

RESEARCH ARTICLE

# Antislavery, “Native Labour,” and the Turn to Indenture in British Colonial Natal, 1842–1860

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## Abstract

This article presents an expansive history of a seemingly discrete event: the decision to extend an indentured labor system created in the Caribbean and Indian Ocean to the British colony of Natal, in South Africa, in 1860. Most work on indenture in Natal takes 1860 as a starting point and treats the migration of Indian workers under indenture in relative isolation. By contrast, this article focuses on the period preceding the first Indian arrivals and examines the colony’s turn to indenture alongside three seemingly separate migrations. In so doing, the article shows how antislavery politics, an early system of indirect rule, conflict between settlers and imperial administrators, and important shifts in race-thinking all contributed to the extension of indenture to Natal. In the process, the article illuminates the entangled, decentered nature of imperial rule by integrating lines of analysis normally kept separate, as a disciplinary matter, as “African colonial” and as “imperial” history.

**Keywords:** indenture; Natal; South Africa; British Empire; indirect rule; antislavery; race; labor

On 16 November 1860, a barque called the *Truro* came to port at Natal, in present-day Durban. A crowd had gathered on shore to witness the ship’s arrival, and a local newspaper, the *Natal Mercury*, expounded on the “very remarkable scene.” “As the swarthy hordes came pouring out of the boat’s hold,” the article reported, “laughing, jabbering, and staring about them with a very well satisfied expression of self-complacency on their faces, they hardly realized the idea one had formed regarding them or their faculties. They were a queer, comical, foreign looking, very Oriental like crowd.”<sup>1</sup> This “Oriental like crowd” had in fact embarked from Madras. Numbering 342 in total, they were the first of more than 150,000 Indian migrants who would come to Natal between 1860 and 1911 to work as indentured laborers, mostly on sugar plantations.

Why did the British Empire transport Indian indentured laborers to Natal? A rich body of literature exists on the subject, but this most basic question deserves further

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<sup>1</sup>“The Coolies Here,” *Natal Mercury*, 22 Nov. 1860.

scrutiny.<sup>2</sup> Scholarship on Indian labor migration to Natal tends to take 1860 as its starting point and to focus on one of two primary themes: first, the nature of indenture and the extent to which the system exploited workers, and second, the formation of diasporic identities and the shifting class and social structure of the Indian community as a distinct population within South African society.<sup>3</sup> By contrast, this article seeks to explain Natal's *turn* to indenture by analyzing the complex relationship between the colony's local dynamics and imperial entanglements in the period immediately preceding the *Truro*'s arrival, 1842–1860.

At the outset, it is important to place Natal's use of indenture within a larger imperial frame. By 1860, when the *Truro* arrived, Indian indentured labor had featured for nearly thirty years in British colonies in the Caribbean and Indian Ocean. There, planters seeking new labor began to recruit Indian workers in the immediate aftermath of emancipation, even before the end of apprenticeship in 1838. State intervention led to the creation of an imperial indenture "system": labor migration subsidized, facilitated, and regulated by the state. The terms of indenture engendered conflict and changed substantially during the 1840s and 1850s, but by the early 1860s five-year initial contracts were the norm, as were penal sanctions for illegal absence, vagrancy, and longer-term work stoppage, defined as criminal desertion. In all cases, the purpose of indenture (from a colonial and imperial perspective) was to bolster plantation-based sugar production. In Mauritius,

<sup>2</sup>Key works on indenture in Natal include Surendra Bhana, *Indentured Indian Emigrants to Natal: A Study Based on Ships' Lists* (New Delhi, 1991); Surendra Bhana, ed., *Essays on Indentured Indians in Natal* (Leeds, 1991); Ashwin Desai and Goolam Vahed, *Inside Indian Indenture: A South African Story, 1860–1914* (Cape Town, 2010); Thomas R. Metcalf, *Imperial Connections: India in the Indian Ocean Arena, 1860–1920* (Berkeley, 2007), ch. 4; Radhika Mongia, *Indian Migration and Empire: A Colonial Genealogy of the Modern State* (Durham, 2018), ch. 3; Leonard Thompson, *Indian Immigration into Natal, 1860–72* (Pretoria, 1952). On the indenture system elsewhere and as a whole, see among others Richard Allen, *Slaves, Freedmen, and Indentured Laborers in Colonial Mauritius* (Cambridge, 1999); Clare Anderson, "Convicts and Coolies: Rethinking Indentured Labour in the Nineteenth Century," *Slavery and Abolition* 30, 1 (2009): 93–109; Gaiutra Bahadur, *Coolie Woman: The Odyssey of Indenture* (Chicago, 2014); Marina Carter, *Servants, Sirdars, and Settlers: Indians in Mauritius, 1834–1874* (Oxford, 1995); Madhavi Kale, *Fragments of Empire: Capital, Slavery, and Indian Indentured Labor Migration in the British Caribbean* (Philadelphia, 1998); Ashutosh Kumar, *Coolies of the Empire: Indentured Indians in the Sugar Colonies, 1830–1920* (Cambridge, 2017); K. O. Laurence, *A Question of Labour: Indentured Immigration into Trinidad and British Guiana, 1875–1917* (London, 1994); Walton Look Lai, *Indentured Labor, Caribbean Sugar: Chinese and Indian Migrants to the British West Indies, 1838–1918* (Baltimore, 1993); Mongia, *Indian Migration and Empire*; David Northrup, *Indentured Labor in the Age of Imperialism 1834–1922* (Cambridge, 1995); Walter Rodney, *A History of the Guyanese Working People, 1881–1905* (Baltimore, 1981); Hugh Tinker, *A New System of Slavery: The Export of Indian Labour Overseas, 1830–1920* (London, 1974).

<sup>3</sup>For examples of this first perspective, see Maureen Tayal, "Indian Indentured Labour in Natal, 1860–1911," *Indian Economic and Social History Review* 14, 4 (1977): 519–49; Fatima Meer, "Indentured Labour and Group Formations in Apartheid Society," *Race and Class* 26, 4 (1985): 45–60, esp. 46–49; C. G. Henning, *The Indentured Indian in Natal* (New Delhi, 1993); Desai and Vahed, *Inside Indian Indenture*, 83–148; Goolam Vahed, "The Protector, Plantocracy, and Indentured Labour in Natal, 1860–1911," *Pacific Historical Review* 87, 1 (2018): 101–27. For the second, see Surendra Bhana and J. B. Brain, *Setting Down Roots: Indian Migrants in South Africa, 1860–1911* (Johannesburg, 1990); Goolam Vahed, "The Making of Indian Identity in Durban, 1914–1949," (PhD diss., Indiana University, 1995); Desai and Vahed, *Inside Indian Indenture*, 173–319. For recent perspectives beyond this taxonomy, see Mongia, *Indian Migration and Empire*; and Preben Kaarsholm, "Indian Ocean Networks and the Transmutation of Servitude: The Protector of Immigrants and the Administration of Freed Slaves and Indentured Servants in Durban in the 1870s," *Journal of Southern African Studies* 42, 3 (2016): 443–61.

British Guiana, and Trinidad, where migration took place on a large scale, the economic effect was transformative.

Yet in numerous ways, Natal differed from the Caribbean and Indian Ocean colonies where the indenture system initially took shape. Annexed in 1842, eight years after abolition, Natal was distant in time and space from the complex of sugar and slavery in which the system had formed. In the West Indies, planters demanded indenture as restitution for emancipation. No such claim could be made for Natal's sugar industry. As Thomas Metcalf has observed, Natal's vast territory and large local population further distinguished it from the sugar colonies socially and geographically.<sup>4</sup> These differences chisel the question of origins into greater relief. Why would the colony seek foreign labor in the presence of a large indigenous population? Scaling out, why did officials in Britain and India accede to local demands and extend the existing system to southern Africa? How should we explain the timing—was there something particular about the late 1850s and early 1860s, beyond the growth of Natal's sugar industry, that enabled long-term mass migration?

Answering these questions requires an expanded inquiry beyond the geographic boundaries of most work on indenture in Natal, which has tended to focus narrowly (though importantly) on the experience of Indian migrants in the colony.<sup>5</sup> At the same time, it highlights the importance of local context—of specifically African concerns, which are frequently ignored in histories of indenture framed at the imperial level. Thus, in addition to making an empirical argument about the factors that brought indenture to Natal, my aim is to illuminate the connectedness of the local and the global in a particular colonial context. This means integrating “African colonial” and “imperial” histories, realms that frequently remain separate in spite of their shared interests.<sup>6</sup> More abstractly, I seek to provide a “concrete and conjunctural analysis” of a seemingly discrete event, one that reveals the highly entangled, decentered nature of imperial rule.<sup>7</sup>

This is not to suggest that empire was forged “in a fit of absence of mind,” but rather to show that imperial decision-making was frequently structured by

<sup>4</sup>Metcalf, *Imperial Connections*, 138.

<sup>5</sup>In focusing on experience, the study of indenture also tends to separate itself from the more general study of African labor history. This exclusion is mutual, such that most work on African labor in Natal treats indenture only marginally. Such separation is often reasonable since both subjects are highly complex and deserving of detailed treatment. But it also reflects, in part, the intellectual legacies of separate freedom movements, beginning with Gandhi's campaign against anti-Indian discrimination in South Africa, as suggested by Fatima Meer in “Indentured Labour and Group Formations,” (p. 55), as well as the effects of segregation on the archives historians now use, as discussed by Uma Dhupelia-Mesthrie, in “Paper Regimes,” *Kronos* 40, 1 (2014): 10–22, here 17. In analyzing Indian indenture alongside conflicts over African labor and land tenure, this article differs from, without rejecting, much of the existing literature on indenture in Natal.

<sup>6</sup>The distinction I draw here is between academic sub-fields, among Africanists and historians of empire. On variation in usage of the terms of “colonialism” and “imperialism,” see Krishan Kumar, “Colony and Empire, Colonialism and Imperialism: A Meaningful Distinction?” *Comparative Studies in Society and History* 63, 2 (2021): 280–309; and, in the context of nineteenth-century South Africa, Saul Dubow, *A Commonwealth of Knowledge: Science, Sensibility, and White South Africa, 1820–2000* (Oxford, 2006), 5, 121–57.

<sup>7</sup>Mrinalini Sinha, “Premonitions of the Past,” *Journal of Asian Studies* 74, 4 (2015): 821–41, here 824. On “entanglement,” see Eliga H. Gould, “Entangled Histories, Entangled World: The English-Speaking Atlantic as a Spanish Periphery,” *American Historical Review* 112, 3 (2007): 764–86.

conjunctures that exceeded the limits of any single intention, interest, or place.<sup>8</sup> The seemingly straightforward question of Indian labor in Natal breaks down into four separate, then related migrations: Afrikaner, African, British, and Indian. It implicates local conflict between imperial authority and settler self-rule, as well as global debates regarding indenture and the limits of post-slavery free labor, forged far from Natal. Crucially, it emerged in response to an early form of indirect rule, which performed its own complex melding of imperial and local interests. The imperatives of each scale affected the other, with and without conscious intention. This article is in a certain sense a “global microhistory”: an attempt to explain a single moment of historical change with reference to a set of larger, longer-term histories within and beyond the colony.<sup>9</sup>

Following multiple lines of influence does more than complicate our understanding of historical change; it teaches us about the character of the imperial state. Indenture policy in Natal did not follow a single aim. Instead, it formed through imperial circuits of exchange across South Africa, India, and Britain. At the local level, the state was bisected by elected officials broadly responsive to settler demands for self-rule and appointed officials responsible to the Crown. The incorporation of “customary” African authority within the state through indirect rule magnified conflict between these two poles and their competing visions of security, prosperity, and rights.

