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It was Elie Halévy’s view that the term “radical” was first used adjectivally in a political sense in the year 1797, possibly 1798, and that between 1810 and 1819 it came increasingly to be prefixed to the substantive “reformer” to refer, in the main, to the supporters of annual parliaments and universal suffrage.¹ Jeremy Bentham is a central figure in Halévy’s account of this transitional phase in the usage of the term and the form of politics it signified, but a complete account of the “radical” nature of Bentham’s thought would have to begin far earlier, starting when he first developed the philosophical principles of his system in the 1770s.² It would also include aspects of his work on ethics, legal and penal reform, political economy, poor law reform, education, and religious institutions, which cannot be adequately treated in this essay. Naturally, Bentham’s views on political institutions cannot be omitted. Yet it is here that we encounter a fundamental problem of

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¹ E. Halévy, The Growth of Philosophical Radicalism [La Formation du radicalisme philosophique, 1901-4], tr. Mary Morris (1928; Clifton, N.J., 1972), 261. I take Halévy to be referring to the approximate dates at which these different senses of the term came into common usage. The OED gives earlier dates when the term was first employed in each of its primary senses.


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interpretation whose solution depends in part upon resolving inconsistencies between texts and deciding which texts should be given precedence when ambiguities or contradictions arise? The issue is complicated by the fact that important manuscripts remain unpublished from the early years of Bentham’s long career,3 and these have to be accounted for in addition to the printed works.

Beginning with Halévy, the long-standing conventional account of Bentham’s political opinions posits a dichotomy between the writings of the “early” and those of the “late” Bentham—the “young” Bentham, concerned only with jurisprudence and legal improvements and unmindful of political questions, is contrasted with the crusty “old” reformer who threw caution to the wind to mount a far-reaching critique of England’s political and ecclesiastical institutions.4 According to this view, Bentham became a convert to political radicalism only in the last quarter of his long life, by which time it gradually dawned on him that his proposals for legal and penal reforms had fallen on deaf ears, and so he turned to other avenues to gain their acceptance, including a wholesale attack on those religious and political institutions he deemed obstacles to improvement and in need of reform themselves. Even though few today credit the notion that Bentham’s thinking took a decidedly “radical” turn only at the end of the first decade of the nineteenth century, there is still the lingering belief that politically he did not come alive until 1809 following the fateful meeting and collaboration with James Mill.

The late John Dinwiddy has provided us with the clearest statement of the standard and pervasive view of Bentham’s democratic politics. In his seminal essay “Bentham’s Transition to Political Radicalism, 1809-10,” one of the most cited articles on Bentham’s politics of the past twenty years, Dinwiddy countered Mary Mack’s argument that “the French Revolution was decisive in making Bentham a democrat,” “a full-fledged radical English democrat.”5 On the contrary, replied Dinwiddy, Bentham’s “revulsion against popular government in the early 1790s was deeply felt”; “he could denounce Jacobinism with almost Burkean vehemence.”6 In Dinwiddy’s


6 Dinwiddy, “Bentham’s Transition,” 693. Dinwiddy’s position is reiterated in Bentham (Oxford, 1989), 11-13, and a more detailed exposition of Bentham’s democratic theory is given at 79-89.
account it was only after the beginning of his friendship with James Mill in 1808 that Bentham was persuaded to advocate democratic institutions in earnest and that “the really fruitful turning-point in the development of his political thought came in 1809.” More recently Michael James has added a qualification to the standard line but without altering the general view of Bentham’s later conversion to radical reform. In 1788 and 1789, according to James, Bentham developed a sophisticated position on parliamentary reform, involving the attempt to derive equal and near-universal suffrage from the principle of utility; and “by 1790 he was proposing that the radical reforms he had recommended to the French should be applied in England.” But, says James, the Reign of Terror changed all that, and Bentham soon “reverted to a position of constitutional conservatism.” This was so much so that in 1794 his revulsion at the turn of events in France led him to plan a work on the English constitution to be entitled “Reform no Improvement,” an outline which was graced the following year with the more overtly reactionary title “Rotteness no Corruption—or a Defence of Rotten Boroughs.” While he was anxious to see England’s legal system reformed, he wanted “no change in the Constitution or in the form of Parliament” (UC 170/73).

In challenging this interpretation three key issues need to be addressed, corresponding to three historical moments in Bentham’s life: (1) the nature of Bentham’s published and unpublished political writing from 1788 to 1790, (2) the apparent retreat from reform sketched out in manuscripts dated 1793-95, and (3) the character and import of the Mill-Bentham association of 1808 to 1809.

The Utilitarian Logic of Democracy 1788-90

There is no doubt that what Bentham was later to call “virtual universality of suffrage” was central to his political thinking in the 1788-90 period, though the unfortunate turn of events in France subsequently led him to back

7 Dinwiddy, “Bentham’s Transition,” 683.
away from the advocacy of reform in England.\textsuperscript{10} It was during these heady days that Bentham first developed arguments for democratic reform. As he put it in his \textit{Draught of a New Plan for the Organization of a Judicial Establishment in France}, written in 1790 for the new revolutionary government,

\begin{quote}
My thoughts were divided betwixt the King and representative assemblies. I could scarce think of looking so far down the pyramid, as to the body of the people. But now that the committee has given me courage to look the idea in the face, I have little fear of the success.\textsuperscript{11}
\end{quote}

If judges were to be elected by the people through a secret ballot then corruption would be disarmed.\textsuperscript{12} In \textit{An Essay on Political Tactics} which Bentham had started to write the year before (parts privately printed 1791)\textsuperscript{13} he advocated secret voting in deliberative assemblies in order to reduce the susceptibility of representatives to the force of “influence.”\textsuperscript{14} On the subject of the composition of the legislature, Bentham here pointedly asserts that it “will be the better in proportion with the greater number of the points of its contact with the nation; that is to say, in proportion as its interest is similar to that of the community.”\textsuperscript{15} Bentham’s general dissatisfaction with arrangements in Britain, coupled with his perception of the benefits of publicizing parliamentary proceedings (then contrary to English law),\textsuperscript{16} cannot seriously be doubted. It is apparent, therefore, that even in the pages of published essays he was willing to set forth the advantages of democratic reform in certain contexts.

