CHAPTER 5
PUBLIC WORKS, BENTHAM & THE ‘LESS ELIGIBILITY PRINCIPLE’

‘Human institutions are borne down by the calamitous visitations of Providence. Self preservation is the first Law of the Nature, and people will plunder and commit excesses when deprived of all other means of subsistence, rather than starve’. – James D. DeVitre, Kaira Judge, 1824.¹

When the monsoon failed and the crops withered many people were forced to leave their homes in search of subsistence either as migrants or criminals. To prevent this and protect its revenues, the Government was forced to offer employment on road and irrigation works. Yet the abolitionists of England criticised the Poor Law’s provision of state employment to the able-bodied poor as doing more harm than good in the long run. They demanded that the state take a laissez-faire stance of refusing to offer employment so as to foster self-reliance and industriousness amongst the able-bodied poor. The Bombay administrations of the 1820s and 1830s had to decide how far this new ideology was to influence their traditional means of relieving suffering amongst the able-bodied.

Public works in India.

Prior to the rise to dominance of reformist ideology in the British Indian governments of the early nineteenth century, both Indian and British rulers had provided the able-bodied poor with employment on public works as a relief measure. The Madras administration had opened public works for ‘the support of the famine-stricken’ in the 1791 famine.² It had once again provided employment to the poor in the 1806-7 drought.³ The Bombay administration had opened public works for the relief of the drought-stricken poor in the 1802 famine.⁴ The Gaekwad Government had ensured

¹ J. D. DeVitre, Kaira Judge, to Sec to Govt, 20 Jul 1824, BGP, 4 Aug 1824, pp. 4230-1, APAC.
⁴ Indian Famine Commission Report, 1880, pp. 9-10.
that people ‘were employed and paid in grain’ during the 1803-4 famine in Surat district.\(^5\)

The Bombay administration of 1823-5 continued the tradition of offering employment to the able-bodied poor on public works. It established irrigation projects on water tanks and wells,\(^6\) and opened works for the construction of roads.\(^7\) So too did the Bombay administrations of 1831-5 and 1838-9. The provision of employment to the able-bodied who were rendered destitute by the drought was a policy common to all three administrations.

Indeed, the offer of public works employment was a cornerstone of British famine-relief policy throughout the nineteenth century. Sharma has noted that the North Western Provinces administration offered employment to the indigent during the 1837-8 famine.\(^8\) Currie has found that both the Bombay and Madras administrations provided public works relief during the 1876-8 famine.\(^9\) McAlpin has noted that the Bombay administration offered employment to the destitute during each drought between 1876 and 1919.\(^10\)

*The ‘right to subsistence’ in England, abolitionism, and the ‘less eligibility principle’.*

In England the Government had formally recognised the need to provide employment to the poor in times of dearth in its Poor Law of 1601.\(^11\) It was a decentralised form of state relief. The employment was organised locally through parishes and was funded locally by the levy of a poor rate.\(^12\) The Act continued into the early nineteenth century, with some changes, as a foundation of the English state’s treatment of the

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\(^6\) Mr. Spry, 1\(^{st}\) Asst Surat Cltr, 19 Aug 1867, in ibid, p. 59.

\(^7\) Saville Marriott, Nthn Konkan Cltr, to Sec to Govt, 22 Jan 1824, BRP, 11 Feb 1824, pp. 647-51, APAC; and J. H. Cherry, Nthn Konkan Cltr, to Sec to Govt, 11 Oct 1824, BGP, 27 Oct 1824, pp. 6110-1, APAC.


\(^11\) Select Committee to consider the Poor Laws, Report, PP 1817 (462), p. 4.

poor. The Act recognised the right to subsistence of the able-bodied English poor. The term ‘English’ is used here instead of ‘British’, because the Scottish Poor Law did not include a provision of employment for the able-bodied poor.

It has been shown in the third chapter that the Poor Law of England came under intermittent attack in the late eighteenth and early nineteenth centuries. The abolitionists argued that state employment of the able-bodied poor encouraged state dependence and thereby promoted poverty. They therefore challenged the moral economic assumptions of the Poor Law. Malthus, for instance, argued that the able-bodied poor had no inherent right to subsistence. He asserted that by guaranteeing them that right, the state was in fact creating rather than alleviating poverty. The public workhouses of England, he claimed, were undermining the independence of the able-bodied poor. The self-reliance of the able-bodied poor was the only real solution to the problem of poverty. Only they could guarantee their daily bread, and only through the application of their own independent industry. These values would best be stimulated through the abolition of the Old Poor Law’s provision of relief for the able-bodied poor. He argued that ‘nothing perhaps would tend so strongly to excite a spirit of industry or economy among the poor as a thorough knowledge that their happiness must always depend principally upon themselves’. The threat of starvation should once again be made to spur the poor into industriousness. The Select Committee to consider the Poor Laws made the same recommendations to Parliament at the height of the abolitionist movement in 1817. It proposed that the Government should reduce its support of the poor to stimulate their ‘habits of industry’ and encourage ‘self-support and independence’. It was not that public employment necessarily encouraged idleness specifically in the relief workers, because labour was demanded in return for relief. But it was the certainty that public relief could always

13 Select Committee to consider the Poor Laws, Report, PP 1817 (462), p. 16.
17 Select Committee to consider the Poor Laws, Report, PP 1817 (462), pp. 4, 5.
be called upon to avert starvation that, in the eyes of the abolitionists, undermined the independent labourer’s efforts to remain independent and industrious.

