

Jeremy Bentham on the Relief of Indigence: An Exercise in Applied Philosophy

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This paper will attempt to provide an overview of Bentham's fundamental thinking with regard to the relief of indigence. The manuscripts on which it draws form the texts of unpublished works, namely a set of 'Three Essays on the Poor Laws', which were completed by Bentham, and 'Pauper Systems Compared', which remains in a comparatively unfinished state. In the 'Essays', Bentham considers first the question of whether the relief of indigence should be a public responsibility, and, having concluded that it should, moves on to consider what conditions should be attached to that relief. In 'Systems Compared', Bentham analyzes different systems of provision in terms of their compatibility with these conditions.

While much of interest and relevance in Bentham's thinking on the poor laws will be omitted, there will for instance be no extensive discussion of contract management, it will be argued that the conclusions he draws, while theoretical, inform his own proposals for reform. In particular it will be argued that the liability to labour in return for relief, and the limitation of the extent of that relief to the minimum necessary to sustain health, are fundamental to Bentham's thinking on relief. The relationship between Bentham's conditions of relief and the detailed arrangements for its provision, in privately managed Houses of Industry, is worthy of investigation. How far Bentham believes that extraction of every ounce of usable labour, and retrenchment in expenditure to the point of obsession, are required by his principles of relief, and how far they are required as a consequence of his conviction that only private management is capable of administering a national system of relief, and that such management must be provided with a motive in the form of profit, is a central question, which would require a study in its own right. It will not be directly addressed in this paper.¹

¹ It is undoubtedly true that when Bentham engages with detail in the plan of his pauper panopticon he displays an almost fanatical enthusiasm for deriving value from every scrap of labour, and for the most obsessional cheese-paring. He is also quite explicit about the origins of the profit margin of the National Charity Company; they are to be derived from the systematic exploitation of child labour. Without discussing these issues at length, one observation might be made. The reinstatement of the link between labour and subsistence with regard to the indigent lies at the core of Bentham's philosophical position with regard to poor relief. The conditions of relief are intended to facilitate the employment of labour which, for myriad reasons, is unemployed, or which

To borrow Bentham's terminology, the approach will be largely expository rather than censorial. As Janet Semple demonstrated in all her work, the pre-condition of evaluation is understanding. Poor relief was and remains an emotive subject. This paper will aspire to her standards of dispassionate enquiry, it cannot hope to emulate either her historical sensitivity or her lightness and lucidity of style.

When Bentham turned his attention to the subject of the poor laws at the end of 1795, he was joining a live and heated debate about a burning political issue. The background to the crisis of the poor laws in the mid 1790s is sufficiently well established not to require extensive restatement here. In brief, an hundred years of accelerating enclosure of common land, and the dislocation consequent upon a gathering industrial revolution, had been followed by war against revolutionary France, with its inflationary effects on both the price of corn and on the level of apprehension regarding the threat of domestic Jacobinism. The failure of recent harvests had resulted in widespread distress. In consequence, expenditure on poor relief had risen, was still rising, and, in the opinion of many rate-payers, ought to be diminished.

In addressing the question of poor relief, Bentham found himself confronted with three distinct positions in relation to which he defined his own. To simplify rather, proposals were advanced for, in turn, the abolition of public relief, of which the major advocate addressed by Bentham was Townsend; the fixation of expenditure on poor relief at current levels, which was attracting growing support among rate-payers, and which would, in 1797, be advocated by Eden; and the extension of outdoor relief, as envisaged by Pitt in his bill of 1796,

cannot generate sufficient income, though employed, to maintain itself. The creation of the circumstances in which that labour can be employed requires the collection, organisation and detention of that labour. It requires a national, sophisticated structure, a supplement to the open labour market, precisely because that labour market issues, so far as the indigent are concerned, in their exposure to starvation. Any such structure will be expensive, potentially ruinously so. It is certainly Bentham's contention in 1797 that government administration of his scheme would indeed be inefficient and wasteful, yet the private management of indigence is not essential to Bentham's poor law proposals.