This understanding of Bentham’s emerging democratic convictions receives powerful support from his unpublished papers of 1788 to 1790, in

\textsuperscript{10} The phrase “virtual universality of suffrage” is in Bentham’s \textit{Plan of Parliamentary Reform, in the Form of a Catechism, with Reasons for each Article} (1817), \textit{The Works of Jeremy Bentham, Published under the Superintendence of his Executor, John Bowring} (11 vols.; Edinburgh, 1838-43), III, 452.

\textsuperscript{11} J. Bentham, \textit{Draught of a New Plan for the Organisation of a Judicial Establishment in France} (1790), \textit{Works}, IV, 309.

\textsuperscript{12} \textit{Ibid.}, 307-8.

\textsuperscript{13} Bentham’s “Essay on Political Tactics” was never published in full and the original manuscript is now lost. The Bowring edition of the \textit{Works} includes a version with the title \textit{An Essay on Political Tactics} (\textit{Works}, II, 299-373), only ch. VI of which was printed in 1791: “Of the Mode of Proceeding in a Political Assembly in the Formation of its Decisions” (\textit{Ibid.}, 330-50). A printed French version (translator unknown) circulated in Paris in the spring of 1789. Bowring’s version is an English translation of Étienne Dumont’s edition of the \textit{Tactique des Assemblees politiques deliberantes}, first published in 1816 (2nd edn., Paris, 1822), which included an abbreviated recension of Bentham’s 1791 printed extract.

\textsuperscript{14} J. Bentham, \textit{An Essay on Political Tactics, Works}, II, 368-69.

\textsuperscript{15} \textit{Ibid.}, 301.

\textsuperscript{16} \textit{Ibid.}, 310-12.
which he gave voice to the maxim that good government (i.e., utilitarian government) required that the great majority of the people judge the actions of government, since only they are sufficiently motivated to ensure the protection of their interests. He postulated that smaller groups will judge legislation only in terms of their partial interest; and if it be the rich, “it is difficult to say which feature is most conspicuous, absurdity or injustice: as if a poor man’s happiness were not as much to him as the rich man’s: as if the happiness of the one did not form as large a portion of the happiness of the state as that of the rich” (UC 170/149, 1789). Though Bentham vacillated on the subject, he noted the weaknesses in the arguments for excluding women from the suffrage: “the usage which has prevailed so generally to the disadvantage of the softer sex,... has tyranny for its efficient cause, and prejudice for its sole justification” (UC 170/144, 1788). While in later life he considered a broader range of exclusions from the vote (women were to be excluded until such time as universal male suffrage had been achieved),\(^7\) in the early manuscripts he was prepared to say that only on the grounds of illiteracy should the suffrage be withheld: “it is the only circumstance which can serve to draw a distinct line between the condition of those who may reasonably be deemed to have it in their power to exercise the right in question to the advantage of their community and those who can not” (UC 170/146). The inability to read the reports of parliamentary proceedings as a way of monitoring the activities of elected representatives Bentham thought reason enough to exclude a person from voting. But, perhaps mindful that England’s literacy rate would result in a relatively small electorate, he was at pains to point out (however naive this appears now) that this was “an exclusion which every man has it in his power to free himself from whenever he thinks proper” (UC 170/146). Bentham’s democratic credentials would no doubt have been enhanced had he simultaneously demanded a national system of compulsory education, but the omission of such a proposal should not distract us from the progressive elements of his political thinking at this time.

Mary Mack published four collections of extracts from Bentham’s manuscripts on political reform from 1788 to 1790: “Essay on Representation,” “On the Efficient Cause and Measure of Constitutional Liberty,” “On the Influence of the Administrative Power over the Legislative,” and “Parliamentary Reform.”\(^8\) Though Mack’s versions of these essays are incomplete, they provide the essence of Bentham’s political thinking of the time, and it will be useful briefly to review the arguments for democratic reform they contain.


The first of the essays was occasioned by the news of the summoning of the Estates General in France (8 August 1788) and is in many respects the most revealing of Bentham’s position on political institutions during this period. In this pre-Revolution essay he employed “four great words” as the foundational terms for the consideration of representation: security, equality, liberty, and simplicity. He then proceeded to list a series of axioms concerning the connection between utility and the franchise and concluded that with certain exceptions—minors, the insane and (contrary to his previously stated opinion) women—all “should be admitted unless we can find grounds for exclusion equally based on clearly pronounced and sensible indices.” To this he added that the vote should be equal and, in order to protect individuals from undue influence, the ballot should be secret. On those who would argue otherwise lies the onus of proof of its utility. If there is to be a property qualification, it should be small, “let us say £20 or £10 annual rent,” but for Bentham this is beside the point—“it is not that which guarantees happiness.” Bentham concluded by outlining plans for the holding of simultaneous elections in parishes, and he recommended direct voting rather than in two stages, and the outlawing of canvassing.

Though he did not see Bentham’s “Essay on Representation,” the Abbé Morellet was especially intrigued by its subject matter. In February 1789 Bentham had sent Morellet a section of his recently penned An Essay on Political Tactics, and in the accompanying letter he mentioned that he had almost completed an essay on representation.20 Acknowledging receipt of An Essay on Political Tactics, Morellet encouraged Bentham to complete his work on representation, which he described as “more urgent than anything else” and added that “All of us are in dire need, including Europe and America, of a good theory of national representation which methinks, has yet to be achieved and without which great nations won’t ever have all [the] advantages of social life, [and] nobody but you can render us this great service.” Morellet’s flattery seemingly knew no bounds: “your mind seems to me, more than any other known philosopher, able to see and envisage the question under all its aspects and leave nothing to say once you will have treated it.” However, Morellet went on to explain that France is “too populated and too little enlightened or rather too grossly ignorant to have a representation, a truly democratic one based upon elections held among the lower classes of citizens,” and that he would be “delighted to receive a

19 This is described by Mack as a “free translation” of the incomplete French text “L’Essai sur la Representation” printed by Halévy in the appendix to La Jeunesse de Bentham, in La Formation du Radicalisme Philosophique (3 vols.; Paris, 1901), I; Mack, Jeremy Bentham, app. D, 448-53.

confirmation of this idea” in Bentham’s planned essay on the subject.21 In an unsent portion of his reply to Morellet (28 April 1789) Bentham confessed surprise at the Abbé’s urgency on the subject of representation. To Bentham’s mind this was to put the cart before the horse; the organization of the legislature and the rules of procedure (the subject of An Essay on Political Tactics) should take precedence. Before embarking upon a detailed plan of election, it is best to know to what kind of legislative assembly deputies are to be elected and what powers and responsibilities they possess.22 Nonetheless, Bentham had already made a start on the matter of representation, and he continued to elaborate his ideas in other manuscripts.

