

Headlands and Headings: Re-locating the Coloured Category¹

JANEKE THUMBRAN

History Department, Rhodes University

<https://orcid.org/0000-0002-3854-5511>

Abstract

In this paper I make two arguments: first, that the Western Cape has always functioned as the epistemological heading of the ‘coloured’ category. This is because it is in the Western Cape where the category first emerged as a descriptor for the ‘mixing of blood’, and where knowledge around the category was first produced through the appointment of commissions of inquiry. In addition, intellectuals in the Western Cape – based primarily at Stellenbosch University (SU) – also produced knowledge by drawing on the concept of heredity, and attaching inherited racial traits or characteristics to the ‘coloured’ category. The second argument is that by the late 1930s, a new epistemological heading emerged in the Transvaal, where intellectuals from the University of Pretoria (UP) would engage with the category through the emerging discourse on *bloedvermenging* or miscegenation. To these Pretoria-based intellectuals, ‘coloured’ was no longer just a marker for the ‘mixing’ of blood that originated in the Western Cape, but represented a threat to the heredity of the Afrikaner *volk* in the Union as a whole. Intellectuals in the Transvaal were less concerned with ascribing hereditary traits to the ‘coloured’ category, and more preoccupied with how those characteristics would affect the white racial imprint through miscegenation. By arguing that the Transvaal emerged as a new heading on the ‘coloured’ category, I am suggesting that another epistemological direction is on offer – one that departs from the form, the sign, or the logic of the heading of the Western Cape.

Keywords

Stellenbosch, Pretoria, heredity, ‘coloured’, miscegenation, heading.

¹ I would like to thank the National Research Foundation (NRF) for providing the financial support to conduct the research for this article. I would also like to thank Marieta Buys and Patricia Khati at the Stellenbosch Library Special Collections, as well as Nikki Haw at the University of Pretoria Special Collections, for providing access to the documents needed to write this article.

In 1953, anthropologist Sheila Patterson's *Colour and Culture in South Africa* was published. In this text, Patterson observed that the term 'Coloured':

[A]pplies to those persons of mixed race who are born into, regard themselves as, and are accepted as members of the Cape Coloured group, which has its focus in the Western Cape. A coloured person living outside the Cape may have originated in this way and retain these links, or he may be the product of a different kind of cross, for instance between a white and an African or Indian or between an African or Indian.²

She went on to state that, '[a] considerable number of Coloured people in the Transvaal originated in the Cape moving to the urban districts of the Rand for economic reasons. In Natal the concentration of Coloured people is highest near the Cape border'.³ By ascribing the term 'coloured' to 'persons of mixed race', claiming that the term 'has its focus in the Western Cape', and linking the origins of those in the Transvaal and Natal to the Cape, Patterson highlighted the state and intellectuals' primary conceptualisation of the category in the 1930s and 1940s: that it was a marker for the 'mixing' of blood, which first originated in the 17th century through the arrival of European settlers in the Western Cape and their liaisons with slave women. Not only was this category viewed as one that stemmed from a process of racial 'mixing', but it was always already subsumed under the geographical heading of the Western Cape.

In this paper I make two arguments: the first is that 'coloured'⁴ not only emerged as a self-descriptor among the descendants of freed slaves and as a category in the census of the Cape Colony – under the geographical heading of the Western Cape – but that this region was also the category's primary epistemological heading. As I will demonstrate, it was in the Western Cape where knowledge around the coloured category was first produced. For instance, it was in this region that the first commissions of inquiry were appointed, where the 'evidence' for these commissions was collected and compiled into a set of findings and recommendations, and where intellectuals – based primarily at Stellenbosch University (SU) – attempted to expand on the contents of the category epistemologically. One of the ways in which this content was expanded upon was by ascribing racial characteristics or traits to the category by way of the concept of heredity.

The second argument is that by the late 1930s, a new epistemological heading emerged in the Transvaal, where intellectuals from the University of Pretoria (UP) would engage with the category through the emerging discourse on *bloedvermenging* or miscegenation. In contrast to the meaning of the category in the Western Cape, 'coloured' in the late 19th century Transvaal was used to refer to all colonial subjects –

2 S. Patterson, *Colour and Culture in South Africa: A Study of the Status of the Cape Coloured People within the Social Structure of the Union of South Africa* (London: Routledge, 1953), 14.

3 *Ibid.*, 15.

4 The term 'coloured' is presented in inverted commas when it is used for the first time, but for ease of reading has been used without the quotation marks in the rest of the text.

and not as a descriptor for those with ‘mixed blood’. However, by 1936, intellectuals in the Transvaal would begin to engage with the coloured category as both the representation and outcome of miscegenation – signalled by the appointment and the report of the Mixed Marriages Commission in 1939. To these Pretoria-based intellectuals, ‘coloured’ was no longer a marker of the ‘mixing’ of blood that originated in the Western Cape, but one that presented a danger to the racial heredity of the Afrikaner *volk*. Intellectuals in the Transvaal were thus less concerned with ascribing hereditary traits to the coloured category, and more preoccupied with the implications of those characteristics for the white racial footprint. However, while they engaged with heredity as a racial concept, these intellectuals also inadvertently positioned heredity as the setting of *restrictions* [author’s emphasis] on the legal transfer of property, office and title. To the Transvaal intellectuals, miscegenation – as well as ‘passing’ – provided coloureds with the possibility of achieving *gelykstelling* with whites and thereby, access to the ‘unearned’ benefits of whiteness (ie. property, office and title).

By arguing that the Transvaal emerged as a new heading for the coloured category, I am suggesting that another epistemological direction is on offer – one that departs from the form, the sign or the logic of the heading of the Western Cape.⁵ More significantly, this new heading demonstrates that by the 1940s, the state’s political imperative to separate coloureds from white society was, in part, shaped by the need to preserve the racial heredity of the *volk*, but more importantly, to safeguard Afrikaner property, office and title from *gelykstelling* for coloureds.