As L. J. Hume pointed out, in his *Bentham and Bureaucracy*, Cambridge, 1981, Bentham viewed contract management as appropriate for many concerns in comparison with the inefficiency of government administration, as it existed. However, Bentham did foresee the situation in which government should assume control over the administration of Industry Houses. For the present, having opted for contract management, it behoves Bentham to establish that such a concern can be run at a profit, and his efforts to establish just that constitute perhaps the major theme of the published *Outline of a work entitled Pauper Management Improved* (*The Works of Jeremy Bentham*, ed. John Bowring, 11 vols., Edinburgh, 1838-43, viii, 369-439). Economy as the object of justice may imply that the system of Industry Houses should break even, in the sense that the indigent should meet the cost of their own relief, as far as possible. Economy as the means to profit is implied by the assumption that only private management can erect and administer a structure complex enough to minister to the needs of indigence without injustice to the self-maintaining, since private management requires the incentive of profit.

which would have given rise to further large increases in relief expenditure.²

In 1786, the Revd Joseph Townsend had published his *Dissertation on the Poor Laws*. Prefiguring in many ways the principles of population of Malthus, Townsend reached the conclusion that the public provision of relief, by rewarding idleness and undermining incentives to labour, could only act to increase misery, not to diminish it. To prevent population from outstripping the resources available for its maintenance, Townsend advocated the abolition of poor relief. Private charity, and private charity alone was the legitimate mode of relief:

To relieve the poor by voluntary donations is not only most wise, politic, and just; is not only most agreeable both to reason and revelation; but it is most effectual in preventing misery, and most excellent in itself, as cherishing, instead of rancour, malice, and contention, the opposite and most amiable affections of the human breast, pity, compassion, and benevolence in the rich, love, reverence, and gratitude in the poor.³

Bentham argued neither for the abolition of relief, nor for the limitation of the poor rates. It was basic to his writings on the poor laws that relief should be available to those who required it. No such entitlement however, could be derived from a natural right to the means of subsistence. Not only was the concept of a natural right anathema to Bentham, but its specific application to the distribution of the means of subsistence would be self-defeating, in so far as the motive force to the production of such means depended precisely on the spur of necessity.

It is here that Bentham's distinction between poverty and indigence assumes central importance, the former being the condition of the vast majority of mankind. 'Poverty is the state of everyone who, in order to obtain subsistence, is forced to have recourse to labour.' As such, poverty is the 'natural, the primitive, the general and the unchangeable lot of man'.⁴ The connection between labour and subsistence was essential, and inescapable. The entire stock of usable resources depended upon the investment of labour; all property, all wealth, the entire social surplus, was the creation of past labour. For Bentham this is not a natural law, simply an incontrovertible natural fact: 'The parentage of Plutus wealth is no secret. He is the child of earth by labour.'⁵ And again, centrally:

² See J. Townsend, *A Dissertation on the Poor Laws*, London, 1971; F. M. Eden, *The State of the Poor: or an History of the Labouring Classes in England*, London, 1797; for Bentham's views on Pitt's bill see *Observations on the Poor Bill, introduced by the Right Honourable William Pitt*, (Bowring, viii. 440-61).

³ J. Townsend, p. 68-9.

⁴ UC cliiia. 1.

⁵ UC cliiia. 107.

The natural and only natural source of the subsistence of every man who has it not in the shape of property in store, is obviously his *own* labour, at least in so far as it is adequate to the purpose.⁶

The defining feature of indigence was the inability to acquire subsistence from this its natural source, either through inability to labour, or despite the investment of labour. The notion of relieving poverty was for Bentham a self-evident absurdity, the relevant question related to responsibility of government for the relief of indigence, for the provision of subsistence to those who without such provision would starve to death.

Neither Townsend nor the advocates of the freezing of relief expenditure posed this question so bluntly, and, as Bentham observes, their implicit answers to it were shot through with ambivalence and prevarication. The logical implication of the abolition of public relief was that some at least of the indigent would starve to death. At times, Townsend gave the impression that he would heartily approve of this eventuality, but at others he simply assumed that the resources of private charity would suffice to prevent it. The proposal for the fixation of the poor rates at current levels did not even address the question. It made no enquiry as to the extent of indigence, merely arbitrarily deciding to relieve whatever indigence may be relieved with a certain sum of money, and abandoning any balance of indigence to its certain fate. For Bentham, the rationale of both abolition and limitation had little to do with any analysis of existing need, it was instead straightforwardly concerned with the desire to save money for the ratepayers:

Some have maintained that there should be no provision at the expence of government by law for the poor, or at least that whatever the existing provision be any where, it should not be permitted to encrease.

Ask the reason, it turns ultimately upon nothing but the magnitude of the present expence: for as to idleness on one part, it is no otherwise an evil than in as far as it necessitates expence on the other.⁷

Bentham's own answer to the question was explicit:

In a civilised political community, it is neither consistent with common humanity, nor public security, that any individual should, for want of any of the necessaries of life be left to perish outright.⁸

Why did Bentham believe that all should be protected from indigence? To put it crudely, why, in utilitarian terms, should it be a bad thing for a proportion of the population to starve to death? After all, this spectacle may provide a salutary reminder to the rest, of the need to apply their shoulders unremittingly to the wheel of industry.

