 1772, ff. 152r-v.

²⁸⁸ Hovy, *Ceylonees Plakkaatboek* I:206 (14 June/14 October 1704), 309-310.

order was ineffective in stopping ‘illicit’ relations. The second ordinance included the more general statement that free locals were forbidden to sleep with Company slaves. From the regulation it is clear that the close proximity of free people, private and Company slaves living in the ‘Company slave quarter’ facilitated exactly the sorts of relationships which the Company intended to regulate. Thus all free people and privately-owned slaves were forced to relocate.²⁸⁹ Again, in 1773, in an ordinance entitled ‘Advertisement against all Crimes’, the Company forbade sexual relations between slave men and free women, threatening a life sentence of hard labour on the Company’s works for transgressors. The punishment for a carnal relationship between a slave man and his master’s wife or daughter was far harsher—the slave would be put to death for such a crime.²⁹⁰ From the need to reissue regulations over time it is clear that the Company was ineffectual in regulating sexual liaisons between free people and slaves. Moreover, the fact that ordinances specifically dealt with male slaves living in relationships of concubinage with free women marks Colombo as different from the eighteenth-century Cape where such relationships were not specifically addressed by law.

The question of consent

Whether or not relationships between slave women and free men, especially when he was also her owner, were consensual is almost impossible to surmise from the Company records. But it is safe to assume that the whole range of relationships from coerced to willing love existed. Unfortunately, rape was also a reality. During the month of January 1792, a slave woman Tamar, brought a charge of rape against a French man named Pierre Laborde.²⁹¹ This case is not only unique in the criminal records of Dutch Colombo; no such case was brought before the Council of Justice at the Cape either. The three entries made in the criminal roll regarding Tamar’s charge of rape against Laborde provide a devastating tale of a slave woman’s anguish.²⁹² In addition they demonstrate the extent to which a slave woman took ownership of her body and claimed it as her own, to the point that her charge of rape was taken seriously enough by the Fiscal to warrant investigation.

In the confrontation held between Tamar and Laborde, Tamar told the Council that Laborde’s statement was untrue and provided her own version of events. She stated that he had grabbed her by the arm, taken her into the house, then into the bedroom and after he closed the bedroom door, he raped her. Tamar recounted to the court that she had screamed that Laborde was hurting her, but he refused to let her go and then said that it would only last a moment.

Laborde responded by contradicting Tamar’s account. He claimed that Tamar came to him of her own free will, and had done so twice before. The second time there was another person home, Lindor, African slave of Captain Oriolle, and so Tamar had said that she would come back another time when she and Laborde could be alone. Laborde also undercut Tamar’s statement by suggesting that if he had dragged her inside and she had screamed as she claimed she did, the watch stationed nearby would have seen and heard the incident because of the moonlight that evening. Moreover, her screams would have alerted the neighbours who would have come to the scene. Laborde also told the Council that he did not

²⁸⁹ Hovy, *Ceylonees Plakkaatboek* I:259 (30 April 1732), 391.

²⁹⁰ Hovy, *Ceylonees Plakkaatboek* II: 530/12, 20, 21 (1 July 1773), 770-771.

²⁹¹ The Criminal Roll of 1791 [SLNA 1/4613] includes records from January 1792. However, the rest of the court records from 1792 have been lost. Thus only three entries regarding the rape charge are available: a confrontation between Tamar, the complainant, and Pierre Laborde, the defendant; statement made by the African slave of French Captain Oriolle in whose house it seems Laborde lived; record of Tamar being read the slave Lindor’s statement and being given a chance to respond to it.

²⁹² All references to the case are drawn from SLNA 1/4613, CR 1791, ff. 167r-170v. From the three entries that are available it is clear that other documents pertaining to the case existed, but these have been lost.

know if Tamar was a virgin and that in his passion he had not noticed, but he thought her a whore because she came to him of her own volition. In line with this assumption, he had paid her for intercourse.

Tamar responded by persisting with her version, and added that the neighbours were not home that night. Once again Laborde responded: He persisted with his story and acknowledged that he did not know whether or not the neighbours were home, but claimed that the house was seldom empty.

Pierre Laborde was then read Tamar's altered statement and her answers to certain questions, but these documents have been lost. However, it is clear from Laborde's response that the missing records contained the intimate detail of a very traumatic event. Laborde claimed that it would have been impossible for him to have opened her legs as Tamar recounted; to have held her hands as she claimed; to have pinned her to the bed as she described. Still, Tamar insisted that she had been raped, to which, unsurprisingly, Laborde's response was to persist with his version of the tale which cast the encounter as consensual.

The two remaining entries in the Criminal Roll concern a possible witness. Lindor, an African slave belonging to Captain Oriolle, was called to the council chamber and asked whether or not he knew Tamar, if he had seen her in the house in which he lived and if she had any association with Laborde.²⁹³ Lindor responded that he did know Tamar and that she lived two houses away. He added that one evening she had come to the house of his master with a kettle to ask for some water but that he did not know if she had a sexual relationship with the Frenchman Laborde.

The last entry for the case of alleged rape records Tamar's reaction to hearing Lindor's statement. Her only response was to confirm that she had indeed gone to Oriolle's house to ask for water. She added that she did not speak to Laborde on that occasion.

Neither Tamar nor Laborde denied that they had intercourse: The case turns on the issue of consent. Laborde claimed that he had paid a slave whore for sex while Tamar maintained that she was a slave woman who had been taken advantage of in a most devastating way. Whether or not Tamar's accusation was false, her story was plausible enough to warrant a criminal investigation. Yet, her case is unique in the surviving Criminal Rolls from the second half of the eighteenth century. It is entirely incorrect to conclude that she was the only slave woman to be raped by a free man. Rather, reporting such violent and intimate crimes was rare. A slave accusing a free man of any crime was uncommon.²⁹⁴ Unfortunately, there is no record of the outcome of the case and whose story the authorities chose to take as truth. If the outcome was in favour of Laborde, it is quite possible that Tamar would have been severely punished for bringing a false accusation against a European.²⁹⁵

At the Cape sexual abuse was part of slave women's experience of slavery. Worden notes that both in Cape Town and the surrounding countryside slave women "were always subject to sexual abuse from their master or his sons."²⁹⁶ The near silence in the criminal records is certainly not proof that such abuse was absent in Colombo.

²⁹³ Seeing as this line of questioning was intended to establish whether or not Tamar had been seen with Laborde or at least in the house where he lived, Laborde must have been living in the house of Oriolle, perhaps as a boarder. It was likely a similar set-up to the men who feature in the case against Deidamie who lived on the van Cuijlenburg's property, probably renting rooms or small cottages.

²⁹⁴ The only other case of a slave accusing a European of a crime dates from 1779 when Philander accused his master of maltreatment. See SLNA 1/4610, CR 1779, ff. 19r-23r, 24v-25r, 52r-53v, 57r-59r, 63v-64r, 66v, 70r-76r, 88r-v, 92r-v, 94r-v, 99r-v.

²⁹⁵ This happened at the Cape when Anthonij van Malabar falsely accused his master of murder and David van Bengalen was punished for falsely accusing his master of maltreatment. Worden and Groenewald, *Trials*, 65-72 and 282-285 respectively.

²⁹⁶ Worden, *Slavery*, 57.

This chapter has highlighted a number of the characteristics of slave life in Colombo pertaining to kinship and sexual relations. In spite of the Company's preoccupations and consequent nature of official records, a small number of slave families can be traced in the archive. Some slave men and women formed committed partnerships and raised children together. In other cases, slaves formed relationships with free people. It is most commonly the bonds formed between slave women and free men that are illuminated, through emancipation deeds and wills. While in some instances these may have been relationships based on mutual respect and love, or even social ambition, in relationships between individuals of such vastly different social and legal status, it is near impossible to surmise whether or not the relationships were consensual. As the case Tamar brought against Laborde indicates, there were instances of sexual abuse and rape. The Company's ambitious attempts to regulate social interaction and proscribe sexual relationships it deemed inappropriate for social or religious reasons, were never entirely successful: Slaves forged sexual and emotional bonds despite the limitations imposed by law and their masters. However, this did not lead to formation of slave culture, a unified community of slaves, or underclass consciousness, which will be addressed further in the following chapter.

There are three reasons why the conclusions of this chapter are crucial elements of the broader picture of slave life in Colombo. Firstly, the position of women is brought to the fore and it is clear from this discussion of slave families, concubinage and sexual abuse that slave women are visible in the archive. Secondly, it demonstrates that while natal alienation is a constituent element of slavery, it was conquered, admittedly to only a limited degree, by individual slaves in Dutch Colombo. This is seen most poignantly in the case of rape which Tamar instigated against Laborde: On the one hand slave women were vulnerable to the cruel and abusive passions of free men, while on the other in taking ownership of her body and accusing Laborde of rape Tamar overcame natal alienation. Thirdly, the different familial relationships of which slaves, both men and women, were a part played an important part in the creation of communities of mixed heritage in Colombo. Before the arrival of the Dutch, and the Portuguese who preceded them, Colombo was a hybrid city; relationships between imported slaves, local and foreign Asians and Europeans continued this pattern and led to the growth of Euro-Asian communities.²⁹⁷

²⁹⁷ Jayawardena, *Erasure of the Euro-Asians*, Chapter 1.

Chapter Four

Social, Cultural, and Religious Connections

During the eighteenth century Dutch Colombo—port city and urban centre—supported a diverse population comprised of Europeans, Company employees from Governor to lowly *boekhouder*, Euro-Asians, Sinhalese, Tamils, Muslims/Moors, Chitties, convicts and slaves. Far from isolated individuals, slaves played an active part in establishing an underclass, encompassing individuals towards the lower end of the social and economic hierarchy. Connections between free and enslaved were forged. A notable feature of this underclass was the presence of women. The first section of this chapter deals with the connections established between individuals—men and women, slave and free—within Colombo. But ties stretched across the Indian Ocean, connecting the social, religious and cultural worlds of Colombo and Batavia which is the focus of the second section.

Colombo's Underclass

Initially, the VOC's ambitions regarding Colombo were limited to expelling the Portuguese and returning the settlement to Raja Sinha, King of Kandy, in exchange for reimbursement of war costs, as stipulated in the treaty signed between both parties. But after conquest in early 1656 the Dutch vacillated, eventually deciding to keep Colombo, as the gateway to the rich cinnamon-producing hinterland.²⁹⁸ The function of the port city was always geared towards the productive hinterland.

Looking towards the sea, Colombo was part of numerous shipping networks including local trade from the ports further north and south of the city and intra-Asian trade, specifically the enduring networks encompassing the Maldives, Malabar, Madurai, Coromandel and Bengal. Chulia Muslims dominated the Malabar, Madurai and Coromandel connections; Paravar and Karava fishers and sailors were most numerous in the Turicorin trade; and Chetties and Muslims covered the Coromandel connection. Bengal ships, mostly operated by wealthy merchants, were less numerous. During the Company period Colombo also had strong shipping connections with the Netherlands but shared port functions with Galle in the southwest and Jaffna in the north.²⁹⁹

The eighteenth century was not the height of Colombo's shipping greatness—that was to come later, when Colombo overtook Galle and emerged as a great hub in Indian Ocean shipping in the second half of the nineteenth century.³⁰⁰ Despite sharing port functions and the fact that Company maritime policy was restrictive, with local, intra-Asian and Dutch shipping connections “Colombo was a fairly lively port city.”³⁰¹

The shipping patterns and trade position of Colombo affected population composition. Evidence supports a view of the port as a city comprising a mixed population. Jayawardena has characterised Sri Lanka as a ‘hybrid island’ before the arrival of European colonists³⁰²;

²⁹⁸ Raben, “Batavia and Colombo,” 20-21.

²⁹⁹ Raben, “Batavia and Colombo,” 45-46.

³⁰⁰ Pre-eminence was fleeting: Various exogenous factors led to the ports decline in the early twentieth century. K. Dharmasena, “Colombo: Gateway and oceanic hub of shipping,” in *Brides of the Sea: Port cities of Asia from the 16th-20th centuries*, ed. F. Broeze (Kensington: New South Wales University Press, 1989), 152-172.