Locating the coloured category (1875-1910)

The origin of the term ‘coloured’ can be located temporally between 1875 and 1910, when new forms of social and political identities among freed slaves and their descendants began to emerge in Cape Town.⁶ The presence of black Africans, categorised as ‘Kaffirs’ or ‘Natives’ by whites, increased rapidly in Cape Town at the time as a consequence of the wars of conquest and the systematic destruction of the Xhosa kingdoms on the eastern frontier of the colony during the 19th century. At this time, it became clear that ‘natives’ were being subject to certain forms of discrimination, including residential segregation and prohibitory liquor laws. Among slave descendants in Cape Town, ‘coloured’ emerged in response as an acceptable form of self-description because it allowed them to distinguish themselves from ‘natives’ for pragmatic reasons. These distinctions also made sense at the time in terms of existing kinship, occupational and communal ties, as well as in relation to resources, labour and pass laws and a historical presence in the colony that predated the arrival of black Africans.⁷

5 J. Derrida, *The Other Heading: Reflections on Today’s Europe* (Bloomington: Indiana University Press, 1992), 14-15.

6 V. Bickford-Smith, ‘Meanings of Freedom: Social Position and Identity among ex-slaves and their descendants in Cape Town, 1875-1910’ in N. Worden and C. Crais, (eds.), *Breaking the Chains: Slavery and its Legacy in the Nineteenth-Century Cape Colony* (Johannesburg: Witwatersrand University Press, 1994), 289-312.

7 *Ibid.*, 309.

Given the heterogeneity of the slave and free black population in colonial Cape Town, various sub-groups were formed based on social ties and religious affiliations. For instance, in the early 1800s, free blacks along with Afrikaners and the descendants of the Khoisan who sought to free themselves from the constraints of the colony, formed a 'mixed' group and established themselves on the Cape's northern frontier, engaging in hunting, trading and herding.⁸ They began to identify themselves as 'Griqua' – taking on the name of an old Khoisan clan. In addition, Cape Muslims – referred to as 'Cape Malay' because of the Dutch East Indian origin of the first Muslims in the Cape – mobilised and identified around a set of religious, education and social institutions that began to emerge in Cape Town in the 1820s.⁹ The emergence of the term 'coloured' as a form of self-identification must be seen within the context of the Cape's colonial history, in which the practice of slavery and indentured labour points to the 'early 17th/18th century use of phenotype and origin as markers for hierarchically structured difference'.¹⁰

Although the above-mentioned processes of social, economic and political amalgamation date back to the period of Dutch colonialism, it was in the decades after the emancipation of the Khoisan in 1828 and slaves in 1834 under British rule that 'coloured' first emerged as a descriptor.¹¹ The transformative impact of the discovery of diamonds in 1867 and gold in 1886 in the southern African interior helped crystallise the identity in the late 19th century. The rapid incorporation of significant numbers of black Africans into the burgeoning capitalist economy served as the catalyst for freed slaves and their descendants to assert a separate identity and organise politically under the banner of 'colouredness'. Locked into intensifying competition with culturally, politically and historically distinct black Africans for material resources, 'coloureds' asserted this separate identity in order to claim a position of relative privilege on the basis that they were 'civilised' and partly descended from European colonists.¹² It is thus imperative to highlight that 'coloured' as an *identity* was claimed by its bearers, who were initially responsible for articulating and determining its form and contents.¹³ As a racial *category*, however, coloured entered the official discourse of the state in the late 19th century.

According to the 1891 census of the Cape Colony, the term 'coloured' was used to refer to all those who were not 'European', while the terms 'Mixed and Other' were used as a separate designation from 'European', 'Kaffir', 'Fingo' and 'Malay', but taken to include 'Hottentot'.¹⁴ The census stated that the 'coloured races' of the Colony were

8 Lewis, *Between the Wire and the Wall*, 9.

9 Bickford-Smith, 'Meanings of Freedom', 298-299. Bickford-Smith writes that '[a]t some stage between emancipation and the Mineral Revolution whites had begun referring to Muslims, whatever their actual ancestral origins, as "Malays". In fact, Malay had become virtually a synonym for Muslim, in the mouths of whites, by the 1850s. In the 1870s, if not before, the term Malay was adopted by a number of people so categorized to describe themselves, at least in their dealings with whites'.

10 C. Hendricks, "Ominous" Liaisons: Tracing the Interface between "Race" and Sex at the Cape' in Z. Erasmus (ed.), *Coloured by History, Shaped by Place: New Perspectives on Coloured Identities in Cape Town* (Colorado Springs: International Academic Publishers, 2001), 29-44.

11 M. Adhikari, 'Introduction – Predicaments of marginality: cultural creativity and political adaptation in southern Africa's coloured communities' in M. Adhikari (ed.), *Burdened by Race: Coloured identities in southern Africa* (Cape Town: UCT Press, 2009), viii-xxxii.

12 Adhikari, 'Introduction – Predicaments of marginality', xi.

13 *Ibid.*, ix.

14 Results of a Census of the Colony of the Cape of Good Hope (Cape Town: Government Printers, 1892), xv.

divided into five classes: 'Malay', 'Hottentot', 'Fingo', 'Kaffir' and finally, 'Mixed and Other Coloured Races', which it described as: '[t]he great and increasing population which was sprung from the intercourse of the colonists with the indigenous races, and which fills the interval between the dominant people and the natives'.¹⁵ It further goes to describe this category as consisting primarily of 'Cape-born Coloured persons of Mixed Race'.¹⁶ By 1904, the census used the term 'coloured' as a specific marker for 'persons of Mixed Race'. According to this census, '[t]he three clearly defined Race Groups in this colony are distinguished by colour and may be designated, first, White or European; second, Black, comprising the entire aboriginal Bantu Family... and third, Yellow and Coloured, ie. the intermediate shades between the first two ... begotten of intermarriage between members of the different groups'.¹⁷ What both of these censuses demonstrate is that the emergence of the coloured category is not only tied to the Cape Colony, but that it emerged as a marker to describe those with 'mixed blood'.