⁶ UC cliia. 5.

⁷ UC cliia. 55.

⁸ UC cliia. 55.

It is in the *Theory of Legislation* that the justification for providing relief at public expense, in terms of the maximization of utility is found. 'For the pain of death . . . would always be a more serious evil than the pain of disappointment which falls upon the rich when a portion of his superfluity is taken from him.'⁹

This direct utilitarian justification is never explicit in the poor law writings, and this absence in itself raises questions. It is arguable that its absence is explicable in terms of Bentham's argument against the abolitionists. In attempting to establish that indigence relief should be a public responsibility, that is, that it should fall within the ambit of legislation, Bentham argues that private charity is not capable of meeting the demand of indigence. Now private charity falls under the sphere of deontology, of private ethics. What Bentham is doing at this point is attempting, using the arguments of the deontologist rather than the legislator, to provide private individuals with motives for making the relief of indigence a public, that is a legislative, responsibility. The direct utilitarian justification may be relevant to the legislator, but it is for deontological arguments to establish that the legislator has a legitimate interest in this field.

Bentham adduces two reasons for relieving indigence, namely 'common humanity' and 'public security'. To address 'humanity' first: humanity as a motive to relieving indigence arises from the sympathetic pain of witnessing the death by starvation of a fellow human being. Townsend would presumably not describe his arguments or his motivations as inhumane, indeed his claim that private charity will succeed in succouring the indigent depends upon the humanity of private donors. Humane concern for the indigent being assumed, the argument directed against Townsend is that having willed the end, the effective relief of indigence, he must will the means, that is public relief to indeterminate levels of expenditure.

If all are to have protection against starvation, private charity must give way to public provision. The indigent cannot be abandoned to the discretion of benevolent individuals, since that discretion makes the chance of relief uncertain. The indigent cannot be relieved from a limited public fund, since the availability of relief must be certain, and there can be no guarantee that the limited fund will be adequate to the level of indigence.

The discretionary element in private charity, and the implication that the opulent will decide who shall be relieved and who shall starve, can only be defended as humane in terms of the assumed capacity of the opulent to distinguish between the 'deserving' and the 'undeserving' indigent. This distinction Bentham rejects absolutely; he is adamant

⁹ *The Theory of Legislation*, ed. C. K. Ogden, London, 1931, p. 132.

that the claim to relief is created by indigence and by indigence alone. Any attempt to differentiate between the thrifty and the profligate, or between the prudent and the imprudent, issues not only in effective capital punishment for the imprudent and the profligate (the explanation of whose vices otherwise than as the result of conscious choice vitiates any imputation to them of desert), but in the extension of this penalty to their uncontroversially innocent offspring:

In many instances an irresistible propensity to drunkenness, an irresistible propensity to debauchery, an utter incapacity of taking thought for the morrow, may like idiocy and other specie of insanity, of which they may be regarded as modifications, be considered as constitutional infirmities: and even when this ground of extenuation does not exist, a penalty severer than felony without benefit of clergy, a lingering death instead of an instantaneous one, seems rather too severe a punishment for imprudence.¹⁰

To repeat: As a motive, humanity is activated by the interest of sympathy. However, since relieving the indigent costs money, the sympathetic interest collides with the pecuniary. Bentham discusses the case of private relief in the *Deontology*:

Egenus is in distress. This distress is observed by Liberalis. By the force of sympathy, the pain felt by Egenus becomes, by means of the manifestation made of it, productive of a correspondent pain in the bosom of Liberalis. To relieve himself from this pain . . . he applies relief to this distress. If for the purpose of applying to Egenus this relief . . . Liberalis puts himself to any expence, in this case as in other cases of expenditure, a competition has place between the interest served by the expenditure and the interest (in this case the pecuniary interest) disserved by it.¹¹

In acting as an explanatory motive for the relief of indigence by private charity, or as the justification for taxation raised for the purpose, the efficacy of common humanity declines in proportion to the increase in the sacrifice of the pecuniary interest required. In short, the greater the demand for relief created by indigence, the less likely is it that it will be met by private charity. In addition, where relief to indigence is supplied by taxation, the higher the poor rate, the louder will be the clamour of protest from the rate-payers.

