

# A Predecessor to The Indian Hemp Drug Commission Report

An 1873 survey by British tax officials in India elicited a range of views on cannabis that seems strikingly contemporary

By Tod Mikuriya, MD

In the fall of 1871 the British government in India decided to investigate "the deleterious effects alleged to be produced by the abuse of ganja."

Inquiries were sent to regional governments, some of which, in turn, obtained reports from local insane asylums. Responses from a dozen parts of the country were summarized in the "Supplement to the Gazette of India" for Dec. 27, 1873 in a four-and-a-half page report.

This 1873 report can be seen as a predecessor to the *Indian Hemp Drugs Commission Report of 1893-94*, a massive ethnographic, social, and economic study by British proprietors who were seeking to answer a basic question of cost/benefit analysis.<sup>1,2</sup>

The goal of the brief 1873 survey was the same as that of its eight-volume successor: to determine whether the use of cannabis by certain groups was associated with mental disorders. In both reports the collection and review of information varies greatly in quality and quantity, reflecting the biases, competence, and knowledge of the reporting officials. Both describe regulatory and taxation schemes based on performance and practicality that

might provide models for contemporary cannabis legalization.

In fact, it was in contemplating models for the regulation and distribution of medicinal cannabis in California that I recently consulted the *IHDC Report* and came across a citation to the 1873 document, with which I was unfamiliar.

A copy was provided by the Indian Office Records Library and is reprinted here in full.

The overall conclusion, as stated in paragraph 3, hardly seems out of date: "On some points the local officers are almost unanimous, yet on others there is wide disagreement. On the whole, the general opinion seems to be that the evil effects of ganja have been exaggerated."

Only two of the local governments advocated prohibition. Most of the negative input came from insane-asylum administrators.

## Regional Responses

**Madras (4):** "the evil effects of the use of ganja have not assumed such proportions as to necessitate legislation."

**Mysore (5):** Sale of cannabis by "vendors specially licensed" was recommended. "Its influence in inciting to crime is stated to be very slight. It is however

reported that out of a total of 280 admissions to the Lunatic Asylum in Bangalore... ganja was assigned as the cause of insanity of 82 persons."

This is the most exaggerated connection between cannabis and insanity in the Report.

**Berar (6):** "The abuse of these drugs is not so great... as to necessitate any special measures." One official describes cannabis as a morale booster for criminals (but not an efficiency booster) and states that habitual use "undermines and destroys the constitution."

**Central Provinces (7):** The Nagpur asylum attributes 61 cases of lunacy to cannabis (out of 317). However, the Superintendent of the asylum at Jubulpore doesn't view cannabis use as causal. "(He) states that out of 120 lunatics at present confined, 37 indulged in ganja smoking. And he deduces from certain statistics which he has collected that there is only one lunatic from all causes for every three hundred ganja-consumers."

The Chief Commissioner's recommendation was "that the cultivation of ganja without a license be absolutely prohibited, and that the issue of licenses be restricted to places where the cultivation and out-turn could be checked by the ordinary revenue establishments."

**Bombay (8):** "The government, while desiring that ganja and bhang should be treated as other intoxicating drugs or spirits and the present restrictions on their sale maintained, consider it unnecessary to take measures for the limitation of suppression of the hemp plant."

**Punjab (9):** "the amount of crime that

can be traced to the use of the preparations of hemp is exceedingly small, so small as to make it altogether impolitic and unnecessary to attempt to restrict the sale of the products of the plant by law."

However, the Delhi Lunatic Asylum attributed between 11.9% and 20.6% of its cases to the use of hemp preparations.

The lieutenant governor literally advised a harm-reduction approach: "If people were prohibited from using the preparations of hemp and opium, they would in all probability have recourse to some other stimulant, such as alcohol, the crime resulting from the abuse of which would be much greater than that resulting from the abuse of those drugs."

**Northwestern Provinces (10):** "The lieutenant governor believes that...even the returns of the lunatic asylums are based on hearsay reports and have no scientific value.

"It appears to His Honor that if the effects of the use of ganja were nearly as bad as is sometimes supposed, either as inciting to crime or as injuring health, such a wide enquiry would have resulted in a more general and decided consensus of opinion and in the production of numerous facts bearing out that opinion. Accordingly His Honor does not recommend the adoption of any special measures to limit or stop the production of the plant. As it grows freely in the country lying along the foot of the Himalayas, and can be cultivated in every moist and lowlying tract, to prevent its production would, His Honor apprehends, be almost impossible."

The same points could be made about contemporary cannabis prohibition in the U.S.