In the same year that the Cape Colony census was released (1905), the South African Native Affairs Commission (SANAC) made its report. Appointed in the aftermath of the Anglo-Boer War (1899-1902), as the modern South African state was being formed and Afrikaner/British political and cultural divisions were set aside to address the looming questions of joint governance and the question of South Africa's complex and competing labour needs, SANAC would seek to find a common definition of 'native', but in so doing, would point out the different definitions of 'coloured' between colonies and even within the same colony.¹⁸ For instance, in the Afrikaner Republics (the Transvaal/Zuid-Afrikaanse Republiek, ZAR, and the Orange Free State, OFS), the category of 'coloured' was applied to all colonised subjects, and the term 'native' (for the purposes of pass laws) to include 'every male person one of whose parents who belongs to any of the aboriginal races or tribes of Africa south of the Equator'.¹⁹ A Liquor Law in the Transvaal (No. 19 of 1898) made explicit mention of women: '[t]he term "coloured person" shall signify any African or Asiatic native or coloured Americans or St Helena person, Coolie or Chinamen, whether male or female',²⁰ and bore a resemblance to a similar definition in the colony of Natal. The commission thus faced the difficult task of choosing a definition that could be used as a classificatory device by the unified state. It decided to accept all existing definitions in use but also proposed a new definition that was sufficiently broad enough. 'A 'native,' it decided, 'means an aboriginal inhabitant of Africa, South of the Equator, and to include half-castes and their descendants by Natives' [author's emphasis].²¹ This definition adopted the position of the Afrikaner Republics, like the Transvaal, rather than that of the Cape, which by 1904 had differentiated between 'coloured'

15 Ibid., xvii.

16 Ibid., xxi.

17 Results of a Census: Colony of the Cape of Good Hope (Cape Town: Government Printers, 1905), xxi.

18 T. Reddy, 'The politics of naming: The constitution of coloured subjects in South Africa' in Z. Erasmus (ed.), *Coloured by History, Shaped by Place: New Perspectives on Coloured Identities in Cape Town* (Colorado Springs: International Academic Publishers, 2001), 64-79.

19 Transvaal Proclamations no. 27 of 1891, 134.

20 Report of South African Native Affairs Commission (SANAC), 1903-1905 (Cape Town: Cape Times Printers, 1905), 12.

21 Ibid.

and 'native'.²² The commission admitted that this decision was arrived at hesitantly because, '[i]t is notorious that a great deal of racial mixture has taken place, and many of the so-called coloured people have, by their industry, intelligence and self-respect, raised themselves to a high standard'.²³ Ultimately however, the commission decided that it was more important to create a common language in which the colonies that were to make up the new Union of South Africa could address each other on equal terms and with similar meanings concerning the place of 'natives' within the political economy.²⁴ This common language was to serve a common purpose: to control the largest possible pool of labour and to designate clear boundaries between 'Europeans', and all others.

The SANAC report, like the 1891 and 1904 Cape Colony censuses, rested on the foundational assumption that there was a distinction between those categories of people that represented static, fixed and neatly bounded groups with a particular racial essence, and 'mixed' groups whose racial essence was the mixing of blood. 'Europeans', 'natives' and even 'Asiatics' could, under the rubric of the report, be considered to be 'pure' races, while 'coloureds' functioned as the residual category representing the mixing of races.²⁵ What this suggests is that, while the report attempted to generalise the category of 'native' for pragmatic reasons, it still viewed coloureds as colonial subjects with special and unique features.²⁶ For instance, the SANAC report indicated that the Cape Colony had '395,369 coloured people of mixed race' and that 'characteristics of the Bushmen and Hottentots' are 'preserved in the coloured population who constitute a considerable proportion of the population'.²⁷

Despite SANAC's attempts to create a common language, the formation of the Union of South Africa in 1910 – which came by way of consolidating the ZAR, OFS, Natal Colony and Cape Colony into one country – did little to move beyond legal pluralism on racial categories. According to Posel, the number of laws based on racial differentiation grew rapidly with the advance of segregation, and alongside the proliferation of legislation came greater ambiguities and inconsistencies surrounding the definitions of racial categories. In particular, the central difficulty lay in defining the scope of the category 'native', and more especially, how to specify the boundary between supposedly 'pure' and 'mixed' 'non-white' races. The earliest controversy was sparked by the promulgation of the Native Labour Regulation Act in 1911, where the definition of 'native' put forward by SANAC was successfully challenged in the courts, and the dominant tendency thereafter was for legislators to recognise three races (white, 'coloured' and 'native') rather than only two.²⁸ While the classification of an individual as 'coloured' depended upon a combination of physical features, descent, general acceptance and repute, as well as mode of living,²⁹ in the official

22 Reddy, 'The politics of naming', 70.

23 SANAC Report, 13.

24 Reddy, 'The politics of naming', 70.

25 *Ibid.*, 71.

26 *Ibid.*, 69.

27 SANAC Report, 3.

28 D. Posel, 'Race as Common Sense: Racial Classification in Twentieth-Century South Africa', *African Studies Review*, 44, September 2001, 87-113.

29 *Ibid.*

discourse of the state, the category – demonstrated in the 1905 SANAC report – remained a marker for the ‘mixing’ of blood. The official discourse also described this category as one that consisted of particular racial characteristics that came by way of inheritance.

Locating the coloured category in racial heredity

According to Müller-Willie, it was in the 19th century that the legal meaning of inheritance – the setting of restrictions on the legal transfer of property, office and title according to genealogies of kin – was transposed onto biological understandings of the ways in which life is made. When entering the sphere of biology, the notion of inheritance was geared toward a much more specific phenomenon – namely, that of ‘heritable variation’, which consists of hereditary diseases on the one hand, and racial characteristics on the other. *The Oxford English Dictionary* lists Herbert Spencer’s *Principles of Biology* from 1863 and Francis Galton’s *Hereditary Genius* from 1869 as the earliest references for ‘heredity’ in the modern, biological sense.³⁰ That inheritance was largely seen as something restricted to special circumstances in the early modern period can be observed from the fact that Carl Linnaeus (1707–1778), who was one of the first to propose a universal classification of mankind according to skin colour, still felt it necessary to emphasise that skin colour should be seen alongside other variable characteristics, like stature or body weight, which clearly depended on environmental factors such as nutrition. It was only towards the end of the 18th century that the peculiar behaviour of heritable characteristics – the fact that they were transmitted without being influenced by external conditions – began to be seen as a natural law. Immanuel Kant (1724–1804) played an important role in putting forward this perspective.³¹

Kant distinguished racial characteristics from species-specific traits on the one hand, which did not differ at all throughout a species and thus seemed to obey some constant law, and variable traits on the other hand, which either differed in accordance with changing environmental conditions or did not obey any obvious rule at all in their appearance among offspring. Only racial traits, according to Kant’s definition, were traits that were invariably transmitted to offspring even under changed environmental conditions, and yet would regularly and predictably blend in ‘hybrid offspring’. European parents would continue to produce white children even when living in Africa, and Africans would continue to produce black children even when living in Europe, while both together produced children of an intermediate, brown skin colour, regardless of the particular environment in which they were born. Kant derived his concept of race from travel accounts of the system of social stratification in the Spanish and Portuguese colonies, particularly in Latin America, called *las castas*.³²

30 S. Müller-Willie, ‘Reproducing Difference: Race and Heredity from a *Longue Durée* Perspective’ in S. Lettow (ed.), *Reproduction, Race, and Gender in Philosophy and the Early Life Sciences* (Albany: University of New York Press, 2014), 217–235.