Bentham was only too well aware of the basic weakness of common humanity in supplying a reliable motive for relief, and a solid justification for the public provision for the relief of indigence. Ears ringing with the cries of financial pain emanating from those whose 'ease and comfort' is threatened by the escalating costs of public relief, he found a further justification of such relief which succeeded in tying the interests of the donors firmly and irrevocably to its public provision.

¹⁰ UC cliia. 17.

¹¹ *Deontology together with A Table of the Springs of Action and Article on Utilitarianism*, ed. A. Goldworth, Oxford, 1983 (*The Collected Works of Jeremy Bentham*), p. 194.

That justification was 'public security'. The public provision for the relief of indigence secures those in society with something to lose, against the attacks and depredations of those who, facing starvation, have nothing to lose. The man or woman who is abandoned to starvation has simply no motive to respect person or property, and the strongest motive, in terms of self-preservation, to commit whatever crime should be necessary to secure bread. Bentham is clear, both that this justification can be expected to work where 'humanity' fails, and that, in the absence of public provision, his sympathies lie rather with the desperate:

If compassion for the indigent themselves were not sufficient warrant for the continuing the provision made for their relief on the steady basis of public contribution, regard for the security of the affluent would of itself be sufficient to forbid the abolition of it. When a man has no other option than to rob or starve, the choice can hardly be regarded as an uncertain one . . . : and if between stranger and stranger it were come to a question of life against life, I am sure I see on which side probability lies, nor, were it worth the enquiry, is it by any means clear that duty lies on the opposite side.¹²

Against a background of war with revolutionary France, which has just declared the imprescriptible equality of all men, the security of property is threatened not only with sporadic violations on the part of this or that desperate person, but with a political revolution, riding on a seething tide of indigence, powerful enough to shatter utterly government, law, and the whole predictable social order on which all but the most fleeting utility depends.

Bentham's trump card in debate with the abolitionists lies in the threat potential of the indigent. At a time when estimates of the proportion of the population receiving relief in one form or another range as high as one in eight, such a threat was not to be underestimated. Security must be invaded in the form of the poor rates to guarantee the availability of relief since by that guarantee the security of all, and most notably the ratepayers themselves, is enhanced. The weight of Bentham's defence of poor relief rests upon a candid appeal to the security of property holders. Its strength consists in the reality of the threat of the indigent to property; its weakness in the fact that not all the indigent could realistically constitute such a threat. Bentham is well aware of this weakness, and responds by falling back upon 'humanity' to prevent the adoption of such logic:

To those who were able to murder rob or steal, relief might be administered, while infants in consideration of their inability to commit such crimes might be left to starve. But if any such expedient be preferable I would beg leave to stand excused from being the proposer.¹³

¹² UC cliia. 19.

¹³ UC cliia. 20.

It is perhaps partly to buttress the claim of the impotent indigent that Bentham develops his argument concerning public security further. He points out that the indigent possess a legal title to relief of some two hundred years standing. To set aside such a title by the abolition of public relief would be to undermine all title to property. Added to the desperation consequent upon unrelieved physical want would be, in this eventuality, the moral force derived from the denial of well-established, historically entrenched expectations.

In this point of view, and as *against*, or rather to avoid falling into the track of anarchy, as *towards* the legislature, the title of the indigent to their subsistence, seems to stand upon as strong ground at least as that of any man of property to his estate—as that of the most opulent to his opulence.¹⁴

Given Edmund Burke's abolitionist views on poor relief, it is ironic to see Bentham arguing for its retention in terms of the long established rights of Englishmen.

Poynter argues that Bentham was an abolitionist for any system but his own.¹⁵ This is incorrect. Given the alternatives of the abolition of relief and the maintenance of the existing provision, extravagant, chaotic and inconsistent between parish and parish though it be, Bentham opts unhesitatingly for the latter:

It is better that a larger multitude should be maintained in idleness, though in respect of a considerable part of that multitude the idleness may be attended with discomfort and danger, than that a smaller multitude should partly suffer death by famine, partly be driven to robbery and murder by the approach and apprehension of it.¹⁶

Bentham was by no means alone in viewing the public relief of indigence as a bulwark against revolution. Magistrates across the south and east of England were engaged on a variety of expedient measures designed to maintain the quietude of the labouring poor. Pitt himself, in his bill of 1796, incorporated many of these measures. Like so much poor law legislation, the bill sought to provide statutory sanction for existing local initiatives. Politically, despite the complaints of the rate-payers, the abolition of the poor laws was not an option in these years, since the government's appreciation of the imperatives of public security was at least the equal of Bentham's. In the face of a real national emergency, political expediency demanded that the indigent must be maintained, at whatever expense; time

¹⁴ UC cliia. 23.

