

## “More comfort, better prosperity, and greater advantage”: Free burghers, alcohol retail and the VOC authorities at the Cape of Good Hope, 1652–1680

*Gerald Groenewald\**

From 1680 onwards, during *every* year of Dutch East India Company (VOC) government at the Cape of Good Hope, the rights to retail various types of alcohol were sold at a public auction to the highest bidders. Yet this system, while remarkably stable after 1680, did not arrive with the Dutch in 1652; instead it had a troubled development during the first decades of European settlement. This article describes how the alcohol retail system originated and discusses why it did so at this juncture in the history of the Cape settlement, and with its very particular characteristics. While much lip service has been paid to the fact that Cape Town served first and foremost as a halfway station in the VOC empire,<sup>1</sup> little has been done to understand how one of the most important functions of this station, namely to provide alcohol to passing ships and their visiting crews, as well as to local inhabitants, was organised and regulated. This is of particular importance because alcohol production and provision played a major role in the Cape economy and the lives of its permanent inhabitants.<sup>2</sup> In addition, a study of this topic reveals much of the relationship between the VOC authorities and the Cape free burghers, as well as the development of an incipient identity among the free inhabitants of early Dutch South Africa.

### **Leasing, *pachten* and the beginnings of alcohol retail**

It was not the intention of the directors of the VOC to establish a permanent settlement, never mind a colony, in Table Bay but merely a “Fort and Garden” for the sake of “the Company’s ships and people”.<sup>3</sup> This was, though, easier said than done. At first the station was a virtual failure; it ran at an enormous loss to the VOC. While it did eventually manage to provide passing ships with some vegetables, the station had to be saved from going under (and its people dying of hunger) by having most of its supplies

\* Gerald Groenewald teaches in the Department of Historical Studies at the University of Johannesburg. He has published widely on various topics in Cape colonial history, most recently in contributions to A. Delmas and N. Penn (eds), *Written Culture in a Colonial Context: Africa and the Americas, 1500–1900* (UCT Press, Cape Town, 2011; and Brill Publishers, Leiden, 2012); N. Worden (ed.), *Cape Town between East and West: Social Identities in a Dutch Colonial Town* (Jacana, Johannesburg and Verloren, Hilversum, 2012); and W. O'Reilly (ed.), *The Atlantic World, 1450–1850* (Routledge, London and New York, 2012).

1. A notable exception, with important suggestions and pointers, is K. Ward, “Tavern of the Seas?: The Cape of Good Hope as an Oceanic Crossroads during the Seventeenth and Eighteenth Centuries”, in J. Bentley, R. Bridenthal and K. Wigen (eds), *Seascapes: Maritime Histories, Littoral Cultures and Transoceanic Exchanges* (University of Hawaii Press, Honolulu, 2007), pp 137–152.
2. See G. Groenewald, “Een Dienstig Inwoonder: Entrepreneurs, Social Capital and Identity in VOC Cape Town, c. 1720–1750”, *South African Historical Journal*, 59, 2007, pp 126–152; G. Groenewald, “An Early Modern Entrepreneur: Hendrik Oostwald Eksteen and the Creation of Wealth in Dutch Colonial Cape Town, 1702–1741”, *Kronos: Southern African Histories*, 35, November 2009, pp 6–31; and G. Groenewald, “Dynasty Building, Family Networks and Social Capital: Alcohol *Pachters* and the Development of a Colonial Elite at the Cape of Good Hope, c. 1760–1790”, *New Contree*, 62, 2011, pp 23–53.
3. This is from the “Remonstrantie”, drawn up by Jansz and Poot in 1649, which moved the *Heren XVII* to the establishment of a station at the Cape; E.C. Godée Molsbergen, *De Stichter van Hollands Zuid-Afrika: Jan van Riebeeck, 1618–1677* (S.L. van Looy, Amsterdam, 1912), pp 206–214, quote from p 206.

shipped from Batavia. Van Riebeeck soon realised that the way the station was organised in its early years militated against its success and profitability in the longer term. There was simply too much to do with too few people, and all within the context of a company which owned and controlled everything.<sup>4</sup> His solution was the introduction of a system of free burghers. These people would no longer be employees of the VOC – which not only had to pay their wages, but also had to provide for their physical livelihood (food, clothing, lodging and defence) – but would be allowed to become farmers, owning their own land and implements. However, and this is crucial for the future economic development of the Cape, the free burghers remained *subjects* of the VOC. Apart from the legal implications of this, it meant that there was no free market – they were permitted to own land and produce their own crops, but they could only sell their produce to the Company, and at prices determined by the Company.<sup>5</sup>

Even before the introduction of free burghers, the Company realised that it would be more cost effective if it did not control and handle everything at the Cape. Thus, in 1655 Van Riebeeck offered the Company employees the opportunity to take over the management of the VOC's milk cows. In effect, the cows were *verpachten* that is, leased or hired out. The reasoning behind this move and its justification are both very instructive, not only because it is a good illustration of the Company's aims, but also because they provide a clear indication of the basic principles of the system of *verpachting* or leasing.

In 1655 everything at the Cape belonged to the VOC and everybody at the station was an employee. The 80 cows the Company owned were doing well by regularly delivering calves, thereby increasing the wealth of the VOC and ensuring its independence from Khoikhoi supplies. Yet this was all in vain; many calves died due to the “carelessness” of servants who were entrusted with their care (they knew full well, Van Riebeeck complained, that they would continue to receive their wages). This was a double disadvantage because when the calves died it also meant an end to the “lovely milk and butter which these animals provide”. If these cows were given in *pacht* (lease) to somebody, that person would not only take greater care of them and make sure the calves did not die, thus ensuring a constant supply of fresh dairy products; but the Company would also be saved the cost of employing someone to look after these animals. It was even more advantageous: in this way a stable supply of a valuable source of protein would be ensured, while at the same time the Company retained its possessions and was assured that good care would be taken of them and ensure that the herd increased. It was in the best interest of both the *pachter* (leaseholder) and the VOC that the calves survived. In addition, the Company would get a tidy *pachtpenning* (the price one had to pay for hiring the cows) of f15 per cow per year.

All the distinguishing aspects of *verpachting* or lease holding are present in this case: the cows remained the property of the Company, but the right to sell their milk and to produce butter was being sold. In this way the VOC's possessions were well managed and it remained certain of an easy and cheap supply of milk and butter. The Company was saved the cost of importing butter from Europe. In fact, Van Riebeeck reckoned

4. For a synthesis of work on the founding years (1652–1662) of the Cape, see K. Schoeman, *Kolonię aan die Kaap: Jan van Riebeeck en die Vestiging van die Eerste Blankes, 1652–1662* (Protea Boekhuis, Pretoria, 2010).

5. L. Guelke, “Freehold Farmers and Frontier Settlers, 1657–1780”, in R. Elphick and H. Giliomee (eds), *The Shaping of South African Society, 1652–1840* (Maskew Miller Longman, Cape Town, 1989), pp 69–71.

that this system might be so advantageous that the Company could conceivably recover the expenditure for the copper it had used in bartering these cattle from the Khoikhoi! The *pachter*, the gardener Hendrik Boom, for his part, not only had all these obligations, but crucially obtained the right to sell the excess milk and butter (after that which he had to provide for the station and passing ships, at a fixed price determined by the VOC) to any individual at his own price. As the commander noted, for the *pachter* this was a welcome way of supplementing his measly monthly wages.<sup>6</sup>

Hendrik Boom received the cow *pacht* because he was living outside the Fort on a small piece of land adjoining the garden. Furthermore his wife, the redoubtable Annetje Joris, had previous experience of farm work in the Netherlands.<sup>7</sup> Nicknamed ‘Annetje de Boerinnen’, she was a sound businesswoman, because the following year she not only managed to contrive a better deal with the Company as regards the *verpachting* of the cows, but also convinced the authorities to permit her to run an inn “to serve and house people coming and going on the passing ships”.<sup>8</sup> The decision to allow someone to run an inn was not a sudden whim; it was something that Van Riebeek had been proposing to the *Heren XVII* for several years. Up to this stage, all visiting VOC servants had to be entertained in the Fort, and the more important ones had to eat at his table, at enormous expense to the Company and no small discomfort to himself.<sup>9</sup> His superiors saw the sense of this suggestion and gave their consent, and when this became known at the Cape, Annetje jumped at the opportunity.