2. On the Efficient Cause and Measure of Constitutional Liberty (UC 126/8-16, c. 1790).23 The opening sentence of the second essay states its key premise: “The true efficient cause and measure of constitutional liberty or rather security is the dependence of the possessors of efficient political power upon the originative power, the will of the body of the people.” The security thus provided is “intelligible, simple, and incontestable.” On the subject of “good government” Bentham adds, “Government is good in proportion to the happiness of which it is productive on the part of the body of the people subject to it.” The degree of the inclination of the possessors of power to provide good government “will be in exact proportion to the dependence of the governors on the governed: to the dependence of the persons intrusted with the power, on the persons whose obedience the power is constituted: to the dependence of men in power on the body of the people: of those who exercise power on those on whom it is exercised.”

It is Bentham’s doctrine of interests, already mapped out in An Introduction to the Principles of Morals and Legislation (printed 1780-81, published 1789)—“the predominance of the self-regarding affections over the social”—that underpinned this view: “in as far as a man who has power is independent he will make use of it for his own benefit: in as far as he is dependent upon any one he will find himself obliged to employ it for the benefit of him on whom he depends.” Thus “the whole sovereign power ought to rest in the hands of persons placed and displaceable by the body of the people.” As for the king, in “a well ordered Constitution” there is no place in legislation for any person “unaccountable to the body of the people,” nor should he have a role in the judiciary or “any thing to do with any power than [sic] can properly be termed executive.”

3. On the Influence of the Administrative Power over the Legislative (UC 126/1-7, c. 1790).24 In this third essay and in the one following Bentham

21 André Morellet to Bentham (25 March 1789), Correspondence, IV, 41; Eng. tr. by Prof. J.-P. Brunet of The University of Western Ontario.
22 Correspondence, IV, 49n.
transferred his thoughts on reform in France to the British context. He argued that “the King ought to have no means whatever of influencing Parliament which it is possible to keep out of his hands.” The influence of “understanding over understanding is favourable to felicity of choice,” but the influence of “will over will” involves the sacrifice of one man’s interest to that of another. On this view “the executive Magistrate who for his situation is not dependent upon the pleasure of the people ought not to be entrusted with any influence which consistently [sic] with the discharge of his necessary functions of his office can be withholden from him.”

4. Parishional Reform (UC 127/6-19, c. 1790). In this essay Bentham listed the “inconveniences of the present [electoral] system” in Britain.

1. The right of election to the sovereign body is confined to a small part of the whole body of the citizens....
2. The select few are chosen on account of their property: an immoral preference whereby the inevitable measure of inequality is aggravated and the seductive power of wealth strengthened.
3. Absurd and irrational preferences are given to one species of wealth [land] over another [money]....
4. The inequality between the electoral districts is enormous. One man has an entire nomination to himself: another has not the 10,000th part of a nomination.
5. The local extent of many of the districts is enormous [making it impracticable to many to go to the time and expence of exercising their right to vote]. [In smaller electoral districts] the enormous crowds thus collected generate confusion, protract the business and give rise to quarrels and tumults.

Bentham then listed the mischiefs created by these “inconveniences” both to candidates and electors and offered a remedy to each one. In sum, his recommendations are voting by ballot in each parish all on one day, the prohibition of canvassing, shorter parliaments, and a reading qualification for the vote in place of pecuniary qualifications.

So much for the unfinished essays of 1788-90 on representation, monarchy, and parliamentary reform. The similarities between these manuscripts and the later unpublished writings of 1809 to 1810 and published tracts—Plan of Parliamentary Reform, in the Form of a Catechism (1817), Radical Reform Bill (1819), and Radicalism not Dangerous (written 1819-20)26—are striking, and the relationship between the two is unchallengeable. With the

26 The latter compiled from the manuscripts of Jeremy Bentham, written 1819-20, all reproduced in Works, III.
obvious difference that the prescriptions set out in the latter group of writings are more thoroughly (and vehemently) argued and phrased explicitly with the prospect of reform in mind, the points of difference are not significant. In the later writings Bentham called for annual parliaments (rather than the more vague earlier recommendation for shorter parliaments), demanded “virtual universality of suffrage” (whereas in the earlier writings he was less explicit about the precise terms of extending the franchise), and was more open to the notion that the suffrage could be limited to those who paid taxes (earlier he had said that literacy rather than property should be the basis for the vote). Yet such considerations do little to dispel the notion that by 1790 Bentham’s political inclinations were those of a radical reformer, albeit of the closet variety.

More important to the linkage between his earlier and later political views, however, is the fact that in these early manuscripts Bentham clearly signalled the necessity of creating a relationship of dependence of governors on the governed, gave every indication that the suffrage should be extended to include as many persons as was practical (though he remained ambivalent about votes for women) and was unequivocally committed to the ballot far in advance of other reformers of the day.

The Retreat from Political Reform 1793-95

The supposed “constitutional conservatism” of the manuscripts of 1793-95 is the fly in the “radical” ointment. How could Bentham become the opponent of reform only a few short years after delineating the utilitarian logic of its necessity? The manuscripts have never been published; but even though they constitute a mere fourteen pages of jottings (UC 44/1-5, and 170/173-82), they are commonly held up as evidence of Bentham’s retreat from reformism, a crusade not to be resumed until 1809. According to Fred Rosen, “the British constitution in 1793 assumed in his writings a permanence and utility it had not enjoyed earlier..., and republicanism took on a sinister, destructive dimension.” The second part of this statement is unquestionably true; the first part has a more dubious standing. It is helpful to bear in mind events in France and in England following the Revolution when assessing Bentham’s political writings of these years.

After the initial enthusiasm of 1788-90, when Bentham entertained great hopes that An Essay on Political Tactics and the Draught would have an impact on constitutional developments in France, he began to lose interest in

27 For a summary of Bentham’s political prescriptions in the Catechism of Parliamentary Reform, later included in the Plan of Parliamentary Reform (1817), Works, III, 539-57, see Halévy, The Growth of Philosophic Radicalism, 258-63.

the efforts of the revolutionaries by May 1790. He had already expressed his disapproval of the National Assembly’s plan to draw up a Declaration of Rights (July 1789)—the “ne plus ultra of metaphysics,” he called it. Then, in May of the following year, having been informed by Dumont that the Draught was unlikely at that time to get a hearing in the Constituent Assembly (renamed 9 July 1789), Bentham replied that he had “lost all prospect of being of use in France, at least upon the present occasion ... French law being now out of the question, I pay the more attention to the English.”