¹⁵ See the review of C. F. Bahmueller, *The National Charity Company: Jeremy Bentham's Silent Revolution*, London, 1981, by J. R. Poynter in *The Bentham Newsletter*, vi (1982), 35–40. Poynter's *Society and Pauperism*, London, 1969, contains by far the best available analysis of Bentham's thinking on poor relief.

¹⁶ UC cliib. 492.

enough to debate the morality and economics of indigence once the war was over.

For Bentham however, Pitt's bill was shot through with extravagance. The indigent should be relieved, but preferably not on conditions so lax that political society was preserved from revolution in the short term, only to be threatened with financial ruin and the generalization of indigence in the long run. To establish the title of the indigent to relief is to establish their title to a flow of resources. Any unconditional entitlement to material resources suspends the operation of the most basic physical sanction, namely hunger. Once that sanction is withdrawn, the fundamental mechanism for the mobilization of labour and the production of resources, including the means of subsistence, ceases to operate. The unconditional right to relief will indeed, argues Bentham, destroy itself and society with it:

individuals destitute of property would be continually withdrawing themselves from the class of persons maintained by their own labour, to the class of persons maintained by the labour of others; and the sort of idleness which at present is more or less confined to persons of independent fortunes, would thus extend itself, sooner or later, to every individual of the number of those on whose labour, the perpetual reproduction of the perpetually consuming stock of subsistence depends; till at last there would be nobody left, to labour at all for anybody.¹⁷

Having established the claim of the indigent for relief, Bentham is now concerned to limit it. He is acutely conscious of making the attempt to reconcile opposing objects. In order to protect both property and public order, the claim of the indigent to relief must be admitted. Yet to undertake to meet that claim unconditionally, the public must promise to distribute resources, which resources only exist because they have been created by labour under the spur of necessity. Unconditional relief breaks the link between the investment of labour and the consumption of resources, but upon that link depends the very existence of any usable resource.

To restore the link, Bentham imposes conditions on the receipt of relief, namely 'working, up to the extent of his ability, and in any manner not inconsistent with the regard due to health and life', and submitting to the determination of government as to the place where that work is to be performed and relief administered.¹⁸ The latter condition provides for the ending of 'out allowances' and the exclusive reliance on 'indoor' relief, that is, relief in, and only in, 'Houses of Industry'.

The enhancement of public security is the object of the provision of relief, the object of its limitation is frugality, which serves the interests

¹⁷ UC cliiia. 58.

¹⁸ UC cliiia. 60.

of justice. "The two objects, like certain muscles in the human body, are antagonistic to each other and draw opposite ways. Either, exclusively pursued must lead to error; of the dictates of both, duly regulated by each other, perfection would be the result."¹⁹

The conditions of relief are derived in the first instance from the demands of justice. This may seem a distinctly anti-utilitarian source of argument, but an analysis of Bentham's reasoning may serve both to illustrate the role of justice within Bentham's utilitarian ethic, and to demonstrate why justice requires the imposition of conditions on relief.

Before examining this question in detail, it is important, in attempting to understand Bentham's poor law proposals, to emphasize that these proposals are emphatically not designed to operate in a context characterized by the principle of social insurance. Bentham does discuss in the poor law manuscripts the possibility that individuals with sufficiently high earnings be compelled to contribute, from those earnings, sums sufficient to maintain them in old age. If such a policy were established, those whose wages were not sufficient to allow the deduction of such contributions might be relieved in old age without conditions.²⁰ Elsewhere, he does conclude that workers in manufacturers should contribute to a 'stagnation fund', from which they could draw benefits during periods of unemployment. Moreover, many of the raft of collateral uses envisaged by Bentham for his Industry Houses involve the supply of cheap and secure facilities to the independent poor for deposit of savings, and for loans. If the poor can be encouraged to avoid falling into indigence by aids to prudence, and by the provision of an alternative to the punitive rates of the pawnbroker when it comes to getting through a bad patch, then any and all such aids should be made available to them. The prevention of indigence is indeed to be preferred to its cure.

However, his ruling assumption is that, in agriculture especially, most labourers cannot generate sufficient surplus to store away for a rainy day. If the indigent are to be relieved, such relief can only be funded by invading the property of others in the form of the poor rates. As has been shown, property, for Bentham, is the product of current or accumulated labour. It might be suggested that the relief of indigence be funded by taxing the opulent alone, by redistributing, as it were, the social surplus from the idle rich to the idle poor. Bentham's view is that this option is ruled out by the relative dearth of such abundance. The economic basis of civilization is simply too fragile to allow the safe pursuit of such a policy; its effects would in all probability be to undermine industry. Bentham does not say that such a policy may not

¹⁹ UC cliia. 225.