Furthermore, it has been shown in the third chapter that the distinguishing feature of Malthus’ position within the abolitionists’ camp was his population theory. He argued that the certainty of state support led many impoverished persons to marry and have children before they were financially capable of independently feeding the extra mouths that they were bringing into the world. He argued that this was a system for breeding state dependants. The increased fertility amongst the poor would create a surplus of labourers and drive down wages. Thus the Poor Law was deepening the poverty of the poorest section of society – the very people it was designed to assist. He therefore proposed, among other things, that the Poor Law’s provision of employment for the able-bodied poor be abolished. He argued that ‘if they obey their passions instead of their reason, or be not industrious and frugal while they are single to save a sum for the common contingencies of the married state, they must expect to suffer the natural evils which Providence has prepared for those who disobey the repeated admonitions’. 18

Another concern of the abolitionists was that private employment was typically far more efficient and productive than public employment, and that the Poor Law was taking funds from wealthy employers and spending them on inefficient public employment. A far more productive arrangement would be to return the poor rates to their rightful owners, who would in turn spend these funds on privately employing the poor. Malthus contended that the English public workhouses were an inefficient distribution of resources away from the more ‘industrious’ class. 19 The 1817 Committee expressed this concern with a hint of Adam Smith’s ‘invisible hand’. It stated that ‘by following the dictates of their own interests’, employers such as ‘land owners and farmers become, in the natural order of things, the best trustees and guardians for the public’. 20 The Committee argued that public employment of the

20 Select Committee to consider the Poor Laws, Report, PP 1817 (462), p. 10.
poorest section of society was a relatively ‘wasteful application’ of resources.\footnote{\textit{Ibid}, p. 18.} It argued that the funds that were raised from the pockets of the more ‘industrious class’ to support the poor in public employment would be ‘applied more beneficially’ and efficiently in the form of private employment of the destitute.\footnote{\textit{Ibid}, p. 4.} Thus it contended that the Poor Law reduced ‘the real wages of free labour’. But even worse was the prospect that this might start a vicious cycle. As the provisions of the Poor Law further impoverished the poor, more and more destitute people would reach out to the state for support, which would increase the burden on ratepayers and draw even more funds out of the private sector into inefficient public employment. This, the Committee fretted, might one day pull down into poverty the ‘smaller capitalists themselves … by the burthen of the assessments’.\footnote{\textit{Ibid}, p. 18.} The Poor Law’s provision of employment to the able-bodied poor should, the Committee argued, be abolished as soon as possible.

The Committee’s recommendations received support from a number of abolitionists, one of whom was notably the eminent political economist David Ricardo.\footnote{R. Cowherd, \textit{Political economists and the English Poor Laws: a historical study of the influence of classical economics on the formation of social welfare policy}, Athens, OH: Ohio University Press, 1977, pp. 113-14; and J. Garraty, \textit{Unemployment in history: economic thought and public policy}, New York: Harper Colophon, 1978, p. 71, both cited in Bernard Harris, \textit{The Origins of the British Welfare State: Social Welfare in England and Wales, 1800-1945}, Palgrave Macmillan, Basingstoke, 2004, p. 33.} Ricardo believed that the Poor Law’s provision of employment to the poor was less productive than private employment, undermined their industriousness and independence, and irresponsibly encouraged population growth.\footnote{Poynter, p. 244.} The lawyer and scientist James Ebenezer Bicheno also wrote in 1817 that the Poor Law encouraged premature marriage, removed the threat of starvation as a spur to industriousness, and undermined the self-reliance of independent labour. He argued that, morally, it was more honourable for an independent man to be compelled to work by the drive to survive than for a dependent man to be compelled to work by another.\footnote{Poynter, pp. 231-2.} Only a year earlier Mrs. Marcet had done much to popularise the abolitionists’ case in her \textit{Conversations on Political Economy}.\footnote{\textit{Ibid}, pp. 237-9.} The Reverend Thomas Chalmers also

\begin{footnotes}
\item[21] Ibid, p. 18.
\item[22] Ibid, p. 4.
\item[23] Ibid, p. 18.
\item[24] Poynter, p. 244.
\item[26] Poynter, pp. 231-2.
\item[27] Ibid, pp. 237-9.
contributed to the debate in 1817 with the argument that the laws of nature made no
guarantee of subsistence to the poor, and that their own diligence was the best means
of averting starvation.\textsuperscript{28} John Davidson wrote in support of Malthus’ arguments
against public employment in 1817. The guarantee of relief, he argued, offered a
‘pressing invitation to be idle’, and should be gradually abolished over ten years.\textsuperscript{29} In
fact, by this year of 1817 the abolitionist movement had reached the pinnacle of its
popularity.