This right was awarded to Annetje Joris on condition that she bought all her provisions from the Company’s warehouse at predetermined prices plus a *pacht*, in essence a sort of excise. In addition, the Company also determined the price at which she could sell the alcohol, and added the proviso that she remained subject to all further taxes, impositions and regulations it might levy or decree in future. This all sounds very restrictive, but the context was that of a society in which everything belonged to the VOC – this was its settlement, its employees and, in fact, its alcohol being (re)sold. Annetje Joris was simply ‘managing’ the redistribution of alcohol which was in any case meant for the Company’s employees.<sup>10</sup>

The inn was a roaring success. Four months later another woman, Jannetje Boddijns, also requested permission to keep an inn. Her request was granted on the same conditions that applied to Joris.<sup>11</sup> After some employees became free burghers, certain of them were also allowed to run *tapjens* (inns) to complement their incomes. All were granted on the same conditions as the first two innkeepers: that they buy all their alcohol

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6. These paragraphs are based on A.J. Böeseken (ed.), *Resolusies van die Politieke Raad: Deel I, 1651–1669* (Government Printer, Cape Town, 1957), pp 59–63. All translations from the sources are my own.
7. Böeseken, *Resolusies I*, p 61.
8. She advanced two reasons for being awarded this right: (a) considering herself to be “a sufficiently free woman” and (b) because she was “burdened with eight children”; Böeseken, *Resolusies I*, p 73.
9. A.J. Böeseken, *Jan van Riebeek en sy Gesin* (Tafelberg, Cape Town, 1974), pp 94–95. In April 1657, anticipating the introduction of the free burgher system, Commissioner Van Goens suggested the following economic activities with which “the citizenry” could be “favoured”: beer brewing, wine farming, brandy distilling and the keeping of taps. See A.J. Böeseken (ed.), *Memoriën en Instructiën, 1657–1699* (Government Printer, Cape Town, 1966), p 8.
10. Böeseken, *Resolusies I*, pp 73–74.
11. Böeseken, *Resolusies I*, p 82. It is no coincidence that the first inn-keepers were women: in 1656 all the men at the Cape were still Company employees.

at set prices from the Company.<sup>12</sup> None of these people had to pay anything for the privilege of running a public house.<sup>13</sup> The most important condition remained that they had to obtain their alcohol from the VOC – in this way the Company kept strict control over the retail trade of alcohol and received an income by selling it at its own prices. In order to protect this sole right, the VOC prohibited the free burghers from buying alcohol from passing ships – it thus had the sole monopoly over alcohol distribution.<sup>14</sup> Another measure of control was regulating the prices. Van Riebeeck kept the prices high in an attempt to prevent Company servants from wasting too much money in these public houses. This was a measure his successor considered ineffective – it did not prevent “drunkards” from spending all their money in the taps and only served to deprive other free burghers from buying alcohol “when ill or worried” or for “honourable” festive occasions such as weddings or baptisms.<sup>15</sup>

This situation began to change from 1665 onwards. The next fifteen to twenty years were years of intense struggles over access to land and control over the retail trade of alcohol at the Cape. This development is of great importance since the outcome of these struggles resulted in an economic system which remained stable for more than a century and which became one of the cornerstones of the Cape economy. It was also one of the very few economic institutions at the VOC Cape from which free burghers could profit directly.

### The beginning of reform

In July 1665, the Council of Policy realised that “among all the free inhabitants here nobody is able to achieve more comfort, better prosperity, and greater advantage than those who have long been allowed to tap strong alcohol”. The reason for this was that these people never had “the least burden of any taxes” for this privilege. Nor did they have to pay a “fair recognition” for it to the “lawful Lord or Possessor of this place”, namely the VOC. Furthermore, the success of these tapsters had led other colonists who failed at agriculture (or any other occupation) to bother the Council constantly with requests to set up bars. These applications the Council had refused, because such an “all too common trade” could only have detrimental effects on the general good and moreover, would lead to “a lazy, wild life”. Considering this, and having taken into account that the increased garrison meant an even more profitable trade for the tapsters,

12. Christiaen Jansz van Hoesum and Pieter Cornelisz van Langesont became free burghers in June 1657. They were not free farmers but instead were allowed to operate as “licensed” hunters and to set up a “little tap”. See Böeseken, *Resolusies I*, pp 102–103. Thus, in just over a year, four individuals were permitted to make a living selling alcohol. By the end of 1657 Jan Vetterman was granted permission to run an inn, while in 1660 Joris Jansz also obtained the right to sell alcohol. Finally, in 1664, Jan Martensz de Wacht received permission to buy Cape beer from the Company and sell it in small quantities at a predetermined price; Böeseken, *Resolusies I*, pp 120–121, 240, 313 and A.J. Böeseken (ed), *Dagregister en Brieven van Zacharias Wagenaer, 1662–1666* (Government Printer, Pretoria, 1973), p 134.
13. From 1657 Jan van Harwaerden had to pay f50 rent for the building which the Company built for use as an inn. Van Harwaerden was made a so-called “privileged” inn-keeper, being the only one allowed to sell alcohol in or close to the Fort. In August 1661, Hendrik Hendrix van Surwerden (sic) and his wife became the new inn-keepers; Böeseken, *Resolusies I*, pp 112–113 and 270.
14. See for example, the warnings in Böeseken, *Resolusies I*, pp 85, 87 and 92. These warnings did not prevent smuggling. See Böeseken, *Resolusies I*, pp 200, 305; and G.J. Krause, “Drankpagte gedurende die Eerste Honderd Jaar van die Bewind van die N.O.I.K. aan die Kaap”, MA thesis, University of the Orange Free State, 1955, pp 20–24. Originally the first two inn-keepers were allowed to buy alcohol from ships, but from the end of 1656 this was prohibited; M.K. Jeffreys (ed.), *Kaapse Plakkataabook, Deel I (1652–1707)* (Cape Times, Cape Town, 1944), pp 22–23.
15. Böeseken, *Resolusies I*, pp 304–305 and Böeseken, *Memoriën en Instructien*, pp 56–57.

the Council decided that the four people who at that time had been permitted taps, would in future have to pay a “mild excise” for the liquor they bought from the Company.<sup>16</sup>

This is the first time that the VOC officials at the Cape realised that much money could be made out of alcohol, and that they needed to think more clearly about who should be allowed to participate in this lucrative trade. What is more, they realised that this afforded an opportunity for creating another source of income for the Company. Whereas Annetje Joris had to pay a type of excise when given the right to sell alcohol, this condition was not mentioned in any of the subsequent resolutions granting tap concessions. This meant that before 1665, those who were permitted to sell liquor by the Council of Policy did so without paying an overt excise or tax of any form. It seems also that previously there was no attempt to think seriously about the industry as such and how best to manage it. The resolution of July 1665 was thus the initial step taken to reform the alcohol industry at the Cape, and was the first of several attempts over the next two decades to find an acceptable and workable system for alcohol retail.

The next major innovation came as a result of Wouter Mostaert’s request to buy alcohol from visiting ships. This was strictly prohibited prior to this date; all retailers had to buy their provisions from the Company warehouse. In August 1666 however, Mostaert, who was not one of the four privileged tapsters of 1665, was granted the right to buy wine and beer from visiting crews,<sup>17</sup> and to sell this in small quantities at fixed prices in his inn provided he paid excise on this alcohol.<sup>18</sup> When this right was renewed for a further three years in June 1668, we find that Mostaert had to pay the VOC *f*100 per year “as recompense” for the privilege, in addition to the excise.<sup>19</sup> This is the first time that somebody had to pay for the right to retail alcohol, which is an important principle underlying the later *pacht* system. Conceivably, the reasoning behind this was that by allowing Mostaert the exclusive right to buy alcohol from ships, he was greatly privileged over other alcohol retailers: he could bargain for much cheaper alcohol from crew members than other tapsters who had to buy it from the Company at set prices.<sup>20</sup>

16. Böeseken, *Resolusies I*, pp 331–332. The four tapsters were Hendrick van Suerwaerden, Joris Jansz, Thielman Hendriksz and Jacob van Rosendael. This resolution confirmed the rights of these four individuals; all except Rosendael had been tapsters for years. The resolution states that Commander Pieter de Bitter had granted Rosendael the right to sell liquor earlier that year but that this privilege was only for one year. Presumably those mentioned in previous years as being allowed to sell alcohol were no longer doing so by this stage. The other tapsters were unhappy about Rosendael partaking of their business. Around the time of these changes, Rosendael’s wife was verbally abused by those of Hendrikx and Van Suerwaerden who were upset about her ability to attract customers. A year later Hendrikx and Rosendael were also involved in a fight. On these incidents, see K. Schoeman, *Armsyn van die Kaap: Die Wêreld van 'n Slavin, 1652–1733* (Human & Rousseau, Cape Town, 2001), pp 491–493.

17. Each crew member was allowed to take a certain amount of baggage. Ostensibly this was for private consumption en route, but considering the large quantities involved, it was undoubtedly designed as a form of legal and lucrative trade, which was often abused by people taking on board more alcohol than was allowed. See Böeseken, *Resolusies I*, pp 71–75 and A.J. Böeseken, *Uit die Raad van Justisie, 1652–1672* (Government Printer, Pretoria, 1986), pp 376–384.

18. Jeffreys, *Kaapsche Plakkataalboek I*, pp 93–94; and Böeseken, *Memorien en Instruction*, p 77.

19. Böeseken, *Resolusies I*, pp 372–373.

20. In 1678, when nobody seems to have had this right any longer, the officers of the visiting fleet asked to sell the alcohol they had with them at an auction in order to pay for their lodgings debts. See A.J. Böeseken (ed.), *Resolusies van die Politieke Raad: Deel II, 1670–1680* (Government Printer, Cape Town, 1959), pp 233 and 238. Presumably this was the reason why Mostaert wanted this right. He was able to acquire alcohol at much cheaper rates, often as payment in kind.

