

# “Cape of Execution”: The gallows at the Cape of Good Hope as represented in the colonial art of Johannes Rach and Lady Anne Barnard

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During the eighteenth century, the Cape Colony developed into a violent society in every sense of the word. The type of crimes committed by perpetrators, the sentences imposed by the colonial authorities and the Court of Justice were equally violent. The depiction of the gallows by colonial artists has provided scholars with new insights on South Africa’s past, especially with regard to the increase in violence and the punishment faced by the condemned.

**Key words:** execution, gallows, Lady Anne Barnard, Johannes Rach, colonial art

## “Kaap van Teregstelling”: die galg aan die Kaap die Goeie Hoop soos voorgestel in die koloniale kuns van Johannes Rach en Lady Anne Barnard

Gedurende die agtiende-eeu het die Kaapkolonie ontwikkel in ’n gewelddadige samelewing in elke sin van die woord. Die tipe misdade wat gepleeg is deur oortreeders en die strawwe wat opgelê is deur die koloniale outoriteite en die Raad van Justisie was eweneens gewelddadig. Die uitbeelding van die galg deur koloniale kunstenaars, het skoliere voorsien van nuwe insigte aangaande die Suid-Afrikaanse verlede, veral met betrekking tot die toename in geweld en die straf wat die veroordeeldes in die oë gestaar het.

**Sleutelwoorde:** teregstelling, galg, Lady Anne Barnard, Johannes Rach, koloniale kuns

A key aspect of uncovering South Africa’s colonial past over the last few decades was this pre-occupation of scholars: how violent the Cape society was in terms of social relations, the institution of slavery and the overall administration of justice at the Cape. As a result, scholars have over the last three decades devoted considerable attention to crime, violence and other forms of criminal activities as administered by the colonial authorities during the Dutch occupation of the Cape between 1652-1795 (De Kock 1963; Bredekamp 1987; Ross 1993; Worden 1982, 2009; Heese 1987, 1994; Worden and Groenewald 2005; Dooling 1992; Visagie 1984). In his book, *Cape of Torments: Slavery and Resistance in South Africa* (1983), the historian Robert Ross highlights how violence and resistance dominated relations between emerging colonial identities shortly after the founding of the new colonial settlement after 1652, while Kerry Ward has shown in her recent book, *Networks of Empire: Forced Migration in the Dutch East India Company* (2009) how the Cape Colony and specifically Cape Town had been a penal colony since the early years of colonial settlement in the mid-seventeenth century. While a great deal has been published on the repressive nature of the eighteenth century Cape by historians based on court records, very little, has been done to investigate how colonial artists depicted in their art the Cape colony as an oppressive colonial society. Even the recent special issue of the highly-rated academic journal, *Journal of Southern African Studies* entitled *Histories and Legacies of Punishment in Southern Africa*, completely ignored how the contributions of art, photographs, sketches, paintings and other visual images of violence could have shaped our understanding of violence, punishment and administration of colonial justice in Southern Africa (Alexander and Kynoch 2011: 395-643). Based on the paintings and sketches of at least two colonial artists, this article seeks to explore how the gallows featured in the colonial art of Johannes Rach and Lady Anne Barnard. Moreover, the availability of these depictions facilitates the convergence between written colonial texts and art, which is often vital in the reconstruction of the past.

Admittedly, in the last two decades we have seen an unprecedented proliferation of studies exploring punishment, death, suffering, repressions and martyrdom from various perspectives, academic disciplines and angles. The most famous of these is undoubtedly the work of Michel Foucault, *Discipline and Punish*. In the first two chapters, he explores the meanings of public executions through various historical ages and the human atrocities committed as a result of the death penalty and such executions. David Garland, for instance, explores the influence of culture on violent behaviour (Garland 1990; 2006), whereas Pieter Spierenburg (1984) has given an excellent historical overview of executions and forms of repression in early modern European cities. These and similar studies have therefore led the way in the pursuance of gaining a better understanding of public punishment in a continuously evolving world and society.

Moreover, the link between art and law, or the portrayal of artistic images and iconographic representations that placed the gallows at the epicentre of an execution, became an important one. As Lionello Puppi has written in his famous work entitled: *Torment in Art: Pain Violence and Martyrdom*, the “Gallows were, in fact, a concrete symbol of the law” (Puppi 1991: 380). Without the gallows, the spectacle of a public execution would be simply ineffectual. The gallows made the administration of law and justice within a particular society a ruthless undertaking, and allowed the legal authorities and the state to deal with deviant behaviour swiftly and decisively.