³⁰¹ Raben, “Batavia and Colombo,” 46. However, the vibrance of Colombo paled in comparison to Batavia: “Although a considerable distribution centre for the region, Colombo was far from being the bustling cosmopolis that was Batavia.” Raben, “Batavia and Colombo,” 50.

³⁰² Jayawardena, *Erasure of the Euro-Asians*, 19.

ethnic mixing continued after the arrival of the Portuguese and later the Dutch. Raben identifies general similarities between the population composition of Batavia and Colombo: Both cities comprised indigenous population groups, immigrant Asians, European settlers and Company servants. Slaves can be added to that list.³⁰³ The free population of individuals unattached to the Company comprised European settlers, Sinhalese people, and many ‘foreign’ Asians too, which leads Raben to conclude that as early as the 1680s “Colombo had become—or rather, had continued to be—the gathering place of foreigners and peoples who occupied an exceptional position in the Sinhalese social (caste) order.”³⁰⁴ Many of these people owned slaves who occupied the very lowest rung on the social ladder. To this population was added temporary influxes of soldiers. In the mid-1760s, during the war with Kandy, ‘Eastern’ soldiers were shipped to Colombo from Batavia.³⁰⁵ One such individual, a man named Draman, features prominently in one of the case-studies to follow in the second section of this chapter. During the 1780s, the time of the Fourth Anglo-Dutch War, whole regiments were hired from Europe to bolster Colombo’s deficient military. Hundreds of men from the Luxemburg, Württemberg and De Meuron regiments swelled the population when they were stationed in Colombo.³⁰⁶

Raben comments that “as port cities do, they [Batavia and Colombo] brought together separate worlds in the confined space of the city.”³⁰⁷ Having established Colombo’s position in shipping networks and the mixed nature of the population, we now turn to how individuals within the port city related to one another. The lower social strata—the underclass—are the focus of this chapter.

The case of the copper bowl: Amber, Troena de Wangso and Andries

In 1794 a criminal case involving numerous characters came before the Council of Justice to be considered. The members had no easy task in determining a judgment: The details of the case as offered in the statements of the accused and witnesses were contradictory, confusing and complex. They reveal the wide-ranging social connections of which slaves were a part.

At the centre of the case stood two men—the slave man Amber and a convict named Troena de Wangso.³⁰⁸ Amber belonged to the vice-Modliaar of the Attepattoe, Christoffel de Saram. The slave declared not to know his age and to have no religion. No details were provided of his place of origin or how long he had been owned by de Saram.³⁰⁹ Troena de Wangso was described in the court papers as Javanese, originating from Damak. He could not specify his age but did mention that he was Muslim. The only other details of his past surround a previous crime: He was sentenced to transportation and was banished from Java. He arrived in Colombo on board *De Princes van Oranje* in 1784, and was sent to the *materiaalhuis* which must have functioned as a workhouse or prison. He absconded from there in March 1793.³¹⁰ The crime Amber and Troena de Wangso were accused of was theft.

³⁰³ Raben, “Batavia and Colombo,” 5. While composition was similar, absolute numbers were very different—Colombo had a much smaller population.

³⁰⁴ Raben, “Batavia and Colombo,” 103.

³⁰⁵ Raben, “Batavia and Colombo,” 110.

³⁰⁶ Raben, “Batavia and Colombo,” 110.

³⁰⁷ Raben, “Batavia and Colombo,” 43. See Jayawardena, *Erasure of the Euro-Asians*, 32-33 for a description of the Swiss de Meuron regiment and its legacy in the burgher population of Colombo.

³⁰⁸ All documents relating to the case were bound and are available at SLNA 1/4740, ff. 1r-36v. The dossier consists of a statement by the complainant, Simon Gomes Nella Tambij; seven witness reports; statements given by both of the accused; a note regarding Troena’s convict past; and the fiscal’s *Eijsch*. All following details of the case are drawn from this collection of documents.

³⁰⁹ SLNA 1/4740, f. 21r.

³¹⁰ SLNA 1/4740, ff. 18r, 26r. Damak most likely refers to Demak in central Java. It was recorded that Troena had been banished for 20 years or for life, however, according to his own statement, he was banished in 1781 for a period of 6 years. SLNA 1/4740, f. 18r. Perhaps the sentence was handed down in 1781 and it took some years

There was a third accused, a free Sinhalese man named Andries, but he had managed to escape.³¹¹ The social networks which brought together a slave, transported convict and free Sinhalese man, and provided them the opportunity to sell or pawn their loot will be highlighted through the story of the burglary and subsequent selling of the stolen goods.

The complainant in the case, Simon Gomes Nella Tambij was 60 years old at the time, had been born in Colombo and was Roman Catholic. He occupied the position of *vidaan* (headman) over the Sinhala and Tamil silversmiths in Colombo.³¹² Simon Gomes claimed that he had been burgled: Despite carefully locking his house before retiring to bed, he woke the following morning to find the window of his room open and articles of clothing, small household items and a copper bowl had gone missing.³¹³ The copper bowl was to prove pivotal in solving the case: Some days later Simon Gomes' neighbour spotted a young Moor, Aliaar, with a copper bowl. From that point the case unravelled as the thread connecting numerous individuals to each other and to stolen goods eventually tied three men to the crime.

Aliaar revealed that he got the copper bowl from his brother, the Moor soldier Sinne Wapoe. Simon Gomes and his son-in-law Don Joan, who had questioned Aliaar, then confronted Sinne Wapoe who claimed he bought the bowl from Louisa Zose. Sinne Wapoe was out selling tea one afternoon when he was asked by Louisa if he wanted to buy the copper basin she displayed. She initially asked half a *Ropij* for the vessel but the two agreed on nine *stuijvers* and the transaction went ahead, near Wolvendaal church.³¹⁴ As a result of this tale the four men trooped off to question Louisa. Her story was different: She claimed that Sinne Wapoe bought the bowl from Troena de Wangso in the presence of Amber and Andries, all three of whom were at her house to get fire.³¹⁵ As the group made their way to meet Renaldus Hendriksz, they were informed that a Javanese man had been seen nearby Louisa's house—Aliaar, his brother and one of Hendriksz's slave men were sent in pursuit. In the end an African slave belonging to Hendriksz was the one to catch the Javanese man and deliver him to Hendriksz's garden. There Troena de Wangso was questioned and according to Don Joan's report of the events, he confessed to burgling Simon Gomes' home.³¹⁶

According to the fiscal, Troena openly told the court about his crime and the circumstances in which it was committed in the hope of receiving a lighter sentence.³¹⁷ Troena began by recounting the events leading up to his apparently chance meeting with Amber at Wolvendaal church where they made the decision to go out and steal. After numerous requests to be released, claiming he had served out his sentence of incarceration, Troena was freed from his chains and sent on board a ship to unload rice. He laboured there for three days with no food, neither did he receive food when on the quayside. He was ordered aboard again, but 'out of fear of having to suffer prolonged hunger, he absented himself' and was reduced to begging for food.³¹⁸ Soon after, he met an old acquaintance, the enslaved Amber. Troena revealed that he and Amber were not strangers before the crime: They had gotten to know each other when both men were detained in the *materiaalhuis* in Hulftsdorp. Troena claimed that perpetrating the crime was Amber's idea and during their

for criminal transportation to be organized. However, there is no way of explaining the contradiction in period of banishment.

³¹¹ SLNA 1/4740, f. 33r.

³¹² It appears that his choice of language was Tamil, as the *Mallabaarsche tolk* was employed in the translation of his statement. SLNA 1/4740, f. 3r.

³¹³ SLNA 1/4740, ff. 3r-v.

³¹⁴ SLNA 1/4740, f. 10r.

³¹⁵ SLNA 1/4740, ff. 6v, 13r.

³¹⁶ SLNA 1/4740, f. 7r.

³¹⁷ SLNA 1/4740, f. 29v.

³¹⁸ SLNA 1/4740, f. 18r.

meeting near Wolvendaal church they discussed the theft. The two men then enlisted the free Sinhalese man Andries, who they went to speak to in a bar.³¹⁹ They must have convinced him of the merits of their plan because from there the three men made their way into the old city where they robbed Simon Gomes' home. Once they had escaped beyond the *Kaaijmanspoort* they divided up the goods amongst themselves, to sell off for profit. A few days later the three men met again in the bazaar, under the cover of darkness and divided the profit of 30 Rds between them. Troena still had some goods to fence, including the copper bowl. According to his story, he carried his stolen goods secreted away in a handkerchief, but on meeting the inquisitive soldier Sinne Wapoe, he revealed the contents and agreed to sell it for the sum of one *ropij*. Sinne Wapoe then took Troena to his home in the *Moorsche Straat* to hand over the money. When Sinne Wapoe heard this version of events he responded that it was all lies and gave an explanation as to why such a meeting was impossible—he claimed he was on watch and moreover, did not know the detainee, Troena. To this Troena retorted that in fact he knew Sinne Wapoe, his wife and children well! Moreover, he added that the two of them went to Louisa's house together, where they had some water to drink before they went to Sinne Wapoe's home to get the money for the goods.³²⁰ The two stories remained divergent, with each man persisting with his own version.

In contrast to Troena de Wangso who told his story in considerable detail, the slave Amber claimed, or feigned, ignorance of the crime. As an alibi he stated that he had been in Talahene, near Negombo, sent by his master with a number of others, whom he may have hoped would corroborate his story. While on his way back he was arrested and detained in the Dessave's *mandoe*, and later taken to the fiscal. After recording his statement, Amber was read Troena's statement in which he was incriminated. His response was to deny everything, including knowing Troena and Andries.³²¹ Troena must have been present for the reading of the statement because he was recorded as persisting with his statement, adding "that Amber knew him very well and that he didn't want to say so because he was an accomplice to the theft."³²² As frequently happened during confrontations, both men persisted with their contradictory stories.³²³ After the confrontation Amber was questioned by Fiscal Borwater regarding his relationship with Troena. The interaction was recorded thus: "If he the detainee is not involved in the theft, what reason could the prisoner then have to incriminate him because he the prisoner cannot escape punishment. The detainee answered not to be able to say why the prisoner Troena incriminated him."³²⁴

In her statement, Louisa Zose confirmed that the three men Troena de Wangso, Amber and Andries visited her home one night, asking for fire and on that occasion Troena had the copper basin with him thus tying the three men to each other and to the physical evidence. Moreover, in answering the Fiscal's questions she revealed existing connections quite separate from the crime, between the various actors in the case. Louisa sold cooked rice from her home and as a result of this business she knew the convict and accused, Troena de Wangso, one of her customers. Moreover, she was acquainted with the slave Amber because he owed her money from past purchases.³²⁵ She also explained that she met Amber and a *lascorijn* in the *Moorsche Straat* and asked for the four *duijten* the slave man owed her. He replied that he had no money and was going to Negombo "to do his master's service."³²⁶

³¹⁹ SLNA 1/4740, f. 18v.

³²⁰ SLNA 1/4740, f. 12r.

³²¹ SLNA 1/4740, ff. 21r-v.

³²² SLNA 1/4740, f. 22r.

³²³ SLNA 1/4740, f. 22r.

³²⁴ SLNA 1/4740, ff. 22r-v.

³²⁵ SLNA 1/4740, ff. 13r, 14v.

³²⁶ SLNA 1/4740, f. 14v. It is quite possible that Amber's way of earning money was completing coolie service for his master. Januarij van Malealan earned money this way.