Following the death of Mirabeau and the increasing militancy of successive French governments, the Lansdowne circle in general became disillusioned with the Revolution. Bentham, an established member of Lansdowne’s coterie (which included Tooke, Price, Priestley, and Romilly), was particularly frustrated by the steps taken by the Constituent Assembly to confiscate private property. However, Bentham’s interest in France was briefly peaked again in October 1791 by the report that M. Garran-de-Coulon, a member of the new Legislative Assembly (the Constituent Assembly was abolished September 30), had proposed to his fellow deputies that the advice of foreign legal experts be sought in the drafting of a new code of laws, making specific mention of Bentham’s Draught in a speech of 16 October 1791. This was followed by a vote of thanks by the Assembly to Bentham, and the question was referred to the Assembly’s Committee of Legislation. Other correspondence between Bentham and Garran-de-Coulon and with Brissot de Warville followed on the subject of the Panopticon (Bentham’s primary interest at this time), but little came of it. Following the massacres of August and September 1792 Bentham’s consternation at the turn of events in France was epitomized in the language in which he accepted the offer of honorary French citizenship (bestowed upon him by the Assembly on 9 September), language which suggested that though he

29 Bentham to Jacques-Pierre Brissot de Warville (mid-Aug. 1789), Correspondence, IV, 84.
30 Dumont to Bentham (12 May 1790) and Bentham to Dumont (14 or 15 May 1790), ibid., 127-28, 129. Bentham’s manuscript writings on law in 1790 include materials on English penal law, constitutional law, and “indirect” legislation. However, the main business of the remainder of the year was the Panopticon prison scheme, including attempts to gain adoption of the plan in France. See, for example, Correspondence, IV, 138-39.
31 Jeremy and Samuel Bentham to the Baron St. Helens (8 July 1791), ibid., 319. See also Bentham, Supply without Burthen, Jeremy Bentham’s Economic Writings, ed. Stark, I, 304-5.
32 See Correspondence, IV, 335-36n. For Bentham’s letter of gratitude to Garran-de-Coulon (Oct. 1791) see ibid., 335-37.
34 Jean-Marie-Roland de la Platière, Minister of the Interior of the French Republic, to Bentham (10 Oct. 1792), ibid., 398.
was willing to encourage constitutional reform on the far banks of the English Channel, he remained a monarchist on the near side.\(^{35}\)

Soon after, on 21 September, the French monarchy was abolished and in December Louis was brought to trial, found guilty of conspiring against the state, and guillotined on 21 January 1793. The following month England and France were at war. From about this time (possibly beginning December 1792) through to 1795 (when the prospects for peace briefly brightened) Bentham, on several occasions, jotted down marginals and other fragments on the “mischiefs” of political reform.

In late 1792 or early 1793, apparently shocked by the impending execution of Louis XVI, Bentham, under the heading “Constitutional Articles,” wrote in an uncharacteristic monarchical vein, “The person of the king is sacred and exempt from punishment”—only the king’s delegates can be punished for their actions. No utilitarian justification is attempted for these remarks. Bentham then alluded to a system of checks and balances such as he had attacked nearly twenty years before in his critique of Sir William Blackstone’s *Commentaries on the Laws of England* (1765).\(^{36}\) Though the marginals are in Bentham’s hand, little of this sounds much like him, and he evidently thought so himself since they are crossed out (UC 170/179). Nevertheless, in other fragmentary notes soon after (some dated March 1793) he embarked upon a work with a selection of imposing titles, such as “Inexpediency of Parl. Reforms,” “A Defence of Rotten Boroughs by the Author of the Defence of Usury,” and “Reform no Improvement: Thoughts on Parliamentary Reform.” The marginals under these headings suggest that what Bentham proposed was to discuss the “mischiefs” of parliamentary reform, including the “Mischief of the doctrine about having a right to choosing the government,” a right which “can no more be disproved than proved” (UC 170/173). More in the same vein followed, with several comments on the advantages of the British constitution, particularly the role of the Lords and the monarchy—a “government by confidence,” he called it, and contrasted this with French “tyranny.” Aristocratic government was to be preferred to democratic government because the “Improbity or lack of public spirit in governing men/aristocrats may be obviated by connecting their interest with their duty: but for the ignorance inseparable to popular governments there is no cure ...” (UC 170/173). Such comments were clearly the result of the abhorrence Bentham felt for the events taking place in France, and there is, as Dinwiddy suggested, a Burkean tone to his statements.

\(^{35}\) Bentham to Roland de la Platière (16 Oct. 1792), *ibid.*, 401. This letter also contains a strong plea for toleration of the regime’s opponents. Others receiving honorary French citizenship at this time included Priestley, Wilberforce, Paine, and Washington.

of preference for “mixed monarchy” and the benefits of aristocracy. Nor is it coincidental that Bentham’s main opponent among the ranks of reformers was the Welshman Dr. Richard Price (1723-91), the same Price whose *Discourse on the Love of Our Country* (1789) provided the immediate stimulus for Burke’s own scathing *Reflections on the Revolution in France* (1790).

Price is mentioned several times in these manuscripts, with Bentham deriding the attempt to base the demand for reforms on natural rights theory—“An assertion of right in virtue of a law is intelligible.... An assertion of right as against law is unintelligible” (UC 170/178, dated 1793, headed “Constit. Brouillon”)—and contrasting his own preference for what he now describes as a “slightly popular form of government” with Price’s “highly popular” form (UC 170/176). Though Price was a reformer attached to Bentham’s own patron, the Marquis of Lansdowne, and Lansdowne was detested by the Rockinghamite Burke, Bentham found himself opposed to the arguments of both Price and Burke. Government based on universal suffrage, he quipped, will “subjugate the well-informed to the ill-informed classes of mankind”; but “Mr Burke’s system though diametrically opposite [to that of Price], is absurd and mischievous for the same reason, it subjugates the well-informed to the ill-informed ages. Of all Tyranny the most relentless is that of the dead, for it can not be mollified.” Burke’s writings are dismissed as “a strange mixture of salutary reason and mischievous absurdity” (UC 44/5, 8 July 1795). Nevertheless, the general tenor of these manuscripts is a distancing from the advocacy of political reform of a few years earlier. How can these fragments be squared with the published essays and unpublished manuscripts of 1788 to 1790 in which Bentham set forth the logic of political reform according to the utilitarian formula? The straightforward answer is that no consistency or coherence can be established between the two. However, four points are worth noting.