What emerges, then, is a view of an imperial state that was simultaneously “strong” and “weak.”<sup>10</sup> Globally, it was capable of transporting hundreds of thousands of contract laborers across the Indian and Atlantic Oceans. This—the indenture system—was “imperial labor reallocation”: economic restructuring on a transcontinental scale, used to revive and create plantation economies for export production.<sup>11</sup> But locally, there was no “*bula matari*” (“crusher of rocks”), to borrow Crawford Young’s phrase.<sup>12</sup> There was instead a relatively weak state, one substantially encumbered by financial and administrative limitations imposed by the home government. As we will see, these conditions shaped the development of early colonial policy, particularly with regard to Natal’s African population. The creation of native reserves under Theophilus Shepstone both contributed to the colony’s perceived labor shortage and became a locus for political conflict between settlers and colonial officials.

The turn to Indian labor came in response to this conflict. As a solution, it was exogenous but not arbitrary. Planters’ aspirations formed in explicit reference to the perceived success of indenture elsewhere, as did London’s view of the larger system’s merits. In explaining these overlapping factors, two final arguments run throughout.

<sup>8</sup>J. R. Seeley famously suggested that the British Empire was acquired “in a fit of absence of mind,” in *The Expansion of England: Two Courses of Lectures* (London, 1883), 8.

<sup>9</sup>On global microhistory, see John-Paul Ghobrial, ed., “Global History and Microhistory,” *Past & Present* 242, sup. 14 (2019). Mrinalini Sinha’s concept of “imperial social formation” similarly influences my thinking in this regard; see her *Specters of Mother India: The Global Restructuring of an Empire* (Durham, 2006), 18.

<sup>10</sup>Longstanding debates on the relative strength of the African colonial state inform my interest in the subject. Compare Crawford Young, *The African Colonial State in Comparative Perspective* (New Haven, 1994), with Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton, 2000). See also Bruce Berman and John Lonsdale, *Unhappy Valley: Conflict in Kenya and Africa, I* (Oxford, 1992); and Sara Berry, *No Condition Is Permanent: The Social Dynamics of Agrarian Change in Sub-Saharan Africa* (Madison, 1993), ch. 2.

<sup>11</sup>Kale, *Fragments of Empire*, 5.

<sup>12</sup>Young, *African Colonial State*, 1.

The first is that indenture and antislavery were closely, causally linked. The second is that conflict over indirect rule and plantation labor produced a hardening of racial attitudes—from race thinking to racism—that structured the colony’s labor question as an object of debate and that turned settlers and officials in favor of Indian migration. In combination, these dynamics paradoxically made indenture a path of lesser resistance. Yet the subsequent history of indenture, which abstracted Natal as a sugar colony and as a part of the imperial indenture system, erased this highly contingent past.

### Antislavery and Annexation

Sir George Napier, the British general who served as governor of the Cape of Good Hope during the early 1840s, was never supposed to colonize Natal. During the 1830s, the Colonial Office had repeatedly rejected petitions from the Cape’s previous governor, Benjamin D’Urban, to annex the district.<sup>13</sup> More generally, London looked unfavorably on expansion in South Africa, which it considered costly and unproductive.<sup>14</sup> By the mid-1830s, however, Afrikaner farmers dissatisfied with British rule began emigrating from the Cape. This migration, eulogized as the “Great Trek,” presented British officials with a new cause for military intervention.<sup>15</sup> In Natal, Afrikaners quickly came into conflict with Africans, many of whom had also recently arrived, having fled warring to the north caused by Zulu political conflict.<sup>16</sup> Napier petitioned the home government, seeking to intervene.<sup>17</sup> In June 1840, the colonial secretary, Lord John Russell, authorized Napier to occupy Port Natal temporarily, in the interest of stemming the violence.<sup>18</sup>

At the time, neither in London nor in Cape Town did Natal appear economically desirable. Writing in 1842 to Lord Stanley, who succeeded Russell as colonial secretary, Napier conceded that he had “never for a moment viewed it [Natal] as a lucrative possession.”<sup>19</sup> Stanley’s corresponding concern was that extending British settlement into Natal would be unduly expensive. After Port Natal had been successfully occupied, Stanley called for troops to be withdrawn.<sup>20</sup> Clearly, then, annexation was reactive and contingent. Imperial authorities doubted Natal’s economic potential and envisioned a temporary extension of power in the interest of restoring order on the colony’s frontier.

<sup>13</sup>Leonard Thompson, “The Zulu Kingdom and Natal,” in Leonard Thompson and Monica Wilson, eds., *A History of South Africa to 1870* (Boulder, 1982), 369–70.

<sup>14</sup>*Ibid.*, 369; Edgar H. Brookes and Colin de B. Webb, *A History of Natal* (Durban, 1965), 42; Leonard Thompson, *A History of South Africa*, 3d ed. (New Haven, 2000), 92.

<sup>15</sup>Thompson, *History of South Africa*, 87–94.

<sup>16</sup>Keletso E. Atkins, *The Moon Is Dead! Give Us Our Money! The Cultural Origins of an African Work Ethic, Natal, South Africa, 1843–1900* (Portsmouth, 1993), 17; J. B. Peires, ed., *Before and After Shaka: Papers in Nguni History* (Grahamstown, 1981).

<sup>17</sup>The National Archives, London (hereafter TNA) Colonial Office Records (hereafter CO) 48/189, Napier to Glenelg, 18 May 1838.

<sup>18</sup>I have simplified this sequence of events slightly. Glenelg first authorized Napier to intervene on a temporary basis in June 1838. Stanley did the same in June 1840 and August 1841. TNA, CO 48/191, Glenelg to Napier, 8 June 1838; TNA, CO 48/223, Russell to Napier 18 June 1840, and 21 Aug. 1841.

<sup>19</sup>TNA, CO 48/223, Napier to Stanley, 23 Aug. 1842.

<sup>20</sup>TNA, CO 48/214, Stanley to Napier, 10 Apr. 1842 (draft); TNA, CO 48/223, Napier to Stanley, 25 July 1842.

But Napier failed to follow Stanley's instructions and argued against withdrawal. For Napier, the fundamental justification for maintaining possession of Natal, in spite of the obvious "expense of its settlement as a colony," was slavery. In 1838, writing to Lord Glenelg, who was then colonial secretary, Napier had argued that occupation was the only means to "protect the natives of that part of South Africa from extermination or Slavery by the Boers."<sup>21</sup> To Stanley, Napier advanced the same position. "I beg to call your Lordship's particular attention," he wrote in 1842, "to the question as affecting the welfare of the native tribes and the suppression of slavery."<sup>22</sup>

Napier's invocation of slavery suggests a humanitarian motive underlying the annexation. In this sense, it calls to mind a theme of sustained interest among historians of antislavery. As Christopher Brown has shown, British antislavery, from its origins to the rise of a distinctly abolitionist movement, frequently entailed a reformulation rather than a rejection of empire.<sup>23</sup> After abolition in 1834, antislavery advocates and institutions remained entwined with imperial state-building, perhaps most clearly in Sierra Leone.<sup>24</sup> While local authorities in the West Indies sought to retrench plantation hierarchies against metropolitan "philanthropy," antislavery ideals influenced imperial and foreign policy in important ways.<sup>25</sup> This was the case most notably with regard to the Royal Navy's slave-trade suppression policy, aimed at the persistence of illegal slave-trading in the French Empire, Cuba, and Brazil.<sup>26</sup> Through these examples, we see an intertwining of antislavery and empire and a set of fraught connections among notions of freedom, racial hierarchy, and imperial control.

In Natal, a similar intertwining was apparent, as antislavery served to justify imperial expansion. Napier mobilized a humanitarian argument in favor of permanent annexation, insisting that the Afrikaner practice of capturing and enslaving young Africans could not be tolerated. In subsequent dispatches to London, Napier argued that maintaining possession of Natal was the only way to prevent such enslavement, and thus the necessary course of action. "If the authority of the British Government is withdrawn from Natal," he warned in July 1842, "slavery will be there established."<sup>27</sup> In August, he pressed Stanley further, reminding him that "suppressing the slave trade" was "an object on which the civilized world has set so high a value," and arguing that "measures should be adopted for effectually preventing slavery being perpetuated by British subjects, and in a territory adjacent to a British colony."<sup>28</sup> Expansion, according to Napier, was unavoidable. "I should not advocate an extension of your [British] territories," he avowed, "if I saw any other mode of effectually protecting the native Tribes from such oppression."<sup>29</sup>

<sup>21</sup>TNA, CO 48/189, Napier to Glenelg, 18 May 1838.

<sup>22</sup>TNA, CO 48/223, Napier to Stanley, 25 July 1842.

<sup>23</sup>Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill, 2006).

<sup>24</sup>Bronwen Everill, *Abolition and Empire in Sierra Leone and Liberia* (London, 2013); Padraic X. Scanlan, *Freedom's Debtors: British Antislavery in Sierra Leone in the Age of Revolution* (New Haven, 2017).

<sup>25</sup>Richard Huzzey, *Freedom Burning: Anti-Slavery and Empire in Victorian Britain* (Ithaca, 2012).

<sup>26</sup>Jake Christopher Richards, "Anti-Slave-Trade Law, 'Liberated Africans' and the State in the South Atlantic World, c. 1839–1852," *Past & Present* 241, 1 (2018): 179–219; Richard Burroughs and Richard Huzzey, eds., *The Suppression of the Atlantic Slave Trade: British Policies, Practices and Representations of Naval Coercion* (Manchester, 2015).

<sup>27</sup>TNA, CO 48/223, Napier to Stanley, 25 July 1842.

<sup>28</sup>TNA, CO 48/223, Napier to Stanley, 23 Aug. 1842.

<sup>29</sup>Ibid.