Two slaves, named Geduld and Joean, who belonged to Hendriksz provided statements because of their involvement in capturing Troena. Unfortunately only their ages, 26 and 36 respectively, and religion, both Roman Catholic, were recorded.³²⁷ Piecing together different statements, it becomes clear that Joean was the African slave who caught Troena. Two very interesting points come out of the statement made by the two slaves. Firstly, it revealed that slaves in this instance were used as some kind of informal police force, sent out to fetch people implicated in the theft. In fact, the investigation was conducted independent of the fiscal who only got involved when all those under suspicion had been gathered in Hendriksz's garden.³²⁸ Secondly, the slaves' statement added the damning detail that it was Sinne Wapoe who suggested Simon Gomes as a target and encouraged Troena de Wangso, Amber and Andries to burgle his home. They also reported that Troena admitted to being the one who sold the copper vessel to Sinne Wapoe.³²⁹

In his *eijsch* against Amber and Troena de Wangso, the fiscal concluded that they were "two bad objects, most dangerous to general society."³³⁰ He recommended that Amber be chained for three years and sent back to his master.³³¹ Troena de Wangso, who had already confessed his part in the crime, was sentenced to be handed over to the executioner at the public execution ground, bound to one of the posts of the gallows, flogged until he bled, and then clapped in irons to labour on the Company's works for 15 consecutive years.³³² Andries had escaped and therefore was not sentenced, but the fiscal reserved the right to prosecute him when he was caught.³³³ When Troena and Amber heard their sentences both men responded: Troena said that for the 10 Rds that he got as his share of the spoils he could not bear such a heavy punishment; Amber, unsurprisingly, continued to insist on his innocence. However, the fiscal was unmoved and persisted with his case.³³⁴ According to an extract from the Criminal Roll the council agreed to the fiscal's proposed punishments and so they became definite sentences.³³⁵

This complex story reveals numerous surprising connections between the men. Troena and Amber knew each other and they were both Louisa's customers. Furthermore they both knew Andries, although how they met him was not revealed. It is clear from the story as told by Troena that the slave man Amber had considerable freedom of movement—he had time to purchase rice, to roam the streets, pass by Wolvendaal church, and he was out at night, both the night of the crime as well as after when he met his criminal colleagues in the bazaar. In addition, Troena's account highlights the possible role of the *materiaalhuis* as a meeting point for criminals and slaves and a place where friendships were forged.

A case of theft committed by a slave woman Lizarde and her accomplice, a free Sinhalese boy Christiaan, reinforces the argument that slaves maintained vast social networks.³³⁶ It was alleged that over a period of months Lizarde and Christiaan stole an

³²⁷ SLNA 1/4740, f. 15r

³²⁸ SLNA 1/4740, f. 16r.

³²⁹ SLNA 1/4740, ff. 15v-16r.

³³⁰ SLNA 1/4740, f. 32r. Those involved in purchasing the stolen goods were not punished, at least not as part of the same criminal process. Buying goods from slaves was a punishable offence according to an ordinance of 1770. Hovy, *Ceylonees Plakkaatboek* II:515 (1 November 1770), 759-760. It is possible that those in contravention were punished in a separate case but this cannot be confirmed because the Criminal Rolls for 1793 and 1794 have been lost. Or perhaps in return for their involvement in bringing Troena and Amber to justice they were exempt from punishment.

³³¹ SLNA 1/4740, ff. 32v, 36r. Amber escaped harsher punishment because he insisted on his innocence and the Fiscal conceded that there was no conclusive evidence against him.

³³² SLNA 1/4740, f. 32v.

³³³ SLNA 1/4740, f. 33r.

³³⁴ SLNA 1/4740, f. 34r.

³³⁵ SLNA 1/4740, ff. 35v-36r.

³³⁶ All documents pertaining to the case are contained in one dossier. SLNA 1/4702, ff. 1-46v.

astonishing number of things from the house of which they had been left in charge.³³⁷ While the list of goods provides fascinating insight into the varied contents of a late-eighteenth century household, more importantly the case gives insight into the extensive networks through which Lizarde and Christiaan fenced the goods.

According to the various case documents, Lizarde and Christiaan offered for sale, sold or pawned the stolen goods to a variety of people *inter alia* the barkeeper (*schagger/tapper*) of *De Prins*, Jacob Berarda of Genoa; the flagman; a Javanese woman Paatma; a freed slave Joana born in Tranquebar, concubine of the slave Lakij belonging to Mr van Hek; the under-surgeon's widow Engeltina Hopman; her sister Debora; and the Moor Slema Lebbe Sultan, *kannekapul* (scribe) of the *materiaalhuis*. The crime and criminal proceedings took place in Galle and were later transferred to the Council of Justice of Colombo, highlighting on the one hand the social networks established by Lizarde and Christiaan and on the other, the point that such networks amongst slaves and free people were not limited to the larger, more urban settlement of Colombo.

How these social contacts were established is not often explicitly discussed in criminal cases. While the authorities were interested in whether or not people knew each other and elicited such information via confrontations, how they knew each other was not of great concern. Perhaps the authorities were not surprised by the wide-ranging social connections that slaves maintained because they were the natural product of the relative freedom of movement enjoyed by domestic slaves in Colombo and Galle. In telling their stories, accused and witnesses provide incidental information from which it can be concluded that slaves enjoyed relative freedom of movement around the city and so had the time and opportunity to establish friendships and social contacts. While slaves could of course establish connections easily with slaves of the same household, from the records it seems that there were a number of specific places where such connections were established. Free people and slaves mingled in the streets, buying and selling various goods from each other—street vending was allowed in Colombo but market stalls were confined to specific areas³³⁸—and entering the houses of their neighbours on social calls, to ask for water or fire, most likely for cooking rice.³³⁹ A specific street that features in the case against Amber *et al* as a meeting point is the *Moorsche straat*.³⁴⁰ The market is another area that provided slaves the opportunity to interact with other slaves and free people. The market in Batavia features prominently in the cases of runaway slave women analysed by Eric Jones. It was there that plans were hatched.³⁴¹ Similarly, slaves at the Cape were street vendors, hawking various goods including foodstuffs and in so doing created a mobile market.³⁴² The authorities in Batavia did not doubt that slaves had the inclination to plot with each other against their masters and so proscribed meetings between them, especially at night. According to the Statutes of Batavia slaves were not allowed out at night, except under certain conditions, and

³³⁷ Lizarde's owner, Albertus Hissink, had gone to Mature and his wife had gone to the village Madampe to recover from illness. Hissink left Lizarde and Christiaan in charge while he and his wife were away. SLNA 1/4702, ff. 31r-v, Articles 1 and 2.

³³⁸ Raben, "Batavia and Colombo," 31.

³³⁹ For instance, Louisa Zose established various contacts through her business selling cooked rice; Sinne Wapoe surely did the same through selling tea. Amber, Troena and Andries went to Louisa's house to ask for fire and in a different case, the slave woman Tamar went to a neighbour's house to ask for a kettle of water. Moreover, the case against Lizarde records her interaction with her master's neighbour. See SLNA 1/4740, ff. 13r, 14v, 10r, 6v; SLNA 1/4613, CR 1791, ff. 169r, 170r-v; SLNA 1/4702, f. 11v.

³⁴⁰ Amber was walking in the *Moorsche straat* with a *lascorijn* when he met Louisa who asked him to settle his debts for the cooked rice he had bought from her. SLNA 1/4740, f. 14v.

³⁴¹ Jones, "Fugitive Women," 223.

³⁴² Robert J. Ross, "The Occupations of Slaves in eighteenth-century Cape Town," *Studies in the History of Cape Town* 2 (1980):10-11.

were not allowed to loiter.³⁴³ At the Cape, the authorities also worried that while slaves were out collecting firewood on the slopes of Table Mountain they would encounter runaways who would encourage them to join bands of *drosters*, or even the infamous maroon community established at Hangklip.³⁴⁴ Taverns were another potentially dangerous place where slaves not only could mingle with others but also imbibe, gamble and make contracts. As early as the 1660s the number of taverns in Colombo was restricted by ordinance, in response to exponential growth in the number of public houses and concomitant rise in feuds and alcoholic excesses. Theoretically, there could be only two taverns in the fort and five in the town.³⁴⁵ Not only was the number of taverns limited; conduct within them was regulated via ordinances which attempted to restrict slaves' access to alcohol and limit social interaction in the city's bars and drinking holes.³⁴⁶ Despite the prohibition, it was in a bar that Amber and Troena went to talk to Andries and the case records include the detail that they had seen him there before, locating all three men in the bar at the same time on at least two occasions.³⁴⁷ Lastly, the *materiaalhuis* facilitated interaction between slaves and convicts. Susan Newton-King argues that at the Cape, slaves who arrived in the colony as individuals with no kinship or friendship networks, forged such bonds quickly. She argues that ties were created amongst Company slaves especially fast because many of them lived together in the Company Slave Lodge on the Herengracht.³⁴⁸ In Colombo, the *materiaalhuis* may have played a similar role in facilitating the formation of friendships and social connections. Before committing the crime of theft both Amber and Troena had been kept in the *materiaalhuis* for a while and it was there that the two got to know each other.³⁴⁹ From this we can conclude that the *materiaalhuis* functioned as a prison for transported convicts as well as recalcitrant slaves and provided a meeting point for the criminally-minded.

Hendrik Grim, Mannan Dias and the runaway slave Floris.

For the greater part of 1759, the Council was occupied with a complex case centering on a runaway slave man named Floris and two men who vied for control over him. Fascinatingly, the case was not against the recalcitrant slave, although running away was a crime according to the ordinances, but rather it was the man who provided the slave with refuge who was accused.

Anna Grim, daughter of Hendrik Grim, submitted a petition to the Council on behalf of her father in early 1759. The contents revealed the ongoing issue between her father and a Chitty named Mannan Dias, concerning the slave man Floris. According to Anna Grim's petition, Floris had run away three times and in each instance had been found in the service of Dias. Dias did not live far from Colombo—he lived in the town Coerniawatte within the Four Gravets of greater Colombo. It seems that the first time Floris ran away to Dias, he was simply discovered and returned to his master, and Dias' illegal slave harbouring was

³⁴³ If a group of three or more slaves was found loitering after 6pm, they would be whipped so that moved apart. Furthermore, slaves causing a disturbance—crowding together, making a noise—would be apprehended. Slaves were not allowed to carry weapons and would be punished with a whipping and six months in chains for carrying a weapon during the day and one year in chains for the same offence committed after dark. Slaves were not allowed out after 9pm without a light unless there was sufficient moonlight. NA VOC 638, Articles 52-56, 59, ff. 742-743.

³⁴⁴ Argiefkommissie, *Kaapse Plakkaatboek* III, “Insake boosdoenders (15 July 1760)”, 29-30; III, “(1) Optrede teenoor slawe wat moor...” (17/18 July 1760), 30-31. Also discussed in Ross, “Occupations of Slaves,” 9.

³⁴⁵ Raben, “Batavia and Colombo,” 33. The ordinance is included in Hovy, *Ceylonees Plakkaatboek* I:98 (4-18 February 1669), 145 but is not transcribed in full.

³⁴⁶ Hovy, *Ceylonees Plakkaatboek* I:126/9 (2/11 September 1676), 191; II: 417 (31 May 1757 Colombo/ 4 July 1757 Galle), 590-91; II, 591 n. 20.

³⁴⁷ SLNA 1/4740, f. 18v

³⁴⁸ Newton-King, “Family, friendship and survival,” 154.

³⁴⁹ SLNA 1/4740, f. 18v.

revealed. The second time that Floris ran away Dias was concerned that once again he would be exposed; as a result he asked Hendrik Grim to purchase the slave from him. Surely Dias' request was outrageous—to ask the legal owner of a slave to buy him back from the man who was illegally giving the criminal refuge! However, Grim must have agreed to Dias' plan but it all unraveled because the two men could not agree on an appropriate sum of money. Fearing that the hiding-place of the slave would be discovered by Grim, Dias seemingly provided the opportunity for Floris to be picked up and clapped in chains. Floris must then have been returned to his master, because it was not even a month later that Floris ran away for the third time; he disappeared with the chain still on his leg. On that occasion, Grim could not solve the puzzle of where Floris was hiding himself; it turned out that Dias had moved the slave to his garden in a different village, named Demettegodde. Incredibly, it was 16 months before Floris was eventually discovered. One day when the slave was set to work digging a canal, he was caught by two Sinhalese servants who returned him to his master, Grim. It must have happened quite rapidly because Anna Grim includes in her petition the detail that Floris still had the tools he had been working with, with him when he was returned to Grim.³⁵⁰ Why it took so long for Floris to be caught out or recognised is a mystery. But it may have had something to do with the person of Dias—perhaps he was influential in that area, and could therefore demand silence regarding his illegal activities.