However, with specific regard to public works employment the abolitionists’ leader,
Malthus, was somewhat less dogmatic. One of the abolitionists’ main concerns with
public employment in general was that it might compete with independent labourers
and thereby undermine their independence. The manufactures produced by state
dependants might flood the market and drive down prices, and thereby reduce the
wages of independent labourers. This could in turn make it more difficult for them to
remain self-reliant. Interventionists like Craig, Jerram and Brydges argued in favour
of employing the poor on public works, such as roads and bridges, as a means of
relieving the poor whilst avoiding this abolitionist concern.\textsuperscript{30} Malthus himself even
supported the concept of public works employment in his \textit{Principles of Political
Economy} published in 1820.\textsuperscript{31} Yet in this argument Malthus was unsure, and he
changed his position more than once. Poynter has noted that Malthus had only
cautiously recommended public works in 1820, and that this recommendation was
absent in the 1817 edition of his \textit{Essay on Population}. In this edition Malthus stuck to
his general argument that the only salvation for the poor was to be found in their
independent efforts.\textsuperscript{32} Indeed, in a letter to Ricardo in 1817 Malthus had rejected
public works employment as a means of providing effective relief to the poor.\textsuperscript{33}
Malthus reiterated his misgivings in 1827. In response to a query from the Select
Committee on Emigration regarding the effectiveness of public works as a relief
measure, he stated that ‘it relieves them for a short time, but leaves them afterwards in

\textsuperscript{28} Ibid, pp. 234-5.
\textsuperscript{29} J. Davidson, \textit{Considerations on the Poor Laws}, 1817, pp. 58, 62, cited in ibid, pp. 233-4.
\textsuperscript{30} Ibid, pp. 255.
\textsuperscript{32} Poynter, pp. 226-7.
a condition worse than before’. 34 Ricardo agreed with the position Malthus took in 1817. He was adamant that capital spent by the state on employing the poor was merely capital diverted from the more efficient channels of private employment. 35 Ricardo, and to a lesser degree Malthus, disapproved of public works for the same reasons that they rejected public employment of the poor in general. Self-reliance remained a consistently prescribed remedy for their misery.

Huzel has asserted that the proposed abolition of the Poor Law, particularly that proposed by Malthus, was a position of ‘extreme laissez-faire’. 36 In the eyes of the abolitionists the Government was unable to eliminate poverty, and its efforts to do so only made matters worse. The 1817 Committee conceded that the Government might be able to employ small numbers of ‘wandering persons’ with ‘beneficial consequences’. But it argued that finding employment for every person in need was beyond ‘the power of any law to fulfil’. 37 Non-intervention, to the abolitionists, was the only responsible policy.

The abolitionists’ demands sparked moral outrage amongst the defenders of the Old Poor Law. They saw any challenge to the right to subsistence of the poor as inhumane. Much of their writing was in reaction to abolitionist publications and bills. William Cobbett and Francis Place both defended the right of the poor to subsistence against the writings of Malthus. 38 Piercy Ravenstone claimed in 1821 that ‘the claim to relief … is the right of the poor, to grant it with alacrity is the duty of the rich’. 39 In reaction to James Scarlett’s abolitionist Bill of 1822, Calcraft, Courtenay and General Sir R. Wilson protested that the right to subsistence was ‘a fair and reasonable claim before God and Men’. 40 Likewise, Sir Francis Burdett and William Cobbett reacted to the 1834 Amendment Act with assertions of the right to relief of the poor. 41

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35 Sraffa, , p. 543.

36 Huzel, p. 433.

37 Select Committee to consider the Poor Laws, Report, PP 1817 (462), p. 17.

38 Poynter, pp. 262-3, 266.


41 Ibid, p. 323.
The revisers took a position in between the abolitionists and the defenders of the Old Poor Law. Bentham, for instance, accepted the abolitionist concern that by guaranteeing relief to the able-bodied poor the state was undermining the self-reliance and industriousness of the independent labourer. Yet he rejected the abolitionist solution of removing the Poor Law entirely. He did not go so far as to admit a right to subsistence for the poor, propounded by the defenders of the Old Poor Law. But he did join them in considering the abolitionists’ solution inhumane or, in his terms, contrary to the utility principle.