²⁰ UC cliib. 534.

be made to work, but he remains extremely sceptical regarding the possibility.²¹

Since accumulated labour cannot bear the burden, 'as to a part, and that an inseparable one, it is borne by those who have no other fund, for consumption or for contribution, other than the unaccumulated produce of their own daily labour'.²² This conclusion poses real problems for Bentham. As noted above, the whole fabric of felicity is erected in large degree, on the incentive given to labour by the promise of the enjoyment of its fruits. Justice demands that with regard to 'two members of the community, equally innocent and equally deserving, not connected by any domestic tie, one shall not be compelled to part with the fruits of his own labour, without absolute necessity, for the benefit of another'.²³

Justice for Bentham is not opposed to utility, it is 'an imaginary personage, feigned for the convenience of discourse, whose dictates are the dictates of utility'.²⁴ There are two elements to the injustice of relieving the indigent at the expense of the labouring poor. In the first place, it is unjust, in the common sense of just, for people to receive relief without obligation while others, in order to feed themselves, are obliged to work. The injustice is compounded if the industrious are obliged not only to work hard enough to feed themselves, but harder still in order that a surplus should be available to enable the idle to be fed.

There then would the process of injustice be carrying on at both ends: while on the one hand men are rewarded, if not for not working, at any rate without working, on the other hand, the working hands, if not punished in point of intention, are made to suffer as men suffer who are punished, for the benefit of those who are enabled to reap enjoyment otherwise than through work.²⁵

In the second place, the rights of property are bolstered with the epithet 'just', they are given whatever additional strength can be supplied by the substitution of that adjective for the less hallowed 'expedient', because upon them, and the expectations to which they give rise, depends the whole existence of any social surplus, the whole liberation of anyone from the grinding effort to secure subsistence, the whole progress of society and all utilities which flow from it. The conflict Bentham seeks self-consciously to resolve is that between the basic utility of the security of property, and the utility, itself ultimately derived from its role in cementing the security of property, of invading that security in order to relieve the indigent.

²¹ UC cliib. 493.

²² *Ibid.*

²³ UC cliib. 536.

²⁴ *An Introduction to the Principles of Morals and Legislation*, eds. J. H. Burns and H. L. A. Hart, London, 1970 (*Collected Works of Jeremy Bentham*), p. 120n.

²⁵ UC cliib. 493.

Bentham's solution is to re-establish, as far as possible, the connection between subsistence and labour with regard to the indigent. Given the choice between subsistence in idleness and subsistence through labour, to expect the generality of mankind to opt for labour is to expect an effect without a cause. Justice is to be satisfied by limiting the content of relief to the level of bare subsistence, and by making that relief conditional on labour, except in cases of total inability to work. The obligation to work in return for relief not only removes one injustice, by making the position of the indigent analogous to that of the independent poor with regard to labour, but eliminates the other in so far as the indigent are required to meet the costs of their own relief. The invasion of the security of property can be reduced, and Bentham assumes, ultimately avoided, by rendering the indigent literally self-maintaining. Thus is the circle squared: the financial burden of indigence finally devolves upon the indigent themselves.

Justice will also be served by the elimination of bogus claims. Bentham does believe that the sort of provisions contained in Pitt's bill do give incentives to what, in today's terminology, would be called 'welfare scroungers', who would rather be comfortably maintained in their own homes by the labour of others than work. By insisting on labour as a condition of relief, by rendering that relief as limited and basic as remains consonant with good health, and by limiting that relief to those prepared to quit their homes and enter the Industry House, Bentham is indeed seeking to limit the application of his scheme to that section of society which is in real and dire need.

In these arguments lie one source of Bentham's specific plans for the reform of the poor laws. 'Out allowance', relief in the home, is rejected because it is incompatible with the requirement to work in return for relief. Entry to the Industry House is required to facilitate efficient employment, and to prevent the imposition of fraudulent claims. Relief must be limited to the basic necessities of life, because any additional elements of luxury would not only exceed the purpose of relieving indigence, that is, of preventing starvation, but would provide incentives to independent labour to opt for dependent status in droves.

