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JEREMY BENTHAM¹

JEREMY BENTHAM worked continuously at the main problems of social science for seventy years, and made a link between the England of Dr. Johnson and the England, which he himself did so much to fashion, of the Reform Bill. He was born in 1748. He was 28 years of age when the American Colonies declared their independence, he was 41 when the Bastille was taken, and 67 when Waterloo was fought, and he died, working to the last, the day before the Reform Bill of 1832 became law.

His father, Jeremiah Bentham, was the pushing, well-to-do and Tory-Jacobite clerk of one of the City Companies, who married comparatively late in life, and was delighted to find that the tiny little boy whom he christened Jeremy showed,

¹ This article comprises the principal portion of the Foundation Oration delivered by Professor Graham Wallas in the Great Hall of University College, London. By way of preface, Professor Wallas remarked that Bentham well deserved the leading place in the list of founders of University College, from which grew the great University of London. "It is true that it was Campbell, the poet, who first, in a letter to the *Times*, proposed that a London University should be founded. But the intellectual father of the University and College was Jeremy Bentham. Bentham, old man as he was—for he was seventy-seven when the foundation stone was laid—served on the first organizing committee. On all the early committees of the College you constantly find the names of Bentham's personal disciples. James Mill, George Grote, Joseph Hume, Henry Brougham, John Cam Hobhouse, John Austin, all worked for the College, and Mill's greater son, John Stuart Mill, was one of the first body of students. But what was more important was that the ideas and ideals which gave life and meaning to the study of the moral and political sciences in the new institution were so largely drawn from Bentham's teaching and writing. He himself recognized the identity of his own purposes with that of the College, and when, seven years after the laying of the foundation stone, he died, he left to the library one hundred and seventy boxes and bundles of his manuscripts, which are still there, an unexhausted mine for the history of two vitally important generations of English intellectual development. The most beautiful and valuable ornament of the University offices at South Kensington is a bust of Bentham by the great French sculptor, J. F. David, inscribed "*Hommage à Jeremie Bentham*", and the quaintest of the College's possessions is Bentham's skeleton, dressed in his favorite clothes, topped by a wax mask of his face, and holding his stick Dobbin, with which he used to trot every morning round his Westminster garden.

almost from babyhood, clear indications of genius. Jeremiah Bentham, as long as he lived, was Jeremy Bentham's cross of affliction. His ambition, his showmanship, his thick-skinned snobbery, his love and his pride tormented Jeremy's boyhood and youth. Jeremy was to be Lord Chancellor, and was to reach the wool-sack by social as much as by professional success.

At seven years old Bentham was sent as a boarder to that concentration-camp of eighteenth-century bullying, Westminster School. Luckily he was too small and weak and wonderful to be bullied. It was clear that if anyone hit him he would break, and the dullest brutes at Westminster were amazed at his cleverness. But he suffered horribly from fear—of ghosts, of hell, of everything of which an imaginative child can be afraid. At twelve, he was sent to what was then the most fashionable and possibly the idlest college at Oxford, Queen's College. Within a week or two of his matriculation George II died, and Bentham wrote a copy of Latin verses on the occasion. His father had them printed, and took them round to his literary acquaintances. Dr. Johnson, then the acknowledged dictator of literature in London, said that they were "a very pretty performance of a young man." Bentham, in after life, said they were "a mediocre performance on a trumpery subject, written by a miserable child." At Oxford, Bentham, shy, ridiculously overdressed, and skimped in his allowance, was no more happy than at Westminster. The big young squires of Queen's College called him "the philosopher." Yet they were capable of showing off their strength by holding him upside down, and he lost one of his few half-guineas in this way. He scorned the contemptible education of unreformed Oxford as heartily as did Gibbon or Adam Smith; "We went," he says, "to the foolish lectures of our tutors to be taught something of logical jargon."

Meanwhile the poor little wonder-child was leading, unknown to anyone else, an inner life of heroic purpose. When he was six or seven years of age his father engaged for him a French tutor, and the tutor made him read Fénelon's *Télémaque*, which had been written, half a century before, for the little Duke of

Burgundy, who, if he had not died of small-pox, would have become King of France. The unrelieved excellences of *Telemachus* seem absurd to a modern schoolboy, but the book captivated Bentham, as it had captivated the little Duke. "In my own imagination", Bentham says, "and at the age of six or seven, I identified my own personality with that of a hero, who seemed to me to be a model of perfect virtue; and in my walk of life, whatever it may come to be, why, said I to myself, every now and then, why should I not be a *Telemachus*."