Bentham’s answer to the abolitionists’ criticisms of the Poor Law was the ‘less eligibility principle’. The state was to offer to the dependant only a limited relief that would provide less comfort than the living standards enjoyed by the lowest independent labourer. In Bentham’s words, the principle involved ‘rendering the condition of the man of industry in appearance more eligible than that of the man of no-industry; it consequently tends to dispose men to embrace the former condition in preference to the latter’. The work of the state dependant was to be unpleasant and laborious, and the workhouses were to act as a deterrent to those contemplating state relief. His solution enabled the state to be content in continuing to offer humanitarian relief to the able-bodied poor without the concern of undermining their independence and deepening their poverty in the long run. In this sense Bentham had found a middle ground between the non-intervention of the abolitionists and the intervention of the defenders of the Poor Law.

Yet Bentham may not have had such a formative influence on the revisers’ movement or on the solution that they found to the problem of the Poor Law in their 1834 Amendment Act. Indeed, Bentham had written his thoughts on the Poor Law in the late 1790s, several decades before the revisers’ movement gained momentum in the 1820s and before the passing of the 1834 Amendment Act. Finer has argued that one of the 1834 Amendment’s main architects, Edwin Chadwick, had brought other

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44 Ibid, p. 122.
influences to the table than merely his Benthamite heritage. Conway has agreed that Chadwick was not only influenced by Bentham in his recommendations to the 1832-4 Royal Commission.

However, the proposals of the Royal Commission do bear strong similarities to Bentham’s writings of several decades earlier. In 1834 it presented the ‘less eligibility principle’ as its guiding light. It argued that ‘every penny bestowed, that tends to render the condition of the pauper more eligible than that of the independent labourer, is a bounty on indolence and vice’. It stated that ‘the first and most essential of all conditions’ was that the situation of the state dependant ‘shall not be made really or apparently so eligible as the situation of the independent labourer of the lowest class’. To deter potential state dependants it recommended minimum wages. The labour was to be ‘irksome’, and offered only in a workhouse. Within these workhouses, ‘the restrictions to which the inmates are subject in respect to the use of acknowledged luxuries, such as fermented liquors and tobacco, are intolerable to the indolent and disorderly’. State dependence was to be made an unattractive condition. This, the Commission argued, was to be a ‘self-acting test of the claim of the applicant’.

Poynter has noted that several revisers – such as Clark, Craig, Copleston, Courtenay and Nicoll – offered various expressions of the ‘less eligibility principle’ in the late 1810s. These individuals could be seen as continuing Bentham’s message rather than as competing influences on the 1832-4 Commissioners. But Poynter has argued that only Bentham had presented the principle as a response to the abolitionist case. Conway has noted that a number of the Royal Commissioners were Benthamites. These included Walter Coulson, Bentham’s former stenographer, and Chadwick who

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49 Ibid, p. 129.
51 Poynter, p. 283.
was Bentham’s secretary in 1831 and 1832.\textsuperscript{52} Sidney and Beatrice Webb have also pointed to a number of other Assistant Commissioners who displayed Benthamite tendencies.\textsuperscript{53} As Poynter has concluded, Bentham may have had little direct influence on policy in England, but he had considerable indirect influence through his disciples. The similarities between Bentham’s exposition in the late 1790s and the principles of the 1834 Amendment Act are so striking that ‘the onus of proof is surely on those who would deny Bentham’s influence’.\textsuperscript{54}

The revisers certainly shared the abolitionists’ concerns regarding the Poor Law. Yet they considered their solution of abolition to be too extreme and offered the more moderate solution of a continued, but limited, intervention. The revisers believed that their solution answered the concerns of the abolitionists. The 1834 Royal Commission argued that the parishes in which the principle of ‘less eligibility’ had been applied had ‘arrested the increase of the population’.\textsuperscript{55} Moreover, it argued that the application of the principle had stimulated an exodus of poor people out of state dependence into independence, which had reduced the burden of the poor rates on the wealthier classes and in turn improved wages for the poor.\textsuperscript{56}

Both the revisers and the abolitionists were proponents of reform. The former were the more moderate and the latter the more radical. The reform movement was not merely characterised by the notion of \textit{laissez-faire} and its dogmatic application to every possible issue. As Conway has noted the reform movement typically demanded less government interference in trade, but more interference in many aspects of society.\textsuperscript{57} The 1834 Amendment Act was certainly a reform of the Poor Law. By limiting the degree of relief offered to the poor it was step in the abolitionists’ direction of non-intervention, albeit a step considered too small by the abolitionists.

Yet while relief had been restricted in an economic sense, from an administrative perspective the degree of intervention had in fact been increased. Prior to the 1834 Amendment, the Poor Law had been implemented by the many local parishes

\textsuperscript{52} Conway, pp. 78-9.
\textsuperscript{54} Poynter, p. 327.
\textsuperscript{55} The Royal Commission of Inquiry, 1834 (44), p. 134.
\textsuperscript{56} Ibid, p. 133.
\textsuperscript{57} Conway, p. 71.
throughout England with remarkable variety. The Old Poor Law was more a set of guidelines than a strict set of laws followed to the letter. The New Poor Law, however, imposed greater uniformity on the local parishes. This no doubt offended the non-interventionist prejudices of the abolitionists. As Poynter has noted, the debate surrounding the 1834 Amendment was ‘concerned as much with government as it was with poverty’.  