Considering that Floris had absconded three times, Grim could no longer forgo bringing Dias' deeds to the attention of the *dessave*, Cramer. The *dessave*'s legal power did not extend beyond dealing with the issue as a civil matter. He investigated the details through eye-witness testimony from a handful of individuals who had seen the slave working Dias' lands daily. *Dessave* Cramer decided to arrest Dias and confine him in the *morremandoe*—the part of the prison where moors were locked up. Moreover, he ordered Dias to pay 16 months worth of *koelij geld* to Grim to reimburse him for the months of labour he lost while his slave worked for Dias. The exact amount to be paid was written in the records but is no longer clearly legible—it appears to be 92 Rds but this seems an inordinate amount; perhaps 42 Rds was a more likely sum. The Chitty Dias refused to pay the amount prescribed by the *Dessave* unless he was ordered to do so by the Council of Justice. As a consequence the *Dessave* said to Grim: “I can do nothing more about it, report to the Honourable Council of Justice.”³⁵¹ Grim followed this advice and laid a complaint against Dias with the Council at which point it became a criminal matter.³⁵²

The Council decided to hand over the matter to adjunct fiscal Goldestein who, in his official capacity, proceeded with a case against Mannan Dias. Grim no longer had to give the case impetus—it became a state matter. Goldestein must have passed away at some stage during the legal proceedings because he is noted in the records, written in 1759, as *zaliger*—deceased. On his return to Colombo from Jaffna, the fiscal De Joncheere took over Goldestein's duties. Preliminary investigations had already been conducted, including an interview with the *Dessave* regarding the state of the matter and a confession by the slave Floris. His confession included that it was Dias who had removed the chain from his leg after he ran away for the second time. Fiscal De Joncheere concluded that Dias had been arrested, then released and later admitted into a criminal trial without the interference of Grim, who was an illiterate man. Grim's minor involvement was limited to asking the fiscal a number of times if the case would be wound up soon and if he could get his slave back. Floris had been locked in the *materiaalhuis* working for the Company's benefit since the trial began. The reason Grim needed his slave back was that he, Grim, was ill and had no-one to nurse him. The reply he received was always the same: “Yes, the matter will be judged in your favour

³⁵⁰ SLNA 1/4607, CR 1759, ff. 66r-v.

³⁵¹ SLNA 1/4607, CR 1759, f. 67r.

³⁵² SLNA 1/4607, CR 1759, ff. 66v-68r.

shortly.” This continued for about two years, with no progress in the case until eventually, in August 1758, De Joncheere sent Floris home to his ailing master.³⁵³

Grim’s poor condition worsened—he was laid up with a terrible illness that kept him bedridden for some time. The treatment he received in Colombo was futile; with the authorities’ permission he went to Galle in September 1758 to seek a remedy for his illness. According to Anna Grim’s petition, in which all these details were recorded, Grim heard nothing of the “sickening case” until the burgher *vaandrig* Schultz wrote him a letter announcing shocking news: Grim was condemned to a fine of 100 Rds over and above the costs of the criminal trial.³⁵⁴ The case had been turned on its head.

The details of the case and the ensuing discussion of fair and just treatment, the correct behaviour of the Council members and the reach of their power, while interesting, is not pertinent to the matter at hand. Suffice it to say that after much consternation, deliberation, and discussion, the case was eventually wound up.

Perhaps most interesting in this case is the person of Mannan Dias, who provided refuge to at least one runaway slave and may well have had a more sinister and far bigger enterprise on the go. It is clear from the case against him that Dias helped Floris escape his master when he absconded the second time and may well have had an active role in aiding and abetting escape on other occasions. It is even possible that to gain a workforce he enticed Floris and perhaps other slaves to run away from their masters. The case only concerns Floris who ran away to Dias three times, and makes no mention of other slaves. Unfortunately, no indication is given in the records of how Floris knew Dias—was it by chance that Floris ended up in Dias’ employ the first time he ran away? Or did Dias have a reputation amongst slaves in Colombo as someone who would provide refuge and employment to runaways? Also, no indication is given of the identities of the five witnesses other than that two were Sinhalese servants. Perhaps the others were also runaway slaves who had been labouring for Dias for so long that they were *de facto* free persons. This is of course only speculation. Grim’s case against Mannan Dias provides a fleeting and partial glimpse into the world of runaway slaves in Colombo.

This case is unique for Dutch Ceylon and no similar case of slave-harboring exists in the records of the Dutch Cape. But cases against runaways abound in the Cape records: Some slaves attempted to flee the Company territory entirely, hoping to reach the land of the Xhosas while others stayed within the colony and lived on Table Mountain or made for the maroon community at Hangklip.³⁵⁵ Unlike at the Cape where the Hangklip maroon community was well-known and much-feared, there is no evidence of such a community nearby Colombo. It is more likely that instead of running away and remaining within the Company territory, slaves made for Kandy. While no criminal trial was found that brings this to light, the fact that the Dutch made an agreement with Kandy regarding the return of runaway slaves indicates that it was a favoured destination.³⁵⁶

Based on the cases of theft discussed above and the case of runaway Floris, it is clear that slaves established various connections and social contacts with other slaves and free people of various backgrounds, and so formed a part of the underclass of Colombo. But this did not lead to a general sense of loyalty to other members of the underclass. Floris was

³⁵³ SLNA 1/4607, CR 1759, ff. 67v-68v.

³⁵⁴ SLNA 1/4607, CR 1759, ff. 68r-v. Schultz was Grim’s ‘*gemagtigde*’, his authorized representative.

³⁵⁵ For example, Augustus van de Caab *et al* intended to travel to the interior and reach the land of the Xhosa. The 1760 case against Achilles van de West Cust *et al* includes a discussion of a large band of runaways who lived in Table Mountain and drew other absconders into their group. After running away from their owners October van Madagascar *et al* joined the maroon community at Hangklip. Worden and Groenewald, *Trials*, 537-556, 355-384, 525-536 respectively.

³⁵⁶ Thanks to Lodewijk Wagenaar for this information. Personal Communication, 9 June 2011.

captured and returned to his master by two Sinhalese servants who recognised him and there are many similar examples from the eighteenth-century Cape of runaways who were betrayed by fellow slaves or Khoi who either revealed their location or took an active part in search parties.³⁵⁷ This was most likely the result of the fragmented nature of the underclass, members of which did not feel a collective identity or sense of unity. It has been argued that the varied ethnic background of slaves, the limited growth of a locally-born slave population and the comparatively small scale of slave-holdings at the Cape hampered the development of slave culture such as grew in the American South. According to Ross,

It would be wrong to suggest that the Cape slaves failed to create institutions and mechanisms for incorporating new arrivals, since this would imply that this was in some sense attempted, consciously or unconsciously, but was stamped on by the masters. This was not the case, as no such attempt was made until Islam began to gain converts at the end of the eighteenth century. But neither did such institutions grow up of their own accord. Probably the highly imbalanced sex ratios and the lack of natural reproduction had something to do with this, by preventing the growth of the family and kinship as central elements of slave life. The incorporative effects of fictive kinship and the processes of socialisation from generation to generation could not come into play. At all events, no specific slave culture ever came into being at the Cape, except perhaps in Cape Town in the last decades of slavery.³⁵⁸

Worden comes to the same conclusion but in so doing highlights the distinctions between the rural farming areas where slave-holding was diffuse and the more urban environment of Cape Town. He argues that the combination of social fluidity in the town and the opportunity to forge bonds with slaves belonging to other masters did allow some scope for a slave community to develop, especially based around conversion to Islam.³⁵⁹ With the exception of the importance of the introduction of Islam and importance of conversion³⁶⁰, it is highly likely that conditions similar to Cape Town existed in Colombo: While the diverse origins of slaves as well as the small-scale of slave-holdings may have impeded the growth of a slave community, the more concentrated nature of urban slavery provided the opportunity for slaves to create and maintain social networks within the city's underclass.

Such bonds come to the fore in emancipation deeds. As was common practice in Company territories, when a slave was emancipated someone had to stand as a guarantor in order to prevent the slave from becoming a drain on the parish poor fund. This person had to be willing to be guarantor for six consecutive years following the date of emancipation. In some cases, it was the slave owner who took on the responsibility. For example, Jean Brohier acted as guarantor when he freed his slave Joseph, also known as Philip, and Maria Agnitha Bierens did the same when she freed her slave woman Klarinda and the slave's daughters Elisabeth and Sara.³⁶¹ When slaves were freed according to last wills, the executors of the estate sometimes took the role of guarantors, such as when November was freed in accordance with his deceased mistress' will and the four executors Henricus Philipsz,

³⁵⁷ For instance, runaway April van den Caab was recognised by Khoi workers and returned to his master; Titus van Mocha was betrayed to the authorities by Company slaves; the Khoi man Jan acted as tracker for the group of burghers who went in search of four runaways. See Worden and Groenewald, *Trials*, 298-302, 344-350, 472-479.

³⁵⁸ Ross, *Cape of Torments*, 118

³⁵⁹ Worden, *Slavery*, 3-4, 86.

³⁶⁰ Unlike the Cape, Colombo had an established free Muslim population, the Moors. From the evidence of ordinances it is clear that there were Muslim slaves throughout the Company period. The combination of these factors would suggest that conversion to Islam would not have been as important in the creation of slave identity in Dutch Colombo as it was in late-eighteenth-century Cape Town. Kerry Ward has argued that Muslim exiles, banished from Asia to the Cape by the VOC were influential in the growth of Islam in Cape Town. See Kerry Ward, *Networks of Empire: Forced migration in the Dutch East India Company* (New York: Cambridge University Press, 2009), Chapter 5: Company and Court Politics in Java: Islam and exile at the Cape.

³⁶¹ SLNA 1/4146, 25 February 1779 [Jean Brohier; Joseph/Philip] and 15 November 1780 [Maria Agnitha Bierens; Klarinda, Elisabeth and Sara] respectively. Other examples abound.

Cornelis de Kretser, Johannes Jacobus Scharff and Cornelis Bartholomeus Scharff signed as guarantors.³⁶² In addition to owners and estate executors, it was not uncommon for burghers to act as guarantors for emancipated slaves. For example, burgher Johannes Ferdinandus was the guarantor for Rosetta who was freed according to her mistress' last will. But Johannes Ferdinandus was not the only guarantor—the other man was a Chitty named Saviel Rodrigo Moenierenpermaal.³⁶³ In light of the theme of Colombo's underclass, it is most interesting to note the frequency with which free Sinhalese, Chitties, soldiers and sailors stood as the guarantors for emancipated slaves. While the records do not explain the relationship between the freed slave and his guarantor, there are a number of possible explanations. In instances when slaves bought their own freedom, which happened with surprising frequency in Colombo, it is not unimaginable that the guarantor provided at least some of the funds needed to pay the master. In such cases there must have been a pre-existing relationship between the parties: Free people may have paid for their family members to be emancipated; a man may have contributed to the price of freedom for a woman with whom he was in a relationship. The relationship between slave and guarantor may have been pecuniary rather than based on emotion or kinship. It is possible that slaves entered into an agreement with their guarantors which amounted to a private six-year apprenticeship: An individual took on the responsibility of supporting the slave financially in exchange for the slave's labour. If this was the case, the slave exchanged one relationship of bondage for another.

A cursory glance at the signatures provided by the guarantors reveals numerous Sinhalese and Tamil signatures as well as X's, indicating that the guarantor was illiterate. When the slave woman Cleopatra was freed in 1781 two sailors, Pieter Post and Jan Paulus, took on the responsibility of guarantors.³⁶⁴ In numerous cases, free Sinhalese took on the responsibility such as Daniel and Joan Fernando who signed as guarantors for three of the 16 slaves emancipated by Anna Maria Giethoorn in August 1784.³⁶⁵ In three deeds signed in 1784 Philipie Pieris and Louis Gomes stood as guarantors for four slaves—Apollo, Juliaan, Christina and her child Agida. Philipie Pieris and Louis Gomes were described as '*vissers*' indicating that they were of the Karava caste.³⁶⁶ Three striking patterns emerge from the data from the periods 1738-1739, 1750-1752 and 1779-1795: Firstly, frequently, more than one person stood as guarantor for an individual slave; secondly, free individuals took on the responsibility of being guarantor for more than one slave; thirdly, guarantors were exclusively male except for a handful of instances when the female owner or executor of the estate signed on as guarantor.

As demonstrated, the diversity of guarantors is striking. If the assumption of a relationship—emotional or pecuniary—between slave and guarantor is correct, it leads to the conclusion that slaves' contacts and connections in the underclass of the city were widespread and integral to their lives both in bondage and freedom.