Though less emphatically, Stanley ultimately approved Napier's annexation. Like Napier, Stanley concluded that, "her Majesty could not safely entrust the emigrant farmers with the unchecked management" of Africans within the territory.<sup>30</sup> This humanitarian concern—Stanley's belief in imperial protection—fit with and reinforced a parallel concern for frontier security.<sup>31</sup> In December 1842, then, Natal became a British colony. Stanley continued to cast doubt on its potential for profitability, citing the harbor's "defects" in particular.<sup>32</sup> And he did not apparently consider the territory valuable enough to justify colonization in the absence of the issues explained by Napier.<sup>33</sup> Reluctantly, as John Galbraith argued, Stanley sanctioned the establishment of the new colony and declared its inhabitants "under the protection of Her Majesty's Government."<sup>34</sup>

The Colonial Office did not determine the exact form of the new colony's law and government, but Stanley did set out three principal conditions to regulate future development. Like Napier's dispatches, these conditions affirmed an absolute ban on slavery, defined in a broad sense, and an additional prohibition against racial discrimination. "Whatever may be the institutions ultimately sanctioned," Stanley wrote, "three conditions are absolutely essential":

- 1) That there shall not be in the eye of the law any distinction of colour, origin, race, or creed; but that the protection of the law, in letter and in substance, shall be extended impartially to all alike.
- 2) That no aggression shall be sanctioned upon the natives residing beyond the limits of the colony, under any plea whatever, by any private person or any body of men, unless acting under the immediate authority and orders of the Government.
- 3) That slavery in any shape or under any modification is absolutely unlawful, as in every other portion of Her Majesty's dominions.<sup>35</sup>

These "essential" conditions are foundational context in which the establishment of the indenture system must be understood. Stanley's instructions further emphasize the extent to which antislavery shaped British policy in the annexation of Natal. Yet in so doing, they sharpen a crucial historical question. How and to what extent did the colony's formal commitment to antislavery influence its eventual turn to indenture? To begin to answer this question, we must examine the development of Natal in the 1850s and the growth of its white settler population.

## European Migration and the Growth of the Sugar Industry

In the spring of 1850, the *Henrietta*, a ship carrying 169 British emigrants, sailed from Liverpool to Durban. Passages had been arranged by Joseph Byrne, an investor behind the largest of several emigration schemes launched in the late 1840s to

<sup>30</sup>Stanley to Napier, 13 Dec. 1842, repr. in John Bird, *The Annals of Natal, 1495–1845*, 2 vols. (Pietermaritzburg, 1888), vol. 2, 142.

<sup>31</sup>John S. Galbraith, *Reluctant Empire: British Policy on the South African Frontier, 1834–1854* (Berkeley, 1963); Thompson, "Zulu Kingdom and Natal."

<sup>32</sup>Stanley to Napier, 13 Dec. 1842, in Bird, *Annals of Natal*, vol. 2, 144.

<sup>33</sup>*Ibid.*

<sup>34</sup>*Ibid.*, 145; Galbraith, *Reluctant Empire*, 182–97.

<sup>35</sup>Stanley to Napier, 13 Dec. 1842, in Bird, *Annals of Natal*, vol. 2, 146.

facilitate further colonization in Natal.<sup>36</sup> Byrne's attention focused particularly on cotton; petitioning the British government in 1849, he predicted that Natal would become "a large cotton-producing country" and even "one of Great Britain's most prosperous dependencies."<sup>37</sup> In the same year, the colonial secretary, Earl Grey, approved the "Byrne Scheme" on the grounds that it would "accelerate the settlement of Natal by the stimulus it will give to private enterprise."<sup>38</sup> Byrne thus received permission to purchase crown lands and arrange for their distribution among potential new colonists.

To encourage emigration, Byrne promised two things: fertile land and the prospect of wealth. The passengers of the *Henrietta*, it seems, arrived with high hopes. One, who later wrote a traveler's account of his experience, described his first impressions of Durban with enthusiasm and wonder:

Add to this picture also a thriving seaport town, reposing at the foot of this slope, under the shade of the dense bush; and fancy a cloud of pleasure boats, with their tiny sails, skimming the polished surface of this vast mirror, hiding themselves amongst the floating islands and romantic creeks. Yes! Fancy this lovely picture lying in silent grandeur beneath a spotless canopy, and the brilliant sun of Southern Africa, and yet the conception, however vivid, will far—very far—fall short of the surprising reality of that enchanting spot.<sup>39</sup>

If passengers arrived with an image of idyllic grandeur, however, they were met with a grimmer reality. The Byrne Scheme was poorly organized and generally mismanaged.<sup>40</sup> One ship, the *Minerva*, crashed outside the port and lost nearly all of its cargo.<sup>41</sup> More important, much of the land promised to new settlers was of poor quality and unsuitable for farming. Benjamin Pine, the lieutenant governor of Natal, wrote privately that Byrne had "a mistaken notion of the physical nature of the district," and criticized the scheme's "inherent faults."<sup>42</sup>

From these uncertain beginnings, attention shifted from cotton to sugar, and a sugar industry gradually developed. In 1851, Edmund Morewood purchased 1,820 acres in Umhlali, an area north of Durban and adjacent to the Byrne Settlement, to create a sugar plantation. At the time, Morewood also worked as an agent for the Natal Company of London, which like Byrne was engaged in transporting new settlers to the colony. Ultimately, Morewood's enterprise failed; unable to support the mortgages attached to his property, he went bankrupt in 1854. Nonetheless, his early efforts to produce sugar attracted attention in both Durban and London and

<sup>36</sup>For ships associated with Byrne and other immigration promoters, see Shelagh O'Byrne Spencer, *British Settlers in Natal 1824–1857: A Biographical Register*, 8 vols. (Pietermaritzburg, 2016), vol. 8, 316–17.

<sup>37</sup>U.K. Parliamentary Papers (hereafter P.P.), "Correspondence Relating to the Settlement of Natal," 1850, xxxviii (C.1292), 193, Byrne to Grey, 26 July 1849, encl. in Grey to Smith, 4 Aug. 1849.

<sup>38</sup>P.P., "Correspondence Relative to the Establishment of the Settlement of Natal and the Recent Rebellion of the Boers," 1849, xxxvi (1059), 93, Grey to Smith, 21 Feb. 1849.

<sup>39</sup>G. H. Mason, *Life with the Zulus of Natal, South Africa* (London, 1855), 67–68.

<sup>40</sup>Thompson, "Zulu Kingdom and Natal," 379–80; Brookes and Webb, *History of Natal*, 66; TNA, CO 179/35, Pine to Newcastle, 20 May 1854.

<sup>41</sup>Mrs. James Arbuthnot, *Reminiscences* (n.d.), in A. F. Hattersley, ed., *More Annals of Natal* (Pietermaritzburg, 1936), 33.

<sup>42</sup>P.P., "Further Correspondence Relative to the Settlement of Natal," 1851, xxxvii (1417), 23, Pine to Smith, 30 Aug. 1850, encl. in Smith to Grey, 5 Dec. 1850.

spurred further interest.<sup>43</sup> The *Natal Witness*, a local newspaper, likened Morewood to Columbus, praising him “for opening up this invaluable mine of wealth.”<sup>44</sup>

Indeed, in 1854 and 1855, a new generation of planters established sugar plantations. Between 1854 and 1866, the amount of land under sugar cultivation in the colony nearly quadrupled, from 338 acres to 12,781.<sup>45</sup> Planters imported machinery: there were twenty-one sugar mills operating in 1859 and sixty in 1864, fifty-six of which were powered by steam.<sup>46</sup> Production rose in turn.<sup>47</sup> The value of the colony’s sugar exports increased steadily and dramatically during the late 1850s, from £16 in 1855, to £483 in 1856, and £8,368 by 1859.<sup>48</sup>

Sugarcane is not indigenous to Natal, and its growth and attractiveness evince the importance of global networks in structuring local aspirations, expertise, and trade. Mauritius, a major sugar producing colony across the Indian Ocean to the east, was an important model.<sup>49</sup> The first sugarcane planted in Natal in 1847 had been imported from Mauritius. Technical knowledge was similarly linked; a group of Mauritian planters arrived in Natal in March 1850 bearing cane tops and a desire to develop plantations along the coastlands.<sup>50</sup> At a broader level, Natal’s sugar industry took shape in a global context of rising demand. In the U.K., annual per capita sugar consumption surged from approximately 19 to 71 pounds between 1830 and 1890.<sup>51</sup> During the 1850s, the price of sugar on the London market rose from 20 shillings per hundredweight in 1852 to 34 shillings in 1857.<sup>52</sup> Thus by the mid-1850s, just as prior colonial enterprises—in particular, cotton—collapsed, sugar grew, bolstered by an unusually favorable international market.<sup>53</sup>

In this context, an idealized image of sugar emerged, linking the industry not only to economic growth but to broader notions of civilizational progress. An account compiled in 1860 for prospective English emigrants by the colony’s superintendent of

<sup>43</sup>Duncan Du Bois, *Sugar and Settlers: A History of the Natal South Coast 1850–1910* (Bloemfontein, 2015), 9–15.

<sup>44</sup>*Natal Witness*, 11 Feb. 1853.

<sup>45</sup>Peter Richardson, “The Natal Sugar Industry, 1849–1905: An Interpretive Essay,” in Bill Guest and John M. Sellers, eds., *Enterprise and Exploitation in a Victorian Colony: Aspects of the Economic and Social History of Colonial Natal* (Pietermaritzburg, 1985), 181–98, here 183.

<sup>46</sup>Robert F. Osborn, *Valiant Harvest: The Founding of the South African Sugar Industry, 1848–1926* (Durban, 1964), 59; Richardson, “Natal Sugar Industry,” 186.

<sup>47</sup>M. D. North-Coombes, “Indentured Labour in the Sugar Industries of Natal and Mauritius, 1834–1910,” in Surendra Bhana, ed., *Essays on Indentured Indians in Natal* (Leeds, 1991), 19–22.

<sup>48</sup>Osborn, *Valiant Harvest*, 54–59. See also Du Bois, *Sugar and Settlers*, 103. Natal planters sold sugar in South Africa in addition to producing for export. In 1858, colonial officials estimated total sugar production at 527 tons, of a value of approximately £19,000. TNA, CO 179/52, Scott to Lytton, 20 July 1859.

<sup>49</sup>Thompson, “Zulu Kingdom and Natal,” 388.

<sup>50</sup>Brookes and Webb, *History of Natal*, 68. Particular family networks illustrate the lasting nature of such connections. The Saunders family, for instance, which had pre-abolition mercantile interests in Mauritius sugar (Saunders Brothers & Co.), later held a large plantation in Natal (owned by James Renault Saunders). Later still, Charles James Renault Saunders (b. 1857) served as resident commissioner of Zululand. I thank an anonymous reviewer for pointing out this example.

<sup>51</sup>Richardson, “Natal Sugar Industry,” 181.

<sup>52</sup>Noël Deerr, *The History of Sugar*, 2 vols. (London, 1949–50), vol. 2, 377.