31 *Ibid.*, 224–225.

32 Müller-Willie, ‘Reproducing Difference’, 224–225.

This caste system originated from attempts to determine how legal and social status could be allocated to the various sections of colonial society. It was primarily based on a classification of people according to skin colour and, to a lesser degree, also on hair form and eye colour. Children resulting from mixed marriages were positioned in this scheme by analogy to the simple mechanism of colour mixing, implying processes of transmission and ‘blending’ that connected traits of parents with traits of their offspring. To determine the *casta* of a person, it was imperative to know the *castas* of his or her parents. Due to its analytical character, the *castas* system could absorb a wealth of new phenomena while remaining stable in its basic outlines. It could therefore also account for the more capricious phenomena of heredity, like ‘regressions’ or ‘throwbacks’,³³ as demonstrated by a special caste in the system, the *torna atras* derived from a Spaniard and an *albina*: a white, blonde, and blue-eyed woman, which among its great-great-grandmothers had one black woman.³⁴ By the mid-19th century, Charles Darwin (1809-1882) had taken up the principle of inheritance as that which starts out as a rare deviation but may come to constitute a new norm. Darwin’s claim opened up prospects for both the production of specific differences through targeted intervention, as well as the reliable reproduction of such differences in the form of ‘purified’ populations of controlled inheritance.³⁵

When knowledge around the coloured category was first produced in the Western Cape – initially by way of commissions of inquiry – heredity, in the form of racial traits and characteristics, emerged as an important concept in the discourse around the category. One of the first characteristics ascribed to those identified as coloured in the 1920s was ‘drunkenness’ and/or the ‘love of drink’.

The Western Cape as an epistemological heading

In 1918, the parliamentary select committee appointed to investigate drunkenness in the western districts of the Cape Province – and the state of coloured sobriety, in particular – made its report. A decade later, the parliamentary debates on the Liquor Act of 1928 demonstrated a common belief that coloureds were ‘naturally’ predisposed to drunkenness. For instance, Leslie Blackwell of the South African Party (SAP), lamented that:

[O]f all the sections in South Africa who are suffering from drink – and we all suffer – the Cape coloured section is the one which gives the greatest evidence of such suffering. It is impossible to go within one hundred miles of any town in the Cape and not see *burnt into their very bodies* [author’s emphasis] evidence of the degradation which liquor is causing.³⁶

33 Sandra Laing, the South African woman born to white parents but classified as ‘coloured’ under apartheid due to her phenotype, was referred to by government officials as a ‘throwback’. J. C. King, *The Biology of Race* (Berkeley: UCLA Press, 1981), 112.

34 Müller-Wille, ‘Reproducing Difference’, 225.

35 *Ibid.*, 230.

36 South Africa 1927-28, 481.

By suggesting that those identified as coloured physically carried with them the evidence of 'suffering from drink', Blackwell certainly alluded to 'drunkenness' as a hereditary racial trait. In 1945, the commissioners of the Cape Coloured Liquor Commission explicitly attributed the causes of 'drunkenness among the coloured population of the province of the Cape of Good Hope'³⁷ to 'one of the racial groups from which the Cape Coloureds derive their being'.³⁸ Claiming that the 'Hottentots' were 'always particularly fond of intoxicating liquor', the commissioners – among them Professor H. P. Cruse from Stellenbosch University³⁹ – assigned drunkenness and/or intoxication to coloureds as a racial trait that came by way of inheritance. The commissioners went on to claim that 'the Cape Coloured people have certain psychological factors which have had an adverse impact on their power of resisting the temptation to over-indulge in liquor. They are intensely emotional and act on the spur of the moment, rather than after mature judgement'.⁴⁰ The hereditary trait of generosity – also attributed to their 'Hottentot' ancestry – was listed as another cause of 'drunkenness' since '[i]ndulging in liquor does have the effect of encouraging one to spend freely, far more freely than his earnings warrant, and takes pleasure in doing so...'.⁴¹

Although the first formal inquiries into the category in the 20th century assigned 'drunkenness' to coloureds as a dominant hereditary trait, by the mid-1930s, a state-appointed commission of inquiry had determined that the 'mixing of blood' formed the core of coloured inheritance. The 1937 Report of the commission of inquiry into the 'Cape Coloured Population of the Union', chaired by Stellenbosch professor R. W. Wilcocks (thus also known as the Wilcocks Commission), described a 'typical' coloured as:

...[A] person living in the Union of South Africa, who does not belong to one of its aboriginal races, but in whom the presence of Coloured blood (especially due to descent from non-Europeans brought to the Cape in the 17th and 18th centuries or from aboriginal Hottentot stock, and with or without an admixture of white or Bantu blood) can be established with at least reasonable certainty, (a) from a knowledge of the genealogy of the person during the last three or four generations; or/and (b) ordinary direct recognition of characteristic physical features (such as colour of skin, nature of hair, and facial or bodily form), by an observer familiar with these characteristics.⁴²

By emphasising that 'Coloured blood' and/or 'admixture' of blood came by way of descent, and that it could be traced genealogically and/or through the recognition

37 Report of the Cape Coloured Liquor Commission of Inquiry, U.G. 33/1945, 2.

38 Ibid., 3.

39 Ibid., 22.

40 Ibid., 3.

41 Ibid., 4.

42 Union of South Africa, *Report of the Commission of Inquiry Regarding Cape Coloured Population of the Union* (Pretoria: Government Printer, 1937), 10.