Cultural and religious connections

The recent publication of Kerry Ward's *Networks of Empire* has given a renewed impetus to the study of networks which tied VOC 'nodes' to each other across the length and breadth of the Indian Ocean. She conceives of the VOC empire as a web, constituted by numerous

³⁶² SLNA 1/4146, 15 April 1788 [Elisabeth Saram; November].

³⁶³ SLNA 1/4146, 30 November 1780 [Anna Francina Schokman; Rosetta].

³⁶⁴ SLNA 1/4146, 21 February 1781 [Cornelis van Brattem; Cleopatra].

³⁶⁵ SLNA 1/4146, 21 August 1784 [Anna Maria Giethoorn; Martha], [Anna Maria Giethoorn; Karolus] and [Anna Maria Giethoorn; Dorothea].

³⁶⁶ SLNA 1/4146, 26 May 1784 [Soeseeuw Fernando; Apollo/Saviel], [Soeseeuw Fernando; Julian] and [Soeseeuw Fernando; Christina and Agida].

intersecting and overlapping networks through which sovereignty was created, maintained and negotiated. She chose forced migration, in the form of exile between Batavia and the Cape, as the focus of her network study.³⁶⁷ This section focuses on the unofficial networks—one religious, one cultural—which were forged by slaves alongside the Company networks. As the previous section argues, slaves maintained created and maintained connections within Colombo; this section presents the argument that some ties stretched further afield. Religious and cultural connections which feature in the following case-studies linked lives across the Indian Ocean, particularly between Colombo and Batavia.

Deidamie's amulet

In 1781 a fascinating case was brought before the Council of Justice, Colombo. Deidamie, a Malay slave woman who belonged to burgher Johannes Wilhelmus van Cuijlenburg, was accused of deliberately murdering her youngest child, a son named Filareuse.³⁶⁸ According to the *eijisch* drawn up by Fiscal Jan Hendrik Borwater, Deidamie admitted guilt, and her statements together with those of witnesses, provide the detail of the grisly event: she took a knife from the kitchen table, led her son to the outhouse where she stabbed him while her daughter, who was locked out, shouted and pounded on the door. Deidamie disobeyed van Cuijlenburg's command to open the door, so a Sinhalese carpenter broke it down. There they found the young boy lying on the ground with a stab wound in his back. He was carried to the kitchen, where the assistant surgeon Johannes Muller inspected his body and declared there was nothing to be done for the child. Soon after, he died. Meantime, his mother Deidamie was taken to the prison stocks and delivered into the hands of justice.

The case was quite straightforward in the details of the actual murder, except for the issue of motive which did not interest the authorities in the least—nowhere is Deidamie's motive for killing her son investigated. Most of the *eijisch* was taken up with another matter, seemingly unrelated to the murder: A small piece of paper, an amulet inscribed with Arabic characters, was found in Deidamie's possession. The authorities were fascinated by, and fearful of the contents, leading them to expend much time and effort in extracting the details of how and why Deidamie acquired it. Unfortunately the amulet has not been preserved in the archive; only a report of its content remains.

During the investigation of the crime Deidamie gave three different versions of the events surrounding her coming into possession of the amulet, each more complex than the previous. Initially she claimed to have found the letter lying on the ground, sewn into white linen. Glimpsing its contents, and believing it would protect her from punishment, she picked it up and hid it in her hair.³⁶⁹ It was later discovered which led to a confrontation between Deidamie and her master in which instance he questioned her and she explained the story about finding the talisman on the ground. He then kicked her and chased her to the back of the house. He instructed his slave men to bind Deidamie, intending to investigate further when he returned from church. He also threatened to have her chained.³⁷⁰ But before she could be bound, someone shouted that she was on her way to the outhouse with her children, where the murder then took place.

³⁶⁷ Ward, *Networks of Empire*, especially 6-14.

³⁶⁸ SLNA 1/4692, 1r. Dossier 1/4692 contains only the *eijisch*; the Fiscal referred to many other documents in his summation but these have been lost. The only other document relating to the case was found in SLNA 1/5007 (Miscellaneous Papers).

³⁶⁹ I wonder how Deidamie was wearing her hair or what she had on her head that enabled her to hide white linen in her dark hair. An ordinance issued in 1659 commanded masters to cut their slaves' hair short and not allow them to wear hats unless the slaves could speak Dutch (see Chapter Two). Unfortunately we cannot know in what language Deidamie's interrogation was held as the document has been lost.

³⁷⁰ SLNA 1/4692, f. 2r, Articles 5 and 6. Van Cuijlenburg denied that he threatened her. SLNA 1/4692, f. 4r, Article 23.

The first change Deidamie made to her story was a slight alteration to the time frame: From finding the letter on the same day it was discovered she admitted to having had it for two days.³⁷¹ Deidamie then told a different story. The second version includes another character, a Javanese man she did not name. Deidamie claimed that she was out on the street when a Javanese man passed by and gave her the piece of paper as a means of being freed from punishment.³⁷² The third version of events builds on this and implicates another Javanese man, Ontong, slave of the bookkeeper Saalvelt.³⁷³ The story goes that she got the letter from Ontong who had received it from the Malay soldier Draman. According to Draman who was also called in to be questioned, Ontong was plagued by bad dreams and ghosts or spirits and consulted Draman about a cure. Draman then gave Ontong the talisman to ward off evil spirits. But Draman did not create the talisman himself; he was given it by his priest in Batavia sometime earlier and he comments that it served him well.³⁷⁴ Why he would then give it away, with nothing in return, is unclear.

There is a lot of confusion and ambiguity in the varying stories given by Deidamie as well as witnesses. As a result a number of the articles in the *eijisch* are taken up with denials and additions to shore up individuals' stories. For Deidamie, the different versions of where exactly the talisman came from can surely be linked to her motives. There is a hint in the text that Ontong and Deidamie's relationship had a sexual component and perhaps the first two versions of her story do not mention him because she wanted to protect him.³⁷⁵ Or perhaps the dynamics of their relationship were such that she would be punished for implicating him. There are also issues of mitigating guilt that swirl around Deidamie's stories. Initially she claims she was in possession of the letter only for one day, then she changes it to two. But the important element is the short amount of time she had it on her person. Moreover, the casual and almost accidental way she found the amulet as told in the first two versions would surely be important for lessening the severity of her punishment. But Deidamie's reputation as a thief preceded her; she had been punished before for stealing from van Cuijlenburg.³⁷⁶ It seems that the amulet became such a significant issue in the trial because the authorities suspected that it was part of a premeditated plot concocted by Draman, Ontong and Deidamie to steal from her master with impunity, the talisman providing protection. The three clearly had time, and Deidamie perhaps the inclination, to hatch such a plan but the investigation did not yield enough to accuse anyone of a crime in relation to the amulet.

Another element that concerned the authorities was the actual content of the inscription. It was given to Salem, Malay Sergeant, to translate. According to him it contained a prayer taken from the Koran which would protect the one who carried it from harm, evil encounters and such like.³⁷⁷ There are a number of other cases from Batavia and the Cape in which slaves carried amulets for protection. The Batavia Dagregister from 1678 records that the slave woman Macotta van Bengale was whipped and banished to Mauritius for ten years because she carried a *tooverbriefje*—an amulet.³⁷⁸ Similarly, Sitie van Makassar who featured briefly in the previous chapter, carried an amulet she received from a Javanese

³⁷¹ SLNA 1/4692, f. 4v, Articles 26 and 27.

³⁷² SLNA 1/4692, ff. 4r-4v, Article 28.

³⁷³ The fiscal's *eijisch* is ambiguous on the legal status of Ontong; he is not specifically described as a slave but only named "*jongen*", a general term meaning boy and used for slave men. A separate document in a miscellaneous bundle clarifies Ontong's slave status. SLNA 1/5007, Bundle 27, 20 September 1781.

³⁷⁴ SLNA 1/4692, ff. 5r-6v, Articles 30-32.

³⁷⁵ Ontong is described as "*een pol van haar*." The meaning of *pol* is obscure but it has been suggested that it indicates they were in a sexual relationship. SLNA 1/4692, f. 1v, Article 2.

³⁷⁶ SLNA 1/4692, f. 1v, Article 2.

³⁷⁷ SLNA 1/4692, f. 5v, Article 35.

³⁷⁸ F. de Haan, *Dagh-Register gehouden int Casteel Batavia vant passerende daer ter plaetse als over geheel Nederlandts India Anno 1678* ('s Gravenhage: Martinus Nijhoff, 1907), 264.

healer in Batavia.³⁷⁹ At the Cape, a band of runaways not only obtained forged pass letters, they also armed themselves with charms and a talisman from a Muslim religious leader who had been banished to the Cape from Batavia.³⁸⁰ Another band of Cape runaways had in their midst a literate slave man who provided a fellow with a letter. When asked what the letter contained, September van Boegies replied “Nothing other than that he could protect his body from evil by it.”³⁸¹ This sounds exactly like the amulet which Deidamie carried. A second letter featured in the case against September van Boegies: September received a letter written in the Bugis script from a fellow Buginese slave. Even though the letter turned out to be unrelated to the case in question, Worden and Groenewald state that “the possession of a letter written in a strange script and language from one Bugis slave to another was considered by the authorities to be suspicious, especially since they feared that reading and written communication amongst slaves might facilitate an uprising.”³⁸² The Company feared slaves plotting together against their masters or against the Company itself and not being able to understand the language in which the slaves communicated deepened the anxiety.

The fiscal’s *eijsch* records no details of language other than that the amulet was penned in Malay. Surely Deidamie, Ontong and Draman communicated with each other in their own language, Malay, and gave their official statements in that language too. The VOC dealt with such instances in an *ad hoc* manner, calling in someone proficient in Malay as a translator. Only Sinhalese and Tamil translators—known as *tolks*—were employed by the Company. Besides Sinhala and Tamil, and of course Dutch, Portuguese and Malay were commonly heard on the streets of Dutch Colombo. For instance, Itam, the central character in the following dramatic case-study, was proficient in both languages. There were surely many others who were too in light of the fact that the Portuguese and Malay languages were typical of the Indian Ocean maritime world of the eighteenth century. While Ross contends that slaves transported from the same areas spoke their own language to each other, this did not lead to a strong sense of solidarity amongst slaves of the same or similar origin.³⁸³ Surely the same pattern existed in Colombo.

To return to the case against Deidamie, it must be noted that throughout the investigation of the murder and the authorities’ insistence on pursuing the origin and importance of the talisman, the link between the two remains unclear. As already mentioned, Deidamie’s motive for murdering her son did not play an important part in the case because all that was needed for a conviction was a confession, which was extracted through interrogation, but not without difficulty. The various stories regarding the amulet intensely frustrated the authorities’ pursuit of truth. Based on her confession of guilt, and Biblical justification for capital punishment,³⁸⁴ the fiscal suggested Deidamie be taken to the execution ground and handed over to the executioner to be strangled with a rope around her neck in such a way that death would follow. Her lifeless body was then to be transported to the outskirts of the city where it would be strung up, to be prey for the air and birds of the heavens.³⁸⁵

Through the records of this case about the murder of young Filareuse and the intrigue of the talisman we get a glimpse into Deidamie’s religious life and long-distance connections

³⁷⁹ Jones, “Fugitive women,” 232.

³⁸⁰ Worden and Groenewald, *Trials*, 537-556.

³⁸¹ English translation in Worden and Groenewald, *Trials*, Article 20, 379.

³⁸² Worden and Groenewald, *Trials*, 355-356.

³⁸³ Ross, *Cape of Torments*, 14, 20. Ross cites the example of the group of Bugis slaves, led by September, who were betrayed by a fellow Bugis slave.

³⁸⁴ The fiscal quoted Genesis 9:6: “Whoever sheds the blood of man, by man shall his blood be shed.” (NIV).

The fiscal refers to numerous Biblical passages and the work of jurist Carpzovius. Further research into this aspect of the fiscal’s *eijsch* will illuminate the prevailing/official mentalité.