*continued on page 20*

## GOVERNMENT OF INDIA, FINANCIAL DEPARTMENT.

### EFFECTS OF THE USE OF GANJA AND OTHER PREPARATIONS OF THE HEMP PLANT.

No. 3778, dated the 17th December 1873.

RESOLUTION—By the Government of India, FINANCIAL DEPT.

Read the following papers relating to an enquiry into the effects of the use of ganja and other preparations of the hemp plant:—

Financial Resolution No. 3661, dated 20th September 1871.

Circular issued by the Department of Agriculture, Revenue and Commerce, Nos. 338 and 339 and 341 to 347, dated 10th October 1871.

Letter from Chief Commissioner, Central Provinces, No. 444-27, dated 7th February 1872.

" " " " " " 2953-103, dated 19th August 1872.

" " " " " " 5651-46G, dated 23rd February 1872.

" " Secretary to Government of the Punjab, No. 502, dated 10th April 1872, and enclosure.

" " Secretary to Government of the North-Western Provinces, No. 92A, dated 20th April 1872.

" " Resident at Hyderabad, No. 6, dated 20th April 1872.

" " Secretary to Chief Commissioner, British Burma, No. 725-65, dated 3rd May 1872, and enclosures.

" " Secretary to Chief Commissioner, Oudh, No. 3073, dated 8th July 1872, and enclosures.

" " Secretary to Government, Bombay, No. 3069, dated 3rd August 1872, and enclosures.

" " " " " " Bengal, " 3863, " 31st " " "

" " " " " " Madras, " 1141, " 9th October " "

" " " " " " " " 66, " 22nd January 1873 "

RESOLUTION.—In September 1871 the attention of the Governor General in Council was drawn to the deleterious effects alleged to be produced by the abuse of ganja and other preparations of the hemp plant.

2. The local Governments were thereupon requested to enquire into the use and abuse of the several preparations of hemp, with reference not only to their effect upon health but also to their alleged influence in exciting to violent crime. The opinion of the authorities was invited as to the expediency of restricting the use of these drugs, or even suppressing the cultivation of the plant.

The Government of Bengal was further requested to report whether there was any evidence to show that Bengal ganja grown in the district of Rajshahye differed from, and was more deleterious than, the ganja produced in other parts of India.

3. From the replies which have now been received, it appears that though on some points the local officers are almost unanimous, yet on others there is wide disagreement. On the whole, the general opinion seems to be that the evil effects of ganja have been exaggerated.

4. The Government of Madras state that hemp is little used in that presidency as compared with other parts of India. The papers forwarded point to the opinion that the abuse of ganja tends to impair the intellect and nervous system generally; but there is no evidence to show that the drug acts especially as an incentive to crime, or is employed for that purpose. The Government of Madras concurring with the Board of Revenue are of opinion that the evil effects of the use of ganja have not assumed such proportions as to necessitate legislation.

5. Ganja is not extensively cultivated or consumed in Mysore, and its influence in exciting to crime is stated to be very slight. It is however reported that out of a total of 280 admissions to the Lunatic Asylum in Bangalore during the past five years, ganja was assigned as the cause of insanity of 82 persons, of whom 64 subsequently recovered their reason and were discharged.

The Chief Commissioner does not consider that any special measures of restriction are necessary, but he recommends that the sale of ganja and similar drugs should not be permitted except by vendors specially licensed for the purpose, and that the highest possible excise duty should be imposed on them, so as to limit consumption without encouraging smuggling.

6. The Resident at Hyderabad reports that the use of ganja and bhang in Berar is not extensive, that these drugs are resorted to either before or after the commission of a crime to strengthen the nervous system, and that their habitual use undermines and destroys the constitution, though it is not believed to be specially conducive to the commission of crime.

Mr. Saunders is of opinion that the abuse of these drugs is not so great in Berar as to necessitate any special legislative measures.

7. The Chief Commissioner, Central Provinces, reports that there is a considerable difference of opinion regarding the evil effects attendant on a continual indulgence in ganja-smoking. The people generally are said to be of opinion that continued indulgence inevitably leads to permanent insanity, but this opinion is not borne out by the statistics of the lunatic asylums. Of 317 lunatics received into the Nagpur asylum since 1864, there were 61 in whom insanity had been occasioned by an immoderate use of ganja. Of these 10 have died, 28 have been discharged cured, and 23 remain un cured, and from this result it is inferred that excess in ganja-smoking does produce an insanity which is transient if the habit be relinquished, but otherwise permanent.