of ‘characteristic physical features’, the commissioners also alluded to phenotype as a hereditary trait. Moreover, the claim that ‘ordinary direct recognition’ could be achieved by ‘an observer familiar with these characteristics’, demonstrated how expertise on identifying ‘coloured blood’ had developed by this time, and how the category had become increasingly normalised in the legal and political discourse of the state. For instance, physical anthropologist Raymond Dart was called in as an expert on race during a court case in 1929 to declare that the defendant had ‘coloured blood in her veins’. Dart was able to draw his conclusion based on the ‘tawny hue of her skin on her shoulders, the back of her arms and her hands’. In a second court case, Dart concluded that he ‘could find no physical feature in [the defendant’s] constitution which could be considered diagnostic of a coloured person.’⁴³ A decade later, and following the 1937 Commission Report, an anthropologist from Stellenbosch University, G. F. Van Wyk, conducted a study aimed at generalising the physical features of coloureds by identifying particular ‘types’ of mixtures. In this study, Van Wyk measured the physical features of 133 ‘Cape Coloured People (Males)’ in the Stellenbosch district.⁴⁴ He referred to coloureds as the product of the ‘racial intermixture of bloods’,⁴⁵ attributing their origin to contact between ‘the early Dutch settlers and the Hottentots’⁴⁶ and asserted that ‘[E]uropean blood seemed to be obviously present in the Coloured People. The physical character of the white man seems to be dominant...’⁴⁷ Van Wyk’s categorised those he measured into particular ‘types’, such as the ‘Eur.-Hott.’ who possessed particular physical attributes such as skin ‘darker than that of the European although again of a lighter shade than the Khoisan type’. Another ‘type’, the ‘Ind.,Hott.’ or ‘Eur.type’, was according to Van Wyk, mostly located in the vicinity of Cape Town ‘and is apparently a result of crossing between Eur. and Hott. with the slaves imported from the East by the Dutch East India Company a few centuries ago’. The ‘typical’ physical attributes of this type, according to his measurements, included ‘straight dark hair, slightly copper-coloured skin, high, thin nose’.⁴⁸

Van Wyk’s attempts to determine the physical traits of coloureds through anthropometry – and to claim that ‘certain physical features seem to be fairly constant’ among the various ‘types’, despite the ‘heterogeneity of the group treated’ – were also accompanied by ascertaining the ‘ascent’ of participants. Ascent – going back in time

-
- 43 C. Kuljian, *Darwin’s Hunch: Science, Race and the Search for Human Origins* (Auckland Park: Jacana Media, 2016), 56. According to Walters, ‘the examination of heads, teeth and hands, the stature of the subjects, the colour of their skin (a deep black or a “yellow cast”), and the condition of the limbs were commonly inspected during slave sales to determine the capacity of an individual for hard labour. Missing or rotten teeth were similarly disclosed in the description of slaves for sale as such features were commonly considered a sign of dental health, nutritional status or the state of health in general – with rotten or missing teeth speaking to poor health. A 19th century guide for slave owners even highlighted the importance of paying close attention to “the slave’s penis in order to avoid acquiring an individual in whom it was underdeveloped or misshapen and, therefore, bad for procreation”’. H. Walters, ‘Tracing Objects of Measurement: Locating Intersections of Race, Science and Politics at Stellenbosch University’ (PhD thesis, Stellenbosch University, 2018), 96.
- 44 Not only did this study subject coloured men to the intrusive and dehumanising inspection of their bodies, but by using men as the stand-in for the population as a whole reveals a contradictory gendered dynamic of the study, particularly due to the fact that the origins of the coloured population were largely attributed to slave women.
- 45 G. F. Van Wyk, *A Preliminary Account of the Physical Anthropology of the ‘Cape Coloured People’ (Males)*, Stellenbosch University (SU) *Annales*, 1939, 1.
- 46 *Ibid.*, 2.
- 47 *Ibid.*, 5.
- 48 *Ibid.*, 6.

or upward in order of genealogical succession – was determined by Van Wyk by questioning participants about ‘the races to which his parents and grandparents belonged’. Where such information was not available, Van Wyk claimed that he could, ‘with some accuracy tell the bloodmixture present in the individual’.⁴⁹ At the end of the report, he concluded that ‘Coloureds are a hybrid group preserving many characteristics of their Hottentot, Bushman, Bantu or even Indian ancestors’, reflected in the various ‘types’ he identified.⁵⁰

Van Wyk’s study – alongside the report of the 1937 Commission, in which commissioners also emphasised genealogy and physical features as hereditary traits or characteristics – drew on a wider body of work strongly linked to the field of eugenics. Indeed, according to Walters, Van Wyk’s work engaged with international studies, such as Eugene Fischer’s *The Rehoboth Bastards and the Problem of Miscegenation among Humans* (1913),⁵¹ which characterised ‘mixed populations’ as having ‘plainly inheritable differences’. In order to illustrate these differences, Fischer routinely made use of photography by placing ‘mixed offspring next to their Hottentot or Dutch “pure” parents’.⁵² Physical characteristics – generally referring to the complexion of the skin, the colour of the eyes, the colour and texture of the hair, the shape of the nose and ears, and general features of the face – were thus not only hereditary traits, but remained a key source for racial classification in South Africa at this time.

The notion that coloureds were the products of mixed blood with inheritable traits – both physical and psychological – was until the mid-1930s largely restricted to the knowledge produced in the Western Cape by surveying and/or physically measuring the population in this region. The above-mentioned 1945 report of the Liquor Commission forms a clear example of this, since it was the Western Cape that served as the primary site to collect ‘evidence’ and to compile the findings. The knowledge produced in this epistemological site also attributed the ‘mixing of blood’ to a largely Cape-based phenomenon: the liaisons of European men with slave women. However, by the end of the 1930s, the focus on ascribing and tracing coloureds’ supposed heredity racial characteristics shifted towards an increasing concern over coloureds as both the representation of *and* the threat of miscegenation. For intellectuals in the Transvaal, this meant that coloureds represented the greatest threat to the heredity of future generations of the Afrikaner *volk*.

The imperative to constitute the ‘purity’ of the Afrikaner *volk* came alongside the articulation of a distinctive Afrikaner nationalism in the 1930s, premised on ideas of being a ‘chosen peoples’, on ideas of racial purity akin to those in Nazi Germany, and on an idea of the need to ensure the survival of the ethnic group after a discursively constituted historical experience of persecution and victimisation at the hands of the

49 Ibid., 3.

50 Ibid., 61.

51 Fischer gained notoriety as Hitler’s most senior scientist. He was also the rector of the Frederick Wilhelm University of Berlin. Fischer’s 1913 study argued that sexual intercourse between black and white and mixed marriages would breed an inferior race. J. Jansen, ‘Introduction’ in J. Jansen and C. Walters (eds.), *Fault Lines: A Primer on Race, Science and Society* (Stellenbosch: African Sun Media, 2020), 4-5.