³⁸⁵ SLNA 1/4692, f. 9r, Article 66.

maintained across the Indian Ocean. According to Deidamie and Draman, the letter passed from a priest in Batavia, to a Javanese man living in Colombo, on to Ontong, also of Malay origin, and finally to Deidamie herself. Unfortunately there is no way to trace what happened to the letter next, whether it was destroyed by the authorities or if Deidamie slipped it to someone else to keep for their protection before she was executed. If in fact Deidamie's account of the travelling letter is fiction, it must have been a plausible enough story for the authorities not to dismiss as ridiculous. This case, rich in detail and shrouded in mystery, highlights on the one hand the personal relationships between a group of Malay people in Colombo and on the other, the religious connections which spread across the Indian Ocean and connected Colombo to Batavia.

Importantly, the case highlights a third factor: the presence and agency of women. The focus on slave women as wives, concubines and mothers in the previous chapter taken together with the three cases discussed so far in this chapter, especially Deidamie's story, highlight the presence of women in the underclass of Colombo society. Undoubtedly, the visibility of women in the VOC archive is a notable feature, overturning the assumption that the colonial archive has little to say about women. In particular, the number and agency of women featured in the Council of Justice at Colombo records is a marked difference with the Cape records. At the Cape women do not feature in criminal cases other than as occasional witnesses or victims of male crimes. *Trials of Slavery* contains only two cases in which women feature prominently. The first, a letter from the *landdrost* of Swellendam dated 1786, was posthumous legal action against a slave woman named Sara. Sara drowned her children and then followed them into the Duijvenhoks River, committing suicide. Only her eldest daughter survived the ordeal. Sara and her children's deaths followed shortly after the suicide of a male slave belonging to the same owner. This sparked fear of a slave suicide epidemic in the area. The *landdrost* proposed Sara's corpse be publicly displayed as a deterrent to others contemplating suicide.³⁸⁶ The second case was against a slave woman named Rachel van de Caab who attempted to poison her mistress with mercury obtained from a Company surgeon. She maintained that she was merely the accomplice of Joseph van Bengalen, acting on his orders, and did not understand the implications of her actions. Joseph van Bengalen committed suicide and Rachel van de Caab was punished by public whipping and being clapped in chains for the rest of her life, a more lenient punishment than the death sentence stipulated in the Statutes of Batavia for slaves who harmed their masters. Interestingly, Rachel was not the only one punished. Through the trial investigations it came to light that Rachel and Joseph had both been abused by their master who was found guilty of maltreatment, fined 1,000 Guilders and ordered to sell Rachel van de Caab.³⁸⁷ In contrast, women—both slave and free—feature prominently in the criminal records of Colombo as active participants, accomplices, and criminal instigators. In the case discussed at length in the previous chapter, the slave woman Tamar was in fact the one who brought the charge to set in motion the investigation. This leads to the conclusion that women constituted at the very least an important, and possibly also numerous, part of the city's underclass. Jones has argued that the interaction of local factors and Company law created a new underclass in Aisa with a noticeably feminine face.³⁸⁸ In contrast, the underclass of Cape Town was distinctly male.

Amok: The case against Itam

Continuing on the theme of networks, the following case brings into focus cultural ties and the transfer of a specifically male concept of honour in *amok*. Itam (also written Itan/Itang),

³⁸⁶ Worden and Groenewald, *Trials*, 566-568.

³⁸⁷ Worden and Groenewald, *Trials*, 310-318.

³⁸⁸ Jones, *Wives, Slaves and Concubines*, especially 5.

was a Malay slave who was born in Goda, Java. He was about 40 years old at the time of the crime and was Muslim. He was owned by Military Captain Johan Christiaan Emanuel van Berski (Berskie/Berskij), and had been in his possession since 1762, when Berski purchased Itam in Galle.³⁸⁹ The crime of which he was accused, and to which he confessed, was recorded as “violence in the house of his master one night while his master was not home and other misdeeds.”³⁹⁰ His behaviour can be characterised as *amok*, a word which Itam himself uttered in the course of the violent night. However, neither Itam nor the Dutch authorities used the term to describe the events in question.

The night of 30 July 1774 was filled with drama and danger. Itam was in his master’s house, unsupervised—his master was out that evening on watch duty. At about 11pm Itam jumped onto the gallery wall and found his way into the front room where his master kept a number of weapons. To paraphrase the fiscal, Itam was intent on evil. Once in the room, he loaded a rifle (*Snaphaan*) with gunpowder and pieces of lead and proceeded to fire a shot out of the window in the direction of the street. In addition, he loaded two pistols to fire.³⁹¹ The shot alerted the lieutenant and aide (*adjutant*) Kok (also Koch/Bok) and soldier Rommeler who arrived at Berski’s home in time to hear screaming from inside the front room: Itam shouted “*Amok*” and “*Allon*”. These words were reported rather than recorded directly, as was his next utterance: “*Boeger komt hier.*”³⁹² Berski arrived not long after, and with his neighbour, Lieutenant Chevret (also Cheferet), and Kok, moved towards the open window to see who was inside. Berski may well have been taken by surprise by the violent strike that came through the window: Itam had armed himself with a sword and only just missed slicing his master’s hand as he thrust the sword through the window. Help soon arrived in the form of the patrol as well as two halberds brought from the *Gaalseppoort* which Berski intended to use to pull Itam out of the front room. Kok succeeded in disarming Itam with one of the halberds, but they could not subdue him. Thus Berski positioned two men to stand guard at the window to prevent Itam from escaping while he and two soldiers bravely made their way into the house. Berski stated that when he opened the door Itam rushed at him with a drawn sword but Berski jabbed him with the halberd, causing Itam to fall to the floor where Berski pinned him down. Itam was then bound and taken outside.³⁹³ He was presumably locked up for the night and delivered to the fiscal the next morning although such details were not recorded.

Two important points come to the fore in this case, namely Itam’s words and his motives. The nature of the court documents is such that very rarely are statements recorded verbatim, whether they be a confession by the accused or a statement provided by a witness. The case against Itam is no exception: Four utterances are attributed to the slave by witnesses, only some of which he claimed for himself according to his recorded statement. The first words that were attributed to Itam were “*Amok*” and “*Allon*” which he allegedly shouted while in the dark front room of his master’s house. Kok testified to hearing the shouts, as did Jan Chevret.³⁹⁴ In addition, Kok testified to hearing Itam shout “*Boeger komt hier.*”³⁹⁵ Under interrogation, Itam admitted to saying these things although he added that he did not know to whom specifically he said them.³⁹⁶ The third speech attributed to Itam was reported by Chevret. He claimed to have heard Itam utter the threatening question, “Now who

³⁸⁹ SLNA 1/4673, ff. 13r, 23r, 10r.

³⁹⁰ SLNA 1/4673, f. 23r.

³⁹¹ SLNA 1/4673, f. 23v.

³⁹² SLNA 1/4673, ff. 2r-v, 6v.

³⁹³ SLNA 1/4673, ff. 24r-26r, 11r.

³⁹⁴ SLNA 1/4673, ff. 2r-v, 6v.

³⁹⁵ SLNA 1/4673, f. 2v.

³⁹⁶ SLNA 1/4673, f. 15r, Article 8.

has won, you or I[?]"³⁹⁷ None of the other witnesses corroborate this part of the story and Itam was not specifically asked about this statement while under interrogation. This statement, if indeed Itam uttered it, points to a direct correspondence between Itam's actions and his relationship with his master, Berski. The last words attributed to Itam were reported by Berski, who claimed to have heard Itam make a violent declaration. According to Berski, Itam declared in Portuguese that he was tired of his life and also that he wanted to chop off the heads of his master and a fellow slave Fortuijn.³⁹⁸ Itam never claimed this violent statement as his own. When asked about it directly in his interrogation, he denied that he said such a thing.³⁹⁹

The personal and violent nature of the statements attributed to Itam point to *amok* as a culturally-determined behavioural response to general or specific dishonour. Before delving further into this under-researched pattern of behaviour, it is important to consider Itam's motives for his violence. He explained that ever since his master purchased him, he had to work in the kitchen as well as do other tasks. He was never able to satisfy his master; perhaps he didn't have enough time to complete his various duties which his master would likely have viewed as laziness or rebellious behaviour. Whatever the case, Itam earned only chastisement. Because of this situation, Itam declared that he desperately sought a means of escaping from his master and it was to that end that he entered the front room and loaded the guns.⁴⁰⁰

Itam also included the motive for thrusting his sword through the window at Berski which resulted in only a narrow miss. He claimed that it was only meant to gain him enough time to escape.⁴⁰¹ Perhaps this was meant to provide a counterpoint to what Berski had reported, that Itam intended to murder his master and Fortuijn. Itam's insistence that he meant no harm stood in stark contrast to Berski's report.⁴⁰²

It is at this point that the concept of *amok* is necessary as an explanation of Itam's behaviour. I have argued elsewhere that male slaves who were exported to the Cape from the Indonesian archipelago during the Company period took with them *amok* as a culturally-determined pattern of response to dishonour, either general or specific.⁴⁰³ Based on the *amok*-like character of Itam's behaviour, the same can be argued of Southeast Asian slaves transported to Dutch Colombo. To date, no in-depth research has been conducted on *amok* in the Company's factories, with the exception of Bradlow's short publication which examines the case of Soera Brotto, an exile transported to the Cape from the Indonesian Archipelago.⁴⁰⁴ The only available work is Spores' study of *amok* in the Malay Peninsula and Indonesian Archipelago which covers the late nineteenth and early twentieth century. According to Spores, *amok* can be defined as "a culture-specific syndrome wherein an individual unpredictably and without warning manifests mass, indiscriminate, homicidal behavior that is authored with suicidal intent."⁴⁰⁵ He argues that *amok* was not specific to any social group

³⁹⁷ SLNA 1/4673, f. 7r.

³⁹⁸ SLNA 1/4673, f. 10v.

³⁹⁹ SLNA 1/4673, f. 15v, Article 9.

⁴⁰⁰ SLNA 1/4673, ff. 13r-v.

⁴⁰¹ SLNA 1/4673, ff. 13v, 27r.

⁴⁰² SLNA 1/4673, ff. 13v, 17v, 26v.

⁴⁰³ Ekama, K. "Honour amongst slaves at the eighteenth-century Cape: An exploration of slave notions of honour through the criminal records of the Dutch East India Company's Council of Justice." (Honours thesis, University of Cape Town, 2010), Chapter 3: Running *Amok*.

⁴⁰⁴ Bradlow, E. *Mental illness or a form of resistance?: The case of Soera Brotto* (Cape Town: History Department, University of Cape Town, 1989). Brotto ran *amok* in 1786.

⁴⁰⁵ John C. Spores, *Running amok: An historical inquiry* (Ohio: Ohio University Center for International Studies, 1988), 7. Spores identifies two clusters of *amok* attacks, differentiated by trigger. The first type he calls 'reactive-motivated' *amok* because such episodes were triggered by a condition of dishonour or a specific instance of humiliation. The second type is 'spontaneous-unmotivated' *amok*, triggered by disease-induced

but it was a strictly male phenomenon, and most commonly took place in urban areas.⁴⁰⁶ When slighted, a man was expected to respond immediately, using the weapon he carried.⁴⁰⁷ The expected response was *amok* which, Spores notes with incredulity, was “marked by an element of cultural sanction and legitimacy.”⁴⁰⁸

Numerous cases of *amok* appear in the records of the Council of Justice at the Cape and highlight different elements of the behavioural pattern. In early 1744, a slave man named Barkat van Timor had an altercation with his owner regarding the setting of the table and serving of dinner one Saturday night. His owner grabbed him by the hair, slapped him in the face and ordered the other household slaves to restrain him. Barkat turned violent: He overpowered the slaves, tried to attack his owner with a kitchen knife, which he said was motivated by a death-wish, and he stabbed a slave who got in his way as he made for the attic. From that vantage, Barkat hurled things out of the window at the people gathered on the street. He was eventually subdued after a gunshot wound left him defenceless.⁴⁰⁹ The episode highlights numerous elements of running *amok* including a feeling of dishonour which triggered the attack, the use of a bladed weapon, indiscriminate violence, barricading oneself inside a confined space, and suicidal intent. Episodes of *amok* committed by Baatjoe van Mandhaar and Cupido van Mallabaar display the same characteristics. Moreover, Baatjoe van Mandhaar’s behaviour prior to committing *amok* bears a resemblance to what Spores calls *sakit hati* and translates as ‘sickness of heart’.⁴¹⁰ According to the sentence, Baatjoe had been in the attic of his master’s house for a number of days before the attack, pretending to be ill. Baatjoe claimed that he remained there because he had heard his master describe him as lazy and threaten to beat him to death.⁴¹¹ According to Spores, an individual often displayed a period of brooding or sullenness prior to running *amok*. Reportedly, the period of brooding was brought on by dishonour in the form of a slight or adversity.⁴¹² These cases reinforce the pattern of *amok* described by Spores and lead to the conclusion that slave men transferred *amok* as a culturally-defined behavioural response to dishonour to the Cape.