_Bombay practice in the 1820s and 1830s: the revisers’ influence in the policy of minimal wages._

The Bombay administrations of the 1820s and 1830s consistently offered public works employment to the able-bodied poor during drought. This went against the recommendations of the abolitionists. Yet the Bombay administrations also consistently offered only the most minimal of wages to their labourers. In 1824 the non-interventionist Pottinger assured his superior that he would offer only a ‘bare subsistence’ to his labourers that would be ‘just … enough to preserve life’. In 1833 Arbuthnot stated that the daily wages he offered his public works labourers was ‘barely sufficient to give them food for one day’. Pringle reported that the allowance he intended to offer his workers would be ‘limited to a bare subsistence’. In 1838 the Acting Secretary to the Bombay Council, William Sprott Boyd, recommended employing the able-bodied poor at Belgaum but only ‘so much as to keep them from starvation’. Wages were consistently kept to a bare minimum throughout the 1820s and 1830s.

This policy did have the benefit of limiting relief expenditure, and frugality in expenditure was valued by the Bombay administrations. Governor FitzGibbon, for instance, reminded a Collector in 1833 of the cost involved of supporting large numbers of the able-bodied poor ‘even on the lowest scale of wages’. In 1839

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58 Poynter, p. 316.
60 H. Pottinger, Ahmednagar Cltr, to Deccan Cmr, 24 Sep 1824, BGP, 13 Oct 1824, p. 5781, APAC.
61 R. K. Arbuthnot, Bagulcota Sub-Cltr, to Act Dharwar Cltr, 13 Jun 1833, BRP, 10 Jul 1833, No. 3794, APAC.
62 R. K. Pringle, Sholapur Sub-Cltr, to Poona Cltr, 9 Jul 1833, BRP, 31 Jul 1833, No. 4206, APAC.
63 Memorandum by W. S. Boyd, Act Sec to Govt, no date given, BGP, 7 Nov 1838, No. 54, APAC.
64 L. R. Reid, Sec in Attendance with the Right Hon’ble the Governor, to Act Dharwar Cltr, 22 Jun 1833, BRP, 10 Jul 1833, No. 3795, APAC.
George Coles, the Acting Broach Sub-Collector, reported that the able-bodied indigent had agreed to work ‘at a very low rate’, and that the proposed work would be ‘executed cheaply’. Thus the minimal wages policy might have been followed merely to reduce costs without any ideological influence. This possibility could be confirmed to a degree if the same policy had been followed by the western Indian rulers that had reigned before the rise of reformist ideology in England and India. Unfortunately a lack of information on this matter precludes such an analysis. But even if the Bombay administrations of the 1820s and 1830s were continuing an old policy in offering minimal wages, it will be argued that the reasons offered by the officials for their policy of minimal wages indicate that reviser ideology had at least joined, if not surpassed, fiscal expediency as a driving force in policy. Indeed, the two need not be mutually exclusive, for the 1834 Royal Commission was quick to note that its application of the ‘less eligibility principle’ to the Poor Law was sure to reduce the poor rates.

Yet as important as the limitation of relief expenditure was to the officials of Bombay, it was seldom the reason given by those who recommended minimal wages. In 1833 Robert Arbuthnot offered the distressed able-bodied individuals in his district employment at a daily wage that was ‘rather less than sufficient to afford food for one day to each individual’. Arbuthnot was not a cold-hearted man, as only one month earlier he had recommended that the state charitably intervene to provide relief for his district’s impotent poor. Yet he intentionally set the wages of his labourers so low that ‘unless they are either starving or totally incapable of obtaining employment, in other ways, I cannot conceive them willing to engage upon such terms’. This limited offering of relief certainly reduced the Government’s costs. But Arbuthnot hinted that the main reason for his policy was to deter state dependence. Thus his policy of offering minimal wages was an expression of the revisers’ ‘less eligibility principle’. He later happily reported that thanks to an improvement in the weather, ‘applications

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65 G. Coles, Act Broach Sub-Cltr, to Act Surat Cltr, 24 Apr 1839, BGP, 15 May 1839, No. 503, APAC.
66 The Royal Commission of Inquiry, 1834 (44), p. 130.
67 R. K. Arbuthnot, Bagulcotah Sub-Cltr, to Act Dharwar Cltr, 3 Jul 1833, BRP, 31 Jul 1833, No. 4329, APAC.
68 R. K. Arbuthnot, Bagulcota Sub-Cltr, to Act Dharwar Cltr, 13 Jun 1833, BRP, 10 Jul 1833, No. 3794, APAC.
69 R. K. Arbuthnot, Bagulcotah Sub-Cltr, to Act Dharwar Cltr, 3 Jul 1833, BRP, 31 Jul 1833, No. 4329, APAC.
for work have been fewer arising’, and that this confirmed his belief that the potential workers would not want to work ‘upon the terms that … I fixed unless they had no other means of maintaining’. Thus, under Arbuthnot’s policy of offering the most minimal of wages, he believed that only those who were in true need of state support had come forth.