52 Walters, *Tracing Objects of Measurement*, 98.

British. As the Transvaal emerged as a new epistemological heading for the coloured category, the knowledge produced in this region shifted towards creating Afrikaners into a 'purified' population of 'controlled inheritance', rather than focusing on the mere study and identification of coloured traits or characteristics.⁵³ In addition, intellectuals in the Transvaal identified miscegenation and/or 'passing' as a precursor to *gelykstelling* with coloureds. In so doing, the knowledge produced in this region engaged with the concept of heredity in the form of both racial characteristics *and* the restricting of the legal transfer of property, title and office. The appointment of the Mixed Marriages Commission in 1938 served as a catalyst for this shift in focus.

The Transvaal: A new epistemological heading

In the conclusions and recommendations of the report on the Commission on Mixed Marriages (1939), the commissioners stated that mixed marriages were in part responsible for the 'coming into being of a group not only itself unhappily situated in the existing social structure of the country, but also forming a serious social problem'. In addition, they argued that mixed marriages accounted for the infiltration of 'non-European' blood into the 'European' population, posing a 'risk' to '*racial* and social *heredity*' [author's emphasis].⁵⁴ The report suggested that existing legislation against mixed marriages in the Transvaal provided a potential solution to this 'social evil' taking place elsewhere in the country.⁵⁵ In the Transvaal – where mixed marriages were treated as 'almost unthinkable' – there existed two separate marriages laws: one for 'Europeans' only (Law No.3 of 1871) and one for 'Coloured' persons only (Law No.3 of 1897) – 'Coloured persons' including all 'non-Europeans'. The marriage law for 'coloured persons' in particular, stipulated that 'the people will not concede any equality (between coloured persons and the white inhabitants) either in Church or State.'⁵⁶

Both Saul Dubow and Deborah Posel have argued that while biological theories of race informed the intellectual justification for apartheid, ideologues 'frequently chose to infer or to suggest biological theories of racial superiority rather than to assert these openly' and 'preferred the diffuse language of cultural essentialism to the crude scientific racism drawn from the vocabulary of social Darwinism'.⁵⁷ Apartheid's subsequent forms of classification thus rested on a 'conception of race as a socio-legal construct rather than a scientifically measurable biological essence'.⁵⁸ Moreover, Dubow argues that the commissioners of the 1939 Mixed Marriages Commission were uncertain about the genetic risks of miscegenation,⁵⁹ drawing attention to the following dissenting observation made by commissioner de Villiers to illustrate:

53 Müller-Wille, 'Reproducing Difference'.

54 Union of South Africa, *Report of the Commission of Mixed Marriages in South Africa* (Pretoria: Government Printer, 1939), 33.

55 *Ibid.*.

56 *Ibid.*, 35.

57 S. Dubow, 'Afrikaner Nationalism, Apartheid and the Conceptualization of Race', *Journal of African History*, 33, July 1992, 209-237.

58 Posel, 'Race as Common Sense', 88.

59 S. Dubow, *Scientific Racism in Modern South Africa* (Cambridge: Cambridge University Press, 1995), 186.

While some venture the opinion that miscegenation of the kind under consideration produces a definitely inferior offspring, others hold that, in the absence of controlled experiment, which is not feasible, there are not sufficient data on which to base a positive conclusion. If the word 'risks' is here used as implying imminent danger of harmful results, the statement would certainly be challenged by a large group of geneticists.⁶⁰

While de Villiers may have constituted a dissenting voice, the commissioners still concluded that mixed marriages led to the 'infiltration of non-European blood into the European population.'⁶¹ Moreover, they not only claimed that marriages between whites and coloureds were the most common form of mixed marriages, but they also pointed out that 'illicit intercourse' also took place more frequently between whites and coloureds. For instance, the commissioners concluded that:

Practically every witness, whom we questioned on the subject, agreed that mixed marriages make only a minority contribution towards the increase of the coloured population compared with that provided by the vast amount of illicit intercourse... [A] Minister of the Dutch Reformed Church who had had long service in mission work informed us that out of 36 cases of illegitimate births investigated by the Church in one of the Chief Mission Congregations in the Western Province, it was found that in 32 cases, the fathers were white.⁶²

Thus, while the commissioners' argument that non-European blood posed a 'risk' to 'racial and social heredity' and was not based on 'scientifically measurable biological essence', they drew explicitly on a vocabulary akin to social Darwinism by identifying the ways in which coloureds posed a threat to white heredity. It was particularly the commissioners' concern over coloureds as both the representation of and as participants in 'illicit intercourse', to which intellectuals in the Transvaal responded by engaging with the coloured category as a threat to the racial heredity of the *Afrikaner volk*.

In 1936, two years before the appointment of the Mixed Marriages Commission, George Findlay, an attorney in Pretoria published a pamphlet titled, 'A Study of the Biological Sources of Inheritance of the South African European Population'. In this pamphlet, Findlay's primary concern was 'with natives and Europeans as biological sources of inheritance and with their mixture'⁶³ – 'mixture' referring to 'coloured', 'irrespective of whether they look or are socially regarded as coloured or not, and to refer to their blood-composition as meaning the ratio in which they inherit from

60 *Report of the Commission of Mixed Marriages*, 33.

61 *Ibid.*

62 *Ibid.*, 24.

63 G. Findlay, *A Study of the Biological Sources of Inheritance of the South African European Population* (Pretoria: Pretoria News, 1936), 3.

the two pure stocks.⁶⁴ Significantly, Findlay argued that, '[m]ere marriages are of little importance in dealing with miscegenation between widely separated cultural groups,⁶⁵ primarily because existing legislation (Immorality Act of 1927)) did not prevent the 'coloured or mixed population' from 'breeding with the pure stocks on either side'.⁶⁶ By cautioning that 'a great number of half-castes to-day are the progeny of half-castes themselves',⁶⁷ Findlay located the threat of 'blood mixture' – specifically by way of 'illicit intercourse' – as a problem that existed outside of the geographical space of the Western Cape.