<sup>53</sup>Richardson, “Natal Sugar Industry,” 184. On the simultaneous collapse of Natal’s cotton industry, see Henry Slater, “The Changing Pattern of Economic Relationships in Rural Natal, 1838–1914,” in Shula Marks, ed., *Economy and Society in Pre-Industrial South Africa* (London, 1980), 148–70, esp. 153.

education, Robert Mann, illustrates this dynamic. Mann mythologized Morewood's fateful first planting as a marker of industrious triumph and future progress:

Nine years ago, the coast-lands of Natal, notwithstanding their natural capabilities, were little more than a beautiful and luxuriant waste, yielding scarcely any produce that could be turned to commercial account. Soon after this period, however, a remarkable change came over the wilderness. About the year 1851, Mr. Morewood sent up from Compensation, on the Umhlali, a spot between thirty and forty miles to the north of Durban, a sample of fine sugar, grown and manufactured upon his own farm.<sup>54</sup>

Sugar, according to Mann, would lift Natal from a state of "luxuriant waste" and convert it from "wilderness" to civilization. In this manner, but to varying degrees, the advocates of sugar elevated the crop into a symbol of industriousness and success broadly defined. It became, in the words of one petition sent to the home government on behalf of the Natal Sugar Company in 1853, a general solution to "the present depressed condition of *all* the interests of the colony."<sup>55</sup>

As the sugar industry expanded, African labor became an increasingly pressing "question," a subject of intense interest and debate within the colony. Such debate lent itself to broader speculation regarding the inherent capacities of Africans. In other words, a desire for labor produced not only theories and complaints regarding work but also broader conclusions about race and personhood. As early as 1851, public meetings held by planters and other landowners created a forum for debate on the character of the "Kafirs" and their supposed reluctance to enter into wage labor. At one such meeting, a resolution declared, in part, "that it is impossible to rely upon the Kafir population of this colony for a permanent and effective supply of labour."<sup>56</sup> Morewood argued to the contrary, claiming that during his time in the colony he had "always a sufficient supply" of African labor.<sup>57</sup> But his was undoubtedly the minority position. Byrne mocked Morewood's assertion, reminding the audience of his failure to produce substantial exports, and concluded, "It was well known that Kafir labour was not to be depended on."<sup>58</sup>

In 1855, the *Natal Mercury*, which increasingly operated as a mouthpiece for planters' interests, reached a similar conclusion. "An adequate supply of reliable and effective labour," was, according to an editorial, "the great desideratum of our industry."<sup>59</sup> As we will see, the prevailing assumption that Africans would not provide the labor necessary to produce sugar for export became the underlying justification for local appeals for Indian labor. Yet this again raises further

<sup>54</sup>Robert James Mann, *The Colony of Natal: An Account of the Characteristics and Capabilities of this British Dependency* (London, 1860), 71.

<sup>55</sup>P.P., "Further Correspondence Relative to the Settlement of Natal," 1852–1853, lxii (1697), 101, Memorial of the Natal Sugar Company, 28 Mar. 1853, encl. in Pine to Newcastle, 31 Mar. 1853 (my emphasis).

<sup>56</sup>"Public Meeting," *Durban Observer and Natal General Advertiser*, 17 Oct. 1851, in Y. S. Meer, ed., *Documents of Indentured Labour, Natal 1851–1917* (Durban, 1980), 22. Used frequently by settlers to describe Bantu-speaking Africans, the term "kafir" acquired increasingly pejorative meanings during the nineteenth century and became a highly derogatory slur during apartheid.

<sup>57</sup>*Ibid.*, 22.

<sup>58</sup>*Ibid.*, 23.

<sup>59</sup>"Imported Labour," *Natal Mercury*, 2 May 1855.

questions. Most pressingly, why was African labor considered inadequate? Here we must return again to the late 1840s and the establishment of the colony.

### Indirect Rule

Two seemingly separate migrations—of the *Henrietta* and the *Truro*, of English colonists and Indian laborers—were in fact closely linked. A third, African migration played an equally important role in the decision to extend the indentured labor system to Natal. The British annexation coincided with a refugee crisis stemming from the Zulu Kingdom. There, political conflict displaced large numbers of people between 1830 and 1860.<sup>60</sup> As a result, the black population of Natal increased significantly during the period of British rule. Officials disputed the precise extent. Natal's Legislative Council sought to undermine African land claims by arguing that the vast majority of the population was foreign, but Whitehall generally resisted that assertion.<sup>61</sup> According to Keletso Atkins, the colony's black population numbered between 100,000 and 150,000 in 1843, and more than doubled by 1881.<sup>62</sup>

The key point from an imperial perspective is that the British took power amidst ongoing political and social instability. "Native policy," which attracted virulent criticism from settlers, was formulated in this context. Even after colonization schemes began transporting new settlers, the white population only comprised roughly 7,500 people in 1852.<sup>63</sup> To a Colonial Office already reluctant to authorize large expenditures, this meant a thin state. As one internal report put it, "The question of managing upwards of 100,000 natives in an almost independent state, in the midst of a thinly scattered European population, is of course extremely difficult of solution."<sup>64</sup> In this context, an intensive, centralized form of rule appeared doubtful, at least in London.

No attempt was made to impose direct British rule over the African population. Instead, colonial authorities created "native locations," designating specific lands for African inhabitants, to be kept separate from areas of European settlement. To each location a British superintendent was assigned, and for each a native police force formed. This began in 1847. By 1854, there were seven such locations, of an average size of 180,000 acres.<sup>65</sup> As diplomatic agent, Theophilus Shepstone oversaw the management of the system.

As several scholars have argued, the system of native reserves developed by Shepstone was an early form of indirect rule.<sup>66</sup> Shepstone sought to preserve the

<sup>60</sup> Atkins, *Moon Is Dead*, 9–15, 22–25; Thompson, "Zulu Kingdom and Natal," 368, 374.

<sup>61</sup> R. Ebdon, "Memorandum on Native Affairs" [1864], in David Throup, ed., *British Documents on Foreign Affairs: Reports and Papers from the Foreign Office Confidential Print*, Part I, Series G (Bethesda, 1995) (hereafter *FOCP*), vol. 2, 92–93.

<sup>62</sup> Atkins, *Moon is Dead*, 1.

<sup>63</sup> Henry Slater, "Land, Labour and Capital in Natal: The Natal Land and Colonisation Company 1860–1948," *Journal of African History* 16, 2 (1975): 257–83, here 262.

<sup>64</sup> Sir George Barrow, memorandum, 22 Feb. 1856, in *FOCP*, 4.

<sup>65</sup> *Ibid.*, 3. See also Colin Bundy, *The Rise and Fall of the South African Peasantry*, 2d ed. (Cape Town, 1988), 169–70.

<sup>66</sup> Norman Etherington, Patrick Harries, and Bernard K. Mbenga, "From Colonial Hegemonies to Imperial Conquest, 1840–1880," in Carolyn Hamilton, Bernard K. Mbenga, and Robert Ross, eds., *The Cambridge History of South Africa, Volume 1, from Early Times to 1885* (Cambridge, 2010), 359; Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, 1996), 62–90;

existing political structures and laws of the communities living in the reserves and incorporate them indirectly into the wider structure of the colonial state. According to the Royal Instructions issued for the colony by the colonial secretary, Earl Grey, in 1848, “the laws, customs, and usages of the native population” were to be retained, “except so far as they might be repugnant to the general principles of humanity”; “subject to the same limitation, the power of the Chiefs over their tribes was [also] retained.”<sup>67</sup>

In practice, preserving customary law was a highly complex process, particularly because migration had disrupted pre-existing political hierarchies. In a report written in August 1848, Shepstone estimated that chiefly power had degraded to such an extent that as much as half of Natal’s African population was “deprived of any organ of control.”<sup>68</sup> According to the historian Thomas McClendon, Shepstone recognized “over fifty” existing chiefdoms, but also created nine new ones ruled by chiefs he appointed. As McClendon explains, these appointed chiefs lacked the spiritual authority of their traditional counterparts (since they were not hereditary *amakhosi*) and were thus political figures of a new sort: ostensibly traditional political leaders whose power ultimately depended on the colonial state.<sup>69</sup>

Shepstone’s policy was thus one of reconstitution, rather than simple preservation. Shepstone assumed chiefly power, while the lieutenant governor was named “supreme chief” within the hierarchy of indirect rule.<sup>70</sup> The codification of “native law” furthered this process later in the century, reinforcing and remaking a separate sphere of local authority within the colonial state.<sup>71</sup> This “invention of tradition” concentrated the power of recognized local elites while excluding and separating African subjects from Natal’s colonial political and legal institutions.<sup>72</sup> Adding to this complexity was the fact that colonial officials disagreed over the precise aims of the

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Thomas McClendon, *White Chiefs, Black Lords: Shepstone and the Colonial State in Natal, South Africa, 1845–1878* (Rochester, 2010), 4–5. Beyond the scope of this article, extensive debates over the precise nature of Shepstone’s policy persist within the historiography. In particular, Jeff Guy has developed a countervailing narrative, skeptical of the concept of indirect rule, which argues that chiefly authority retained greater independence from the state and advances a different account of South Africa’s transition to capitalism than the literature cited above. Aspects of this argument appeared first in Guy’s *The Destruction of the Zulu Kingdom: The Civil War in Zululand* (London, 1979), and he states them more fully in *Theophilus Shepstone and the Forging of Natal: African Autonomy and Settler Capitalism in the Making of Traditional Authority* (Scottsville, 2013). The latter provoked both stringent criticisms and spirited defenses within the field; see, for instance, the “Review Debate” between Norman Etherington and Jeff Guy, published in *Transformation: Critical Perspectives on Southern Africa* 90, 1 (2016): 49–96.

<sup>67</sup>Pine to Carnarvon, 16 July 1874, *FOCP*, 114.

<sup>68</sup>P.P., “Correspondence Relating to the Settlement of Natal,” 1850, xxxviii (C.1292), 42–44, Shepstone, 14 Aug. 1848, encl. in Smith to Grey, 17 July 1849.

<sup>69</sup>McClendon, *White Chief, Black Lords*, 18; David Welsh, *The Roots of Segregation: Native Policy in Colonial Natal, 1845–1910* (Cape Town, 1971), 20.

<sup>70</sup>Thomas McClendon, “Interpretation and Interpolation: Shepstone as Native Interpreter,” in Benjamin N. Lawrance, Emily Lynn Osborn, and Richard L. Roberts, eds., *Intermediaries, Interpreters, and Clerks: African Employees in the Making of Colonial Africa* (Madison, 2006), 82.

<sup>71</sup>But see Guy, *Theophilus Shepstone*, 453–58 (arguing that measures taken to codify and bureaucratize chiefly authority marked a departure from Shepstone’s original aims).