First, Bentham by no means disowned the earlier reformist writings, even acknowledging that they had been written with “an eye to Britain.” But now he distinguished between “an idea of what would appear to me the best possible constitution for each state” and the advantages that might accrue in replacing Britain’s present constitution “with this model of supposed perfection.” Bentham intimated that the perfect might one day be substituted for the present constitution “should that which appears to be the best of all be abandoned” (UC 170/178). Ten years previously, without relinquishing the conviction that the principle of utility should be the basis of all laws, Bentham had discussed variations in laws “transplanted” from one country to another and the notion of the perfectibility of laws in the course of time in an *Essay on the Influence of Time and Place on Matters of Legislation* (c. 1780-85).37 In the observations just quoted we see a plausible rendering of the

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earlier discussion in the context of the current condition of England. The intended contrast is between those laws or institutions deemed "perfect" or ideal and those deemed practical at any one time; in each case a utilitarian calculation is brought to bear.

Second, it is also apparent from these revisionist jottings that Bentham was prepared to provide a more judicious assessment of the British constitution than the suggested reactionary titles imply. For example, when he listed the matters to be discussed under the heading "Parliamentary Reform," he began by indicating the comparative advantages and disadvantages of "short parliaments" with the advantages appearing to outweigh the "mischief," of which the main one's are the added expense of electioneering and the extension of Crown influence—hardly the concerns of a "constitutional conservative." To this Bentham added under the heading "Uses of Parl. Reform": "1. To facilitate reformation to other parts of the law. 2. To give every man the satisfaction of a share in governing not who chooses to have it" (UC 44/1). This suggests a much more balanced view of the matter than even Bentham was later to credit when in 1809 he came to review his writings on politics from the earlier period and initialled the puzzled remark: "what could this be? Surely this was never my opinion. J. B." (UC 44/1, dated 1809). It should be noted that in the same year or thereabouts (1795) Bentham also penned a series of thoughts on "Influence" for a proposed work on the corruption and mischief of the British constitution (UC 170/183-87), commenting that influence in politics "is more likely to be applied in support of bad measures" (UC 170/183).

Third, we should not forget that the writing of these manuscripts took place against extraordinary blood-letting in France and repressive measures taken in England by a government fearful of the effect of the dissemination of revolutionary ideas. Bentham was certainly aware of the direction taken by the revolutionaries in France and alluded to it frequently in these manuscripts. "Energy of the Republican character," he commented on one occasion, "This energy is in plain English the propensity to cut throats—the appetite for blood." Ordinary men, he concluded, are unfit for political involvement: "The people are all will—they have no reason, no understanding" (UC 44/2, 1794). Again, when he came to list the "Characteristic Properties of Democratical Government" it is France that Bentham evidently had in view: "1. Ignorance. 2. Violence. 3. Extravagance. 4. Discontent. 5. Frequent Wars. 6. Danger of violent Revolution from War." (UC 44/5). As for repression in England, beginning with the royal proclamation against seditious writings of May 1792 Pitt's government sought to restrict the activities of reformers, even to the point of temporarily suspending Habeas Corpus and trying for treason the leaders of the London Corresponding Society (May 1794). 38

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There was no let up in the government's campaign over the following eighteen months, which included the introduction of the notorious Treasonable and Seditious Practices Act of 1796 and the Seditious Meetings Act of 1796, laws abrogating freedom of speech, freedom of the press, and freedom of assembly. This was not the kind of atmosphere in which a reformer, even one philosophically at odds with the widely denigrated Jacobin cause, could expect a sympathetic hearing. During these years the "mob" was easily stirred up into bouts of anti-Jacobin frenzy, and revolutionaries and moderate reformers alike were terrorized by crowds throughout the decade.39 In this climate of opinion the London Corresponding Society moved to disassociate itself from the use of violence in the cause of reform in a pamphlet Reformers No Rioters (1794) and declared a strict adherence to "constitutionalism."40 Against this background Bentham's own retreat from political reform is perhaps a little easier to comprehend.

But why lean the other way, to contemplate publishing tracts in defense of Britain's monarchical and aristocratic constitution? Conceivably the answer lies in Bentham's primary concern during this period of his life. This is the fourth point I want to make about the manuscripts of 1793 to 1795. These were the years (1791 forwards) in which Bentham was badgering the Pitt administration for support for his Panopticon prison plan.41 While England was at war with France and while Bentham needed to ingratiate himself with Pitt, it may have appeared a wise maneuver to ally himself with the forces of reaction. However, that Bentham never got beyond the planning of various sketchy essays is indicative of the dilemma he encountered in committing himself publicly to such a position. Even as an opportunist polemic—and in this respect these manuscripts differ greatly from the systematic character of the writings of 1788 to 1790—he would have experienced tremendous difficulty in explaining it to Lansdowne and to his other reformist connections.

A more reliable picture of Bentham's attitude at this time is conveyed in a letter to Henry Dundas (20 May 1793), then Secretary of State at the Home Office and President of the Board of Control. Referring to An Essay on Political Tactics, the Draught, Emancipate your Colonies! (1793), and the newly printed Protest against Law Taxes (not published till 1795), which were each sent to Dundas with this letter, Bentham moved quickly to resolve any confusion: "Some of them might lead you to take me for a Republican: if, I were, I would not dissemble it:—the fact is, that I am writing against

40 Ibid., 72.
even *Parliamentary Reform*, and that without any change of sentiment.”

This last phrase should alert us to a central element of Bentham’s political thought at this time, for it is “republican” reform—reform rooted in the unintelligible metaphysics of natural rights—to which he takes exception, not reform that can be justified on the solid ground of utility. It is from the “French Pandemonians” and their English disciples that he wished to disassociate himself. By 1795 he was busy exposing “the vein of nonsense, flowing from a perpetual abuse of words,” the “terrorist language,” that lay at the root of French revolutionary ideology in a penetrating tract first tentatively titled “Pestilential Nonsense unmasked,” then subsequently “No French Nonsense: or a Cross-buttock for the first Declaration of Rights, together with a kick of the A—for the Second ... by a practitioner of the Old English Art of Self-defence” (UC 108/104).