Shortly after publishing this pamphlet, leading academics at the University of Pretoria would engage with the coloured category as both the representation and threat of miscegenation, and question its implications for racial heredity of the Afrikaner *volk*. The first example comes from an edited volume, *Rassebakens* (Race Beacons) which functioned as the official mouthpiece of the *Afrikanerbond vir Rassestudie* (Afrikaner League for Race Study). This organisation was established in 1935 in opposition to the South African Institute of Race Relations (SAIRR). According to the founders of the *Afrikanerbond*, the SAIRR was an organisation that rejected '*die onderskeiding tussen blank en gekleur, beoog die verdere vermenging van rasse en moet uitloop op disintegrasie van die blanke beskawing in Suid-Afrika*' (the difference between white and coloured (i.e. non-white), aims at the further mixing of races and must result in the disintegration of the white civilisation in South Africa).⁶⁸ Several members of the *Afrikanerbond* were academics at the University of Pretoria (UP), including C. W. Prinsloo, from the Department of Bantu Languages,⁶⁹ Geoffrey Cronjé from Social Work and Sociology and B. Elbrecht from Botany and Zoology.

In the introduction to *Rassebakens*, Prinsloo attributed the origins of miscegenation to the Western Cape, using the marriage of a Danish surgeon, Pieter van Meerhof and Krotoa (Eva), a Khoi woman and interpreter of the Dutch East India Company (DEIC), as an example. However, by the time the introduction to this volume had been drafted (January 1939), it was clear that miscegenation – represented through the coloured category – was no longer relegated to the epistemological space of the Western Cape, but was reconfigured as a threat to the 'white race' of the Union as a whole, including the Transvaal. For instance, Prinsloo argued that the question of miscegenation was urgent and '*aangepak moet word as ons die voortbestaan van 'n suiwere blanke ras vir altyd wil verseker*' (must be addressed since we always want to safeguard the existence of a pure white race). Using the 1937 Wilcocks Commission Report's figures of mixed marriages between 1926 and 1936, Prinsloo highlighted that the highest number of these unions occurred between whites and coloureds, which

64 Ibid., 4.

65 Ibid., 5.

66 Ibid., 7.

67 Ibid.

68 P. F. van der Schyff, *Wonderdaad! Die PUK tot 1951: wording, vestiging en selfstandigheid* (Potchefstroom: Potchefstroomse Universiteit vir Christelike Hoër Onderwys, 2003), 544.

69 Bantu Languages was the precursor to Bantu Studies at UP. As Premesh Lalu has argued, Bantu Studies – an amalgam of anthropology, 'native' law and administration and African languages – served as the means through which the 'native question' was formed and articulated in the early 20th century, and which would seek to align black subjectivity with the needs of labour under the conditions of a rapidly industrialising state. See P. Lalu and N. Murray, 'Introduction' in P. Lalu and N. Murray (eds.), *Becoming UWC: Reflections, pathways and unmaking apartheid's legacy* (Bellville: Centre for Humanities Research, 2012), 23.

threatened to transform the whole Union into a '*koffiekleur-nasie*' (coffee-coloured nation), alluding to inheritable physical traits such as skin colour.⁷⁰ More particularly, Prinsloo asserted that mixed marriages would make it possible for coloureds to assimilate 'undetected' into white society. However, like Findlay, he also pointed out that it was not only mixed marriages that enabled the threat of miscegenation, but rather 'illicit intercourse', stating that '*[d]ie binne-egtelike bydrae tot die bastaarderingsproses is veel geringer as die buite-egtelike*' (the contribution of marriages to the bastardisation process is much smaller than the extra-marital).⁷¹ Indeed, Prinsloo argued that the coloured population saw the greatest increase between 1921 and 1936, which he suggested could be attributed to both white and coloured participation in miscegenation.⁷²

Another contributor to *Rassebakens*, Elbrecht (from Biology and Zoology), drew on the concept of Mendelian inheritance in order to demonstrate the dangers that miscegenation held for white racial heredity. Gregor Mendel's initial experimentation with peas (conducted between 1856 and 1863) had determined the existence of dominant and recessive genetic characters which manifested themselves in a 'stable' manner through inheritance. Mendel had identified the long-term effect of crossing individual pea plants by tracking individual traits as produced in the next generations of hybrid offspring, claiming the laws of inheritance were found to be present in humans. Their (the laws of inheritance's) application to humans involved heritable qualities such as 'stature, bodily constitution, eye and skin colour, hair form and colour, anatomical features and peculiarities, mental traits and deficiencies' and thus became significant considerations for studying human populations.⁷³ Elbrecht drew on the human application of Mendel's experiment to question which 'heritable qualities' would emerge from miscegenation and more particularly, which would be more dominant:

As ons hierdie sogenaamde 'Wet van Dominasie' toepas op ons Rasseverhoudings-vraagstuk sal by 'n gemengde huwelik by die kinders dus telkens gevra word: watter dominante eienskappe sal hulle he? Is swart velkleur dominant oor 'n wit velkleur? (If we apply this so-called 'Law of Dominance' to the problem of race-relations, the question will often be asked of the children of mixed marriages: which dominant qualities will they have? Is black skin colour dominant over white skin colour?)

In short, Elbrecht cautioned that, '*as daar eenmaal rassevermenging plaasgevind het, sal die basters vit altyd daar wees. Die volk sal nooit weer kan spog op sy suiwerheid van ras nie*' (if miscegenation takes place even once, the half-castes will always be there. The *volk* will never be able to brag about the purity of its race).⁷⁴

70 C. Prinsloo, 'Die Bloedvermenging-Vraagstuk', *Rassebakens* (1939), 21-22.

71 Ibid., 5.

72 Ibid., 23.

73 Walters, *Tracing Objects of Measurement*, 43-44.

74 B. Elbrecht, 'Die Rassevermenging in Suid-Afrika', *Rassebakens* (1939), 62.

In a later 1942 text, *Rasse en rassevermenging: die boerevolk gesien van die standpunt van die rasseleer* (Race and race-mixture/miscegenation: The Afrikaner volk seen through the lens of the race hierarchy), Gerrie Eloff claimed that the largest number of mixed marriages took place between whites and coloureds. However, Eloff also pointed towards the concept of heredity by drawing on Fischer's study in Namibia. This research, he argued, was imperative – not to determine the generalisable physical features of 'coloureds' (in the Transvaal in particular) for its own sake – but specifically to prevent 'insluipers' (in stealers)⁷⁵ from altering the 'controlled inheritance' of the Afrikaner volk.⁷⁶ For instance, he argued that '[s]elfs 'n geringe persentasie insypeling van kleurlingbloed mag ons erflike rassestempel beïnvloed (even a small percentage of coloured blood can influence our hereditary racial imprint)'.⁷⁷