In the final section of this paper, the connection between the conditions attached by Bentham to the relief of indigence and the moral reformation of those relieved will be addressed. It is certainly the case that Bentham sought to control the lives and to remould the habits of the inmates of the Industry Houses. However, contrary to the interpretation of Bahmueller, this was to be no 'silent revolution'.²⁶ Explicitly and repeatedly in his manuscripts, Bentham refers to the 'alliance tripartite between Drunkenness, Indigence and Idleness:

²⁶ C. Bahmueller, *The National Charity Company: Jeremy Bentham's Silent Revolution*, London, 1981, pp. 156-69.

Indigence may enter and maintain its ground without either: but neither is apt to maintain its ground for any length of time without introducing the other, nor without introducing indigence'.²⁷ This alliance it is the purpose of the Industry House regime to eradicate. As Janet Semple established, there was in addition no need or desire on Bentham's part to keep this aspect of his plan silent, since the reciprocally causative relationship between idleness, drink, indigence and crime is a standard premise which permeates eighteenth-century debates on both crime and indigence. As Semple put it:

Bentham, like other thinkers of the Enlightenment, subscribed to the theory of David Hartley that the psyche was as material as the body; disease could therefore, have moral causes. In the same way, moral delinquency, crime, and the poverty closely allied to crime, could also be the product of physical causes, idleness, drink, and debauchery. A regime of self-denial, abstinence, and discipline could 'cure' the defective mechanism of the human frame and the human mind.²⁸

The inmate of Bentham's Industry House will be denied access to the poison of alcohol, and in addition he will be rescued from idleness and provided with habits of sober industriousness. Throughout his work, Bentham lays enormous emphasis on the power of habit. The moral programme of the Industry House is quite openly an exercise in rehabilitation. The requirement to labour is not only essential to serve the interest of justice, it is, for Bentham of equal benefit to those who are called upon to work for their relief. 'The habit of industry is a source of plenty and happiness. The habit of idleness in one who has property is a cause of uneasiness, and in one has no property of indigence and wretchedness.'²⁹ Bentham's paupers will be inured to labour; they will be productive. On their exit from the house such habits will enhance their chances of maintaining themselves in independence. Further, by acquiring habits of industry, they will automatically be dispensing with habits of idleness, and with the companions of idleness, strong liquor and vice. It is indisputable that, for Bentham, certain elements among the indigent poor are simply not to be trusted to know their own interest. Among his objections to out-allowances is that they are likely to be misused:

Give him sixpence in money he swallows threepence of it in slow poison, and threepence of it in food: give him sixpence in food, he sells fourpence halfpenny of it to buy his threepenny worth of poison: whereby instead of the sixpence you fancy you have secured for him, he has but three halfpence left for food . . . the Home-provision system may do tolerably well for the strictly virtuous, for the strictly sober: but what should we say of that Medicine, of which the best

²⁷ UC cliib. 488.

²⁸ J. Semple, *Bentham's Prison: A Study of the Panopticon Penitentiary*, Oxford, 1993, p. 153.

²⁹ UC cliia. 232.

that could be said was, a man's stomach might bear it, provided he were in health?³⁰

As Bentham is developing his poor law proposals, the Society for Bettering the Condition of the Poor is distributing 'frugality recipes'. The notion that the poor can avoid descent into indigence by working hard, cutting their cloth and eschewing the demon drink is again a commonplace of the debate, and is one source of inspiration to Methodism as much as to the Industry House. Bentham's peculiarity lies in his rejection of moral exhortation and his explicit advocacy of re-education by the manipulation of external circumstances. To the influence of such circumstances in large part, as modified by the guidance of education, a person owes 'his habitual recreations, his property, his means of livelihood, his connexions in the way of profit and of burthen, and his habits of expense'.³¹ By imposing sobriety and industry Bentham aspires to re-condition his paupers, to force them, as it were, to be rational and prudent.

The most intemperate attacks on Bentham's poor law proposals have centred on the extension of 'behavioural conditioning' to the non-adult section of the Industry House population.³² If the indigent of corrupted and vicious habits could be reformed by a regime of unremitting labour and enforced frugality, the inculcation of habits of sobriety and industry into those whose habits are as yet unformed should present no difficulty.

Certainly this is Bentham at his most patronizing, and certainly this view of the poor sits uneasily with the assumptions of rationality and self-definition of interests which underlie his later democratic theory. However, in evaluating this aspect of the poor law proposals several things should be borne in mind. In the first place, Bentham developed a whole host of original aids of one sort or another which had the specific intention of assisting the independent poor to maintain their independence. More than once, Bentham describes the potential population of his Industry Houses as the 'leavings' or 'refuse' of the nation. Indigence, as he enumerates exhaustively, has many causes, but one of the most important is the double-headed habit of drink and idleness, which can issue not only in indigence but in crime. It is here that the poor law writings connect intimately with the panopticon penitentiary. What is to be done with the morally corrupt among the indigent, who have not acquired the productive habits necessary to feed themselves, and who present a standing threat to the security of their more productive fellows. Bentham's position is explicit. They should not be left to

³⁰ UC cliib. 487.