Slaves, Khoikhoi, colonists or any other individual who committed serious offences in the Cape district as well as in the outlying districts such as Graaff-Reinet, Swellendam and Stellenbosch were brought to Cape Town to stand trial. The local *Landdrost* in which district the crime was committed acted as public prosecutor and the case was heard by several members of the Court of Justice. Upon confession by the accused, the Court of Justice would in accordance with the severity of the crime imposed a sentence on the accused, which was invariably the death penalty. For instance, in 1759, a Khoikhoi woman, named Griet and her co-accused died brutal deaths at the hands of the executioner for having orchestrated the murder of her concubine husband Hendrik Eksteen near the Gourits River. Apart from being hanged at the gallows outside the Cape Castle, Griet’s lifeless body was put through further humiliation as she was also beheaded. Her head was then displayed on a stake for public viewing (Viljoen 1995: 23). Eight years later, in December 1767, Hans Jurgen Kettner was executed by firing squad for his role in murdering a Khoikhoi servant Arnoldus when he was tortured and beaten to death. He became the first European person to have been put to death for the murder of a Khoikhoi person. On August 21<sup>st</sup> 1777, a Chinese, Tsoa Toko, was sentenced to death for housebreaking and theft. He was executed on 20<sup>th</sup> September 1777 (Moodie 1960: 108). Based on the documented court cases that spanned nearly a century (1700-1800), individuals such as the Khoi woman, Griet, the burgher, Hans Kettner and the Chinese, Tsoa Toko represented a large constituency of the Cape population that were convicted and sentenced to death during the course of the eighteenth century (Heese 1994; Worden and Groenewald 2005).

Since public execution was in essence the most common method in which the Cape authorities meted out punishment and what most murderers, arsonists, deserters and thieves were subjected to, the gallows thus played a pivotal role in the function and execution of justice at the Cape. The punishments meted out were cruel and gruesome to say the very least. Two gallows were erected and used throughout the eighteenth century; one was found near the Castle in Buitenkant Street and the other was erected near the Green Point Common, known as Gallows Hill (Botha 1962: 285-6; De Kock 1963: 164).

The location of the gallows and the frequency of public hangings, torture, impalement, branding with hot tongs, strangulation, suffocation, being broken on the wheel, whipped,

dragged through the streets of Cape Town and beheadings in the presence of spectators impelled colonial visitors to the Cape Colony to relate harrowing recollections in their diaries of death and violence of the worst kind. Johannes Stavorinus, who visited the Cape in 1768, described the practice of public execution which he had witnessed as “barbarous”. He went on to describe how he stood and watched for a quarter of an hour how a slave was first broken on the wheel, had flesh torn from his body with red-hot pinchers and then hanged (Stavorinus 1798: 571).

Stavorinus was not the only European to have witnessed or commented on those that were executed at the gallows during VOC rule. Anders Sparrman, the Swedish botanist and scientist – recorded lengthy entries in his diaries concerning the gallows. The presence of the mammoth structure had certainly captured the imagination of Sparrman who stopped “to contemplate the uncertainty of human life”. Sparrman then continued to describe what he and his travelling party witnessed, saying “Above half a score wheels placed around it, presented us with the most horrid subjects for this purpose; the inevitable consequences, and at the same time the most flagrant proofs of slavery and tyranny; monsters, that never fail to generate each other, together with crime and misdemeanors of every kind, as soon as either of them is introduced to this country. The gallows itself, the largest I ever saw, was indeed of itself a sufficiently wide door to eternity; but was by no means too large for the purpose of a tyrannical government, that in so small a town as the Cape, could find seven victims to be hanged in chains” (Sparrman 1975: 86).

Carl Peter Thunberg, a contemporary of Sparrman and fellow Swede, who visited the Cape between 1772-1775 recorded how on two different occasions he witnessed how two slaves were executed. On one occasion, the slave was “being laid on the cross and tied to it, first his arms and legs were burnt in eight different parts with jagged things, made red hot; afterwards his arms and legs were broken on the wheel, and lastly his head was cut off and fixed on a pole”. A month later in August 1773, he again commented on how a slave was hanged and then diarised the following: “After malefactors have suffered at the place of execution”, wrote Thunberg, “within the town, they are always brought out in the evening to the gallows without the town where they are either hanged, and that generally in an iron harness, in which manner the skeleton may be preserved for a long time, or else drawn and quartered. There are two gallows out of the town, one at the entrance to the harbour, under Lion’s Trial on which Europeans are hanged, and the other beyond the citadel, near Zoute River, on which slaves and Hottentots are executed” (Thunberg 1986: 153).