In the absence of a commission of inquiry specifically on miscegenation, the reports of the Wilcocks Commission and the Mixed Marriages Commission would constitute the primary forms of 'evidence' that miscegenation – by way of marriages and extra-marital liaisons – was taking place. Indeed, it was the appointment of the Mixed Marriages Commission in 1938 that seemed to signal, to Transvaal intellectuals, the urgency of addressing the threat of miscegenation,⁷⁸ despite the existence of a well-known mixed-race community in the Northern Transvaal, known as Buysdorp or Mara. The inhabitants of Buysdorp are often referred to as the Buys clan, who created a rural community from land granted to them by Paul Kruger, then president of the ZAR, in 1888. The mixed-race origins of the Buys clan were attributed to the patriarch, Coenraad de Buys, who married and/or cohabited with several indigenous and black African women.⁷⁹

In his contribution to *Rassebakens*, Cronjé argued that the existence of Buysdorp was an exception in the overall trajectory of the Afrikaner volk and that the threat of miscegenation to the Union in the 1930s came by way of increasing mixed marriages and extra-marital liaisons.⁸⁰ Moreover, when Buysdorp was established in the late 19th century, the category of coloured in the Transvaal was used to refer to all colonised subjects, and not specifically to those possessing 'mixed blood'. Thus, it was the recognition of coloureds as the outcome of miscegenation and the threat of the creation of 'more' coloureds throughout the Union – by way of both mixed marriages and 'illicit intercourse' – that sparked the engagement with the coloured category by the Transvaal intellectuals. As Cronjé observed, it was coloureds (existing, as well as future 'coloured' populations) who posed the biggest threat. This was an argument he echoed in *'n Tuiste vir die Nageslag: Die blywende oplossing van Suid-Afrika se rassevraagstukke* (A Home for Posterity: The enduring solution to South Africa's race problems, 1945). In this text, he stated that '*die gevaar van bloedvermenging tussen*

75 G. Eloff, *Rasse en rassevermenging: die boerevolk gesien van die standpunt van die rasseleer* (Bloemfontein: Nasionale Pers, 1942), 87.

76 Müller-Wille, 'Reproducing Difference'.

77 Ibid., 99.

78 G. Cronjé, 'Rassevermenging as Maatskaplike Vraagstukke', *Rassebakens* (1939), 41.

79 M. de Jongh, 'The Buysdorp conundrum: constructing and articulating community and identity in Soutpansberg, Limpopo Province', *Anthropology Southern Africa*, 2004, 86-91.

80 Cronjé, 'Rassevermenging as Maatskaplike Vraagstukke', 42.

blankes en kleurlinge veel groter is as tussen blankes en naturelle of Asiate (the danger of miscegenation between whites and coloureds is much bigger than between whites and ‘natives’ or ‘Asiatics’), calling this scenario ‘*n witman-kleurlingverbasteringsgevaar*’ (a white-coloured bastardisation danger).⁸¹ He attributed the cause of this danger to social circumstances and to a political culture of ‘*gelykstelling*’ (equality), in which coloureds, particularly in the Western Cape, had access to voting rights and shared residential areas with whites. Indeed, Cronjé claimed that Afrikaners possessed the inherent traits of ‘*rassetrots*’ (racial pride) and ‘*kleuronderskeid*’ (colour distinction) and thus only social circumstances could be held responsible for their participation in miscegenation, and their contribution to the existence of coloureds.⁸² By referring to racial pride as inherent, Cronjé suggested that it was not the racial characteristics of coloureds that mattered, but rather Afrikaners’ aversion to *gelykstelling* – understood here as an inherited trait rather than a purely material or political calculus – that, alongside the removal of coloureds from the social life of white society, would ensure the racial purity of the *volk*.

Cronjé however, signalled the other danger that miscegenation presented: the possibility of *gelykstelling* for coloureds. Indeed, according to Eloff and Prinsloo, it was by way of miscegenation that coloureds were able to ‘pass’ and assimilate into white society ‘undetected’. To these Transvaal intellectuals, miscegenation and/or ‘passing’ provided coloureds with the possibility of achieving *gelykstelling* with whites and thereby, held the possibility for them (coloureds) to access the ‘unearned’ benefits of whiteness, such as the legal transfer of property, office and title. As such, Cronjé, Eloff and Prinsloo invoked heredity as both a racial concept and as the setting of *restrictions* [author’s emphasis] on the basic premises of legally and politically constituted whiteness: the transfer of property, office and title. By inadvertently positioning heredity in this way, these intellectuals underscored the basic political principle on which the Transvaal was founded, demonstrated in Law No.3 of 1897: ‘the people will not concede any *equality* [between coloured persons and the white inhabitants] either in Church or State’.⁸³

Conclusion

It is under the heading of the Western Cape that Sheila Patterson’s *Colour and Culture in South Africa* was produced. It is part of a larger body of scholarship on the coloured category which conforms to the form, the sign, or the logic of the heading of the Western Cape. In this paper, I have suggested another epistemological heading on the coloured category. I have demonstrated how Transvaal intellectuals began to engage with the category from a region where ‘coloured’ – as a marker for the mixing of blood – had little resonance until the formation of the Union in 1910. In addition,

81 G. Cronjé, *n Tuiste vir die Nageslag: Die blywende oplossing van Suid-Afrika se rassevraagstukke* (Johannesburg: Publicite, 1945), 137.

82 Cronjé, ‘*Rassevermenging as Maatskaplike Vraagstukke*’, 51.

83 *Report of the Commission of Mixed Marriages in South Africa*, 85.

I have shown how these intellectuals shifted their focus from the identification of coloured racial traits to the implication of those traits for the racial heredity of the *volk* and, inadvertently, for the safeguarding of the legal transfer of property, office and title by stemming the tide of miscegenation and 'passing'. In doing so, I have highlighted how this new epistemological heading departs from the form, the sign, or the logic of the heading of the Western Cape.⁸⁴ Indeed, this new heading demonstrates that by the 1940s, the state's political imperative to separate coloureds from white society was in part, shaped by the need to preserve the racial heredity of the *volk*, but more importantly, by the need to safeguard it (i.e. the Afrikaner *volk*) from the threat of *gelykstelling* for coloureds.

84 Derrida, *The Other Heading*, 14-15.