Three centuries later, as much as we would like to find method in the madness that seems to have characterised the emerging alcohol retail trade during the first three decades of Dutch settlement, this is not always possible. What was happening on the ground might have been considerably more haphazard and a great deal more pragmatic than the patchy archival record allows us to know. Since what does remain is the periodic reviews or reconsiderations of the situation, we might be tempted to read these changes, isolated from what was happening in between, as together constituting a clear development of progress; whereas they were more likely the immediate response to growing problems or perceived problems. This is illustrated by the next development.

We might presume that since there were four “privileged” tapsters in 1665 who paid excise on the alcohol they bought from the Company, this would remain so. However, despite the silence of the records, the situation was rather different by 1670.<sup>21</sup> In February, the Cape was reviewed by Commissioner Mattheus van den Brouck, who noted that there were eighteen to twenty taps, mostly in the vicinity of the Castle.<sup>22</sup> In his opinion, which was in line with earlier recommendations of the *Heren XVII*,<sup>23</sup> these should be reduced so that more free burghers could engage in agriculture, which was still struggling (see below). The governor and fiscal concurred with him, saying that people find alcohol retailing an easier way of living than working in the fields, hence the large number of publicans, even though most of them were “unprivileged tapsters and innkeepers”, i.e. they were doing this without permission and without paying the excise.<sup>24</sup> They suggested that the number of tapsters be reduced to three or four, provided that they pay the monthly impost, i.e. the excise decided upon in 1665.<sup>25</sup>

The Council of Policy and the commissioner reviewed the situation thoroughly and determined the rights and obligations of the tapsters. It was established that there were seven, four of whom had already been privileged. In addition to these seven, two other individuals were given the right to sell Spanish wine in large quantities (i.e. they were not allowed to have taps, but were in effect wine merchants), while another, Jacob van Rosendaal, who had been making impressive progress as a wine farmer, was allowed to sell Cape wine in both small and large quantities. These last three individuals seem to have been given this right free of charge – they did not have to pay any excise or other impositions, although the prices at which they could sell their wares were set. The seven publicans all had to pay the “proper excise”, although in the case of Mostaert and Van Suerwaerden they were also expected to pay f100 annually for this “benefit”. It is unclear whether this fee was related to Mostaert’s right to buy alcohol from visiting ships,

21. Except for the renewal of Mostaert’s privilege, there is only one resolution dealing with tapsters and liquor retail for the entire period between 1665 and 1670. See Böeseken, *Resolusies I*, p 382.

22. Böeseken, *Memoriën en Instructiën*, p 91. Some months earlier, commissioner Joan Thijesen also noted with alarm that the farmers “attempt to concern themselves more with tapping and other foul gains than with agriculture”. See Cape Archives (hereafter CA), VC 36: Reports of Commissioners, 1657–1764, p 204.

23. On 26 April the VOC *Bewindhebbers* wrote to the Cape authorities that they should prevent free burghers opening new taps or inns, “allowing those who currently make a living from it ... gradually to die off, since (in accordance with our most recent communications) we are intending to reduce once and for all the settlement there to a number of one hundred and fifty heads, and thus running a tight ship, a few inns should be sufficient ...”. See CA, C 289: Incoming Letters, 1668–1669, pp 11–12. Commissioner Van den Brouck was probably aware of the *Heren XVII*’s plans for the Cape.

24. One wonders where they obtained their alcohol. Probably much smuggling and/or collusion occurred between the “privileged” and illegal tapsters, as revealed in a court case in 1667. See Böeseken, *Uit die Raad*, pp 170–171.

25. Böeseken, *Resolusies II*, p 6.

because there is no other indication of why they had to pay this. Most likely they were charged extra because they were the only ones allowed to sell mum (German beer) and foreign wines, while the other five were only permitted to retail brandy and arak. The commissioner especially instructed the Cape authorities to ensure that the number of inns remained stable at this level so as not to harm the ever precarious agriculture.<sup>26</sup>

The Council of Policy appears to have been serious about this, because during the next few years it was quite vigilant about keeping matters as decreed by Van den Brouck. It tried to prevent abuse of the system whereby certain people were allowed to sell only certain types of alcohol in either small or large quantities, as well as to make sure that only “privileged” tapsters could sell alcohol in small quantities.<sup>27</sup> Furthermore, it tried to keep the number of respective types of alcohol retail (wine merchants, wine and beer tapsters and liquor tapsters) in accordance with that established by the Van den Brouck.<sup>28</sup> The Council, however, allowed two exceptions to this. The first was the establishment of a Cape beer tap some months after the commissioner left. Hendrik Everts Smit, who up to this stage seems to have been in charge of the Company’s beer brewery, became a free burgher and requested to retail beer in his house. This was granted without excise, provided he bought all his beer from the VOC and sold it at set prices. In addition, he was also asked to continue brewing beer for the Company, which would provide the necessary equipment and labour.<sup>29</sup> The second exception was a favour to the esteemed former Company servant, Dirck Jans Smient, who seems to have run a lodging house of sorts; at least, he provided meals to visitors. He requested the Council for the right to sell alcohol to these customers. This was allowed on condition that he would not run a tavern, lest the number of taverns and tapsters exceed that laid down by Van den Brouck.<sup>30</sup>

### Towards the alcohol *pacht* system

Two important developments in the evolution towards the *pacht* system took place during 1673. The first was a new innovation, namely the renting out, i.e. the *verpachting*, of the Company’s farm, Rustenburg. This farm was established when Van Riebeeck ordered the planting of grain, tobacco and vegetables at Rondebosch in 1656/1657, and was further developed under Wagenaer who erected buildings and established a vineyard there.<sup>31</sup> However it continually ran at a loss and in May 1673 the authorities decided to lease it out, on much the same principle as with the milk cows in the 1650s, i.e. that it remained the property of the VOC but that the *pachter* paid for the right to use it. Apparently the

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26. Böeseken, *Resolusies II*, pp 24–27 and Böeseken, *Memoriën en Instructiën*, pp 91–92. In addition to the four established tapsters (Joris Jansz, Van Suerwaerden, Hendricks and Mostaert) they were Jochem Marquaart, Jan Isaelsz and Steven Jansen. The two wine merchants were Elbert Diemer and Mathijs Cooman (sic).

27. The wine merchants were not allowed to sell to the tapsters, who had to buy their provisions from the Company. Yet this did not stop them, nor for example did it stop brandy tapsters from selling wine, and vice versa; or non-privileged people selling alcohol. All of this robbed the Company of its “imposts or excises”. On this, see H.C.V. Leibbrandt (tr.), *Précis of the Archives of the Cape of Good Hope: Journal, 1662–1670* (Cape Times, Cape Town, 1901), p 343; and Jeffreys, *Kaapse Plakkaatboek I*, pp 116–117.

28. For example, Van Suerwaerden was refused to change from being a wine tapster to a wine merchant because the wine merchants’ business would be damaged by another competitor. See Böeseken, *Resolusies II*, p 54.

29. Jeffreys, *Kaapse Plakkaatboek I*, pp 114–115.

30. Böeseken, *Resolusies II*, pp 82–83; and CA, C 1340: Outgoing Letters, 1672, p 107.

31. D. Sleigh, *Die Buiteposte: VOC-Buiteposte onder Kaapse Bestuur, 1652–1795* (Protea Boekhuis, Pretoria, 2004), pp 226–229.

eventual *pachters*, Thielman Hendriksz and Hendrik Evertsz Smit, approached the authorities with the suggestion to take over the farm. This was duly accepted because the produce from the farm “could not by any means bring in what has been spent on its reparations and maintenance, even less bring in any profits” and because “the large garden next to the Fort” provided sufficient quantities of vegetables for passing ships. According to the contract, which was valid for four years, the *pachters* had to pay f4 000 a year for the use of the land. With the farm also came the right to sell, in small and large quantities, the wine produced there in addition to the brandy the *pachters* distilled.<sup>32</sup>

In the same letter in which the Council of Policy informed the *Heren XVII* of these developments, it complained about the continued smuggling of alcohol at the Cape, despite all the preventative measures employed.<sup>33</sup> It is possible that this concern might have been prompted by a specific case of smuggling in January of that year, which seemed to have involved some prominent free burghers and a high-ranking Company official. The case is shrouded in mystery, but it evidently distressed the authorities – it was clear by this stage that the measures adopted by Van den Brouck were not proving effective in curbing smuggling.<sup>34</sup> The Council’s solution was to lease out (*verpachten*) “tapping … to the highest bidders, and such four persons who we would deem the most qualified for it”, on condition that they buy their provisions from the Company. Not only would this relieve the authorities of “many troubles”, but the VOC would get the “rightful advantage” from the excise as well as *pachtpenningen* of about f4 000 per year.<sup>35</sup> In accordance with this, the Council of Policy prohibited everybody at the end of 1673 from tapping, except for four “privileged” tapsters who were allowed to retail “all wines and strong beers, as well as brandy, distilled waters, Batavian arak etc.”. For this privilege the four together had to pay an annual lease which indeed amounted to f4 000.<sup>36</sup>

This was a major reform in the administration of alcohol retail at the Cape. Two important innovations were inaugurated. Firstly – perhaps resulting from the example of Mostaert paying for the right to purchase alcohol from passing ships or perhaps as a measure to curb smuggling<sup>37</sup> – tapsters had to pay for the *right* to sell alcohol in small quantities. It is not clear from this 1673 case, but from the information available for the years after 1675 we know that the amount for the yearly “impost” was determined by the Council of Policy but that it was differentiated according to the different types of alcohol

32. CA, VC 6: Dagregister, 1671–1673, pp 742–744, both quotes from p 742. On 10 May 1673, the Council of Policy informed the *Heren XVII* of its decision and included the details of the contract. See CA, C 1344: Outgoing Letters, 1673, pp 114–116.