<sup>72</sup>Mamdani, *Citizen and Subject*, 63–64. On “invented traditions” and the codification of African customary law, see also Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge, 1983); Martin Chanock, *Law, Custom, and Social Order: The Colonial Experience in Malawi and Zambia* (Cambridge, 1985).

locations policy. Earl Grey thought that by protecting the local population from both Afrikaners and conflict with the Zulu kingdom, the reserves could become a “centre whence the blessings of civilization and Christianity may be extensively diffused.”<sup>73</sup> Such a perspective threaded forward the antislavery impulse at the heart of the annexation and the imperial, reformatory project deeply connected to that impulse. Yet others, like the lieutenant governor, Benjamin Pine, viewed tribal authority and chiefs in particular as “great barriers in the way of the civilization of the natives.”<sup>74</sup>

From the perspective of labor, the important point was that both critics and supporters of Shepstone considered indirect rule *necessary* as a means of maintaining order. Earl Grey made this argument forcefully in 1847, in a dispatch to the governor of the Cape, Harry Smith. According to Grey, it was vitally important that the colony “abstain [ ] from any sudden or violent interference with the authority exercised over these people by their own chiefs.”<sup>75</sup> As we saw, Grey’s Royal Instructions featured a repugnancy clause permitting state interference in native customs “opposed to the general principles of humanity.”<sup>76</sup> Privately, however, Grey emphasized the importance of non-interference, even where customary law might have appeared “repugnant.” As he reasoned to Smith: “Their [the chiefs] maintaining a strong authority affords the only means by which in the actual state of things absolute anarchy and confusion can be averted, and it would therefore be advisable to abstain from examining too minutely into the manner in which the chiefs may rule over their tribes, even though this should unfortunately allow of the existence of much oppression, and the commission of many acts highly repugnant to our notions of justice and humanity.”<sup>77</sup> Here we see the imperative of indirect rule, and the relatively, perhaps unexpectedly, “thin” nature of the colonial state, in clear relief. The security interest associated with the maintenance of chiefly power outweighed countervailing concerns that the “Shepstone system” might perpetuate “repugnant” behavior. To avoid “absolute anarchy,” Grey was prepared to grant African authorities a substantial measure of independent legal and political discretion.

In spite of its apparent tolerance, Grey’s position hardly implied a positive view of African systems of political organization and law. To the contrary, security-based arguments in favor of the preservation of customary law depended on distinctly negative portrayals of the supposedly natural characteristics of Africans. Donald Moodie, secretary to the government of Natal, argued that a tradition of chiefly tyranny had left Africans incapable of living ordered lives without strong autocratic control. “Submission to despotic rule,” he reasoned, “which has become habitual to them, has powerfully checked the development of their reasoning faculties.”<sup>78</sup> Moodie thus agreed with Grey that anarchy would result were local authorities to

<sup>73</sup>P.P., “Correspondence Relative to the Establishment of the Settlement of Natal,” 1847–1848, xlii (C. 980), 93, Grey to Pottinger, 4 Dec. 1846.

<sup>74</sup>TNA, CO 179/35, Pine to Newcastle, 20 May 1854, quoting Pine to Colonial Office, 1 Nov. 1851. See also TNA, CO 179/35, Pine to [George] Grey, 5 Sept. 1854.

<sup>75</sup>P.P., 1847–48, xlii (C. 980), 138, Grey to Smith, 10 Dec. 1847.

<sup>76</sup>*Ibid.*

<sup>77</sup>*Ibid.*, 138–39.

<sup>78</sup>P.P., 1850, xxxviii (C. 1292), 104, Donald Moodie, 30 July 1849, encl. in Smith to Grey, 31 Dec. 1849.

be displaced. “Under these circumstances,” Moodie warned, “the abrogation of the power of the chiefs” would “be productive of a dangerous state of anarchy.”<sup>79</sup>

Benjamin Pine, a harsh critic of chiefly power, likewise cautioned against the “immediate subversion of their [chiefs’] authority.” “To pursue such a course,” he argued, would be “most dangerous.”<sup>80</sup> In 1874, when the Langalibalele Affair caused London to review Shepstone’s system of indirect rule, Pine defended the use of native law at greater length, but on the same grounds of security and necessity.<sup>81</sup> “[I]t is under this great police,” he affirmed, “that the Government, with a mere handful of troops, and these not adapted to native warfare, and with no other police, has for more than a quarter of a century been enabled to govern its barbarous native people.”<sup>82</sup> Pine’s assumption was that the “barbarous” native population was naturally prone to anarchy. His “great police” was strict “customary” rule, reconstituted and overseen by a limited colonial state.<sup>83</sup>

This heralding of security, premised on a negative view of African traits and capacities, was the foundation of indirect rule in South Africa. A reluctance to spend, voiced consistently by the home government, played an additional, supporting role. Early in 1847, a Locations Commission composed of Shepstone and three local officials proposed an ambitious range of colonizing initiatives—including the construction of schools, roads, and an extended legal and administrative apparatus—aimed at integrating African communities into the colony.<sup>84</sup> These proposals the Colonial Office rejected categorically. As Earl Grey explained, the home government had no desire to fund expensive expansionist initiatives in South Africa. “It is my duty, at once and distinctly,” Grey wrote to Smith in December 1847, “to discountenance the expectation that any plans for the improvement of the Natal district, which would involve large expense to be provided for by Parliament, can be adopted.”<sup>85</sup> As a consequence of this policy, Grey once again affirmed the importance of preserving customary law in the reserves. “The attempt to subject a large native population,” Grey cautioned, “now collected within the limits of the settlement, to the regular administration of British law must be abandoned.”<sup>86</sup> Shepstone imposed annual hut taxes on those living in the reserves, which subsequently strengthened the

<sup>79</sup>Ibid., 104. In a wider perspective, Moodie’s view bears a striking resemblance to the theory of “Oriental Despotism,” influential in British India, which presented precolonial authority as inherently despotic, frequently as a justification for rule by decree. See Nasser Hussain, *The Jurisprudence of Emergency: Colonialism and the Rule of Law* (Ann Arbor, 2003), 31–55.

<sup>80</sup>TNA, CO 179/35, Pine to Newcastle, 20 May 1854.

<sup>81</sup>The Langalibalele Affair was a conflict between Natal’s colonial administration and Chief Langalibalele of the Hlubi people that arose in response to Langalibalele’s perceived non-compliance with colonial firearms regulations. See McClendon, *White Chief, Black Lords*, 82–117.

<sup>82</sup>Pine to Carnarvon, 16 July 1874, *FOCP*, 116.

<sup>83</sup>Shepstone defended his policy in similar terms in the 1850s and again in the 1870s. See, for example, P.P., 1852–53, lxii (C.1697), 25–27, Shepstone, 7 Apr. 1851, sub-encl. in Pine to Smith, 1 Nov. 1851; Theophilus Shepstone, “Minute by the Secretary for Native Affairs,” 12 June 1874, *FOCP*, 118–26.

<sup>84</sup>P.P., 1847–48, xlii (C.980), 132–35, Commission for Locating Natives, 30 Mar. 1847, encl. in Pottinger to Grey, 26 May 1847.

<sup>85</sup>P.P., 1847–48, xlii (C.980), 138, Grey to Smith, 10 Dec. 1847.

<sup>86</sup>Ibid., 138.

financial argument in favor of indirect rule.<sup>87</sup> By 1870 the African population was responsible for 75 percent of all tax revenue collected in Natal.<sup>88</sup>

All of this—a reluctance to spend, the creation of native locations, and the deliberate reinforcement of customary law and authority—set the stage for sustained conflict between white settlers and imperial authorities over labor. The question of African labor, as understood by planters during the 1850s, was intimately linked to Shepstone's native policy. The system of native reserves afforded Africans an important albeit temporary measure of social and economic independence.<sup>89</sup> Separately, African tenant farmers thrived through the 1850s and 1860s, producing foodstuffs both for subsistence and for domestic markets, which allowed for economic integration without dependence on wage labor.<sup>90</sup> As a result, the emergent sugar industry struggled to attract and retain field labor on terms satisfactory to planters. Africans did enter into wage labor in the colony; the idea that they simply refused to work was a myth.<sup>91</sup> But African laborers had significant control over the terms on which they worked, due to the reserves and the ongoing success of peasant cultivation. With protected lands, African communities were not dependent on wage labor within the colonial economy.

The archetypal plantation colony, where sugar production had long thrived on the basis of enslaved labor, was artificial in a particular sense. The extermination of indigenous populations through war and disease, followed by the forced migration of enslaved, convict, and indentured labor, made new societies in the key plantation colonies of the Caribbean. The "sugar revolution" of the seventeenth century further remade the land, structuring development in the service of export production. Barbados is perhaps the clearest example of these processes. By the early eighteenth century, the island had turned almost entirely to plantation production. In this context, enslavement functioned as labor control, but so did economic dependency.<sup>92</sup>

Natal was no Barbados. Its working population was not captive, nor was it dependent on sugar or, for that matter, on colonial wage labor. The locations system, maintained as part of the colonial state, kept land and authority apart from the narrow economic desires of a relatively small population of colonists. This meant that bargaining power in Natal's growing colonial economy was far more diffuse than in the plantation colonies—Mauritius, British Guiana, Trinidad—that captured the imagination of aspirant Natal planters. As Keletso Atkins has demonstrated most clearly, African laborers negotiated terms of labor that frequently conflicted with the expectations of planters. Such conflicts, like most labor

<sup>87</sup>Etherington, Harries and Mbenga, "Colonial Hegemonies," 360; McClendon, *White Chief, Black Lords*, 14.

<sup>88</sup>Norman Etherington, "The 'Shepstone System' in the Colony of Natal and beyond the Borders," in Andrew Duminy and Bill Guest, eds., *Natal and Zululand from Earliest Times to 1910: A New History* (Pietermaritzburg, 1989), 175.

<sup>89</sup>This point is particular to the mid-nineteenth century; on longer-term connections between the locations, land dispossession, and formal segregation under apartheid, see, among others, Welsh, *Roots of Segregation*.

<sup>90</sup>Bundy, *Rise and Fall*, 166–74; Slater, "Land, Labour and Capital in Natal," 263–73.

<sup>91</sup>Atkins, *Moon Is Dead*, 2–3, 78.

<sup>92</sup>Simon P. Newman, *A New World of Labor: The Development of Plantation Slavery in the British Atlantic* (Philadelphia, 2013).

negotiations, were founded on competing economic interests—on the balance between wages and profits. Yet cultural misunderstandings also played a key role. Particularly important were competing conceptions of time, as the title of Atkins' study, *The Moon is Dead*, indicates.<sup>93</sup> These cultural conflicts, which we might see as forms of mistranslation in the colonial encounter, contributed to labor indiscipline, which planters incorrectly perceived as a shortage of labor itself. The result was a widespread belief in the inherent unreliability of African labor. Ironically, as Atkins explains, the “lazy Kafir” myth “crystallized in Natal at a time when Africans were dramatically responding to the commercial economy.”<sup>94</sup>

Atkins's argument helps explain the reality behind Natal's perceived labor shortage. But the salient point for present purposes is that, at the level of perception, indirect rule was the crucial factor behind the seeming paradox of the colony's labor question. If the planters' “desideratum” was “an adequate supply of labor,” then native policy was their primary antagonist. As we have seen, that policy formed with a deep sense of strategic necessity, by a relatively weak colonial state in a politically unstable situation. Three historical trajectories thus intersected: colonists promised riches, looking outward to the wealth of plantations elsewhere; imperial officials motivated in part by antislavery, and increasingly convinced of the practical necessity of indirect rule; and African migrants escaping local conflict, whose “customary” political structures were then remade in a new colonial context. At this crossroads, the frustration of settlers fueled both racism and a critique of imperial authority. Both resulted in a turn to indenture.