It is here that we find Bentham’s memorable denunciation: “natural rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense,—nonsense upon stilts.” Bentham did not fail to note the irony of the situation. “It is in England, rather than in France, that the discovery of the *rights of man* ought naturally to have taken its rise: it is we—we English, that have the better right to it.” The “right” Bentham had in mind is rooted in the flexibility of the English language, a flexibility that frequently supports different understandings of the same word. As with Halévy’s explication of the different senses of the term “radical,” Bentham distinguishes the adjectival and substantive senses of the term “right”:

> It is right that men should be as near upon a par with one another in every respect as they can be made, consistently with general security: here we have it in its adjective form, synonymous with desirable, proper, becoming, consonant to general utility, and the like. I have a right to put myself upon a par with everybody in every respect: here we have it in its substantive sense,...

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42 Correspondence, IV, 430.
43 While generally voicing the standard view of Bentham’s transition to the democratic cause K. M. Adams provides some useful pointers here; see “How the Benthamites became Democrats,” *Journal of Social Philosophy and Jurisprudence*, 7 (1942), 168-69.
44 Bentham to the Duc de Liancourt (11 Oct. 1795), Correspondence, V, 161.
45 A French edition, translated by Dumont, appeared in 1816, but it did not appear in English until after Bentham’s death with the less colorful title *Anarchical Fallacies; being an Examination of the Declaration of Rights issued during the French Revolution*, Works, II, 489-534. The most recent published extract from this work, reprinted with an informative commentary, is in J. Waldron (ed.), *Nonsense upon Stilts: Bentham, Burke and Marx on the Rights of Man* (New York, 1987), ch. 3, and it is from this version that I quote below.
46 Bentham, *Anarchical Fallacies*, Waldron (ed.), *Nonsense upon Stilts*, 53. The three previous quotations are located at *ibid.*, 48, 53, and 32, respectively,
In this statement egalitarian sympathies nestle comfortably with the invective against natural rights theory. Ignoring the "adjective shape" of the word "right," the French have seized upon "its substantive shape": the first, in so far as is "consonant to general utility," ought to be the case, whereas the second is an abuse of words by which "every fibre of the heart [is] inflamed, the lips prepared for every folly, and the hand for every crime."49

This, I believe, is as much as can be said to explain Bentham's diffidence on the subject of political reform in the 1790s. Utilitarian reformers of Benthamic ilk did not exist, and Bentham found himself in some discomfort sharing reformist ground with Lockean ideologues of French as well as English hue. The metaphysics of Locke's theory of natural rights were abhorrent to him. Politically they were unreliable as a basis for reform, and in French garb they produced a potent brew of prescriptions far beyond that which utility could justify. It seemed prudent for Bentham to distance himself from such dangerous formulations, even to align himself with the forces of order if some benefit might accrue.

The Mill-Bentham Association 1808-9

This brings us to the issue of the influence of James Mill on Bentham's later advocacy of political reform, the so-called "transition" to full-fledged political radicalism occasioned by the beginning of their collaboration. Dinwiddy acknowledged that the extent of Mill's influence is not directly deducible from Bentham's manuscripts on political matters written from 1809 to 1810, but he argued nonetheless that the meeting with Mill in 1808 was the "crucial factor in turning Bentham into a radical."50 This account of the Mill-Bentham association, frequently taken to be the standard view, is echoed in abbreviated form by James Steintrager: frustrated by the indifference of England's rulers to the Panopticon proposal, Bentham became convinced of the corruption that beset the English "monarchic establishment" and this hostility needed only the fillip provided by his meeting with Mill to convert him into a democrat.51

The chronology of the developing relationship between Mill and Bentham lends credence to this version of events. Their first meeting may have occurred a little earlier than the generally accepted date of the winter of 1808. This is suggested by Mill's association with General Miranda (in the cause of the emancipation of South America from Spanish control), who appears to have been in contact with Bentham early in 1808. There is a letter from

49 Ibid., 69.
50 Dinwiddy, "Bentham's Transition," 684.
51 J. Steintrager, Bentham (Ithaca, 1977), 82. This view is now so commonplace additional references are superfluous.
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Bentham’s secretary John Herbert Koe to Miranda, dated 3 February 1808, introducing “some of Mr. Bentham’s works which are unpublished.”52 It is conceivable that Mill who, together with his friend Joseph Lowe, maintained frequent contact with Miranda from early 1808 through to 1810,53 was the intermediary that facilitated Miranda’s interest in Bentham’s writings. Though this is far from conclusive, it would appear to indicate an earlier date in 1808 for the beginning of Mill’s association with Bentham, possibly even the winter of 1807.54 However, what we know for certain from their correspondence and manuscripts is that he and Bentham were well enough acquainted for Mill to spend two months at Bentham’s Oxted summer residence beginning late July 1809, and that Bentham started to write again on parliamentary reform shortly after, in the first half of August.55 This is the crucial moment in the standard version of Mill’s role in Bentham’s supposed “transition” to political radicalism. Unfortunately, the evidence for this account is no more than circumstantial.

Dinwiddy refers us to two of Mill’s essays of the time purportedly indicative of his pre-Bentham “radical” utilitarian credentials. Following Halévy, first he directs us to an article published by Mill in the Edinburgh Review in January 1809 on Spanish American politics, in which he attempted “to base the theory of representative government on the principle of utility.”56 This is an overstatement of the case. In essence what Mill provided in this article of some forty-four closely printed pages is a survey of British foreign policy towards Spain and its South American colonies. Where he touched upon “representative” government it is in the form of a brief digression, which might have presented itself as an expedient solution in the case of the South American colonies but which is not straightforwardly an argument for representation based on utility.57 Moreover, Mill’s tract is oddly flavored with monarchical sympathies: “provided care is taken to secure liberty, by diminishing sufficiently the power left in the hands of the King, and placing a sufficient share in the hands of the people, we know of nothing

52 Archivo Del General Miranda, Negociaciones 1808-1809, XXI (Havana, 1950), 54.
53 See ibid., XXI, XXII, and XXIII, passim. I am grateful to R. A. Fenn for drawing my attention to the relevant correspondence.
55 In addition to the Catechism of Parliamentary Reform, Works, III, 539-57, in the twelve months or so after August 1809 Bentham wrote over a thousand pages of draft material for a projected work on “Parliamentary Reform” (UC Boxes 125-30, interspersed with other material).
57 Mill, “Emancipation of South America,” 305; see also 307-8.
so desirable as the establishment of a mixed monarchy for the government of South America," he writes. And though acknowledging that the preference of the people was for "a constitution resembling that of their neighbours in the United States," he suggested that if it could be achieved without coercion, the people should be dissuaded from this and "a throne erected in South America ... for the aged ex-monarch of Spain."  