³¹ IPML, p. 66.

³² See Bahmueller, and also G. Himmelfarb, 'Bentham's Utopia: The National Charity Company', *Journal of British Studies*, x (1970), 99-107.

starve, but nor should they simply be supplied with the means of subsistence, since they are not to be trusted to make proper use of such supply, and since even if they did such supply would merely encourage their idleness. In their own interest and in that of their fellows they are to be rehabilitated. For Bentham such people display a clinical pathology, they are in a real sense 'constitutionally infirm'. To abandon them to the sovereignty of their own reason is immoral. Admittedly it takes rather too much imagination to view the Industry House as a cross between a drying out clinic and a skills training centre, but the elements of both are present.

With reference to the treatment of children in the Industry House, two further considerations are relevant. First, the background against which the poor law manuscripts were composed should be taken into account. Perhaps the most distasteful passage to be found in the poor law manuscripts deals with 'pauper education'. Under the heading 'Politics and Constitutional Law', Bentham declares: "The grand object of the instruction to be delivered on this head to the class of pupils in question should be the practical one of disposing them to peace and quietness".³³ Among the precepts to be inculcated in the pauper child is that "The Government such as it is, and whatever it be, is better than any other to the formation of which he can have any chance of contributing". There follows much more on the necessity to be content with one's lot and to shun above all, the temptations of political radicalism. All in all, a more thorough going example of political indoctrination in quietude would be hard to find. It must be understood however, that the Bentham of the poor law writings is Bentham at his most scared. Along with most men of 'ease and comfort', he is frankly terrified of waking up one morning with his throat cut. Perhaps he exaggerates the plasticity of his raw material, and the extent to which the Industry Houses will be manufactories of loyal, productive citizens to help allay his own fears. Certainly their role as such manufactories could only enhance their appeal to a government as nervous as Bentham himself.

In the second place, it is not reasonable to present Bentham's position in terms of a dichotomy between the formation of habits as a consequence of the manipulation of external circumstance, and the autonomous formation of such habits in the absence of mediation by such circumstances. As Professor Burns has very recently reminded us, this dichotomy is rejected by Bentham; it is for him a form of the anarchical fallacy from which specious natural rights are derived.³⁴ The fact of the matter is that all human beings are born not free but abjectly subject and helpless, and that their mature habits depend

³³ UC cliiia. 132, 132-3.

³⁴ J. H. Burns, 'Nature and Natural Authority in Bentham', *Utilitas* v (1993), 209-20.

upon the interaction of their genetic capacities with environmental influences. The alternative, for the indigenous stock of Bentham's Industry House is not freedom from external influence, but control by whatever influences happen to be at hand during their development. With regard to the offspring of the 'constitutionally infirm' profligate or drunkard, it is entirely likely that they, in so far as they survive long enough to acquire any settled habits at all, will acquire the personally disastrous habits of their parents. That formative influence will be exercised is incontrovertible, the relevant question for Bentham relates to influence by whom and with what consequences. In this regard his extensive reflections on pauper education are instructive.

In the ordinary state of things concerning the poor labouring classes, under the eye of the natural parent where there is one, the mental part of the infant frame is left wholly without culture. This is more particularly the case with the male sex. Till the commencement of the age of manly vigour a boy of this class does nothing. Idleness is his first lesson.³⁵

Of course Bentham exaggerates the benevolence of his institutional guardians, and of course there are dangers in exercising such control, as witnessed by the political indoctrination referred to above, just as there are dangers in leaving children in the care of negligent and abusive parents. There is a debate to be had here, but it is not furthered by contrasting 'control' with 'autonomy'. Roberts does indeed overstate his case in arguing that Bentham is attempting to establish the conditions in which his apprentices may be 'free to realise their potentials as moral beings', but it is certainly true that his aim was to inculcate a prudential and frugal rationality, the greatest benefit of which to its recipients, would be the acquisition of habits which will keep them, in adulthood, and their children, out of the workhouse.³⁶

³⁵ UC cliii. 95.

³⁶ W. Roberts, 'Bentham's Poor Law Proposals', *The Bentham Newsletter* iii (1979), 42.