Similarly, in 1833 the Collector at Dharwar, Josiah Nisbet, reported distress in the towns of Dharwar and Belgaon. He requested the Council’s sanction for his having employed the local able-bodied poor at ‘a low rate of hire’. Nisbet was an interventionist humanitarian; his preferred charity policy was to offer gratuitous support to the local impotent poor. Yet for the able-bodied poor he was recommending only a limited intervention. Nisbet was aware of the abolitionists’ concerns that public employment of the poor would encourage state dependence. He subscribed to the administration’s official solution to this possibility by offering only minimal wages. He reported that he had offered the workers ‘rates of hire considerably below what is usual’ ‘in order to prevent labourers being drawn off from agriculture’. Thus Nisbet believed that the policy of minimal wages ensured a minimal effect on the labour market and curbed the promotion of state dependence. Like Arbuthnot, Nisbet hinted at the need to deter state dependence when the rains returned. He stated that offering only minimal wages ensured that the demand for public works employment ‘may not last longer than the distress’. Here, in the form of minimal wages, was the revisers’ solution of ‘less eligibility’ to the concerns raised by the abolitionists.

The above examples are from the 1831-5 drought. Yet the 1823-5 and 1838-9 administrations were driven by the same abolitionist concerns and revisionist solution. They offered minimal wages to deter state dependence. Wages were not merely intended to be set low, as would be the policy of a frugal Government. Rather, they were set with the explicit intention of making them lower than the usual wage earned by an independent labourer. The 1824 Council, which included Elphinstone and Warden, instructed a Bombay engineer to pay his workers ‘the smallest sum which may be sufficient to enable them to provide for their subsistence in grain’. It was to be

70 Ibid.
71 J. Nisbet, Dharwar Cltr, to Sec to Govt, 31 Aug 1833, BRP, 25 Sep 1833, No. 5225, APAC.
‘considerably less than a labourer would conceive in time of plenty’.

In 1838 William Sprott Boyd, as the Acting Secretary to the Council, instructed the Poona Collector to employ his able-bodied indigent ‘on the lowest scale’. In 1838 the interim Governor, James Farish, outlined the conditions of employment that should be offered to the destitute migrants that had recently entered Bombay city. He stipulated that the workers should have ‘the lowest amount of support in grain … which may be sufficient to enable them to work’, and that ‘if they can obtain employment elsewhere it is desirable they should do so’. Farish had been the Secretary to the Council of 1824, which had enforced the same policy. As Governor during the 1838-9 drought he followed a policy of non-intervention toward the grain trade but one of intervention for the charitable relief of the impotent poor. Evidently he concurred with the official public works policy that a limited intervention was the most suitable form of relief to offer the able-bodied poor. This was the limited intervention touted by the revisers. The officials of Bombay in the 1820s and 1830s may have seldom, if ever, referred to the revisers or abolitionists by name when implementing their public works policy. Yet the ideas of these English reformers permeated official correspondence, and provided a good amount of the reasoning behind such policy.

One might question the humanity of offering subsistence wages in exchange for hard labour on the building of roads and irrigation projects. Such hard work required a high calorie diet to replenish the labourers’ strength. Both Commander and Davis have noted the influence of Bentham’s writings on the public works policies of the British Indian administrations of the 1860s and 1870s. Davis in particular has argued that during the 1876-8 Madras famine Sir Richard Temple discouraged state-dependence by setting the Bentham-inspired ‘Temple wage’, which provided fewer calories than Nazi Germany’s Buchenwald concentration camp – 1627 versus 1750 calories.

Much of Davis’ work was a humanitarian attack on the non-intervention and limited intervention practiced by the British Indian administrations during drought. Similarly,

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72 J. Farish, Sec to Govt, to Major E. H. Bellasis, Bombay Engineer, 18 Oct 1824, BGP, 20 Oct 1824, pp. 5881-2, APAC.
73 W. S. Boyd, Act Sec to Govt, to Poona Cltr, 24 Nov 1838, BGP, 28 Nov 1838, No. 94, APAC.
74 Minute by J. Farish, Bombay Governor, 19 Nov 1838, BGP, 21 Nov 1838, No. 125, APAC.
Sharma has found that during the 1837-8 famine of the North Western Provinces, the administration offered to its public works labourers only a ‘bare minimum of subsistence’. He has also noted that the orthodox opinion within the administration that backed the policy of minimal wages was challenged from several quarters, including ‘contemporary medical opinion’. A special committee was formed, which submitted a damning report to the NWP Government in June 1838. It argued that the wages were so low that they allowed for only a very meagre diet, which promoted sickness and physical incapacity amongst the workers.