33. CA, C 1344: Outgoing Letters, 1673, p 116.

34. Jacob Rosendaal and Janneke Ferdinandus smuggled large amounts of alcohol from ships in Table Bay with the help of the Company *dispensier*, Willem van Dieden. The *dispensier* lost his position and they were all sentenced to a fine. See CA, VC 6: Dagregister, 1671–1673, pp 612–615; CA, C 2398: Attestations, 1672–1673, pp 83–86; and CA, CJ 1, vol. ii: Regtsrollen, 1652–1673, pp 836–838. M. Whiting Spilhaus, *South Africa in the Making, 1652–1806* (Juta, Cape Town, 1966), p 332, claims that this “scandalous case of smuggling … prompted alteration in the Company’s arrangement with the innkeepers” but confuses the details of this case with a slightly earlier one involving soldiers stealing liquor from the Company’s warehouse. See CA, CJ 1, vol. ii: Regtsrollen, 1652–1673, pp 818–819; CA, CJ 282: Documents in Criminal Cases, 1672–1673, pp 219–239; CA, CJ 780: Sentences, 1652–1697, pp 465–472 and CA, VC 6: Dagregister, 1671–1673, p 620.

35. CA, C 1344: Outgoing Letters, 1673, pp 116–117.

36. CA, VC 6: Dagregister, 1671–1673, pp 924–927 and CA, C 1347: Outgoing Letters, 1674, p 95. This decision was decreed by *plakkaat* the following day. See Jeffreys, *Kaapse Plakkaatboek I*, p 124. Only one of these four, Willem van Dieden, was new. The others had all been tapsters for quite some time.

37. Making somebody pay for a privilege makes them more “jealous” and protective of it.

being sold.<sup>38</sup> The 1673 *plakkaat* (published decree) implies that each tapster could sell any type of alcohol he pleased although, considering the situation from 1675 onwards, I think that this was not the case, or that it was dropped very soon afterwards.<sup>39</sup> The second major innovation which started in 1673 was that these tap concessions, which for the first time were called *pachten* (leases), were expressly limited to one year, after which they had to be renewed. All previous tap concessions had simply been granted “until further notice”. Limiting them to a set period is probably the logical result of charging a fee since (as with Mostaert in the 1660s) these usually had to be paid every year, ensuring an easy way of controlling the price.

Perhaps the most difficult of the 1673 innovations to interpret is the phrase “the highest bidder”. This would seem to imply that people could offer an amount for a given tap concession or *pacht*, and that someone could make a better offer to secure it. This is perhaps the reason why some scholars have taken this *plakkaat* to mean that the alcohol *pachten* were publicly auctioned off.<sup>40</sup> However, this was not the case. In its letter, the Council stated that it might get as much as f 4 000 for the tap rights, but when these were actually given out, this was the amount that was actually paid for them. What is more, the Council of Policy expressly stated that the concessions would go to “such four persons who we would deem the most qualified for it”, in effect the same principle as had been used before 1673, i.e. the Cape authorities would decide who would be granted the right to tap. Now, however, the crucial factor increasingly became the income the VOC could generate. Yet, in the years immediately following the reform of 1673, we find that (a) the Council of Policy itself continued to nominate the tapsters, although in most years the tapsters of the previous years were simply allowed to continue, on the important new condition that they paid the *pachtpenning*; and (b) that the Council also determined the amount that had to be paid for the individual rights, although it did take into consideration requests for discount from the tapsters. Thus we find the four *pachters* of 1673 being allowed to continue their contracts at the end of 1674 on the same terms; although on this occasion the Council also instituted a new *pacht*, namely that of Cape wines which was given to Jacob Rosendael at f 600 per annum.<sup>41</sup> During the course of 1675 there were some changes in leaseholders, and minor adjustments to the amounts they had to pay for their concessions, but in essence, things remained the same.<sup>42</sup> So too at the end of 1676, when the current tapsters for the various types of alcohol were all confirmed in their rights for another year and accepted the prices of the “imposten” as determined by the Council.<sup>43</sup> We find, therefore, that by the middle years of the 1670s a system had developed whereby certain people were favoured by the Council of Policy to

38. Böeseken, *Resolusies II*, pp 130–132.

39. The *plakkaat* of 1 December 1673 states that the Cape beer brewer (Everts Smit) would only be allowed to sell his beer in large quantities. This meant that he lost his earlier right to tap beer in small quantities, which makes it possible that in 1673 the four privileged tapsters were allowed to sell all types of alcohol. See Jeffreys, *Kaapse Plakkaatboek I*, p 124. It is, however, clear from the resolutions after 1675 that the *pachten* and tapsters were differentiated according to the type of alcohol they could sell. Even where an individual owned the right to sell two different types of alcohol, they were treated as different rights and charged separately.

40. See for example, Krause, “Drankpagte”, pp 41–42, who equates “verpagting” with “opveiling”. Similarly, G.C. de Wet, *Die Vylyde en Vylywarte in die Kaapse Nederseetting, 1657–1707* (Historiese Publikasie-Vereeniging, Cape Town, 1981), p 47, states that after 1673 “[d]ie pagte is daarna jaarliks opgeveil”. Nowhere in the documents relating to the 1673 reforms does it state that the tap concessions would be auctioned off, while the history of the alcohol *pachten* up to 1680 makes it clear that they could not have been auctioned off in 1673.

41. CA, VC 7: Dagregister, 1674–1676, p 90.

42. Böeseken, *Resolusies II*, pp 130–132.

43. Böeseken, *Resolusies II*, pp 161–163.

obtain the right to sell a certain type of alcohol for a set period at a specific place. It is important to remember, though, that the price was always determined by the authorities (who although willing to consider discounts for special circumstances, were increasingly keen to receive an income from this system) and that it was solely at their discretion who would, or would not be permitted this right. It is over these two aspects of the emerging alcohol *pacht* system that unhappiness was brewing.

When it was time to renew the tap concessions in November 1677, an odd statement appears in the Council of Policy's resolutions. It decided that because of the "uncertain war times" (the third Anglo-Dutch war was still raging) it would not grant permission "to auction off in public the tap concessions to the highest bidders", but would allow all the tapsters to continue for the following year on the same conditions as before.<sup>44</sup> This is the first time ever that the sources mention an auction in connection with the tap concessions. Although the sentence seems to imply this, the available evidence does not allow us to deduce that these concessions were really auctioned off every year to the highest bidder. What happened in 1677, as had been the case ever since 1673, emphatically contradicts this: once again the tapsters, with one exception, were confirmed in their rights and paid the same "imposten" as before.<sup>45</sup> It is possible that with "auction" the Council simply meant "sale" or perhaps some kind of process whereby burghers interested in holding a *pacht* could approach them with an offer; but we simply do not know for sure.<sup>46</sup>

What is clear, though, is that by this stage voices were being raised about the way in which the alcohol *pachten* were awarded. Already in 1676 the visiting commissioner, Nicolaas Verbruch, wrote at length about the harsh treatment of the free burghers by the Cape authorities, saying that the "decrees and ordinances" at the Cape were "very precise and in some cases rather too rigorous", which served as proof for his remark that "the Dutch colonists here carry the name of free people, yet they are so constricted and bounded in everything, that their unfreedom appears rather much ...". This moved him to recommend that the free burghers should be "cherished ... with greater freedom, kindness and affability". He was the first commissioner to have realised that the reason why so many free burghers were inclined to tap keeping was not because they were lazy, but because of real economic hardship. Verbruch noticed that these people were not allowed to make a living from taps because the Council at the Cape only ever privileged "the wealthiest and most well-off tavern-keepers", while in fact "the common man" should have been permitted to participate in this trade as well. Because of the complaints he received on this issue, he instructed the Cape authorities to take this into consideration and to give these burghers "some relief and consolation".<sup>47</sup>

So, during the course of 1678 the Council of Policy received several requests from burghers who wanted to be allowed into the alcohol retail business, and what is more:

44. Böeseken, *Resolusies II*, pp 211–212.

45. The new *pachter* was Gerrit Victor who was allowed the concession to tap wines since he had bought the house of the late Mostaert which was eminently suitable as a tavern. All the other *pachters* had been in the tap business since the early 1670s. See Böeseken, *Resolusies II*, p 212.

46. In December the Council repeated that it had "nominated competent persons" to take on the *pachten*, as stated in the resolution of 23 November 1677. See Böeseken, *Resolusies II*, p 216. Note that this echoes what was decided in 1673: the *pachten* had to go to the "highest bidder", but the Council would nominate people who were deemed "sufficient" or competent.