### The Turn to Indian Labor

Through these overlapping conflicts, the white population of Natal reached the staunch conviction that African labor was unreliable during 1850s. It was in response to this concern that Indian labor was first proposed. In 1851, at a public meeting already touched on, colonists debated “the propriety of introducing Coolie labour into this colony.” The resolution submitted to the audience illustrated the two key presumptions around which a consensus would emerge: “That it is impossible to rely upon the Kafir population of this colony for a permanent and effective supply of labour, and that successfully to raise tropical productions it is absolutely necessary to introduce foreign free coloured labour.” The first, regarding the unreliability of African labor, reflected the colony's local dynamics, as explained above, and the colonists' frustration with Shepstone—hardened into a negative view of African cultural and racial capacities. The second, that a different source of non-European labor was needed, drew from the global context of plantation-based sugar production, where, through slavery and then into the post-emancipation period, labor had been thoroughly racialized. Adding to these views was a belief, perhaps also drawn from the example of indenture in Mauritius and the West Indies, that Indian labor was comparatively inexpensive. “The rate of wages to these men was low,” the speaker introducing the resolution affirmed, “and the cost of their keep very little.” Finally, the meeting envisioned Indian indenture as “a most formidable barrier,” a

<sup>93</sup>“The Moon Is Dead” refers to disputes between white employers and African workers over whether the lunar or calendar month should stand as the unit of time used for the payment of wages.

<sup>94</sup>Atkins, *Moon Is Dead*, 78.

mobile labor force loyal to the colony as against “any inroad of the Kafirs.” According to a newspaper report covering the meeting, the motion passed “almost unanimously.”<sup>95</sup>

Subsequent arguments for “coolie labour” similarly emphasized the inadequacy (from the colonists’ perspective) of African labor. Sugar cultivation required periods of extensive and continuous work during the harvest, and this in particular was seen as incompatible with African customs. According to the *Natal Mercury*: “It is essential to the perfect success of sugar manufacture that the operations during the season, should proceed night and day, without interruptions; and for this purpose, it will be absolutely necessary to obtain labor of a more settled and suitable character. The aversion of our natives to night work, and to any work in cold weather, as well as their peculiar social habits will for a lengthened period render it impossible to rely on their labor alone.”<sup>96</sup> Having concluded that “our natives” were inherently unreliable, the paper demanded a “more settled” labor force. Paradoxically though consistent with imperial practice elsewhere, this “settled” force would be sought through migration.

Similar claims proliferated. By 1855, the *Natal Mercury* asserted dramatic and impassioned appeals, both against African customs (and more broadly, autonomy within indirect rule) and for the importation of Indian labor. An editorial aimed at the impending visit of George Grey, the governor of the Cape, called for “imported labor” in response to “the capricious custom of native labour in this district.”<sup>97</sup> Recalling the stylized dream of prosperity hawked to emigrants and applied to the colony’s sugar pioneers, the paper invoked an inverted nightmare of loss and decay. In this schema, the labor question was cast as a necessary defense of civilization against savagery. “If the sugar enterprise fail,” the editorial continued, “in vain will Nature have lavished her bounties with so liberal [a] hand, on this beautiful country; in vain will Government introduce the best-constructed machinery for the administration of affairs amongst us,—in vain shall we enjoy municipal institutions, and a free representative constitution;—Natal could not survive the shock of such a calamity; and amidst a teeming waste of savage life, ‘*ichabod*’ would have to be inscribed on her blue skies and smiling fields!”<sup>98</sup> Again, sugar was idealized, elevated as a symbol of the colony’s prosperity and as a measure of civilizational progress. With these stakes clearly laid, and against the implied presence of African “barbarism” nearby, speculative hopes for Indian migrant labor crystallized into a conventional wisdom.<sup>99</sup>

The outlines of this wisdom were not unique to Natal. To the contrary, they followed a consensus established in the Caribbean and Indian Ocean. There, planters insisted that docile and industrious “coolies” would stabilize a plantation workforce

<sup>95</sup> *Durban Observer and Natal General Advertiser*, 17 Oct. 1851, in Y. S. Meer, ed., *Documents of Indentured Labour, Natal 1851–1917* (Durban, 1980), 22, 24. See also Guy, *Theophilus Shepstone*, 196.

<sup>96</sup> “A Visit to Springfield,” *Natal Mercury*, 27 June 1855; Atkins, *Moon Is Dead*, 85.

<sup>97</sup> “Labour: Address to Sir George Grey,” *Natal Mercury*, 6 June 1855. The editorial similarly refers to “imported labour” as an “absolute necessity.”

<sup>98</sup> *Ibid.*

<sup>99</sup> See also “Refugee Labour,” *Natal Mercury*, 15 Jan. 1857; “Labour and Native Policy,” *Natal Mercury*, 14 Jan. 1858; “The Meeting on Labour,” *Natal Mercury*, 4 Feb. 1858.

undermined by emancipation.<sup>100</sup> By the mid-1850s, sustained state action—funding for large-scale migration coupled with a coercive penal structure in the colonies—had bolstered plantation production. Though Natal was in all practical respects distinct, the lines of conceptual analogy were clear: an “unreliable,” black working class—freedpeople in post-emancipation context and Africans on the Natal-Zulu frontier—replaced successfully (from the perspective of sugar production) by an indentured labor force from abroad.

Yet if the colony’s appeal for Indian labor was in important respects derivative, it occurred in a distinctive political context, which was equally important in making indenture a reality. This was a context of increasing polarization and conflict between settlers and imperial officials. During the 1850s, Natal’s white settler population voiced hostile critiques of both local and metropolitan policy. As in Canada, Australia, and New Zealand, white settlers argued for greater local autonomy using a particular language of rights. Democracy—settler self-rule, frequently racialized, stood in opposition to distant, imperial control.<sup>101</sup> In Natal, this divide lent greater force to the local appeal for labor migration.

The settler critique of colonial governance centered on Shepstone’s policies. A memorial sent to Pine in October 1851, signed by 275 white settlers, illuminates the argument’s key themes. The memorial attributed Natal’s commercial failures to a “great deficiency of agricultural labour,” which it in turn blamed on the reserves. According to the petitioners, the native locations had “discourage[d] rather than promote[d] habits of useful industry” and instead “foster[ed] a spirit of indolent independence, alike perilous to the peace and prosperity of this district.” Their proposed solution was to break up the reserves, a policy which “would have a tendency to remedy to some extent the evils now felt, and to throw a large mass of native labour into the hands of agricultural and other classes.”<sup>102</sup> Clearly, then, labor was central. The labor demands of colonial industry pitted settlers against the much broader policy of indirect rule, which imperial officials, as we have seen, supported for their own strategic reasons.

Frustration aimed at native policy and perceived labor shortage hardened attitudes towards African customs and characteristics. According to the memorial, “barbarous habits” preserved in native locations were both “repugnant to humanity” and “fatal to the growth of civilization.” More striking, the petitioners figured the system as an affront to their own rights, levying “grievous injury on the white population, whose rights are compromised by a pernicious lenity towards the black.” The claim reflected an historically important pattern of racialization. Positioning themselves as the victims of imperial policy, the petitioners heightened their sense of racial superiority.<sup>103</sup>

<sup>100</sup>On the notion of the docile “coolie,” see Andrea Major, “‘Hill Coolies’: Indian Indentured Labour and the Colonial Imagination, 1836–38,” *South Asian Studies* 33, 1 (2017): 23–36.

<sup>101</sup>Adam McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York, 2008), 121–48.

<sup>102</sup>P.P., 1852–53, lxii (C.1697), 28–30, Memorial to Lieutenant-Governor Pine, 15 Oct. 1851, encl. in Pine to Smith, 1 Nov. 1851.

<sup>103</sup>*Ibid.*, 30. This shift complements our understanding of a similar transformation in the Eastern Cape. On the ambiguity and hardening of race thinking there, see Clifton C. Crais, *White Supremacy and Black Resistance in Pre-Industrial South Africa: The Making of the Colonial Order in the Eastern Cape, 1770–1865* (Cambridge, 1992), 125–46; Elizabeth Elbourne, *Blood Ground: Colonialism, Missions, and the Contest for*

Local, colonial officials offered some support for these positions.<sup>104</sup> Nonetheless, in criticizing native policy, settlers viewed themselves in opposition to the government. According to one petition, produced in 1849 at a public meeting of “commissioners, wardmasters, and several influential gentlemen landowners,” the colonial government was “characterized with perfect imbecility and inefficiency.” As in other settler-colonial contexts across the empire, Natal’s settler interest figured itself as an on-the-ground witness to the real, in contrast to an abstract, distant, deluded imperial bureaucracy. “A want of local knowledge,” the petition argued, had “render[ed] the present administration not only inane but positively injurious.”<sup>105</sup> On this view, the “Shepstone system” was a foreign, metropolitan imposition, supported only by those who lacked knowledge of local issues.<sup>106</sup>

In this manner, the settler critique of indirect rule drew upon a larger political argument about the merits of self-government. The letters patent issued by Earl Grey in 1848 had granted Natal a legislative council—an assembly endowed with local legislative power—but one whose members, like the lieutenant governor, were appointed by the Crown.<sup>107</sup> As early as 1849, settlers began advocating for an elected assembly.<sup>108</sup> Successive colonial secretaries dismissed these claims between 1849 and 1853.<sup>109</sup> But settlers effectively mobilized arguments about liberty and constitutionalism that were difficult to ignore. “A government so exclusive in its character,” a group of petitioners told Earl Grey in 1849, was “opposed to the constitutional principles of British liberty, and to the tolerant spirit which governs the age in which they [the petitioners] live.”<sup>110</sup> The granting of responsible self-government in Canada and then in Australia served as an important example. Pine cited Edward Gibbon Wakefield’s influential *A View of the Art of Colonization* in arguing, in 1852, that Natal, too, should receive “a representative government.”<sup>111</sup>

Four years later, in 1856, the Colonial Office granted them one, issuing new letters patent that established an elective Legislative Council. This new body comprised twelve elected and four appointed members; an appointed six-member Executive Council was also created, and the appointed lieutenant governor remained.<sup>112</sup> The establishment of partial self-government was significant for two reasons. First, the Legislative Council served as a forum for continuing attacks against the colony’s

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*Christianity in the Cape Colony and Britain, 1799–1853* (Montreal, 2002); Richard Price, *Making Empire: Colonial Encounters and the Creation of Imperial Rule in Nineteenth-Century Africa* (Cambridge, 2008), 127–89.

<sup>104</sup>P.P., 1847–48, xlii (C.980), 217–18, Smith to Grey, 4 Mar. 1848; P.P., 1852–1853, lxii (C.1697), 22–24, Pine to Smith, 1 Nov. 1851.

<sup>105</sup>P.P., “Copy of Despatches from the Governor of Natal, Transmitting the Report of the Select Committee of the Legislative Council Relative to Tribal Titles to Land,” 1862, xxxvi (293), 4–5, Public Meeting [Pietermaritzburg], 3 Aug. 1849, encl. in Scott to Newcastle, 19 Sept. 1861.