No such protests against the official orthodoxy of minimal wages emanated from within the Bombay administrations of the 1820s and 1830s. Yet many of the labourers themselves felt that the wages were too low. In 1838 most of the destitute foreign migrants from Kathiawar who had earlier entered Bombay Presidency refused the Government’s offer of employment at a wage of 3½ rupees per month. This pay was very low indeed for the heavy labour required of public works labourers. To provide a context, in 1838 the sweepers of Sholapur civil hospital received Rs. 5 per month for their efforts.

A similar refusal to labour on public works may have occurred in 1833. In late August Nisbet reported from Dharwar that the distress in his district was so great that ‘thousands’ of people were in need of state support in the form of both charity and public works. Only five weeks later C. Tremenheere, the Civil Engineer, reported to Nisbet that a mere 105 labourers had presented themselves as ‘willing to work at the rates mentioned by you’. Nisbet had mentioned another work that had been employing 350 people. Yet the number of labourers that presented themselves to Tremenheere appears small relative to the distress described by Nisbet only five weeks earlier. This and Tremenheere’s statement ‘willing to work at the rates mentioned by you’ indicate that Nisbet’s wages may have been set too low in the eyes

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77 Sharma, Famine, p. 144.
78 Ibid, p. 145.
79 Report of the special sub-committee, appointed on the 7th instant, to inquire into the adequacy of the present allowance, granted by government to the labouring poor at Agra, etc, 13 June 1838, Agra Division, Judicial, vol. 55 (UPRAA) Uttar Pradesh Regional Archives, Allahabad, citied in ibid, p. 152.
80 R. Foster, Supt of Roads, to Act Sec to Govt, 12 Dec 1838, BGP, 19 Dec 1838, No. 50, APAC.
81 J. Glen, Sec to Med Bd, to Act Sec to Govt, 29 Nov 1838, BGP, 12 Dec 1838, No. 83, APAC.
82 J. Nisbet, Dharwar Cltr, to Sec to Govt, 31 Aug 1833, BRP, 25 Sep 1833, No. 5225, APAC.
83 C. Tremenheere, Civil Engineer, to Dharwar Cltr, 5 Oct 1833, BGP, 31 Dec 1833, No. 78, APAC.
of many destitute individuals who were seeking subsistence. Those who rejected Nisbet’s offer of employment may have seen the wages he offered in exchange for hard labour as a death sentence. Yet the response of the reviser to the small turnout would have been much the same as that offered by Arbuthnot – those who refused public works employment must have found other means of subsistence elsewhere, and thus Nisbet’s policy had limited state dependence without causing human suffering.

Yet there was a key difference between the Poor Law of Britain and scarcity-relief in India. The former continually provided relief to the poor, whereas the latter was only made available during subsistence crises. As these crises were typically triggered by droughts there were often no crops for cultivators to harvest, which caused a surplus in the labour market. Thus the prevailing wages of labourers during subsistence crises could often be below subsistence level. The refusal of some people to work on the Government’s public works was therefore not necessarily because they had found work elsewhere, as the revisers and many Bombay officials assumed. Rather, it might have been because the official policy of offering wages below the prevailing rate made for dangerously low wages, particularly considering the heavy labour demanded on the works. Some of those people who refused to labour on the Government’s public works may have simply preferred to die at home, or to make a protest against the Government’s wage.  

Many destitute people accepted employment on the Government’s public works, but intentionally shirked their hard labour obligations. R. Foster, the Superintendent of Roads, complained to the Council in 1839 that the Kathiawar migrants under his employ were avoiding the hard labour demanded of them. Their efforts were ‘almost perfectly useless during the absence of the European officer, as they will pay no attention to the orders of the European overseer and native muccadums, passing their time in a merry idleness, evincing neither gratitude nor obedience’.  

Foster’s assistant, J. H. Burke, complained the next month that the Kathiawar workers under his charge were ‘very indifferent workmen indeed and when I myself am not present do scarcely any thing, they care little or nothing for any individual placed over them

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84 With thanks to David Hall-Matthews for these insights.
85 R. Foster, Supt of Roads, to Act Sec to Govt, 15 Feb 1839, BGP, 27 Feb 1839, No. 48, APAC.
as a muckadum though they are very respectful when I am present’. These workers may have been offering a protest against the Government’s minimal wages, only in a more moderate form than refusing public works employment outright. On the other hand, the slow workers may simply have been conserving their strength as a survival strategy. But such a strategy was no doubt rendered more essential by the meagre wages on offer. In response to both Foster’s and Burke’s observations of slow workers, the Government introduced a task work scheme whereby the workers were only paid for work done. Burke found the results of this scheme to be ‘very successful’. The moderate form of protest was short lived.