The Superintendent of the asylum at Jubulpore states that out of 120 lunatics at present confined, 37 indulged in ganja-smoking, and he deduces from certain statistics which he has collected that there is only one lunatic from all causes for every three hundred ganja-consumers. The data on which these statistics are founded are not however given. The Chief Commissioner further reports that ganja and bhang do not act as direct incentives to crime, but that they are often taken by persons about to commit grave offences in order to brace themselves up for the dangers they may have to undergo. Several officers are stated to insist on the fact that the use of ganja is always injurious, never beneficial, and that in this respect there exists a material difference between ganja and spirits; but others assert, and with some show of reason, that persons, such as palki-bearers, whose employment subjects them to great exertion and fatigue, are enabled to perform the wonderful feats they not unfrequently do by being supported and rendered insensible to fatigue by ganja, and that the use of ganja leaves in them no after effects of an injurious kind.

It is admitted that the consumption of drugs has of late years materially increased in the Central Provinces, and fears have been expressed by district officers that since the introduction of the public central distillery system and the consequent rise in the price of spirits, many people who formerly drank spirits have taken to drugs as a substitute. At the same time persons whose opinions are entitled to weight declare that the tastes for spirits and drugs are independent and not affected one by the other.

Taking all the facts into consideration, Mr. Morris is of opinion that some action should be taken by Government to impose restrictions on the cultivation, possession and sale of ganja, and recommends that the cultivation of ganja without a license be absolutely prohibited, and that the issue of licenses be restricted to places where the cultivation and out-turn could be checked by the ordinary revenue establishments.

The imposition of such restrictions would not, the Chief Commissioner thinks, be a matter of much difficulty in the Central Provinces, but to be effectual they must be extended to all contiguous provinces.

8. In Bombay ganja is said to produce insanity, but even in regard to this there is not unanimity, and the Government of Bombay, while desiring that ganja and bhang should be treated as other intoxicating drugs or spirits and the present restrictions on their sale maintained, consider it unnecessary to take measures for the limitation or suppression of the cultivation of the hemp plant.

9. The Punjab Government report that the amount of crime that can be traced to the use of the preparations of hemp is exceedingly small, so small as to make it altogether impolitic and unnecessary to attempt to restrict the sale of the products of the plant by law.

His Honor the Lieutenant-Governor states that, though harmless when taken in small quantities, the abuse of hemp may and often does produce men-

1873 Survey from page 19

Oudh (11): "The evil effects of the use of hemp have been exaggerated... there is nothing to show that bhang, if used at all, must be used immoderately, or that if used in moderation, it has mischievous consequences."

The Chief Commissioner (another harm-reductionist) "believes that any interference with the cultivation and use of hemp and its preparations, is not called for on moral grounds and that arbitrarily to stop their use would merely drive the people to the use of still more deleterious drugs."

Bengal (12-13) describes a system for taxing farmers on the basis of how much "intoxicating principle" a given quantity of processed cannabis contained. "These measures have been highly successful, for while consumption has been checked, the revenue has been largely increased."

*"especially as such a prohibition would be very difficult to enforce..."*

Although some asylums report cannabis-induced insanity, "the number of people who are known to have become insane from ganja smoking is extremely small in comparison to the whole population... The absolute prohibition of the use of ganja is not called for, more especially as such a prohibition would be very difficult to enforce, and would probably have the effect of leading the people to have recourse to some other, and possibly a more hurtful drug."

Bengal officials had been asked (2) to report "any evidence to show that Bengal ganja grown in the district of Rajshahye different from, and was more deleterious than, the ganja produced in other parts of India."

The response: "No satisfactory explanation has yet been given why the Rajshahye ganja should be more sought after than other sorts. It does not appear to contain on the average a larger proportion of the principle peculiar to the hemp plant than do other varieties, and it undoubtedly contains less than some of them."

The Rajshahye success factor may never be known.

British Burma (14): "...What consumption there is in British Burma is almost confined to coolies and immigrants from India. The Chief Commissioner is therefore in favor of absolutely prohibiting the consumption of ganja before a taste for it shall have spread through the Province."

**The Bottom Line (15-16)**

Only the governors of British Burma and the Central Provinces sought prohibition. The other provincial administrators were advised by His Excellency to "endeavour, where it may be possible, to discourage the consumption of ganja and bhang by placing restrictions on their cultivation, preparation, and retail, and imposing on their use as high a rate of duty as can be levied without inducing illicit practices."

As noted, this survey from another time and culture is curiously modern in many ways. Controversy remains regarding the relationship between mental disorder and cannabis use. In California we now have the opportunity to conduct clinical studies that will help determine risks and benefits of long-term cannabis use.