Dinwiddy's second piece of evidence (not cited by Halévy) is an earlier and, he argued, a more striking version of the utilitarian argument for representative government. This is another article in the Edinburgh Review of the previous October (1808), in which Mill wrote:

Wherever the joint affairs of a community are not managed by the joint influence, fairly compounded of all the orders of which it consists,—wherever the small number acquire the whole, or the greater part of the direction of the common interests, they are sure to draw towards themselves the advantages, and thrust upon the multitude the burdens of the social union, to the utmost of their power.

Mill then pointed out the various ways that from 1688 the English aristocracy had increased its power and exploited its position.

Stretching a point, Dinwiddy observed that this sounds remarkably like the position taken by Bentham in 1790, when he wrote that "the stricter the dependence of the governors on the governed, the better will the government be." On the grounds that Bentham did not begin to write again in earnest on the subject of parliamentary reform until the late summer of 1809, Dinwiddy concluded that this "notable coincidence of dates" confirms Mill's influence, "that Mill led the way in formulating, or reformulating, the basic argument on which the Utilitarian case for democracy was to be built." Once again, however, Mill's commentary on the preferred form of government is an aside, a digression in the middle of a detailed description of British foreign policy—this time with reference to Sicilian government and society. True, anti-aristocratical sentiments are expressed and the notion that "the people" should have a share in the management of national affairs is clearly stated; but reformers of a variety of stripes, not necessarily utilitarian, might have advocated similar panaceas for states ill-governed. In other words there is nothing expressly utilitarian or extensively democratic about Mill's position in this article.

58 Ibid., 299.
60 Ibid., 196, quoted by Dinwiddy, "Bentham's Transition," 684.
63 Dinwiddy, "Bentham's Transition," 685.
To be fair, Dinwiddy did acknowledge to some degree the weakness of his own case. He pointed out that the frequent contact between Mill and Bentham from the summer of 1809 forward made it “difficult if not impossible to distinguish between the respective contributions of Bentham and Mill” to the early development of “philosophic radicalism” and that the subsequent work of both in this area “owed a good deal to joint discussion.”

Dinwiddy was also aware that even before Mill’s lengthy visit to Oxted in the summer of 1809, Bentham had already, in June and July, put down some jottings on reform, including a list (dated 4 July) of the grievances that made reform necessary, although these grievances had more to do with the preference given by law to the upper ranks and the general failings of the legal system than with political defects in the institutions of government (UC 127/117).

According to this interpretation, the “transition” occurred when later in the summer Bentham gave voice to the view that abuses in the law and abuses in parliament were interrelated: the beneficiaries of the law and the beneficiaries of a corrupt parliament were united in one “confederated sinister interest” (UC 126/304). The introduction of the concept of “sinister interest” (not present in the manuscripts of 1788 to 1790) clearly sharpened the focus of Bentham’s critique. Earlier in his life he had thought that pointing out confusions and fallacies and how matters might be improved would be sufficient. Reflecting on the development of his political opinions over the previous fifty years, in the Preface to the 1823 edition of A Fragment on Government (first published in 1776), he remarked that the “Author of the Fragment” at that time did not “see the effect of any worse cause than inattention and prejudice”; but now he understood the nature of “the elaborately organized, and anxiously cherished and guarded products of sinister interest and artifice.”

The older and disillusioned Bentham came to realize the strength of the forces at work against prescriptions based on utility. The lawyers, the Church, and politicians were united in their determination to maintain “the Establishment.” However, as Ross Harrison has noted, even the Bentham of the earlier period must have had some inkling of the dimensions of the struggle. After all it would have been rather naive to suppose that merely indicating confusions would persuade those in power to listen to the voice of utility, especially when it went against the interest of the powerful; “interest” was the basic principle of motivation according to the Benthamite psychology, and who could willingly be led to act contrary to their own interest? Even if we allow that some significant transition did take place in

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64 Ibid., 697.
65 Ibid., 686, 687.
66 Quoted in ibid., 688.
Bentham’s political analysis, it is still legitimate to enquire whether this development occurred because of Mill?

Here again context is important: the movement for political reform experienced a resurgence in Britain in the second half of the first decade of the new century. Following the repressive actions of the Pitt administration in the 1790s and the successful campaign to stimulate British patriotism in the war with France, political reform underwent a ten-year hiatus. The election of Francis Burdett in the constituency of Westminster in 1807 signalled a revival of reformist politics which over the next few years was to assume a more substantively “radical” character. Dissatisfaction with the conduct of the war focused on the Convention of Cintra in August 1808 and the failure of the Walcheren expedition a year later, leading to a vote in the Commons on 6 April 1810 calling for Burdett’s imprisonment in the Tower of London for “breach of privilege,” was compounded by popular outrage over corruption in high places. From early 1808 on Cobbett in the Political Register, Leigh Hunt in The Examiner, and even Francis Jeffrey in the Edinburgh Review frequently expressed alarm over the growth of executive power and government patronage during the war years. This general disenchantment inevitably led to demands for parliamentary reform, epitomized by Burdett’s Crown and Anchor address of 1 May 1809, and motions in the Commons to that effect in 1809, 1810, and 1812.69 Against this background in January and February 1809 we find Bentham joining the general attack on the political establishment in a series of manuscripts on the death penalty designed to expose the corrupting influence of the Crown in the administration of justice (UC 107/193-277). Here he irreverently refers to the king as the “God of Blackstone’s idolatry” (UC 107/208) and suggests that rulers such as Nero and Caligula would have been delighted to wield the arbitrary power of pardon exercised in England’s judicial system by the Crown (UC 107/193).70 With reform again in the air it should not surprise us to find Bentham—ever ready to seize an opportunity to have an impact upon the public stage—once again considering his position on political subjects.