Itam’s behaviour on the night of 30 July displays a number of the features of *amok* highlighted above. He complained of the punishment he suffered because he was not able to satisfy his master and said he desperately sought a way of escaping, indicating at the least discontent with his situation if not a feeling of dishonour. Moreover, Itam displayed the indiscriminate, murderous violence characteristic of *amok* and used a sword to stab at and attack his master. According to Berski’s report of Itam’s violent statement, Itam declared that he was tired of his life, pointing to the suicidal intent which Spores notes as typical of running *amok*.

As noted, nowhere in the case records is the word *amok* used by Itam or the Dutch authorities to describe his behaviour. This, however, is not uncommon: The word was not used by the individuals or authorities in the cases that occurred in the Cape. But Itam’s case differs from those against Barkat van Timor, Baatjoe van Mandhaar and Cupido van Malabar in that Itam shouted the word “*Amok!*” during the episode. While unique in cases of solitary

delirium. Spores, *Running Amok*, 106-108. Only cases of the first type will be discussed in this section, because of the insight they provide into slave life and cultural transfer in the Dutch Indian Ocean world.

⁴⁰⁶ Spores, *Running Amok*, 61-62.

⁴⁰⁷ Anthony Reid, *Southeast Asia in the Age of Commerce, 1450-1680*, Vol. 1: The lands below the winds (New Haven: Yale University Press, 1988), 167.

⁴⁰⁸ Spores, *Running Amok*, 7. Spores argues that the roots of solitary *amok* were found in socially-valued, collective martial *amok*, from which origin solitary *amok* gained cultural significance, currency and legitimacy. Spores, *Running Amok*, 60, 104-5.

⁴⁰⁹ Worden and Groenewald, *Trials*, 220-231.

⁴¹⁰ Spores, *Running Amok*, 64.

⁴¹¹ Worden and Groenewald, *Trials*, 341 n. 5.

⁴¹² Spores, *Running Amok*, 64.

amok, it is similar to two instances when bands of runaway slaves committed *amok* at the Cape in 1751 and 1775. In the latter instance, Maart van Bencoule, Kuijper van Makassar and another two slaves from the East Indies had run away and when they were surprised by a group of burghers and a Khoi tracker, they attacked their would-be captors shouting “*Amok! Amok! Matta Garra*”, translated as “Attack! Attack! Slash! Kill!”⁴¹³ Itam shouted “*Amok*” while he was in the front room of Berki’s house, brandishing the loaded guns.

In contrast to the Cape where there were a number of cases in which slave men’s behaviour displayed the characteristics of *amok*, the case against Itam is the only evidence of *amok*-like behaviour in the late-eighteenth century Company records from Ceylon. The high probability that a slave man would not survive running *amok*—either because of suicide or being killed by others during the episode—provides an explanation for the lack of evidence of the phenomenon: If the slave man killed himself or was killed there was no trial and consequently no criminal records. The records of the criminal case against Itam are enough to contend that Itam at least, and possibly others, transferred the pattern of *amok* as a culturally-determined response to dishonour to Dutch Ceylon.

This chapter argues that slaves maintained a wide circle of contacts and connections within Colombo that included fellow slaves as well as other members of the port city’s underclass—convicts, free Sinhalese people, Chitties, soldiers and sailors. The ties were both social and criminal as the various cases and emancipation deeds indicate. But slaves’ connections spread beyond the city limits into the Indian Ocean. Religious bonds, as highlighted in the case of Deidamie’s amulet, and cultural ties in the form of *amok* linked slaves and their contacts in Colombo to the social, religious and cultural world of Batavia. Of Cape slaves, Newton-King states:

The cultivation of networks of friends and relations was just as important to slaves and freed slaves at the Cape as it was to other people. Perhaps it was more so, given that most slaves came to the Cape as isolated and uprooted individuals...[and] [v]ery few (we may suppose) had prior knowledge of the Cape or ties to those who already lived there.⁴¹⁴

The same argument applies to Dutch Colombo where in spite and because of the constraints of slavery, enslaved individuals cultivated and maintained various forms of connections and contacts. Far from isolated, socially dead individuals, slaves forged connections across the slave-free line that served them both in bondage and in freedom and carved out social, religious and cultural lives for themselves within the constraints of slavery.

⁴¹³ Den Besten cited in Worden and Groenewald, *Trials*, 477 n. 10.

⁴¹⁴ Newton-King, “Family, friendship and survival,” 153-154.

Conclusion

Slavery was a defining feature of Dutch Colombo from the time of conquest in 1656 until the end of the Company period in the mid-1790s. In the years following the conquest of Colombo from the Portuguese in 1656, the Dutch East India Company's labour needs were immense. The Company chose to fulfil its labour requirements through the use of slaves. In the early years slaves were imported into Colombo in the thousands, but a discernible downward trend which began in the late seventeenth century continued into, and throughout, the eighteenth. While precise figures of private slaves are lacking, it is clear from Company records that the dwindling Company-owned slave labour force was supplemented by hiring slaves from individual owners. In the early 1770s hired slaves doubled the Company's labour force. As a result of this practice, the distinction between Company and private slaves was blurred, at least as regards labour.

Company and privately-owned slaves were sourced from traders who operated in the South Asian and Southeast Asian slaving circuits in the Indian Ocean. Evidence of the origins of slaves living and labouring in Colombo confirms the pattern of importing slaves from South India during the seventeenth century and later from Southeast Asia. This matches the general pattern of Dutch slaving in the Indian Ocean identified by Vink and the Batavia provenance trends recognised by Bondan.⁴¹⁵ This leads to the conclusion that Colombo was very much part of the Dutch slave trading networks and proximity to South India did not alter the pattern of slave origins which comes to the fore in other areas.

Enslaved individuals transported to Colombo were set to a great variety of tasks. Private slaves who did not work as domestic servants in the slave-owner's household, could generate income for their masters either through *koelij dienst* or by being hired out to the Company. Slaves at the Company's disposal performed tasks ranging from the heavy labour of building and maintaining the fortifications to working in government offices and the home of the Governor. Thus some Company slaves completed domestic service characteristic of privately-owned slaves while some private slaves worked alongside Company slaves labouring for the VOC.

Slaves were by no means a luxury only afforded by Europeans and Company employees: Ownership of slaves was widespread in Colombo society. Civil and military Company employees of all ranks, Sinhalese people, Moors, Chitties and freed slaves owned slaves. Because of the lack of figures of privately-owned slaves the size of slave-holdings is very difficult to determine, however, there is enough evidence to conclude that the size of slave-holdings varied greatly amongst the population. A second consequence of the lack of data is that the frequency of manumission cannot be determined. However, there are a number of discernible patterns, including that, like other slave societies, more women were emancipated than men. Concubinage partly explains this, as does the likelihood that the Colombo slave population was not as skewed towards the male as was Cape slave society. Emancipation deeds also reveal that along with manumission as a reward for faithful service, many slaves were emancipated because they purchased their freedom. But for many of them emancipation did not mean true freedom: Conditional manumission, requiring a slave to work for his master until the master's death, amounted to exchanging one form of bondage for another.

As a result of the importation of slave labour into Dutch Colombo, the problem of law arose. The Statutes of Batavia formed the legal foundation of the colony and were amplified by local ordinances issued in an *ad hoc* manner. On many levels, the Dutch in Colombo were concerned with typical issues—runaways, gambling and drinking, fencing stolen goods—

⁴¹⁵ Vink, "The World's Oldest Trade," 142-143; Bondan, "Beyond the City Wall," 110.

which plagued Cape authorities too. But having to deal with the legacy of the Portuguese in Colombo—the language and Catholicism—as well as the different religions of the free Asian population groups which made the port city their home, shaped the ordinances and highlight unique characteristics of Dutch Colombo.

A particular feature of the Colombo slave ordinances is the authorities' concern with concubinage between slave men and free women. Concubinage at the Cape was dealt with only in the context of relations between slave women and free men. This difference leads to the conclusion that the populations of Colombo and Cape Town, free and enslaved, were different. It is likely that there were more women in Colombo, both free Asian and slave women.

One of the results of the focus on kinship and sexual relations in Chapter Three is that the presence of slave women in Colombo, as well as the visibility of these women in the archive, is highlighted. Some slaves formed committed partnerships with fellow slaves, while others became involved in relationships of concubinage. For some slave women at least, concubinage was a route to freedom. However, when dealing with relationships between individuals of vastly different social and legal status, it is near impossible to surmise whether or not relationships were based on consent. The 1791 rape case in which Tamar and Laborde were embroiled hinged on the issue of consent. The criminal case brings natal alienation into sharp relief as on the one hand it brings to light the sexual abuse to which slave women were vulnerable while on the other it demonstrates that natal alienation was conquered, admittedly to only a limited degree, by individual slaves in Dutch Colombo. In taking ownership of her body and accusing Laborde of rape Tamar overcame natal alienation.

The different familial relationships of which slaves, both men and women, were a part played a crucial role in the creation of communities of mixed heritage in Colombo. Before the arrival of the Dutch, and the Portuguese who preceded them, Colombo was a hybrid city; relationships between imported slaves, local and foreign Asians and Europeans continued this pattern and led to the growth of Euro-Asian communities.⁴¹⁶

The Company's ambitious attempts to proscribe sexual relationships it deemed inappropriate and to regulate social interaction were never entirely successful. Turning from sexual relations to connections of a different sort, Chapter Four argues that slaves maintained a wide circle of contacts and connections within Colombo that included fellow slaves as well as other members of the port city's underclass—convicts, free Sinhalese people, Chitties, Moors, soldiers and sailors. Connections spread beyond the city limits into the Indian Ocean in the form of religious and cultural bonds. Both because and in spite of the ways in which the Company tried to curtail slaves' behaviour, individuals created connections and clung to beliefs as means of dealing with their bondage. Slaves were certainly not isolated individuals; they forged connections across the slave-free line that served them both in bondage and in freedom and carved out social, religious and cultural lives for themselves.

Taken together, the different facets of slave life in Dutch Colombo which form the focus of the preceding chapters together illuminate the social history of slavery in this VOC nodal point in the Indian Ocean region. Moreover, they provide an explanation for the lack of slave culture or class consciousness during the eighteenth century. Slaves were transported from different areas of South India and Southeast Asia as the Dutch feared that common ethnic identity would provide a basis for collective rebellion. Company ordinances proscribed sexual and social interaction in order that slaves would know their low position within the social hierarchy. While the Dutch were principally concerned with maintaining social order the effect was that before the law slaves were cast as individuals. This was one aspect of natal alienation which was also experienced in the breaking of kinship and social ties through

⁴¹⁶ Jayawardena, *Erasure of the Euro-Asians*, Chapter 1.

enslavement and transportation but also because slave family life was precluded. While the sex-ratio of Colombo seems to be more balanced than at the eighteenth-century Cape, this did not lead to a self-reproducing slave population. Admittedly, locally-born slaves are difficult to trace in the archive. The lack of generational ties was a significant contributing factor to the preclusion of slave culture. In addition, slave women were drawn into slave-owning families through concubinage, which, for at least some slave women and children, provided a route to freedom.

Despite or perhaps because the law and natal alienation cast them as individuals, slaves created and maintained social, religious and cultural connections as means of dealing with their situation of bondage. Connections between slaves and those which tied individuals across the slave-free line existed in Colombo's underclass and spread into the Indian Ocean, in particular connecting slaves to Batavia via a religious network evidenced in Deidamie's story of the amulet and cultural ties, made manifest when Itam ran *amok*. But such connections were established on a piecemeal basis and did not lead to the growth of slave culture or class consciousness amongst underclass individuals. Slaves seem not to have shared a sense of loyalty to one another or to others who formed part of the port city's lower social strata. One of the consequences of this was that, to date, there are no known slave uprisings or instances of organised rebellion on a large scale in Colombo.