47. Böeseken, *Memoriën en Instructiën*, p 124.

... considering that the common citizenry produce no small, and by no means irregular, laments [along the lines] that they are all members of one body, and should equally carry its burdens and loads, yet they are excluded from all such favourable benefits and advantages which they consider on this account to be able to join in and be part of, they want to – along with their fellow citizens – recover for once and be able to revive through these tasty profits.

Considering that Verbruch had already recommended that the “common people” and not just the wealthy should be allowed the tap business, *and* since somebody had offered the Council f 525 more for the brandy *pacht* than the current *pachter* was paying, the Council decided to extend the rights of the current year’s tapsters only until the next return fleet, when a commissioner could rule on the matter. This the Council would do in order “not to provide any excuse for discontent to the claimants, as well as to free us from any accusations of preference and favour, etc.”<sup>48</sup>

In April 1679 the last major reform of the system of tap concessions occurred. The Council repeated the request of the non-tapsters to commissioner Dirk Blom on the 21st, adding that they specifically requested “that these privileges be leased to the highest bidder at a public auction”. The commissioner felt that this request was “based on fairness”, but noted that the current tapsters had spent much money make their houses suitable as taverns and were therefore in a better position to pay the “imposts” than others. Nonetheless it was decided to auction off the tap concessions to “the highest bidders” for the current year, but to admit only six to eight people who were able to produce sureties for the price the *pachten* would get.<sup>49</sup>

On the following day the authorities listed ten people who were deemed “sufficient” and who would be allowed to bid for one of the *pachten*. At least six of them had had some form of involvement with alcohol retail previously but four other people were now given an opportunity to participate in this lucrative business.<sup>50</sup> On 25 April 1679 the first public auction of the right to sell certain types of alcohol were auctioned off, “to prevent complaints from the common [citizenry]”, as the *Dagregister* noted.<sup>51</sup> A week later, the Council noted that this auction was such a success and that the alcohol *pachten* brought in more money than ever before, with the result that it decided that all other industries which had been entrusted to free burghers on an *ad hoc* basis, now “be

48. Böeseken, *Resolusies II*, pp 270–271 quotes from p 271. The *pachters* had to pay the same “imposten” *pro rata* as in the previous year, but “imposten” payable by the brandy tapsters were increased with the amount the anonymous person offered more than the previous sum.

49. Böeseken, *Resolusies II*, p 281. These non-tapsters also noted that the current privileged tapsters “came to enjoy these profits so richly and luxuriously”. The commissioner also decided that proper contracts had to be drawn up, which became the so-called “pacht conditien” which every *pachter* had to sign after having accepted a *pacht* at an auction. The first such contract was drawn up by Blom the following day. See Böeseken, *Resolusies II*, pp 282–283.

50. Van Dieden, Marcquart, Victor and the widow Valckenrijck had been tapsters for several years, while Diemer had been allowed to sell Spanish wines in large quantities since 1670. In addition, H.J. Grimp had recently married Janneitje Ferdinandus, the widow of Joris Jansz, one of the very first tapsters at the Cape. The four “new” names were: H. Gresnicht, J. Dirx (de Beer), G. Heems and T. Dirx (van Scalkwijk). See Böeseken, *Resolusies II*, p 283.

51. The *pachten* only ran for eight months until the end of the year, after which they would be auctioned off every New Year. The two alcohol *pachters* were the widow Valckenrijck and Willem van Dieden. See CA, VC 8: *Dagregister*, 1677–1679, pp 864–865. De Wet, *Vryliede*, pp 50–51, includes all ten persons nominated to bid for the alcohol *pachten* as having been *pachters* for 1679, while in fact only these two were.

leased (*verpacht*) at a public auction to the highest bidder, which we consider would best serve the honourable Company".<sup>52</sup>

The Cape citizenry had almost gained what it wanted; the *pachten* were now publicly auctioned off, but the Council of Policy still had too great a say in who would have access in the first place. Ongoing complaints forced the Batavian government to instruct Commissioner Abbema, who visited the Cape in March 1680, to order the Cape authorities to open the alcohol retail trade to everybody, so that all free burghers, "without any exceptions", would be free to bid at a public auction for the right to sell alcohol in a tavern.<sup>53</sup> And with this, by 1680, we have in place a system that would remain stable for the remaining 115 years of VOC rule at the Cape. From this year onwards, there was a public auction of the alcohol *pachten* every year at which anybody with the necessary means and sureties could bid for a *pacht* which would allow him or her to sell a specific type of alcohol at a set place for a set period.<sup>54</sup> It took almost 25 years to develop the alcohol *pacht* system, but once it was established, it remained remarkably stable and became the most successful and profitable form of retail, to both the free burghers and, indirectly, the Cape authorities.<sup>55</sup>

### Profits and politics

The preceding sections have discussed how the *pacht* system came about. Why was this system, with its particular characteristics, opted for and why did this happen at this specific time? The answer is of course primarily economic, but socio-political factors also played a role. Hence it is necessary in the following paragraphs to consider the broader context of the early Cape settlement, as well as the larger politics of the VOC during this era.

For the first years when inns and taverns were allowed at the Cape, there is no indication of how rich the tapsters were becoming, although numerous statements tell us of the popularity of drinking at the Cape and there are plenty of complaints about

52. This included the brewing of Cape beer, bread baking, milling, "the farm at Hottentots Hollandt and the wheat store". See Böeseken, *Resolusies II*, p 290. Earlier it was decided also to auction off the right to sell *virres* and Spanish wine in large quantities, which had been controlled by Diemer for many years. See Böeseken, *Resolusies II*, pp 283–284. None of these was as successful as the alcohol *pachten* and were soon discontinued.

53. Böeseken, *Resolusies II*, p 317.

54. The auctions worked like this: A *pacht* was first auctioned off to the highest bidder, with the prices going up. After the highest bidder had signed the contract, the same *pacht* was again auctioned off, this time from a much higher starting price which was decreased in small increments until someone called it. If this auction realised a higher price than the first one, a new contract was signed with the bidder. If not, the contract of the highest bidder from the first auction was retained. In this way the VOC ensured the highest possible price for the right to retail alcohol. Compare, for contemporary descriptions, P. Kolb, *Naaukeurige en Uitvoerige Beschrijving van de Kaap de Goede Hoop* (Lakeman, Amsterdam, 1727), vol. 2, pp 275–277; and O.F. Mentzel, *A Geographical and Topographical Description of the Cape of Good Hope* (Van Riebeeck Society, Cape Town, 1925), vol. 2, pp 50–53.

55. Between the years 1680 and 1795 more than 1 000 individual alcohol *pachten* were leased out to about 200 individuals. Of these only twelve *pachten* were not auctioned off, ten of which were special *ad hoc* arrangements with the Mensink family concerning beer brewing. In addition, only four alcohol *pachten* over this period were not awarded, usually because the amount bid was too low. The VOC authorities received almost f7 million in income from auctioning these *pachten*. See G.J. Groenewald, "Kinship, Entrepreneurship and Social Capital: Alcohol *Pachters* and the Making of a Free-Burgher Society in Cape Town, 1652–1795", PhD thesis, University of Cape Town, 2009, pp 63–69.

soldiers and sailors wasting their money in public houses. It was only after a decade of alcohol retail by free burghers that it became clear that this was a profitable business. This is evident in 1665 when the Council of Policy, realising that the tapsters were doing a roaring trade, decided to limit their number and to tax them, thus ensuring that the VOC could share in the profits. By making Mostaert pay for the advantage of obtaining alcohol in a less restrictive environment than the other tapsters, the Cape authorities clearly recognised the economic possibilities of alcohol retail. Thus when Commissioner Joan Thijssen asked commander Borghorst in June 1669: “What profits are possible here annually, and what are their origins?”, he had to admit: “Here there are no exceptional profits except through the sale of alcohol, as regards the rest there are in general only expenses and for this reason there are no profits to be found in this place”.<sup>56</sup> In his report, the commissioner also complained bitterly about those farmers who were more interested in tapping than farming; they were using the excuse that they could not find any plough oxen and were therefore forced to provide for wife and children “from the tap”.<sup>57</sup>

Yet, although the authorities were loath to admit it,<sup>58</sup> it is with hindsight evident that by this stage the system of free burghers as originally conceived was not working successfully in the Cape. By the early 1660s it was already clear that Van Riebeeck’s idea of establishing agriculture on the Dutch intensive farming model had failed. Increasing numbers of free burghers abandoned farming and tried to make a better living in some other way, much to the distress of the VOC, whose original intention in establishing a free-burgher population was to relieve the Company of having to farm, thus making the Cape virtually self-sufficient.<sup>59</sup> In fact, the whole colonisation effort was in a precarious position: between 1662 and 1679 the number of male free burghers declined from 93 to 81, with several requesting to return to Europe or to re-enter VOC service.<sup>60</sup> That farming was a dismal failure is shown by the fact that only 22 of these more than 80 male free burghers were active as farmers by the end of the 1670s.<sup>61</sup>

Partly due to the success of the established tapsters, and partly as a result of economic hardship the Cape farmers had to endure, running a public house seemed increasingly the answer to the free burghers’ problems.<sup>62</sup> It is little wonder then that Commissioner Van den Brouck sought to reduce their number in 1670, supposing that this would encourage farming.<sup>63</sup> However, as the Council of Policy reported to the *Heren XVII* in April 1672:

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56. He added: “... and this outpost cannot exist without it”. See CA, VC 36: Reports of Commissioners, 1657–1764, pp 191–192.