*Bombay practice and the limitations of abolitionist influence.*

Malthus’ recommendation of abolishing state employment to the poor may have won a partially devout disciple in western India. In 1833 G. W. Anderson held office as the Acting Dharwar Collector. In response to a report from Arbuthnot, his subordinate, which described considerable distress in Bagulkot town, Anderson instructed him to refrain from immediately offering public works employment. He explained that state relief merely swelled the ranks of those seeking aid. He argued that ‘though a great proportion [of the relief-seekers] may stand in need of assistance, yet a portion do not, and it takes from all, that earnest endeavour to obtain subsistence by personal exertion, which even in the worst times frequently gain its end’. Here was a Malthusian-inspired call for non-intervention. The poor would be more likely to survive if they were left to their own ‘personal exertion’. The ‘earnest endeavour’ of all independent labourers to remain self-reliant was undermined by disingenuous relief-seekers. Anderson joined the Company’s service in 1806. This was the year in which Haileybury was established, so he may or may not have received tutelage under Malthus. Yet Anderson had also recommended to the Council that Arbuthnot offer charitable state relief to the impotent poor. Although Anderson stipulated that this was to be offered ‘judiciously’, he can hardly be classified as a disciple of Malthus with regard to the impotent poor, for whom Malthus recommended private charity only.

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86 J. H. Burke, Asst Supt of Roads, to Supt of Roads, 5 Mar 1839, BGP, 23 Feb 1839, No. 59, APAC.
87 W. S. Boyd, Act Sec to Govt, to Supt of Roads, 23 Feb 1839, BGP, 27 Feb 1839, No. 49, APAC.
88 J. H. Burke, Asst Supt of Roads, to Supt of Roads, 5 Mar 1839, BGP, 27 Mar 1839, No. 59, APAC.
89 G. W. Anderson, Act Dharwar Cltr, to Bagulcotah Sub-Cltr, 8 Jul 1833, BRP, 31 Jul 1833, No. 4329, APAC.
Anderson had further concerns about state interference on account of the able-bodied poor. He brought to Arbuthnot’s attention figures regarding the number of labourers employed on public works by the Mudebehal mamlatdar, which increased from 229 souls on 26 June to 1889 people just five days later. He argued that ‘a great portion of them must have had some previous means of subsistence’ and that these figures were illustrative of ‘the evil of Government interference’. He did not recommend a complete abolition of public works, as Malthus would have done, but concluded his response to Arbuthnot by stating that ‘the rule should be, not to forbid Government aid, but to hold out the least possible encouragement for recourse to it’.  

Thus Anderson, like his colleagues, shared many of the concerns of the abolitionists but, also like his colleagues, stopped short of making abolitionist policy recommendations. Anderson’s recommendation largely remained true to the official orthodoxy of the Bombay administration. This was to offer public works employment but with reviser-inspired limitations on the relief offered, such as with the minimal wage. Yet Anderson’s policy of withholding public works employment for as long as possible was a step toward the abolitionist policy of permanently refusing to offer public works relief. Richard Mills had recommended the same policy of temporarily withholding public works employment in 1825, but this was motivated more by financial than ideological considerations. Of all the Bombay officials in the 1820s and 1830s Anderson was the closest to allowing his abolitionist concerns, which were widely shared in the administration, to drive him into the uncharted territory of actually implementing abolitionist policy.

However convincing the abolitionist arguments may have been against the provision of state employment for the able-bodied poor, the abolitionist policy that logically followed of entirely refusing to support them was almost universally considered impracticable in England. By 1817 abolitionism had become orthodox opinion in English politics. Few challenged the perspective that the Old Poor Law was more a liability than an asset in eliminating indigence. Yet as Poynter has noted, abolishing

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91 G. W. Anderson, Act Dharwar Cltr, to Bagulcotah Sub-Cltr, 8 Jul 1833, BRP, 31 Jul 1833, No. 4329, APAC.
92 R. Mills, Act Nthn Konkan Cltr, Sec to Govt, 18 Mar 1825, BRP, 30 Mar 1825, No. 58, APAC.
the Poor Law outright was a political impossibility. In his words the Poor Law offered the upper classes an ‘insurance against rebellion’. ⁹³ Even the abolitionist 1817 Committee conceded that immediate and total abolition itself was not feasible. ⁹⁴ Thus the need to remove the Old Poor Law and the impossibility of doing so created an impasse in English politics for seventeen years. This was broken by the revisers’ solution in 1834 of providing only a limited relief. Only a restriction, and not a complete removal of relief, was politically feasible.

Similarly, in the Bombay administrations of the 1820s and 1830s abolitionist concerns were widespread to the point of being official orthodoxy. Yet the remedy offered by the abolitionists was just as unpalatable in western India as it was in England. It will be shown in the next chapter that abolishing public works employment was both politically and financially impracticable for the Bombay administrations of the 1820s and 1830s. Given the indispensability of offering public works employment, the most Bombay’s officials could do was to implement the ‘less eligibility principle’ in the form of minimal wages to dissuade all but the truly needy from seeking state relief.

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⁹³ Poynter, p. xxiv.
⁹⁴ Ibid, p. 245.