So conspicuous and central to the colonial landscape of Cape Town was the gallows that visitors who stepped ashore in Table Bay were greeted with the words “*Heus Viator!*” (*Hail Traveller*), not only to attract the attention of visitors, but also to sound a warning that criminal behaviour would not be tolerated. The gallows therefore are “presented as an accepted feature of the urban landscape” (Weeder, 2006: 68). But the colonial authorities went a great deal further. They systematically created spaces that “coded power in a landscape” (Hall 2006: 195). The location of the gallows in close proximity to the Castle was one such code of power. It set the tone for public behaviour in Cape Town, but also in the remotest parts of the colony since those who transgressed on farms were hauled to Cape Town to face a trial and if found guilty, be subjected to the extremities of law and the pain of the gallows.

The spectacle of death by public execution had given the Cape of Good Hope the reputation of a brutal society with little respect for human life. Sparrman, for instance, commented how the presence of the gallows ruined an otherwise tranquil setting, colonial town and landscape. “But what disgraces the town”, wrote Sparrman “is a gallows, with racks and other horrid instruments of torture” (Sparrman, 1976: 49).

These harrowing experiences as recorded in colonial travelogues and aided by official colonial court records were buttressed by artistic representations of the gallows which suggests that the Cape of Good Hope was far from an idyllic world, but one which rewarded violence with violence and proved that the concept of forgiveness or rehabilitation was non-existent. The Cape was inherently a violent society, caught up in the cycle of violence where violent behaviour spawned an equally violent reaction. Even though the Cape authorities claimed that the severity of the punishment imposed on criminals served as a deterrent, in fact it spawned more violence. As David Cooper has written with regard to the concept of deterrence in the context of public executions “deterrence was a one-sided word. Disposing of offenders vindictively and cheaply was final, and the only rehabilitative object of public executions was to present a fearful example to the assembled audience. The more public the exhibition, the more effective was the lesson; the more awesome the execution, the longer the repressive sense of terror remained to control the passions and tendencies of those inclined to commit crimes” (Cooper 1974: 1).

### **Johannes Rach (1720-1783)**

Johannes Rach was born in 1720 in the Danish city of Copenhagen. The Rach family was fairly affluent, as his father, Christoff Rach was an inn-keeper and brandy-distiller. The favourable position of his family allowed him the opportunity to study art under the tutelage of a Danish courtpainter, Peter Wickman. At the age of twenty, in 1740, he left Denmark and travelled to Russia, St Petersburg where he worked as a draughtsman. He returned to Denmark five years later and became a painter in the Danish court. He soon also established himself as topographical artist. At some point during the 1750s, Rach left Denmark and moved to the Netherlands, where he worked as an artist in Haarlem. Here he married, Maria Valenzin but soon after the birth of his daughter, he joined the VOC as a gunner. As a member of the VOC, this enabled him to travel to new locations and provided him with ample opportunities to sketch new topographical landscapes, especially of Batavia. Though stationed in Batavia, he frequently undertook short visits to the Cape Colony between 1762 and 1764 (De Loos-Haaxman 1958). In Cape Town, where he lived for about two years, the talented Rach became a productive artist. He produced an array of sketches depicting the inhabitants, buildings and landscapes of Cape Town and its immediate surroundings, all of which proved extremely valuable to historians and art historians, interested in representations of colonial images of eighteenth century Cape.