57. CA, VC 36: Reports of Commissioners, 1657–1764, pp 204–205.

58. The exception was Commissioner Verburch who (in 1676) had greater sympathy with the free burghers’ plight, saying that as most had neither “the means nor opportunity” to be successful farmers, it would be “all too harsh ... to force them to it”. See Böeseken, *Memoriën en Instructiën*, p 124.

59. Guelke, “Freehold Farmers”, pp 71–73.

60. De Wet, *Vryliede*, pp 17, 194–199.

61. A.J. Böeseken, “Die Vestiging van die Blankes onder die Van der Stels”, in C.F.J. Muller (red.), *Vyf honderd Jaar Suid-Afrikaanse Geskiedenis* (Academica, Pretoria and Cape Town, 1975), p 39.

62. The Council of Policy wrote in 1665 that “all the other [free inhabitants] who cannot make progress with their farming, fishing or trades, continually come to us and request that they too be granted to set up a little brandy tap here or there, in order to obtain their daily subsistence more easily ...”. See Böeseken, *Resolusies I*, p 332.

63. Compare his comment: “that almost everybody here ... has left the plough behind and taken on tapping with great inclination ...”. See Böeseken, *Memoriën en Instructie*, p 91.

The old complaints made from time to time about the tapsters and taverns here currently remain in place, since there is almost nobody at the whole Cape – however well settled and well-to-do he may be – who does not also pollute himself with such a pleasant job, whether directly or indirectly. Yes, even the new arrivals know to propose in their first request permission to enjoy the privilege of a little tap.<sup>64</sup>

The reforms of 1673 regarding the tap concessions should be seen as a reaction to this realisation that the profitability of alcohol retail would continue to make it attractive to virtually everybody at the Cape and that (as the authorities admitted in the reasoning behind the reforms) smuggling would only increase, defrauding the Company of its income from the excise.<sup>65</sup> Before 1673, a tap concession was seen as a “gift” granted by the Council of Policy to those who requested it and were deemed suitable – i.e. a privilege which admittedly came with certain conditions and regulations, but which was still in principle available to everyone, even though the authorities might limit the number for economic reasons. This changed radically after 1673 when the right to sell alcohol was no longer a gift, but a right which had to be purchased. By making the *pachters*, as they were increasingly being called, pay for their rights, the VOC ensured both greater stability in the market (as only people with adequate wealth would be able to afford such a *pacht*) and a much-needed source of income for the Cape administration. This measure also reduce smuggling and illegal tapping.<sup>66</sup>

What is clear is that after 1673 there was a definite change in the Cape authorities’ attitude to tap concessions. Having realised that they could profit from the *verpachting* of alcohol, on the same lines as with the *verpachting* of Rustenburg, and with no expenditure and trouble on their part, they became very protective of this system. The new measures of 1673 were clearly a success, and a year later the *Dagregister* could report that the Cape was able to send f 1 000 in cash to Batavia “since we find our treasury so improved through the sale of strong liquor etc., that for the time being we should have no shortage [of species]”.<sup>67</sup> Henceforth the Council of Policy showed increasing concern for the *pachtpenningen*, and whenever circumstances could conceivably influence a *pachter*’s ability to pay his or her lease, the Council would go out of its way to ensure that it would not be “frustrated” in its income from the concessions.<sup>68</sup>

One way in which the Council did this was by ensuring that the *pachters* were people who were “sufficient” or “qualified”, in short, people capable of paying the money. This resulted in a certain conservatism on the Council’s part when it came to

64. CA, C 1340: Outgoing Letters, 1672, pp 106–107. They added that their vigilance about this matter proves “how zealously we have always worried about the agriculture here and its improvement”. When the Council informed the *Heren XVII* of their decision to lease off the tap concessions to four persons, they stressed that these would be individuals “through whom the agriculture would be the least disadvantaged”. See CA, C 1344: Outgoing Letters, 1673, p 116.

65. Both the letter to the *Heren XVII* informing them of the decision and the entry in the *Dagregister* on the day of the event state that the Council of Policy was moved to this decision because the inhabitants of the Cape would not halt their illegal alcohol retail and smuggling which was detrimental to the privileged tapsters as well as to the Company. See footnotes 34–36 above.

66. When the smuggling incident of January 1673 was discovered, the *Dagregister* noted with evident distaste that it was time “to eradicate once and for all that evil so deeply rooted with a vengeance”. See CA, VC 6: *Dagregister*, 1671–1673, p 615. On the day the *verpachting* was announced, the *Dagregister* expressed the hope that with this step, “this harmful abuse will soon disappear”. See CA, VC 6: *Dagregister*, 1671–1673, p 925.

67. CA, VC 7: *Dagregister*, 1674–1676, p 248.

68. There are several examples from the latter half of the 1670s when the Council of Policy adopted measures to assist *pachters* to ensure that the Company would not be “frustrated” in its *pachtpenninge*. See for example, Böeseken, *Resolusies II*, pp 147, 175, 216 and 260–261.

allowing new entrants. In 1676, at the end of his tenure, the outgoing commander, Isbrand Goske, explained to his successor how the system worked:

The rights of free tapping around the Fort ... are always renewed at the end of each year. All such persons are privileged with this who pay a certain sum [of money] and who are best suited to this occupation and who own the most suitable houses in which to place people, as well as being most capable to pay the promised money [penningen] ...<sup>69</sup>

As a result, there was a remarkable continuity in the recipients of tap concessions after 1673: at the end of most years the contracts of current tapsters were simply renewed and changes only occurred when somebody died.<sup>70</sup> But it is ironically through trying to ensure their income by the preferential treatment of the established *pachters*, that the Cape authorities created dissatisfaction amongst the free burghers who were unable to gain access to what was virtually the only lucrative business at the Cape.

However, the people who were clamouring for change in the mid 1670s were not necessarily the poorest burghers. On the contrary, it is likely that these requests came from the incipient elite whose further economic ambitions were frustrated by the closed-off system.<sup>71</sup> For by the late 1670s, Cape society and especially the authorities, clearly thought differently about tap keeping and alcohol retail than in the 1650s, and it is clear that by this stage tap keeping had developed into something more than just a way of earning a living. This is illustrated by the changing official discourse on the nature of tapsters and tap keeping and, even more clearly, by the changing view of the purpose behind running a public house, especially as far as “taps as charity” is concerned.

During the 1660s, when free-burgher involvement with agriculture was rapidly declining, with a concomitant rise in the number of (illegal) public houses, the powers-that-be often decried taps and tapsters as “common” and “lazy” – this was no honourable way of making a living.<sup>72</sup> A few examples will suffice. In 1665, when the Council of Policy decided to limit the number of tapsters and institute an excise tax, it also prohibited others from engaging in “such all too common an occupation” which only leads to “general harm, and a lazy, wild life”.<sup>73</sup> This opinion was shared by the *Heren XVII* who wrote to the Cape authorities in 1668 that inns and taverns “generally speaking only lead to debauchery and other irregularities, since it is generally also a lazy and filthy type of person who chooses this occupation”.<sup>74</sup> Commissioner Thijssen

69. Böeseken, *Memoriën en Instructiën*, p 137.

70. The only people who acquired tap concessions after 1673 and who had no previous involvement in tapping, were Gerrit Victor, Cornelis Stevensz Botma and Barent Brinkman.

71. The anonymous persons who were willing to pay more for the brandy concessions in 1679 were probably among those ten people nominated to bid for the *pachter* in 1680. It is plausible that the most vocal of the complainants were the four non-tapsters included in this list, two of whom did in fact later become *pachters* (Jan Dircx de Beer and Guillaume Heems). As for an incipient elite: of the nine males on this list, eight served as an officer in the burgher militia; seven as burgher councillors or *beemraden*; and four as elders or deacons in the church. Compare with the lists in De Wet, *Vryliede*, pp 142–144 and 188–191.

72. See M. Frank, “Satan’s Servants or Authorities’ Agents?: Publicans in Eighteenth-Century Germany”, in B. Kümin and B.A. Tlusty (eds), *The World of the Tavern: Public Houses in Early Modern Europe* (Ashgate, Aldershot, 2002), pp 12–14 and 21–27, who shows that the negative opinion the ruling authorities had of publicans was partly the result of projection (i.e. taverns are wicked, so their keepers must be too) and partly because they considered tapping to be an occupation which required no special skills or abilities. Hence the German saying *Wer nichts wird, wird Wirt* (He who becomes nothing, becomes a publican).

73. Böeseken, *Resoluties I*, p 332.

74. CA, C 289: Incoming Letters, 1668–1669, p 12.

concurred, equating tapping with “filthy profiteering” and calling would-be tapsters “debauchees who are idle”.<sup>75</sup> A similar opinion of tapsters shines through in a side comment when, also in 1669, the Council of Policy extended Elbert Diemer’s right to sell *vivres* (vinegar, oil, bacon and salted meat), considering in his favour the fact that “he has never in the least dabbled in alcohol selling or tapping, but leads a good life, attending the church as an elder”.<sup>76</sup> Finally, we find the Cape fiscal in 1670 calling tapping “a lazy profession” and the Cape authorities in 1672 considering involvement in the alcohol trade as something which “pollutes”.<sup>77</sup> However, there it seems to end. After 1673, this sort of decrying and depreciation of taps and tapsters vanish from the sources. It appears that having to pay a sizeable amount for the right to retail alcohol gave it (at least in the eyes of the authorities who received this payment) an air of respectability. This development, however, is closely connected with another issue, namely the decline of the notion of taps as charity.