In the preceding chapters a concerted effort has been made to bring to the fore the perspective of the slaves rather than the official view of the Company authorities and ruling master class. This perspective adds a new dimension and dynamism to the history of Dutch Colombo which has been approached from the view point of urban history and demographics by Raben and Knaap respectively. From illuminating the social history of slavery in the port city, a dynamic picture emerges of the slave population and their interaction—sexual, social, religious and cultural—with fellow bondsmen and free people. It was in these different connective arenas that slaves enacted the means of dealing with enslavement and carving out lives for themselves both because and in spite of their situation of bondage. This research also contributes to a more detailed picture of Indian Ocean slavery, specifically in the seventeenth and eighteenth centuries. There are certainly encouraging signs that the history of the Indian Ocean is finally being written, but more work especially on the topic of slavery, is required. Currently, there is little awareness of Colombo's slave past, which is at least in part a reflection of the state of scholarship. By bringing to light the characteristics of slavery in Dutch Colombo, this work contributes to the growing body of scholarship on Indian Ocean slavery and adds another dimension to the history of Dutch Colombo specifically by illuminating aspects of the slave society. Like awareness has grown in the formation of coloured identity and politics at the Cape⁴¹⁷, as more research is undertaken cognizance of this past may grow in Colombo and Sri Lanka more generally. This thesis is another step towards 'unsilencing' the history of enslaved individuals who until now, have had no voice in history.

⁴¹⁷ In 1983 Ross commented that the Cape Coloured population in general denied their slave past. Ross, *Cape of Torments*, Conclusion, especially 120. Over the past three decades or so this situation has been changing and there is now far more awareness, acknowledgement and embracing of slave heritage amongst Cape Coloured people. Whether or not the relationship is directly causal, this has happened concurrently with the growth and maturing of scholarship on Cape slavery and social identities.

Appendix

A brief note on archival and published sources

The research for this thesis is rooted, in the main, in four types of official VOC records. An explanation of the features of each different type follows.

The first set of sources consists of ordinances drawn up in Batavia, Colombo and Cape Town. The ordinances from all three Company port cities follow the same pattern: the beginning of the document outlines, in some detail, the particular situation which aggrieved the Company and explains why it is lamentable; then follows the authorities' decision on how to prevent the criminal activity in question and the punishments which will be meted out to transgressors. Because of this construction, the edicts reveal the social situation of the locality in question and highlight the Company's concerns. The 'New' Statutes of Batavia, 1766, are available in manuscript form in the VOC holdings of the National Archive in The Hague. Hovy's two volumes of Colombo ordinances were used and contextualised using the volumes of published ordinances of the Dutch period at the Cape. For the Colombo ordinances footnotes include the volume number followed by the ordinance number and if applicable, the relevant article number. This is followed by the date and lastly the page number. Because the Cape ordinances were published in a slightly different format, references include the volume number followed by the Afrikaans title of the law, the date and lastly the page number.

Through the various types of records which originate from the procedural processes of the Council of Justice, we most clearly hear the voices of slaves. The most voluminous records relating to criminal activity of all inhabitants are the Criminal Rolls in which the minutes of the Council of Justice meetings were recorded. Despite the fact that what is left of these records is fragmented and incomplete, the records are a great treasure for social historians. In addition to the Criminal Rolls a number of individually bound dossiers have been preserved. These contain all the documents pertaining to a particular case—because the documents were circulated around to council members who needed to be updated of the details of the trial before a final sentence was pronounced, they were bound separately. Depending on which documents have been preserved, the dossiers contain some combination of testimonies by witnesses, an interrogation of or statement by the accused, other documentary evidence pertaining to the case such as letters, the Fiscal's summation of the case and proposed punishment (*Eijsch ende Conclusie*), and in some cases the final sentence is included too, although this must have been added to the folder at a later date.

Those under the jurisdiction of the Company who found themselves in breach of the colony's laws were subject to the criminal procedures of the Council of Justice. The high-ranking Fiscal acted as the public prosecutor and followed the inquisitory procedure in criminal matters, which necessitated confession. If a voluntary confession was not forthcoming, delegates of the Council of Justice would conduct an interrogation drawn-up by the Fiscal in advance and based on his investigation of the case to that point. This can be seen in the layout of the documents: the page is divided down the centre with the questions written on the right, corresponding answers on the left. In some instances, the space left for answers was not quite enough and the words spill over across the page. The questions were prepared and ordered in such a way as to lead the accused to a confession. Once the confession had been elicited, the Fiscal put together his *eijsch ende conclusie* which contained his detailed report of the crime and suggested punishment. Documents that were to be used as evidence had to be verified, thus depositions and interrogations were read back to the individual in question and he was given a chance to amend his statement, adding or deleting parts in a verbal exchange. Then the witness or accused was asked to sign the document. Once the

collected evidence had been perused and a verdict decided, the sentence (*sententie*) was drawn up which contained the definitive punishment.⁴¹⁸

Staging confrontations was an important element of the Council of Justice procedures. Worden and Groenewald do not mention it, perhaps because the practice was not implemented at the Cape. It was however, in effect in Colombo as well as in Batavia. In Colombo, confrontations were held in which people with conflicting stories were questioned, heard each other's answers, and had the opportunity to amend or persist with their statements.⁴¹⁹ This scenario must have been fraught with tension. Confrontations served a second purpose—identifying people or goods. In a case of theft against a slave and convict, one witness ended his recollected statement declaring that he recognised the stolen goods and the accused.⁴²⁰

Worden and Groenewald warn against a superficial reading of the court documents, stating that “to take these sources at face value, or to assume that they reflected the normal experience of slaves and those around them, would clearly be foolhardy.”⁴²¹ They highlight two important elements which complicate the use of these materials. Firstly, they note that witnesses and accused made their statements and gave evidence in tense and intimidating circumstances, fraught with the complications of unequal power relations. Secondly, testimonies and statements were shaped by framing and selection processes based on the fragile hope of acquittal or a reduced sentence. Worden and Groenewald distinguish this set of motives from the motive behind the crime in question. The mixed motives swirling beneath the texts add a dimension of complexity to the sources which needs to be borne in mind when using them.

A third issue that Worden and Groenewald do not address is translation. In numerous cases there is evidence that a translator was used. In Ceylon, the Dutch employed sworn translators for Sinhalese and Tamil and called in officials proficient in Malay and French as needed.⁴²² The end result of the interrogation of a slave was a document written up in Dutch but in most cases the interrogation was conducted in another language and the notes later translated, or perhaps more laboriously, each question was translated for the slave and his answer translated again before being noted down. The Dutch East India Company archive of Ceylon can also be called “an archive of translations”⁴²³ as Amin first commented regarding the British colonial archive of India. He highlights the role of translators and officials who simultaneously “make available and bar our access to the people whom it is their business to rule and document.”⁴²⁴

Despite this, it is through interrogations and declarations that diverse details, not necessarily of the crime itself, come to the fore. Worden and Groenewald argue that “[t]his kind of information [details of living and working conditions] is often incidental to the charge or crime the case ostensibly addresses and is therefore not influenced by the pressures under which evidence was given.”⁴²⁵

Slaves in Dutch Colombo did not leave written records of their own in the form of letters, journals or diaries. While the official Company criminal records do not contain verbatim testimony—Worden and Groenewald comment that they “consist of reports written

⁴¹⁸ Worden and Groenewald, *Trials*, xxiii.

⁴¹⁹ For example, Lizarde, accused of theft, persisted with her story in two confrontations with witnesses. SLNA 1/4702, ff. 38r, 40v.

⁴²⁰ SLNA 1/4740, 20 Maart [1794], f. 7v.

⁴²¹ Worden and Groenewald, *Trials*, p. xviii.

⁴²² For example see 1/4675, 4 May 1775, 10r. The ‘Mallabaarse Tolk’ was employed to translate Tamil.

⁴²³ Amin, *Alternative histories*, 28.

⁴²⁴ Amin, *Alternative histories*, 28.

⁴²⁵ Worden and Groenewald, *Trials*, xvi.

about slaves, not by them”⁴²⁶—it is through these interrogations, statements and confrontations that we get closest to hearing the voice of the slave. Penn correctly states that “[n]owhere else are the voices of the oppressed and vanquished—distorted though they might be—heard so clearly.”⁴²⁷

By nature criminal records privilege moments of criminality and conflict. These records bring into focus the issues over which authorities and individuals clashed, and in so doing illuminate the interface between Company concerns and individual interests. The problem of generalising from these individual cases is negated by the close interaction between criminal trials and pertinent ordinances. Because the laws were written to deal with issues prevalent in the society at the time, it follows that the topics they addressed were not isolated instances but rather widespread occurrences. In spite and because of these complexities, court records provide fascinating insight into slave life far beyond the immediate concerns of the crime.

Slaves were active participants in court cases and left their mark on the records produced from the trial proceedings. In contrast, slaves took no active role in the making of wills. A slave was mentioned in his owner’s will for one of two reasons: either he was noted down as property himself, to be emancipated, sold or inherited on the death of his owner, or he was named as one of the beneficiaries of his owner’s accumulated wealth, inheriting a sum of money or property. Occasionally wills reveal details of domestic life, slave families and ownership patterns. In most instances however, they follow a formulaic pattern, recorded in the uncreative, formal language of official documents. Typically they begin with an acknowledgement of the certainty of death and a commitment of the soul of the testator into the hands of God. A renunciation of all previous wills follows. Then the matter of material goods is addressed.

Similar to wills, emancipation deeds follow a set pattern. Characteristically, they begin with the names of the two clerks who witness the emancipation followed by the name of the slave owner who declares “without inducement, persuasion or deception by anyone in the world” to emancipate his slave.⁴²⁸ Sometimes a reason for emancipation is recorded: In the majority of deeds which include reasons for freedom, manumission is either a reward for years of faithful service, or the result of payment indicating that slaves bought their way out of bondage. In a few instances the reason relates to family matters: For instance, a man emancipated his slave concubine and their child. Considering the Company’s efforts to force owners to have legal proof of slave ownership it is not surprising that careful note was made of the date of the certificate of ownership as well as the location and the name of the clerk who witnessed it. After these details follows the owner’s formal renunciation of any rights to the slave. But freedom was not unconditional: Some emancipation deeds include a prescription that the freed slave continue to serve his master or his master’s children, indicating that while a slave’s legal status was altered, emancipation may not always have occasioned a substantial change in everyday life. For emancipation deeds drawn up after 1773, the next element in the deed is a statement that the owner will pay the parish poor the sum of 10 Rds in fulfillment of the condition set out in the Statutes of Batavia. Before 1773 there was no administrative cost associated with emancipating slaves. All deeds, irrespective of when they were created, ended with a statement that guarantors—in some cases the former owner, or free people, or a combination—would make sure that in the six years following emancipation the former slave would not become a burden to anyone, especially the parish poor fund. The deed was then signed by the clerks, the former owner and the guarantors, but not the slave.

⁴²⁶ Worden and Groenewald, *Trials*, xviii.

⁴²⁷ Penn, *Rogues*, 6.

⁴²⁸ For example SLNA 1/4146, 25 February 1779 [Jean Brohier; Joseph/Philip].

Emancipation deeds drawn up to fulfill the conditions of a will follow the same general pattern with a few exceptions. Firstly, in addition to the slave owner's name, the names of the executors of the estate are noted down. The second difference is that in general no reason is stated for the emancipation.

In all instances, where folio numbers exist they have been included in footnotes. In the case of documents from the Sri Lanka National Archive these are not original eighteenth-century numbers but were added during the process of microfilming the VOC material which is still underway. For criminal rolls, which have been paginated, the abbreviation CR is given in the footnote followed by the year and folio numbers. Some volumes of wills have been paginated; in cases when wills do not have folio numbers, the date has been given along with the name of the testator/s. For unpaginated emancipation deeds the date is given in addition to the name of the slave owner followed by the names of the emancipated slaves. In contrast, the archival documents used from the National Archive in The Hague are referenced using original folio numbers when existent and the date and title or heading of the particular document is given for the purpose of clarity.

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