**Figure 1**  
**Johannes Rach, The Gallows at the Cape, 1764**  
(source: Worden and Groenewald, 2005).

This particular sketch was drawn by Johannes Rach in 1764. It depicts a view of Castle, the gallows, the wheel and impaling spike. These instruments were used most effectively to inflict pain and suffering upon individuals sentenced by the Cape authorities for transgressing certain laws. The area of the execution site was walled and access was obtained via a gate. In the background is located the Castle and the sketch appears authentic as Rach had indeed visited the Cape and produced other sketches of note between 1762 and 1764. As a topographical artist, Rach included not only the gallows, but also its immediate surroundings, namely the Castle, the mountain range and pathways around the execution site. The physical environment in terms of buildings appeared undeveloped. Not much activity in terms of people moving about or trade had taken place in and around the site of the execution and Rach gives the impression that Cape Town was indeed a tranquil colonial port. Included in the sketch are five individuals of which two appeared very prominent, based on the clothing worn by the Cape-Dutch couple. Upon Rach's arrival at the Cape, Rijk Tulbagh was the Governor. Through the promulgation of the "*pracht and praal*" ordinances that determined the dress code of the inhabitants and his involvement in the sentencing of criminals that became more pronounced, Tulbagh proved that he was a Governor with wide-ranging powers (Ross 1999: 9-11). In 1764, surprisingly very few criminals were sentenced to death through hanging. Three slaves were executed at the gallows for various crimes ranging from rape in the case of Mey, to murder in the case of Cupido, to resisting arrest using a knife and a sword, in the case of Titus of Batavia. The slaves Cupido and Mey were incidentally executed on the same day, 23 June 1764 and Titus on 18 August 1764 (Heese 1994: 189, 235, 265). For the rest of that year, to those that walked past the wooden structure, it represented colonial power that was either embraced or detested.



**Figure 2**  
**Johannes Rach, Public execution in Batavia**  
(source: National Library of Indonesia and Rijksmuseum Amsterdam, 2001).



**Figure 3**  
**Johannes Rach, A detailed view of public execution in Batavia**  
(source: National Library of Indonesia and Rijksmuseum Amsterdam, 2001).

Rach's return to Batavia, the head-quarters of the VOC, saw him sketch more than 200 drawings depicting the presence of the Dutch in Batavia (modern-day Jakarta) in the form of people, landscape and architecture during the latter half of the eighteenth century until his death in 1783. In 2001, the Rijksmuseum in Amsterdam and the National Library of Jakarta honoured Rach in a joint publication that showcased his most influential work. The sketch of relevance to his article is one which he entitled *Het Kastel Poort van Binnen*. It depicts the activities inside the square at Amsterdam gate, of which the primary focus was the execution of criminals. To the left of the square, Rach depicts the gallows and those about to be hanged. The gallows are elevated and erected on a large wooden scaffold. In front of the gallows and between the large crowd stood soldiers, which was customary in all VOC colonies, even the Cape. The way in which Rach posed the crowd, all facing the gallows, suggests that he had consciously sketched a common occasion within the Batavian-Dutch, the execution of offenders which often drew larger crowds. The presence of people is vital here. Compared to the sketch of the gallows dated 1764 at the Cape of Good Hope, which was unappealing from an artistic point of view, the Batavian version of a public execution appears much more interesting and informative. The image presents the modern observer with a sense of what transpired centuries ago, especially the rituals associated with the spectacle of a public execution. Rach, for instance, points out that the composition of the spectators varied, comprising different social classes and depicted by those that wore well-styled dress compared to those dressed in ordinary clothes. The presence of horses and carriages, a sign of wealth, and those on foot carrying umbrellas (*payungs*), suggests that people from all walks of life attended execution ceremonies. An execution of this magnitude no doubt constituted a social event and provided onlookers with a bizarre form of entertainment, namely suffering and death. The sale of food and beverages and the usage of the *payungs* clarifies that executions were indeed lengthy events that presumably took hours. The frequency of executions had other spin-offs. It led to entrepreneurial ventures such as street-trading, which is clearly depicted by Rach at this particular execution.

## Lady Anne Barnard (1750-1825)



**Figure 4**  
**A youthful Lady Anne Barnard**  
(source: Burman 1990).

Lady Anne Barnard was a well-known personality and colonial figure of British ancestry who gained the reputation of a Cape socialite when she accompanied her newly-married husband, Andrew Barnard who had been appointed as the first Colonial Secretary at the Cape in 1797. The meticulous manner in which she kept a record of her personal life and her commentary on the goings-on of the political and social activities in her diaries, journals, personal letters and influential drawings depicting the landscape, architecture and colonial personalities of all social classes, saw her work etched in the colonial literature and art history in the South African context in a major way. Her fame was not restricted to her literary prowess, as a travel writer, but she soon gained a reputation as an artist of repute, having sketched a considerable number of influential portraits of the Cape and parts of its interior, notably Stellenbosch. These visual images of the Cape during the last years of the eighteenth century that included the first British occupancy of the Cape until 1802 have given us more than a glimpse of a colonial society in transition politically, socially, economically and even legally.