The first people permitted to sell liquor at the Cape were two women, who both acquired this right because they were “burdened with children” and keeping a public house would help to supplement the family income.<sup>78</sup> Allowing them to sell alcohol was a form of charity. The same could be said of the two men who were given concessions a year later; they wanted to become free burghers but the Company could not supply them with the same benefits as others, so they were permitted to be hunters and tapsters.<sup>79</sup> Here too, alcohol retail was seen as a way of *supplementing* one’s income, which was also the case with Vetteman in 1658. He was simultaneously a private surgeon and tapster.<sup>80</sup> During the 1660s this fact is not stated explicitly, but for most of the tapsters, tapping was one of several economic activities they engaged in, seemingly often performed by their wives.<sup>81</sup> However, alcohol retail as a form of charity is most clearly illustrated by Van den Brouck’s reforms of 1670. He allowed ten individuals to engage in alcohol retail, three of whom were clear cases of charity. Jan Israels and Joris Jansz were, respectively, “visited ... by God’s hand with paralysis [and] apoplexy”, and were therefore “incapable of any other occupation”, while Matthijs Cooijmans could not live on the meagre proceeds from his bakery.<sup>82</sup> We also occasionally find the Council of Policy willing to help individuals who suffered some misfortune, providing them with the opportunity to recover by selling alcohol for a short period.<sup>83</sup> This was not unique to the Cape or the VOC – since the Middle Ages there had been a tradition in Europe of allowing indigent people, often widows, to make a living out of or supplementing their income by tapping;

75. CA, VC 36: Reports of Commissioners, 1657–1764, quotes from pp 204 and 205 respectively. Böesken, *Resolusies I*, p 382.

77. Böesken, *Resolusies II*, p 6; and CA, C 1340: Outgoing Letters, 1672, p 107.

78. See above. There were only a handful of families with children in 1656.

79. Böesken, *Resolusies I*, pp 102–103.

80. He became the “free surgeon” and was also allowed “free tapping”; Böesken, *Resolusies I*, pp 120–121.

81. There were some women who obtained tap concessions in their own right, but it seems that sometimes the concessions were in the husband’s name, while in practice the business was run by the wife. On women and the alcohol *pachten*, see Groenewald, “Kinship, Entrepreneurship and Social Capital”, pp 59–62 and Groenewald, “Dynasty Building, Family Networks and Social Capital”, pp 31–37.

82. Böesken, *Resolusies II*, p 26.

83. For example, in 1671 when Rosendael, who was allowed to sell Cape wine, reported that his wine harvest had failed, the Council allowed him to sell Spanish wine in large quantities during the time of the return fleet to make up for what he had lost. See Böesken, *Resolusies II*, p 55.

as well as people selling alcohol for a short while to make money quickly to help them recover from some misfortune.<sup>84</sup>

However, this practice also changed in the course of the 1670s, when alcohol retail became more of an economic benefit to both the tapsters (who were increasingly making more than just a living from tapping) and the VOC, who controlled and benefited from this trade. The Cape authorities were increasingly keen to exploit the lucrative nature of the alcohol trade for their own gain, much to the distress of the free burghers, as is illustrated by the fate of sugar beer.

Sugar beer, “a concoction of black sugar, bran, hops and yeast with a dash of real beer”, was the “home-made soft drink of the day”<sup>85</sup> We know that it was manufactured at the Cape as early as 1656 because Van Riebeeck, once again as a charity measure, allowed married couples to buy black sugar at a special price from the Company “to brew beer”.<sup>86</sup> It seems that most inhabitants in the Cape dabbled in making and selling this beverage, which was of little concern to the VOC and therefore rarely mentioned. This changed in 1675 when the Council of Policy decided to abolish the free trade in sugar beer and to nominate only three people to make and sell it, providing they bought the sugar from the Company.<sup>87</sup> It is not clear what the reasoning was behind this step. Perhaps the authorities meant to control the retail in this way in the hope of eventually receiving an income from it, along the lines of the tap concessions. In any event, this step caused such unhappiness that the Council quickly retracted and agreed to open the trade in sugar beer to all during the time that the return fleet visited the Cape.<sup>88</sup> Commissioner Verbruch, who had much greater sympathy for the free burghers’ economic plight, pointed out to the Cape authorities that the universal sale of sugar beer would not be to the “prejudice” of the Company (it would after all still receive money for the sugar), “but on the contrary would provide some relief to the poverty of the community”.<sup>89</sup>

With Verbruch’s recommendation on sugar beer, the Council of Policy seemed to have abandoned the idea of profiting from this trade. Rather, it let the sale of this beverage replace the “charity function” that taps had hitherto held. Some months after re-opening the sale of sugar beer to the public the right was again withdrawn, except for the period of the return fleet when everyone would be permitted to sell it. Instead, the *pachters* of the Cape beer who were struggling due to a grain shortage were allowed to sell sugar beer for the rest of the year. However, at the same time the right to sell sugar beer outside of the open season was given to (the wards of) some orphans; an indigent widow; and four burghers whose houses had to be demolished to make space for the new Castle.<sup>90</sup> With the exception of the widow, these people continued to receive this concession for the next few years.<sup>91</sup>

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84. P. Clark, *The English Alehouse: A Social History, 1200–1830* (Longman, London, 1983), pp 73–82.  
 J.M. Bennett, “Conviviality and Charity in Medieval and Early Modern England”, *Past and Present*, 134, 1992, pp 19–41 discusses the institution of so-called “help-ales”, which were “communal drinking-session[s] to raise funds for an honest person fallen on hard times” (p 20). There were also church- and bride-ales to raise funds for churches and married couples.

85. Spilhaus, *South Africa in the Making*, p 34.

86. Böeseken, *Resolusies I*, p 81.

87. Böeseken, *Resolusies II*, p 130.

88. Böeseken, *Resolusies II*, p 134.

89. Böeseken, *Memoriën en Instructiën*, p 124.

90. Böeseken, *Resolusies II*, p 147.

91. Compare Böeseken, *Resolusies II*, pp 161, 211–212 and 216.

It seems, then, that after about 1673, with stricter control over the alcohol retail trade on the one hand and the greater income from this for the Company on the other, the authorities started to view this sector of the Cape economy in a different light. Not only did they realise its economic importance and stop disparaging it, but they also ceased using tap concessions as a means of providing charity. On the other hand, the success of the new system led to attempts to regulate the informal trade of sugar beer. This was unsuccessful but eventually sugar beer replaced alcohol tapping as a means to provide for the indigent. Sugar beer never became part of an alcohol *pacht*, and in 1687 the Cape authorities specifically decided henceforth to allow only the widows of former Company servants the right to brew and sell this beverage.<sup>92</sup>

Considering the evolution of the *pacht* system over the quarter century between the mid-1650s and 1680 against this economic background, the following development can be outlined. Originally taps were viewed, as they had been in Europe, as something for the poor to help keep them going; it was not a very respectable trade, and was certainly not hugely profitable. However, at the Cape this soon changed, with alcohol retail, by the standards of the dismal Cape economy in 1660s, being the only success story. As a result of the failure of intensive farming, many free burghers tried their hand at tapping. This, which went hand-in-hand with smuggling, together with the profitability of tapping for some of the more successful tapsters, caused the authorities to limit the number of publicans in 1665 and they simultaneously instituted an excise tax so the VOC could share in the profits. However, with farming continuing to decline while the example of successful tapsters was close at hand, other burghers wanted to have a share in this. Van den Brouck's reforms did not seem to curb smuggling and illegal tapping. This frustrated the Cape authorities, who were beginning to realise how advantageous the alcohol trade was to their own treasury. Their solution was to lease out (*verpachten*) the right to sell alcohol to a small number of publicans. The income from this was so welcome that the Council of Policy became very protective of it and adopted conservative measures to secure this income. This in effect meant that only a small number of people profited from virtually the only profitable business at the Cape, resulting in growing dissatisfaction among the free burghers. This led to the reforms of 1679 when it was finally decided to lease off, on certain known conditions and on an annual basis, the right to sell different types of alcohol at a public auction to the highest bidder. If the authorities had any qualms about this public auction, these soon evaporated after the success of the first auction, with the result that anything that could be was promptly *verpachten*.<sup>93</sup> With this, the alcohol *pacht* system was established to form the backbone of retail trade at the Cape for more than a century.<sup>94</sup>

92. De Wet, *Vryliede*, p 92.

93. On the day of the event, the *Dagregister* noted how the huge income from *verpachtingen* would in future help to improve the decades-long poor economic situation of the Cape. See CA, VC 8: *Dagregister*, 1677–1679, p 866. They were indeed correct in this regard. While the income from the alcohol *pachten* in the years 1673–1679 was usually in the range of f4 000–6 000, for the period 1684–1689 it shot up to between f14 000 and f20 000, excluding the income from non-alcohol *pachten*. Figures are derived from CA, VC 9: *Dagregister*, 1680–1683, pp 1250–1251; C 1887: *Dagregister*, 1684, p 119; C 1889: *Dagregister*, 1685, pp 108 and 115; C 1893: *Dagregister*, 1686, pp 118–119; and C 2697: *Pagt Condiën*, 1687–1691, pp 3–18 and 32–47.