<sup>106</sup>“The Shepstone Policy,” *Natal Mercury*, 1 Oct. 1857; “The Crisis,” *Natal Mercury*, 10 Dec. 1858; “The Dissolution,” *Natal Mercury*, 20 Dec. 1858.

<sup>107</sup>P.P., 1847–48, xlii (C.980), 208–11, Letters Patent, 2 Mar. 1847, encl. in Grey to Smith, 16 Mar. 1848.

<sup>108</sup>P.P., 1850, xxxviii (C.1292), 1–2, Smith to Grey, 15 Jan. 1849.

<sup>109</sup>P.P., 1852–53, lxii (C.1697), 136–7, Newcastle to Pine, 13 Apr. 1853.

<sup>110</sup>P.P., 1850, xxxviii (C.1292), 2, “Petition of the Inhabitants of Natal, Chiefly Landowners and Merchants,” Aug. 1848, encl. in Smith to Grey, 15 Jan. 1849.

<sup>111</sup>P.P., 1852–53, lxii (C.1697), 78–79, Pine to Pakington, 28 Sept. 1852; Edward Gibbon Wakefield, *A View of the Art of Colonization* (London, 1849).

<sup>112</sup>Thompson, “Zulu Kingdom and Natal,” 382.

native policy.<sup>113</sup> Second, self-government helped explain the gradual diminution of the colony's commitment in principle to non-discrimination. In 1848, Grey's letters patent had reaffirmed Stanley's original injunction against legal discrimination on the basis of race.<sup>114</sup> On the floor of the Legislative Council, however, elected representatives articulated a radically different position. As Norman Etherington has explained, the council "insisted on unequal treatment before the law" and sought to restrict the franchise, which was, as in the Cape, theoretically open to Africans (subject to a property qualification).<sup>115</sup> Even earlier, an 1854 Land Commission composed primarily of Afrikaner and British settlers proclaimed, "Natal is a white settlement," and declared the Royal Instructions' prohibition against racial discrimination "utterly inapplicable."<sup>116</sup> Prominent planters, including Morewood and Moreland, signed the report. The officials appointed to the Commission refused to comply.<sup>117</sup>

This settler critique of colonial policy, combined with longstanding conflict over labor, produced a further hardening of racial attitudes. By the mid- to late 1850s, certain settlers began to articulate an increasingly virulent vision of fixed and permanent racial dominance alongside an ideological view of history based on race. The *Natal Mercury* explicitly rejected the colony's non-racial franchise.<sup>118</sup> More broadly, the paper dismissed "the nonsense of equal natural rights in a naturally unequal state of society."<sup>119</sup> In other contexts, the theory of polygenesis and prominent outbreaks of colonial rebellion underpinned a similarly timed proliferation of explicit support for racial hierarchy.<sup>120</sup> But here it was labor conflict and settler democracy that drove such sentiments. For proponents of the sugar industry, the "Kafir Question" called for race-based social control; facing a "dormant barbarian power," the state should force the "uncivilized portion of the community" to work.<sup>121</sup> These arguments crystalized into a more general belief in fixed racial supremacy. As the *Natal Mercury* wrote in an article about labor shortage: "We believe in the divinely purposed supremacy of the white over the black race; and all history interprets and illustrates this belief."<sup>122</sup> Here we see what Hannah Arendt

<sup>113</sup>Welsh, *Roots of Segregation*, 38.

<sup>114</sup>P.P., 1847–48, xlii (C.980), 210, Letters Patent, 2 Mar. 1847, § 13, encl. in Grey to Smith, 16 Mar. 1848.

<sup>115</sup>Etherington, Harries, and Mbenga, "Colonial Hegemonies," 362.

<sup>116</sup>Quoted in Thompson, "Zulu Kingdom and Natal," 384.

<sup>117</sup>*Ibid.*, 383.

<sup>118</sup>"The Elective Franchise—Native Votes," *Natal Mercury*, 21 Oct. 1858.

<sup>119</sup>"Labour and Native Policy," *Natal Mercury*, 14 Jan. 1858.

<sup>120</sup>On scientific racism, see Michael Banton, *Racial Theories*, 2nd ed. (Cambridge, 1998); Saul Dubow, *Scientific Racism in Modern South Africa* (Cambridge, 1995). On the Indian rebellion of 1857 and British views of Indian difference, see Thomas R. Metcalf, *Ideologies of the Raj* (Cambridge, 1994); Karuna Mantena, *Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism* (Princeton, 2010). On race-thinking and the Morant Bay Rebellion of 1865, see Christine Bolt, *Victorian Attitudes to Race* (London, 1971); Thomas C. Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832–1938* (Baltimore, 1992); Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination 1830–1867* (Chicago, 2002).

<sup>121</sup>"Land Policy and the Kafir 'Question,'" *Natal Mercury*, 16 Sept. 1858; "Labour and Native Policy," *Natal Mercury*, 14 Jan. 1858.

<sup>122</sup>"Labour," *Natal Mercury*, 6 Mar. 1858, also quoted in Welsh, *Roots of Segregation*, 41.

described as the transition from race thinking to racism, or race ideology.<sup>123</sup> Racial difference was now “divinely purposed”; it was naturalized and enshrined as historical law. As such, race was a cause not merely an effect of social difference, and it necessitated distinct and hierarchical forms of historical development.<sup>124</sup> All the while, the paper spoke of defending representative government and “constitutional law” against imperial “despotism.”<sup>125</sup>

If local opinion increasingly embraced such views, firmly splitting settlers from colonial policy, the effects of that split heightened after 1856, when the two groups began to share control over local government. In other words, a structural opposition followed the granting of limited self-rule. Those officials still appointed by the Crown—in particular the lieutenant governor, who had the power to veto legislation passed in the Council—had a legal and professional responsibility to uphold the home government’s policy. Elected members of the Council did not. Thus, as the Council agitated against the Shepstone system, it positioned itself against the lieutenant governor, who was obligated to protect the (relatively few) legal entitlements belonging to the colony’s African population. This conflict proved so explosive that in 1861 the Council sought to recall John Scott, the lieutenant governor that succeeded Pine in 1856.<sup>126</sup>

The attempt to recall Scott ultimately failed.<sup>127</sup> But the Council’s protest deployed arguments about self-government and local knowledge that generated deep rifts within the imperial state. The Council framed Scott’s power over the native reserves as an affront to the colony’s “representative institutions.” As an appointed official, Scott lacked crucially important “local knowledge,” and was unduly swayed by “a misguided and false philanthropy.”<sup>128</sup> These themes—hostility towards the reserves system, African legal rights, and metropolitan “philanthropy”; the importance of local knowledge and self-government; and racial superiority—echoed in similar arguments about the colony’s labor question.

In this complex matrix of conflicts, indenture was a wedge and solution, depending on one’s position, to oppositions between self-rule and imperial power, racial supremacy and antislavery, economic interest, and indirect rule. By 1859, the settlers’ fight with native policy and London’s “spurious philanthropy” turned on the question of labor. Rejecting in harsh terms the idea of native rights, the *Natal Mercury* wrote in April:

THE FATE OF THE COLONY HANGS ON A THREAD, and that thread is LABOUR....  
And yet this state of things exists in a country overrun with 150,000 intelligent

<sup>123</sup>Hannah Arendt, *The Origins of Totalitarianism* (New York, 1968), 185–221, 468–74. For Arendt, “ideology” naturalizes the political; as an ideology, racism figures racial supremacy as an historical necessity, not a political preference or choice.

<sup>124</sup>See also “The Meeting on Labour,” *Natal Mercury*, 4 Feb. 1858 (rejecting “the universal applicability to [sic] the genus *homo*”); “Native Clanship in Relation to the Franchise,” *Natal Mercury*, 30 Aug. 1860 (“In this colony the white man is constituted by Divine Providence the guardian of the black man...”). In the late 1860s, commercial crises would further harden this type of racism, which remained crucially linked to the question of wage labor. See Guy, *Theophilus Shepstone*, 333–43.

<sup>125</sup>“The Dissolution,” *Natal Mercury*, 20 Dec. 1858.

<sup>126</sup>P.P., 1862, xxxvi (293), 6–9, Scott to Newcastle, 21 Sept. 1861.

<sup>127</sup>P.P., 1862, xxxvi (293), 21–2, Newcastle to Scott, 4 Feb. 1862.

<sup>128</sup>P.P., 1862, xxxvi (293), 13, 6, “Resolutions passed 7th August 1861”; Select Committee of the Legislative Council, quoted in Scott to Newcastle, 21 Sept. 1861. For settler rejections of humanitarian “philanthropy” in the Cape and South Pacific, see Alan Lester, “British Settler Discourse and the Circuits of Empire,” *History Workshop Journal* 54, 1 (2002): 24–48.

and capable native labourers, ninety-nine-hundredths of whom are refugees on the soil, owing their very lives to British protection . . . they cannot be induced to yield back the small acknowledgment of their labour, well requited though it be, for the manifold blessings they enjoy; and when any one ventures to hint the justice as well as expediency of measures for evoking this dormant element, or even procuring foreign labour, he is met with the senseless reverberations of a spurious philanthropy, that overlooks the stern facts of our condition, and the just and only safe methods of dealing with barbarians in a state of political nonage. The cuckoo notes of “oppression,” “coercion,” and “native rights,” are as inapplicable to the aims and desires of the British colonists of Natal, as they are to the right training and advancement in civilization of the native population themselves.<sup>129</sup>

This was an alternative history of the colony’s founding and future in miniature. A rejection of African rights to the land; an obligation to wage labor, following migration and the British annexation; an exclusive assertion of political expertise; and an utter rejection of the colony’s early commitment to non-discrimination. Around the same time, three petitions signed by more than one hundred planters and other white residents were sent to Natal’s Legislative Council. All agreed that labor shortage was a problem. The petitioners requested “the introduction by the Government of Coolie Labourers” as the solution.<sup>130</sup>

### The Decision to Extend the System

In 1855, as local demands swelled, the governor of the Cape, Sir George Grey, began petitioning home government officials on behalf of Natal.<sup>131</sup> The timing was propitious, for reasons that had little to do with the colony. As we have seen, local context shaped nearly every aspect of the colonists’ demands: their nascent sugar industry, their relationship to the native reserves, their perceived labor shortage. Yet global context was equally if not more important in determining the reaction that met these demands in London and Calcutta. Understanding the decision to extend indenture involves zooming in, as I have proposed throughout this paper, towards the local and “colonial” (and toward questions generally omitted from imperial histories of the indenture system). But it also requires scaling out, to the “imperial” and the “global.” A full explanation involves the unintended but crucial interaction between these levels.

By the late 1850s, a political consensus surrounding indentured labor migration had formed both among officials and across a wider public sphere. This consensus should not be taken for granted; it was the result of twenty years of debate, conflict,

<sup>129</sup>“Labour,” *Natal Mercury*, 28 Apr. 1859. See also “Native Clanship in Relation to the Franchise,” *Natal Mercury*, 30 Aug. 1860 (similarly rejecting “[p]hilanthropic advocates of the rights of man”).