The personal philosophy expressed by Lady Anne Barnard towards the Cape or “Africa” as she referred to it, its people and its landscapes appeared noble. She firmly believed “that Africa may speak for itself by a narrative fairly given and by Sketches faithfully taken” (Robinson 1993: 145). Lady Anne was an amateur artist with natural talent and had sketched from a young age. As Nicolas Barker has written in a recently published book, *Lady Anne Barnard’s Watercolours and Sketches: Glimpses of the Cape of Good Hope*, “the truth of the matter is that Lady Anne was an equal artist in words and paints, and the two could not be separated in her hands and mind” (2009).

Lady Anne Barnard's first visual contact with the infamous Cape gallows occurred during the month of May 1797, a few days after setting foot on African soil. Dorothea Fairbridge (1925: 21) writes how Lady Anne Barnard walked "across the Parade Ground where they were somewhat horrified at the conspicuous position of the place of execution". Barnard's own diarized words are much more striking. She devoted considerable time to describe what she witnessed. This was clearly not the first time she had seen the structure of the gallows, especially since Tyburn Gallows located at Marble Arch in London had become famous for its public executions for centuries. She writes "The path to the Town for foot passengers was thro' a large parade ground; as we approached it an enclosed Square caught my eye with a building at the upper end of it and one or two Gallow'es erected before it, on ground which seemed to have been raised for the purpose of rendering the whole the more *conspicuous*. It was a place altogether sufficient to make an *honest person tremble*, how much more then must a Rogue have been struck with the Cape Court of punishment, and I may add of Torture, tho' it has never been applied to that purpose by the English since they were Masters of the place, but the dutch laws for the Natives and for the Slaves still continuing in force (according as I suppose to the Articles of Capitulation) I heard that there had been lately some executions of black people for heavy crimes, which execution had been so contrary to our own ideas of humanity, that it was expected the English would endeavour to abolish Torture altogether, by which they would very much displease the *dutch* ... I very heartily pray for this and pressed on" (Robinson, 1993: 157).

As the wife of the Colonial Secretary, the prominent couple took up residence in the Castle. It was from this vantage point, her bedroom and the roof of the Castle that Lady Anne would sketch the famous *Panorama of Cape Town*, a folio that contained seven sheets intended as a gift to Governor George McCarthy. Having had access to these scenic views from her room window and roof of the Castle brought Lady Anne into constant visual contact with the gallows, which she detested or had expressed strong views about. But, in order to remain loyal to her philosophical ideas "... that Africa may speak for itself by a narrative fairly given and by Sketches faithfully taken", her drawings needed to tell a story that reflected reality as truthfully and accurately as possible. Inclusion of the gallows in her selection of drawings was clearly inspired by this view to sketch what she saw and because it was centrally part of the Cape colonial landscape in every sense of the word. Its prominent location suggests that the wooden scaffold structure could not be ignored, but it was historically a visible reminder of VOC rule and what colonial rule represented and stood for in general. Moreover aesthetically, it was part of Cape Town's architectural design and the enclosed space (walled-in) gave it an uncanny status that it was a cleansing ground that rid society of criminals and transgressors.



**Figure 5**  
**Colonial Cape Town and the Gallows as depicted by Lady Anne Barnard**  
(source: *Lady Anne Barnard's Watercolours and Sketches*, 2009).



The comment made by Lady Anne Barnard about the gallows was quite riveting, but also very poetic and profound. “Life was abridged by the gallows...on a high ground hard by the entrance to the castle, it froze my blood at first, but Habit hardens the nerves, I hope without hardening the heart” (Anderson 1924: 25). These are the words expressed by Lady Anne Barnard in her personal letters when she related how a slave had murdered his master in an act of revenge when he refused to grant him a Sunday off. The slave was apprehended and executed “by the gallows an hour after the affair happened, to deter others”. In this case, justice was not only swift, but moreover cruel and violent, a hallmark of eighteenth century, colonial South Africa.



**Figure 6**  
**The Gallows as depicted by Lady Anne Barnard**  
 (source: Lady Anne Barnard’s Watercolours and Sketches, 2009).