His "walk in life" was fixed for him partly by his father's determination that he should be a lawyer, partly by his passionate devotion, which never left him, to the good of mankind, and partly by his strong instinctive interest in science and scientific method. Of the year 1785 he wrote "This was the period of the birth of chemistry; and the phosphoric matches lately invented charmed me so much that I wrote a poem." The library of University College contains Bentham's translation of a French text-book of chemistry, and the draft of a preface to an unwritten book in which he explains that his intellectual life-work consisted of the application to the social sciences of the methods already invented for the natural sciences. "The present work," he there says, "as well as any other work of mine that has been or will be published on the subject of legislation or any other branch of moral science, is an attempt to extend the experimental method of reasoning from the physical branch to the moral."

Bentham's general interest in scientific method was combined with a particular talent for introspective psychology. He was a born psychologist, born, unfortunately, before the discovery of modern psychology. In his last memorandum, which he wrote a day or two before his death, he says, "I have two minds, one of which is perpetually occupied in looking at and examining the other"; and at the age of 44, when he was in love and writing, as lovers do, to explain away a silly letter, he said, "What made me write so foolishly? I'll tell you; for I have made my head to screw off and screw on, and I can set it on my knee, and open it, and see what is inside of it."

From a combination of social passion with psychological

method Bentham arrived at that "Greatest Happiness Theory" or "Utilitarian Principle," which dominated his social philosophy. The use he made of that principle for legal, political and social invention was new; but he never claimed to have invented the principle itself. When he was twenty-three years old he read Priestley's *Essay on Government*, and found the passage: "The good and happiness of the members, that is the majority of the members, of any state, is the great standard by which everything relating to that state must finally be determined." Henceforward, he substituted the principle of "The Greatest Happiness of the Greatest Number" for his vague determination to devote himself, like Telemachus, to the good of mankind. But what is Happiness? He took from Helvétius and Beccaria the eighteenth-century philosophical answer, that it consisted in the presence of pleasure and the absence of pain. There remained the question of relation between this psychological fact and the problem of human conduct. Bentham answered that men have an irresistible instinct to seek pleasure and to avoid pain, and that the members of any community would necessarily become happy if their institutions were so contrived that pleasure resulted from social, and pain from unsocial conduct. His *Introduction to Morals and Legislation* (1789) begins, "Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. . . . In words a man may pretend to abjure their Empire; but in reality he will remain subject to it all the while."

Before reading Priestley's pamphlet Bentham had taken his Oxford degree at the age of fifteen, had begun to "eat dinners" at Lincoln's Inn, and had returned to Oxford to hear the great Blackstone deliver the newly established professorial course on English Law. "I heard", he says, "the lectures, aged sixteen, and then no small part of them with rebel ears." When he was eighteen he took his M. A., and returned to live in chambers in Lincoln's Inn on a small income of £100 a year settled on him by his father, who had married again. His father's care had provided a few cases for him; but he soon killed

them (in one instance by advising the client that litigation would cost more than it was worth) and devoted himself to the enormous task of discovering what are the ends aimed at by law and by what means those ends should be attained. He knew well that in so doing he was giving up any chance of professional success. His step-brother, Charles Abbot (afterwards Speaker of the House of Commons) wrote to him, "You are just able to keep body and soul together without practice, I am not."

So Bentham, "just keeping body and soul together" on £100 a year in Lincoln's Inn, began the way of life which he kept up for sixty-six years, and which is recorded in the enormous mass of his unpublished manuscripts. Every day he wrote, generally fifteen folio pages, and as he wrote he thought. He already, in the case of his friends Wilson and Lind, showed his power of attracting and holding disciples. But in the main his life at Lincoln's Inn was that of the solitary thinker, and no one has described better than Bentham the sufferings of that life. In a treatise on political economy, he speaks of the "timidity," which "labors in grief, in darkness, in awkwardness, embarrassment and false shame the frequent and afflictive companions and most cruel enemies of merit and solitary genius." He did not escape the danger which leads the solitary thinker to postpone the publication of his thoughts till the impossible day when their form shall have become perfect. Wilson writes to him in 1787, "Your history since I have known you, has been to be always running from a good scheme to a better. In the meantime life passes away and nothing is completed." In 1776 the insistence of his friends had induced him to publish anonymously the *Fragment on Government*. Blackstone had turned his Oxford lectures into a book, opening with a few vague and pompous generalizations about the glories of English law and the English constitution and the social contract as the original source of law. Bentham attacked him from his own psychological standpoint, and, in a succession of scornful and sometimes over-elaborated paragraphs, shook the great judge's phrases as a terrier shakes a rat. The treatise was ascribed to half the best-known writers

of the time, till Jeremiah Bentham's paternal pride let out the secret.