1. My Centennial Commemoration of the IHDC Report is at <http://www.mikuriya.com/ihdc.html>

2. Blanchard and Atta, "A Sociopolitical History of Cannabis and the British Empire 1840-1928" is at <http://www.mikuriya.com/ihdc.html#2>

tal derangement, and it appears that of the total number of cases of insanity treated in the Delhi Lunatic Asylum a large proportion is due to the use of preparations of hemp.

This percentage in each year from 1867 to 1871 was as follows:—

1867	...	...	...	11.92 per cent.
1868	...	...	...	16.61 "
1869	...	...	...	17.68 "
1870	...	...	...	20.60 "
1871	...	...	...	17.14 "

His Honor is of opinion that if people were prohibited from using the preparations of hemp and opium, they would in all probability have recourse to some other stimulant, such as alcohol, the crime resulting from the abuse of which would be much greater than that resulting from the abuse of those drugs.

10. The reports of the officers consulted in the North-Western Provinces disclose a wide variety of opinion, the prevalent impression being that ganja and charas are exciting in their effect as opposed to bhang which is described as being lethargic. His Honor the Lieutenant-Governor believes, however, that there is but a slender ground-work of facts for this opinion, and that even the returns of the lunatic asylums are based on hearsay reports and have no scientific value.

It appears to His Honor that if the effects of the use of ganja were nearly as bad as is sometimes supposed, either as inciting to crime or as injuring health, such a wide enquiry would have resulted in a more general and decided consensus of opinion and in the production of numerous facts bearing out that opinion. Accordingly His Honor does not recommend the adoption of any special measures to limit or stop the production of the plant. As it grows freely in the country lying along the foot of the Himalayas, and can be cultivated in every moist and lowlying tract, to prevent its production would, His Honor apprehends, be almost impossible.

It is further stated that as the duty on ganja is at present collected in the North-Western Provinces by letting in farm the right to sell the drug in each district or part of a district, it would be impossible to enhance the duty unless the sale were made a monopoly and treated by Government in a similar way to that of opium.

11. The Chief Commissioner, Oudh, reports that the conclusion to be drawn from his enquiries is that the evil effects of the use of hemp have been exaggerated; that there is nothing to show that bhang, if used at all, must be used immoderately, or that if used in moderation, it has mischievous consequences. Ganja, however, when used immoderately, is said to have a tendency to produce asthma.

The Chief Commissioner adds that, though the criminal class makes an immoderate use of these drugs, their consumption does not act as a direct incentive to violent crime, and they are merely taken by those about to commit crime in order to give them fictitious and temporary courage.

The Chief Commissioner believes that any interference with the cultivation and use of hemp and its preparations, is not called for on moral grounds, and that arbitrarily to stop their use would merely drive the people to the use of still more deleterious drugs.

12. In Bengal the method of levying the excise duty on ganja differs from that in force in any other province.

A variety of the hemp plant grows wild throughout the whole or greater portion of the province, and another variety is cultivated to a limited extent in the Gurjat in Orissa, and its produce pays a duty of 8 annas a seer. The ganja produced from this plant is consumed in Orissa, but the amount so consumed which pays duty has never exceeded 40 maunds in one year. The variety of plant which produces the well known Bengal ganja is cultivated only in a small portion of the Rajshahye and Bograh Districts; the quantity of land devoted to its production every year being about 500 or 600 acres. Its cultivation requires much care, and the produce when prepared is stored and sold under excise supervision. The rate of duty payable per seer varies from Rs. 2-8 to Rs. 4, according to the quantity of wood mixed with it.

Before the year 1853, the duty on ganja was collected either by farming the monopoly of sale, or by requiring each seller of ganja to obtain a license and charging fees for these licenses. In 1853 a duty of one rupee per seer was levied, and this rate continued until 1859-60 when the system was introduced of charging duty at three different rates according to the manner in which the drug was prepared and packed, so as to equalise the incidence of the tax on the intoxicating principle. The rates fixed were Rs. 4, Rs. 3 and Rs. 2, and these rates continued in force till the beginning of 1872-73, when the rate of Rs. 2 was increased to Rs. 2-8 a seer.