The sketches depicted in figures 5 and 6 of the gallows were drawn by Lady Anne Barnard over a period of time between 1797 and 1802. There are resemblances, but they were in fact different sketches altogether. Figure 5 formed part of the *Panorama of Cape Town*, whereas the one in Figure 6 was different in terms of its immediate surroundings and is effectively an enlarged version of the gallows, the wheel and the impaling spike. The street in front of the Castle that runs between walls of the execution site and the Castle was known as Keizergracht, now named Darling Street. The street activity appear, very busy and the portrayal of male and female characters which were either slaves or Khoikhoi suggests that the Cape was still a cosmopolitan city, where all, including slaves, “enjoyed” some kind of freedom. There is also a striking contrast between freedom, near-death and death. The relaxed mode in which the characters are represented indicates freedom, while the actual structure of the gallows being enclosed suggests that life is short and that it can be ended in a violent manner. And finally, once

those sentenced to death have entered the four walls of the enclosed area, and had been walked to the gallows, death was the ultimate and final outcome. And the person to bring about death was none other than the executioner.



**Figure 7**  
**The Government Hangman as sketched by Lady Anne Barnard**  
(source: *Lady Anne Barnard's Watercolours and Sketches*, 2009).

The “Government Hangman”, as Barnard referred to him, is indicative of her continued focus on art and the law. Edgerton (2003: 246) refers to executioners as “adjuncts to the judicial system”. Barnard had sketched the executioner in a posed position holding a rope and indicating the noose of the rope. In the background is depicted the gallows and an image of a hanged person. Though the name and identity of the executioner are not mentioned by Barnard as she had done with most of her sketches, she stated that he was married to one of her servants and under-cook. He was therefore part of her household and she presumably kept his identity a secret. Though not mentioned by name, she described his demeanour as one “who had one of the best, most spirited and sweetest countenances I had seen amongst the Slaves”. In her journal, Barnard then penned the credentials of the hangman as follows:

“He was a hangman of the Government, and as such wore Regimentals – he was much respected as he never distressed the criminals who were to be executed by any blunder, but hanged them up in a far *Superior Style* as I was told to his predecessor – he made an excellent husband to the most frightful woman it was possible to suppose but she was his choice” (Robinson 1994: 211).

Samuel Edgerton (2003: 249) relates that in most communities, “professional executioners endured an unusual status in the communities which they served” and many had become an enigma in communities. This enigmatic image of the “Cape Hangman” was also created by Barnard. By not naming his identity, she created some sort of mystery about the executioner or she simply protected his identity to prevent future reprisals by angry individuals.

From what Barnard mentioned, this executioner had perfected the art of hanging, assuming, of course, that many botched or bungled hangings also occurred in the past. Dwight Conquergood, for instance, argued that executions were indeed a skill which required “a mastery of technique, and none guarantees a death that is quick, painless and clean. Hanging involves an intricate calculus between the length of the rope and the weight of the prisoner. If the drop is too short, the neck is not broken, and the condemned kicks and writhes in the agony of slow strangulation. If the drop is too long, the head is ripped off” (2002: 361). The way in which Barnard included the rope held by the hangman, suggests that he was indeed a skilful executioner and that the painting did in fact support what she had written in her journal about him.

The man was presumably of slave origin or from a community of freed slaves, known as free blacks or *vrij swarten*. With limited occupations available to freed slaves, many entered the service of the VOC either as assistant executioners or fully-fledged executioners. An executioner was a salaried occupation and employed by the VOC. Victor de Kock lists the amount of *rijksdaalders* (Dutch currency) earned by an executioner during the VOC period for performing certain tasks in accordance with the sentences imposed by the Court of Justice. Breaking limbs earned the hangman 12 *rijksdaalders* (rds), pinching with red-hot thongs 4rds, burning 12 rds, decapitating 8 rds, hanging 8 rds, strangling 6 rds, torturing 10rds, chopping off the hand 4rds, scourging 3rds, placing the rope round the neck under the gallows 2 rds, branding with iron 1 rds, scorching 2 rds and transporting the body to another location following the execution 3rds. In addition, an executioner earned a salary of f.18, board money s 12; 3 cans arrack, 4 loaves of bread and 92lbs meat. His assistant earned half (De Kock 1963: 167).