<sup>130</sup>“Petition to the Legislative Council [Durban], 25 April 1859,” in Y. S. Meer, ed., *Documents of Indentured Labour, Natal 1851–1917* (Durban, 1980), 37.

<sup>131</sup>TNA, CO 179/37, Grey to Russell, 17 Nov 1855, and Rawson W. Rawson to the Secretary to the Government of India, 17 Nov. 1855. High-ranking Cape officials like Governor Grey retained significant influence in Natal prior to the establishment of partial self-government in 1856; until then, Natal’s lieutenant governor was technically a subordinate of the Cape’s governor.

and socioeconomic change. In the late 1830s, when planters in Mauritius and British Guiana began recruiting Indian workers in anticipation of full emancipation, indenture caused a scandal.<sup>132</sup> A wide range of British observers within and beyond the antislavery movement denounced indenture as a covert revival of slavery—a “Coolie Slave Trade,” as an influential 1840 pamphlet put it.<sup>133</sup> So did imperial officials in Britain and in India. Following a wave of critical accounts and an official investigation, the government of India banned emigration in 1839.<sup>134</sup>

Yet from the beginning the nature of indenture was ambiguous. Harnessing contract theory, early proponents portrayed indenture as a form of freedom, safeguarded by state supervision.<sup>135</sup> As I have argued elsewhere, a range of conceptual and economic factors shifted the weight of British opinion in favor of indenture from the late 1840s onward.<sup>136</sup> Decreases in sugar production coupled with falling prices after the enactment of free-trade policy in 1846 led many British observers to conclude that emancipation had failed. This was a crisis of capital, of plantation production, but it was framed more broadly as regression from civilization. Such fears undergirded a hardening of racial attitudes and the subversion of antislavery presumptions by liberal economic and demographic analysis. All of this made indentured labor migration appear necessary in the hard light of political economy (as against the soft sentiment of “philanthropy”). This naturalizing shift, from outrage to necessity, served to justify subsidies to increase the scale of migration and stricter laws to enforce labor discipline.

By the end of the 1850s, the image of indenture had transformed in Britain. By that point, 303,148 Indian migrants had arrived in Mauritius and 66,339 in the British West Indies.<sup>137</sup> The emigration “season” for 1858–1859 reached an all-time high: 45,025 individuals embarked from India after a swell in recruitment spurred on in part by the Indian rebellion of 1857.<sup>138</sup> In this context, export growth rendered indenture a success—judged, it bears emphasizing, solely on the basis of agricultural production and profit. Importantly, this economic pattern resulted in the proliferation of antislavery language *for* indenture, further dampening the viewpoint of the system’s original critics. No longer a slave-trade revival, indenture would now prove the competitiveness of “free labor” and discourage the use of formal slavery in foreign colonies.

This exaltation of indenture as antislavery formed in imperial and inter-imperial circuits of practice and debate. Ever present for contemporary observers in Britain was the persistence of formal slavery in Cuba, Brazil, and the United States, where export production rose dramatically across the mid-nineteenth century. To the

<sup>132</sup>Kale, *Fragments of Empire*, 22–35.

<sup>133</sup>John Scoble, *Hill Coolies: A Brief Exposure of the Deplorable Condition of the Hill Coolies, in British Guiana and Mauritius, and of the Nefarious Means by which They Were Induced to Resort to these Colonies* (London, 1840), 4.

<sup>134</sup>British Library, London, India Office Records L/PJ/3/279, Government of India to the Court of Directors, 27 May 1839.

<sup>135</sup>Mongia, *Indian Migration and Empire*, ch. 1.

<sup>136</sup>Jonathan Connolly, “Indentured Labour Migration and the Meaning of Emancipation: Free Trade, Race, and Labour in British Public Debate, 1838–1860,” *Past & Present* 238, 1 (2018): 85–119.

<sup>137</sup>Northrup, *Indentured Labor*, 159 (figures represent arrivals between 1831 and 1860).

<sup>138</sup>*Ibid.*, 162.

extent that Mauritius shared in the economic pattern exemplified by Cuba, it stood to prove the “success” of free labor as against enslavement. Nor was this a fringe theory. It was endorsed publicly in Parliament and privately in Colonial Office correspondence.<sup>139</sup> The *Times*, which had previously called indenture an “atrocit[y],” now saw it as a force for antislavery. “If Jamaica wins the market,” the paper opined, “Cuba and the slave trade go down together.”<sup>140</sup>

None of these debates featured Natal, but the ideological consensus they formed primed imperial officials in London to accede to the colony’s requests. In 1856, Frederic Rogers, co-chair of the Colonial Land and Emigration Board, read George Grey’s advocacy on behalf of Natal. Rogers’ response was nonchalant. Without lengthy consideration of the colony’s local dynamics—its distinctive politics and social conditions—he concluded that there was “no reason why the Colonists of Natal should be prevented from availing themselves of the advantages of Indian Labor.”<sup>141</sup> No longer controversial, indenture was now acceptable and, increasingly, normal. Rogers sent his recommendation to the Colonial Office, which forwarded copies of immigration ordinances already in place in British Guiana, St. Lucia, and Trinidad.<sup>142</sup>

At the legal level, too, the local was imbricated in and structured by trans-imperial practice. Deliberately relying on the legislative models worked out through years of conflict elsewhere, Natal’s Council set terms defining the basic indenture relation. In exchange for transportation, workers were to be bound for a five-year period (“industrial residence”), broken into an initial three-year contract followed by an obligation to either re-engage for a further two years or pay a commutation fee. Indian immigrants signed contracts consenting generally to the terms of indenture, but the task of assigning particular workers to particular employers fell to a government official (the “immigration agent”). In this and other ways, indenture was a state-run labor system, not an individually mediated employment relation. Contracts bound workers abstractly to plantation labor on terms set and enforced by the state. The law formally prohibited return migration to India before the completion of industrial residence. It also imposed penal sanctions on workers who breached their contracts, including imprisonment with hard labor and double-time wage deductions for illegal absences.<sup>143</sup>

Legal borrowing was important in understanding why London stood ready to approve these provisions.<sup>144</sup> Lieutenant Governor Scott assured the Colonial Office that Natal’s proposed laws were “little more than a transcript” of borrowed

<sup>139</sup>See, for instance, *Hansard*, 3d ser., cliii, cols. 1226–37 (3 Mar. 1859). From afar, the *Natal Mercury* cheered statements made in favor of indenture by the current and former colonial secretaries in Parliament. “Comments on the Council—Coolie Labour,” *Natal Mercury*, 21 May 1859.

<sup>140</sup>*Times*, 29 July 1839, 4; *Times*, 22 Feb. 1859, 9.

<sup>141</sup>TNA, CO 179/44, Rogers to Merivale, 19 Feb. 1856.

<sup>142</sup>*Ibid.*

<sup>143</sup>TNA, CO 180/2, Natal Law No. 14 of 1859, §§ 4, 7–8, 14–19, 29–30. The practice of deducting “two days’ wages for each and every day” of illegal absence, based on a Mauritian sanction known informally as the “double cut,” made it possible for workers to accrue debts in excess of wages owed.

<sup>144</sup>This is not to suggest that master-servant laws of this type were entirely unknown in South Africa. During the same period, the Cape enacted a set of master-servant provisions that imposed penal sanctions on African workers who breached labor contracts. On Cape Act No. 15 of 1856 (a key example), see Crais, *White Supremacy*, 193–94; M. K. Banton, “The Colonial Office, 1820–1955,” in Douglas Hay and Paul Craven, eds., *Masters, Servants, and Magistrates in Britain and the Empire, 1562–1955* (Chapel Hill, 2004), 264–68.

ordinances from the West Indies and Mauritius.<sup>145</sup> The government of India requested modifications after finding that Natal's rules regarding return passage were harsher than prior precedents. But crucially, neither it nor the Colonial Office factored Natal's distinctive social context into its legal analysis. Instead, both authorities measured legal fairness abstractly, in relation to precedent, not social consequence. Frederic Rogers saw "no reason" to withhold from Natal concessions already granted in other sugar colonies. Yet in treating Natal as a "sugar colony," as yet another site where Indian labor might be productively employed, Natal's particularity—the subject of much of this essay—was erased. From an imperial perspective, the question was whether the law bore sufficient similarity to existing precedent, not whether its effects in distinctive terrain, far from Mauritius and the West Indies, would be reasonable or just.

Operating from this perspective, London approved Natal's laws of indenture without lengthy consideration.<sup>146</sup> The colony complied with the Government of India's requests, and by August 1860, Indian authorities had sanctioned the plan. India Act XXXIII of 1860 formally legalized emigration from India to Natal.<sup>147</sup> Few metropolitan observers appear to have noticed. In 1838, planters' efforts to recruit Indian workers under indenture provoked virulent attacks and steadfast defenses in the London press. By 1860, that was no longer the case. From London, the extension of the system to Natal appeared little more than a routine, official matter.

Soon after, as we have seen, the *Truro* set sail, beginning a new phase in the labor history of Natal. The ship's arrival marked the end of an important transformation. Antislavery, a bulwark against settler domination in 1842, was indirectly a cause of Natal's turn to indenture. An origins story that might at first appear straightforward in fact reveals deep conflict within and across the "imperial state." Imperial policy, motivated simultaneously by humanitarian and financial concerns, led in conjunction with Zulu conflict and African migration to an early form of indirect rule and the establishment of native reserves. White settlers and the burgeoning sugar industry opposed this policy with increasing virulence, creating a structural opposition between local and imperial authority. That opposition fueled conflict over labor and a transition from racial prejudice to racism, as an overarching ideological explanatory framework for past and present. The demand for indenture can only be understood in this context, even as more distant events—in the Caribbean and Indian Ocean—influenced the colony's sugar industry and its idealized association between sugar and civilization. Indirect rule and conflict over native policy produced the colony's perceived labor shortage.

The turn to indenture was thus not simply a functional response to pre-existing demand. It was the result of deeply entangled local and imperial processes, whose interaction caused change in a contingent manner. Teasing out these processes requires putting together realms of knowledge that often remain separate historiographically, as "African colonial history" and "imperial history." Scholarship on indenture has tended to abstract the experience of Indian migrants away from the local labor histories onto which indenture was interposed. The purpose of this essay, still focused on imperial power, has been to illuminate the

<sup>145</sup>TNA, CO 179/51, Scott to Bulwer Lytton, 28 June 1859.

<sup>146</sup>TNA, CO 179/51, Minute, 28 Oct. 1859 (summarily approving Natal Laws nos. 13, 14, and 15 of 1859).

<sup>147</sup>British Library, London, India Office Records V/8/37, India Act XXXIII of 1860.

crucial interaction between these realms. Doing so allows us to emphasize global connection without diminishing the importance of the local. It reveals multiplicity within a seemingly discrete decision, beyond the binary of colony and metropole. By 1860, indenture was demanded and accepted, consciously but for different reasons, in Durban, London, and Calcutta. That apparent agreement rode upon a deeper history of conflict, pairing antislavery and empire, settler democracy and racism, and four seemingly separate migrations.

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