What can be said of Bentham’s liaison with Mill? In late 1809, when Bentham came to address the matter of political reform, we know that he reviewed the revisionist essays of 1793 to 1795 (signalled in a note at UC 44/1, dated 1809, referred to above p. 13); given this, it is likely that he also consulted the manuscripts of 1788 to 1790 in which he worked out the utilitarian logic of reform. But of his reading of Mill and the substance of their conversations of this time, we know little. R. A. Fenn, author of the only recent full-scale treatment of Mill’s political thought, is unable to shed more

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light on the matter. Though he is prepared to state that Mill’s loss of faith in Christianity owed much to his discussions with Bentham,\textsuperscript{71} he is reluctant to be categorical about the nature of the influence between Mill and Bentham on political matters.\textsuperscript{72} Unfortunately, Bentham’s correspondence, usually so informative about his writing habits, proposed works and works in progress, is relatively silent on the nature of his collaboration with Mill at this time. Indeed, it is Mill who repeatedly signs his letters to Bentham as “your affectionate pupil.”\textsuperscript{73}

In the absence of any compelling evidence to support Dinwiddy’s case, two other possibilities suggest themselves. First, that both Mill and Bentham were “radicalized” by disparate influences drawing them to similar theoretical conclusions:\textsuperscript{74} both were convinced of the importance of sound theory to practice, and both were responding to the political exigencies of the day (the political and administrative corruption, the inability of the politico-religious and judicial establishment to reform itself, and the use of the French bogey to resist reform). All these considerations would have made their association in 1808-9 timely and convenient. Second, it is entirely conceivable the influence worked the opposite way to that proposed by Dinwiddy, that is, \textit{from} Bentham (who had already worked out in some detail the utilitarian justification for “virtual universality of suffrage,” secret ballot, and frequent parliaments) \textit{to} Mill, and not vice-versa. On the first view Mill did not “radicalize” Bentham, nor did Bentham “radicalize” Mill; though their development may have taken a different route, both were in some sense “radical” reformers before they met each other. On the second view Mill may well have become a disciple of Bentham before they began their association; and once fully acquainted with the nature of Bentham’s system—its thoroughness, all-encompassing nature, and pressing need for a publicist—Mill found his mission in life.

Though the first view cannot be dismissed, there is some evidence to suggest that the second may be the more persuasive, since it would appear that Mill was already familiar with aspects of Bentham’s critical work on the law before the two first met. There is a eulogistic review by Mill of “Bentham on Scotch Reform” in the \textit{Annual Review and History of Literature} for 1808 (published March 1809), which contains various favorable

\textsuperscript{71} R. A. Fenn, \textit{James Mill’s Political Thought} (New York, 1987), 30. According to Fenn (\textit{ibid.}, 31) it was to be a few years after their first meeting that Mill “fell into the logically simplistic religious critique” Bentham first publicly expounded in the \textit{Analysis of the Influence of Natural Religion on the Temporal Happiness of Mankind} (London, 1822).

\textsuperscript{72} Fenn, \textit{James Mill’s Political Thought}, 36n, 126n.

\textsuperscript{73} See \textit{The Correspondence of Jeremy Bentham} (CW), VIII, ed. S. Conway (Oxford, 1988), \textit{passim}.

\textsuperscript{74} Though both Mill and Bentham were influenced in different degrees by Bacon, Hume, and Helvétius (to name a selection of their most obvious progenitors), Mill’s intellectual development also owed a good deal to his Scottish upbringing and education, for a discussion of which see Fenn, \textit{James Mill’s Political Thought}, ch. 1.
comments on Bentham’s philosophy of law and suggests that Mill had previously read other works by him. In this review Mill locates Bentham’s work on Scotch Reform within a broader project to improve the administration of justice and describes it as “a criticism on the courts of law and the modes of administering justice in England, which forms a piece of the most important instruction which was ever laid before any nation.” And Bentham is praised thus: “Of all the men, in all ages, and all countries, who have made the philosophy of law their study, he has made the greatest progress.” That Mill already had a thorough knowledge of Bentham’s philosophy of law before writing this review also appears evident in a letter to General Miranda of 7 January 1809, in which Mill confides “I have just finished a thorough exploration of all of Mr. Bentham’s writings on the subject [of codes of law], on which I have been able to lay any [sic] hands.” Finally, there is a brief note from Mill’s close friend Joseph Lowe to Miranda, dated 4 November 1808, suggesting that he and Mill were already hard at work on Bentham’s behalf.

Having said this, we should not unduly play down the importance of Mill to Bentham. When speaking of the use made of Bentham’s ideas by his disciples, it is well to heed Fred Rosen’s caution to carefully distinguish between theory and ideology. Ideology belongs in the public domain, while it is entirely possible for theory to lie in the philosophical vaults never to be disturbed. It is in this respect that James Mill (among others) became crucial to the project of popularizing Bentham’s political, economic, and social ideas. From 1788 to 1790 Bentham hardly seems to have considered this a necessary endeavor; the time, at least in Britain, was not propitious for the acceptance of his suggestions for political improvement, and he prudently left his political theorizing in the closet. Nevertheless, the point is that this theorizing was appropriately utilitarian; public acceptance would have to await changes in public attitudes more conducive to constitutional improvements. By the second decade of the new century significant changes were already abroad, and Bentham, aided by Mill and others, enthusiastically threw himself into the struggle.

In sum, then, it seems clear that Bentham’s interest in democracy from 1788 to 1790 was the product of the shattering events in France and that he seriously considered that such schemes might be of benefit in England. Subsequent events in France alerted him to the dangers consequent on too violent an alteration in a nation’s constitution, especially when premised

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75 [J. Mill], “Bentham on Scotch Reform,” Annual Review and History of Literature, VII (1808), 198-203.
76 Ibid., 198.
77 J. Mill to General Miranda (7 Jan. 1809), Archivo Del General Miranda, Negociaciones 1808-1809, XXII, 187, emphasis added.
78 J. Lowe to General Miranda (4 Nov. 1808), ibid., 99.
79 Rosen, Bentham, Byron and Greece, introduction.
upon the shaky foundations of natural rights theory. Over the next twenty years Bentham had many axes to grind in the way of reform—not the least of which lay in the area of the law, including penal law, the jury system, and the procedures governing evidence—but reform of Britain’s political institutions rarely featured in the list. In other words, Bentham publicly declared for reform in several areas of social concern but not expressly in the political arena. Later on, when reform assumed its substantively radical character, he again considered the value of democratic institutions in manuscripts not to be published until 1817 and after.

There were, no doubt, understandable personal reasons why Bentham should declare for democracy around the end of the first decade of the new century. His dismay at the lack of movement on a number of his reform proposals could barely be contained after the long and bitter fight to force the government to act on his Panopticon scheme. However, it was not a later transition that brought him to this view. Rather it was his examination of the utilitarian logic of democratic institutions, already substantially laid out in the unfinished essays of 1788 to 1790, that served to confirm him in the belief that the political state could not be organized in any better way for achieving the goal of general happiness he ascribed to it.

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