As for the Cape, neither Rach nor Barnard captured and produced what one would interpret as “live” execution scenes, in the sense that they incorporated into their sketches the assembly of large crowds, the executioner about to execute criminals and so forth. Their depictions of the gallows, were far less dramatic than those produced by other artists in Europe. For instance, Thomas Rowlandson’s portrait of *An Execution outside Newgate Prison in 1790* had all the ingredients of a spectacle, namely, large cheering crowds, a scaffold, ropes tied around the necks of the prisoners and the presence of an executioner (Bender 1987: 240). The same applies to a drawing by Annicale Caracci, entitled, *A Hanging, c1599*, depicting the execution of two criminals watched by onlookers (Edgerton 2003: 249). Barnard could have been more creative and informative with her sketches especially since she, on more than one occasion, by her own admission, witnessed how a slave was hanged. Perhaps this was deliberate and a matter of choice on her part as an artist not to sketch human beings being hanged or tortured. This would certainly have made her sketches of the gallows more dramatic, even if she had used her imagination and based on former recollections. After all, in her journal, she relates how she had witnessed the hanging of a slave that had murdered his master. In the end, she was perhaps not as loyal to her initial intention to be impartial, but had strategically made politically-correct decisions. More importantly, she decided what she wanted to sketch and what to ignore. Hans Heese, for instance, cited several cases of slave hangings occurring under the auspices of the British flag between the years 1798-1800 (Heese 1994). Barnard had certainly known of or even witnessed some executions, especially since each execution was accompanied by some kind of military parade and protracted rituals that presumably brought the usual activities in

the city to a halt. Had she sketched, for instance, the hanging of the slave, she would have in fact compromised the British government at the Cape of which her husband was the Colonial Secretary. Ironically, she preferred to sketch the “Government Hangman” in full colonial garb holding a rope, which suggests that executions were still rife and that the *status quo* as far as executions were concerned, was maintained by the British.

## Epilogue

On 15<sup>th</sup> February 1990, shortly after the release of Nelson Mandela from prison, he addressed a large crowd that gathered on the Grand Parade, near the Cape Castle. It was not far from the former execution site where the lives of several men and women of different colonial identities were ended in a brutal manner by a rope and watched by onlookers. On this occasion, however, the crowds had gathered not to watch an execution, but arrived to see an iconic individual who not only brought freedom and democracy to South Africa, but also paved the way for the adoption of a constitution and Bill of Human Rights that outlawed the death penalty and all forms of torture as practised before by the state and its associated agencies. Sadly, however, despite the abolishment of capital punishment, South Africa is still a violent country and a sick society, still presumably haunted by an equally violent and dark colonial past. Even for a sophisticated lady like Lady Anne Barnard, living in violent society had gotten easier with time. “It froze my blood at first”, said Lady Anne Barnard, when she first saw the gallows, “but Habit hardens the nerves, I hope without hardening the heart”.

If we accept, as shown by other scholars, notably, Benjamin Myers (2009) and Kirk Fuoss (1999), that executions were indeed crowd-pullers, similar images were not portrayed in the art of Rach and Barnard. The manner in which both represented the gallows in their drawings and sketches suggests that the scaffold was merely an ornament or relic of a former world, yet it was certainly not the case in reality.

The fusion of the written record and visual images, as the recent literature suggests, especially the rapid emergence of visual pasts or “visuality”, has clearly added another dimension to our understanding of the past (Hays and Bank 2001: 5-6). Convergence of the written record and visual images reopens a new debate from a socio-legal perspective highlighting the unequal relationship between powerful and powerless and martyrs and murderers. Therefore, visual constructions of the gallows by colonial artists and the added blow-by-blow archival accounts of the condemned have given scholars a new perspective on the Cape as a colonial society and how it was actually in line with other major colonial cities around the world during the eighteenth century. By the early eighteenth century, as the Dutch entrenched their presence at the Cape, as Spierenburg has shown, Cape Town had joined European cities, notably, Paris, France, Amsterdam, the Netherlands, Ansbach, Germany, London, England and Seville, Spain as those cities that embraced public executions (Spierenburg 1984: 52-55). The documentary evidence of recorded cases that appeared before the Court of Justice, the variety of sentences imposed by the Court of Justice, the manner in which, particularly, slaves and Khoikhoi were put to death and the images in the form of art as depicted by Johannes Rach and Lady Anne Barnard of the gallows, suggests that the Cape of Good Hope had evolved into the “Cape of Execution”.

Finally, I wish to end by quoting Lionello Puppi, having made an important observation to suggest that artists were in fact “informers”. He writes, “So the Western artist, even without wanting to, became the most eloquent of informers on the horrors perpetuated in the name of sovereign laws imposed by a Power which took the form of a ‘*merum imperium*’ a Power that asserted its intangible privileges through the ritual of horror orchestrated within unspeakable misery and profuse wealth of the city” (1991: 58-9).

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