These measures have been highly successful, for while consumption has been checked, the revenue has been largely increased. The following statement shows the quantity of ganja exported every year since 1854-55, and the revenue realised both from duty and fees on retail licenses:—

YEAR.	Quantity of ganja exported.			Revenue realised (duty and license fees)		Average revenue per seer.
	Mds.	Srs.	Cks.	Rs.	A. P.	
1853-54	...	...	...	3,69,801	0 0	...
1854-55	...	...	...	4,02,264	0 0	0 8 4
1855-56	...	...	...	4,51,337	0 0	0 9 8
1856-57	...	...	...	4,66,005	0 0	0 10 6
1857-58	...	...	...	4,96,310	0 0	0 10 1
1858-59	...	...	...	5,08,471	0 0	0 10 2
1859-60	...	...	...	6,44,963	0 0	0 12 1
1860-61	...	...	...	6,77,164	0 0	1 4 0
1861-62	...	...	...	7,74,781	0 0	1 4 1
1862-63	...	...	...	8,00,225	0 0	1 15 8
1863-64	...	...	...	9,55,654	0 0	2 0 7
1864-65	...	...	...	9,76,511	0 0	2 6 8
1865-66	...	...	...	9,55,891	0 0	2 7 6
1866-67	...	...	...	8,10,346	0 0	2 10 8
1867-68	...	...	...	9,73,176	0 0	2 5 0
1868-69	...	...	...	9,08,010	0 0	2 1 7
1869-70	...	...	...	9,98,129	0 0	2 7 2
1870-71	...	...	...	11,00,708	0 0	2 6 5
1871-72	...	...	...	11,40,320	0 0	2 11 8
1872-73	...	...	...	11,80,706	0 0	3 2 11

13. The Lieutenant-Governor reports that the excessive smoking of ganja does harm and is believed to produce temporary insanity and loss of health, and that officers in charge of lunatic asylums are very generally of opinion that a considerable proportion of the lunatics under their charge have lost their reason from excessive ganja-smoking. As the number of people who are known to have become insane from ganja-smoking is extremely small in comparison to the whole population, and as ganja has been growing dearer and dearer of late years, His Honor the Lieutenant-Governor is of opinion that the absolute prohibition of the use of ganja is not called for, more especially as such a prohibition would be very difficult to enforce, and would probably have the effect of leading the people to have recourse to some other, and possibly a more hurtful drug.

The connection between ganja-smoking and violent crime is reported to be not so close or so strong as to warrant the prohibition of the use of ganja on that ground, though it may be the case that men who have decided on committing a specific crime to be accompanied by danger or violence, fortify their bodies or their spirits, or both, by the use of ganja.

No satisfactory explanation has yet been given why the Rajshahye ganja should be more sought after than other sorts. It does not appear to contain on the average a larger proportion of the principle peculiar to the hemp plant than do other varieties, and it undoubtedly contains less than some of them, and His Honor is of opinion that it is more sought after simply because it is a finer and better grown drug than that produced elsewhere.

14. The Chief Commissioner, British Burma, reports that ganja is very little used by the Burmese, and that what consumption there is in British Burma is almost confined to coolies and immigrants from India. The Chief Commissioner is therefore in favor of absolutely prohibiting the consumption of ganja before a taste for it shall have spread throughout the Province.

15. Upon a consideration of all the opinions thus collected, it does not appear to the Governor General in Council to be specifically proved that hemp incites to crime more than other drugs or than spirits. And there is some evidence to show that on rare occasions this drug, usually so noxious, may be usefully taken. There can, however, be no doubt that its habitual use does tend to produce insanity.

The total number of cases of insanity is small in proportion to the population, and not large even in proportion to the number of ganja-smokers; but of the cases of insanity produced by the excessive use of drugs or spirits, by far the largest number must be attributed to the abuse of hemp.

In Lower Bengal the circumstances have admitted of a system under which the consumption of ganja has been reduced one-half, while the amount of duty levied on it has been doubled. It would be very desirable to control the cultivation and preparation of ganja and bhang elsewhere in the same way. But it is believed that this would not be easy; indeed, it would probably be impracticable.

16. Moreover, with the exception of the Chief Commissioners of British Burma and the Central Provinces, the local Governments are not in favour of altering existing arrangements. His Excellency in Council, however, trusts that the various local Governments and Administrations will endeavour, wherever it may be possible, to discourage the consumption of ganja and bhang by placing restrictions on their cultivation, preparation and retail, and imposing on their use as high a rate of duty as can be levied without inducing illicit practices.

17. As regards British Burma, the Chief Commissioner has already been informed that the Governor General in Council concurs with him in thinking that the cultivation and consumption of ganja should be absolutely prohibited, and it has been prohibited from the beginning of the year 1873-74.

ORDERED, that the foregoing Resolution be communicated to the Department of Agriculture, Revenue and Commerce, and the several local Governments and Administrations.

Ordered also, that a copy be forwarded to the Home Department for publication in the Supplement to the Gazette of India.