94. By 1681, Commissioner Van Goens junior could report that the “most significant” income of the Company at the Cape came from the *verpachtingen*, followed by the sale of tobacco. See Böeseken, *Memoriën en Instructien*, p 151. More than a century later, when the end of VOC rule was nigh, the commissioners-general Nederburgh en Frijkenius came to the conclusion that “the revenue from the [alcohol] *pachten* ... must without a doubt be considered the most notable branch of income in this Government”. See A.J. Böeseken, “Die Nederlandse Kommissaris en die Agtiede-eeuse

While this economic background is probably the prime explanation for the evolution of the alcohol *pachten*, it is not the only factor. Did the Cape authorities acquiesce in public auctions only because it was more profitable for them, or were there other issues at stake as well? Why was it only in the late 1670s that free burghers started clamouring for a share in the profits of the lucrative alcohol trade, claiming that after all they were “members of the same body”? Part of the answer may lie in the fact that by this stage the free-burgher society at the Cape had been in existence for a couple of decades and that something of a feeling of coherence, and perhaps even of belonging, was developing. It was after all by c. 1680 that the first generation of Cape-born children reached maturity.<sup>95</sup> It is not inconceivable that something of a Cape identity or even “mentality” was developing, which gave people the confidence to challenge the Company over something which would be not only to the Company’s advantage and best interest, but to the inhabitants of the Cape as well.<sup>96</sup> There are no clear and straightforward answers to these notions yet, but something along these lines may help to explain why the *pachten* came into existence by the end of the 1670s. It is unlikely that this would have happened fifteen years earlier.

What is clearer, however, is that the wider economic and political developments within the VOC probably helped the issue. After fairly profitable years during the 1660s, the profits of the VOC as a whole declined sharply during the decade 1671–1680, largely as a result of ever-increasing expenditure throughout its empire.<sup>97</sup> These economic troubles, as always, caused political and ideological wrangles in the upper echelons of the Company, with the result that the 1670s was a time of intense soul-searching over the current state of the VOC and its future. Most of this took the form of a tug-of-war between the *bevindhebbers* in the Netherlands and the *Hoge Raad* in Batavia. At stake were such issues as the cutting down of expenses (*bezuiniging*), curbing corruption and smuggling and (of course closely connected to the latter) reconsiderations of the monopoly system. Differences in outlook over certain matters and intense struggles between various factions in both Holland and Batavia, led to the dismissal of most of the members of the Batavian High Government. In the mid-1670s the *Heren XVII* instituted a series of reforms to redress the current state of affairs in the East, especially in an attempt to control abuses, most notably smuggling and private trading harmful to the Company, and to introduce austerity measures.<sup>98</sup> It is therefore no coincidence that it was against this specific wider background that the Cape authorities sought to find not only better control and administration over the alcohol trade, but also to benefit the Company directly from this lucrative venture. This connection becomes even more obvious when one considers that these reforms were to a large extent driven by commissioners on their way back to Europe after years of service in the East.

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Samelewing aan die Kaap”, *Archives Year Book for South African History*, 7 (Government Printer, Cape Town, 1944), p 197.

95. De Wet, *Vryliede*, p 113.

96. The earliest indicator of a feeling of a “Cape colonial identity” or feeling of “separateness”, dates from 1696 when one Cape-born man rushed to help another fighting somebody from the Netherlands, saying, “it cannot be tolerated that a child of the Cape should yield to a fellow from the fatherland”. See K. Schoeman, *Kinders van die Kompanjie: Kaapse Levens uit die Sewentiende Eeu* (Protea Boekhuis, Pretoria, 2006), p 530. This is far removed from competition over access to a lucrative trade, but it may help to explain why in 1679, burghers at the Cape could say to the VOC that they were “members of one body ... [who] should equally carry its burdens and loads”.

97. F.S. Gaastra, *Bewind en Beleid bij de VOC: De Financiële en Commerciële Politiek van de Bewindhebbers, 1672–1702* (Walburg Pers, Zutphen, 1989), pp 74–75 and 81–85.

98. Gaastra, *Bewind en Beleid*, pp 117–131.

## Conclusion

In the first years of the existence of the VOC Cape, alcohol retail was not a matter of great concern, except to ensure that it did not lead to all kinds of “debauches” (such as soldiers spending all their time and money in taverns), although it also served as a useful way to provide the needy with a supplementary income. However, for a number of reasons, tapping took off and in 1665 the authorities decided to regulate it and to levy an excise tax on it. The profitability of tapping and the lack of other economic opportunities made alcohol retail a much-desired occupation, with the result that the number of public houses, legal and illegal, proliferated despite attempts by the authorities to curb this and concomitant smuggling. The solution they adopted was to institute alcohol *pachten* in 1673, whereby tapsters had to buy the right to retail a certain type of alcohol for a specific period of time. With this, the underlying principle of alcohol *pachten* at the Cape was established, although it took another six or seven years for the other important characteristics of the system, namely that the *pachten* were sold at a public auction where anybody with the necessary means could compete for it, to come into operation. By 1680 the “most significant development in the progress of freeman trade ...” was well established and was to remain in place for more than a century.<sup>99</sup>

Finally, could the establishment of the alcohol *pachten*, which were the only *pachten* that remained successful and operative during the VOC period, be viewed on an open basis as one of the few victories the free burghers enjoyed over the Company? After all, had it not been for their agitation during the late 1670s, it seems most probable that the Cape authorities would have continued with the closed system of *verpachting*. After all, from their perspective, it was no doubt the safest and easiest way of handling it. Perhaps it may be too simplistic to argue for this “victory”, since the authorities decided to broaden the system to include other *pachten* and to retain public auctions primarily as a result of the success of the first public auctioning-off of the alcohol *pachten* in 1679. This they permitted because it profited both the VOC and the free burghers. However, opening the *pacht* system did mean that a greater pool of individuals could enter one of the very few trades – and certainly the most lucrative one – available to free burghers at the Cape. In this sense it was indeed a victory, even if it meant that alcohol retail still remained under the control and on the conditions of the omnipotent and omnipresent Company – after all, the *pachters* were still subjects of the VOC.

## Abstract

After 1680, alcohol retail at the Cape of Good Hope was controlled through a lease (*pacht*) system whereby free burghers could buy, on a competitive basis, the right to sell a specific type of alcohol in a certain region for one year. In this way, the VOC remained assured of a major direct source of revenue. However, this lease system was not in place with the establishment of a VOC outpost in 1652, but had a troubled and complex development in the decades before 1680. This article traces this development and shows how it was linked to changing ideas about the role of free burghers in the nascent colony, their economic conditions, and their relationship with the VOC authorities. It is argued that the system of alcohol retail as it was established in 1680, constituted a victory for free burgher interests, and that this development demonstrates how local political and economic interests were linked to the changing fortunes of the VOC in a wider context.

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99. Spilhaus, *South Africa in the Making*, p 33.

**Keywords:** alcohol retail; business history; Cape of Good Hope; colonial identity; colonial politics; Dutch East India Company (VOC); entrepreneurship; free burghers; Indian Ocean; port cities.

### Opsomming

#### **“Meer gemack, better welvaert, en grooter voordeelen”: Vryburgers, die drankkleinhandel en die VOC-gesag aan die Kaap de Goede Hoop, 1652–1680**

Ná 1680 is die drankkleinhandel aan die Kaap de Goede Hoop beheer deur 'n pagstelsel waarvolgens vryburgers kon meeding vir die reg om 'n sekere soort drank in 'n gegewe area te verkoop. Op hierdie wyse het die VOC seker gebly van 'n waardevolle direkte bron van inkomste. Hierdie pagstelsel het egter nie vanaf die stigting van 'n VOC-pos in 1652 bestaan nie, maar het 'n moeilike en komplekse ontwikkeling vóór 1680 beleef. Hierdie artikel gaan dié ontwikkeling na, en toon aan hoe dit verbonde was aan veranderende idees omtrent die rol van vryburgers in die jong kolonie, hul ekonomiese omstandighede, en hul verhouding met die VOC-gesag. Daar word betoog dat die sisteem van drankkleinhandel wat in 1680 tot stand gekom het, 'n oorwinning vir vryburger-belange verteenwoordig, en dat hierdie ontwikkeling demonstreer hoe nou plaaslike politieke en ekonomiese belange gekoppel was aan die veranderende lot van die VOC in 'n wyer konteks.

**Sleutelwoorde:** drankkleinhandel; hawestede; Indiese Oseaan; Kaap de Goede Hoop; koloniale identiteit; koloniale politiek; Nederlands-Oos-Indiese Kompanjie (VOC); ondernemerskap; sakegeskiedenis; vryburgers.