The *Fragment* ceased at once to be a matter of drawing-room talk, but its publication had given Bentham a new and important friend. Lord Shelbourne (better known as Lord Lansdowne, and at one time Prime Minister) called at Lincoln's Inn, and asked Bentham to stay at Bowood House. Lansdowne, though he was older and more experienced than Bentham, learned much from him, and, like all those who came in contact with him, thoroughly enjoyed his company. "His disinterestedness", wrote Lansdowne, "and originality of character refresh me as much as the country air does a London Physician." Bentham, on the other hand, says that Lansdowne "made me feel I was something." The life of the great English country houses was then in its glory, and during long visits at Bowood, Bentham met the leading English statesmen of the time on equal terms. He was a musician, a chess-player, an excellent French scholar, and what ladies would now call a "dear." The ladies at Bowood, rather tired perhaps of politics and sport, and of the men who sat long over their wine, delighted in him. Lansdowne suggested that Bentham should marry one of them, and Bentham fell gently and unsuccessfully in love with another one. He worked steadily, whether in London or at Bowood, at his great system of political science, part of which was published in 1789, as *An Introduction to the Principles of Morals and Legislation*. This is the best written of all his books, and remains the best general statement of the Benthamite gospel. It is based on a rigorously consistent psychology, as psychology was then understood. To Bentham no motive is in itself either good or bad. All human instincts are equally natural, and the only moral judgment that we can apply to them must result from an enquiry whether in any particular case they lead to the unhappiness or happiness of the greatest number. Loyalty, and love, and anger, and piety, and patriotism, are in themselves neither virtues nor vices. Love is the same instinct as lust, and caution as fear; we should only praise or blame them when in each case we have unflinchingly calculated their actual or probable effects. We have no duties

to abstractions, like states, and constitutions, and natural rights, and parties, and churches, but only to actual human beings who can feel actual pains and pleasures.

Bentham still thought of himself in 1789 as a Tory like his father, and it was a quarter of a century after the publication of the *Introduction* before he began to realize the full revolutionary implications of his method. But there could be no doubt of its effectiveness when he turned it (as he did in this book) on to the pretenses and absurdities and cruelties of eighteenth-century English legal procedure, on to John Doe and Richard Roe, and the rule which forbade a prisoner to give evidence on his own behalf. Other lawyers felt, like Bentham's step-brother Abbot, that a man with his way to make in the world should find out what law was, instead of asking what law ought to be. But, as the years went on, Bentham's steady industry, his ingenuity and fertility, his quaint humor, the smouldering fire of scorn behind his books and pamphlets and talk, had their effects even on the Inns of Court. Every decade a few public-spirited lawyers—Romilly, and Brougham, and Austin, and the rest—became his disciples; and at the end of the nineteenth century Sir Henry Maine was able to say, "I do not know a single law reform effected since Bentham's day which cannot be traced to his influence."

Before the publication of the *Introduction* Bentham had spent two years in Russia. His only brother, Samuel Bentham, nine years younger than himself, had been educated in accordance with Bentham's advice, and had become a brilliant and ingenious mechanical engineer. Samuel Bentham was in the employ of the great Russian land-owner, Prince Potemkin, and was carrying on the work of Peter the Great by training serfs as artisans. Bentham stayed with him, writing his daily fifteen pages (including a Defence of Usury and a Criminal Code in French) and in 1788 returned, a year before the French Revolution, to England.

In March, 1789 the Revolution was already in full swing, and Bentham writes, "For these five or six months past my head and my heart have been altogether in France." The French Revolution made Bentham at once an international

figure. He had met at Bowood Dumont, the Swiss tutor of Lansdowne's sons, who apparently read some of Bentham's manuscripts, and became his avowed follower. Dumont was now Secretary to Mirabeau, the leader of the early stages of the Revolution, and turned Bentham's philosophy and many of the details of his political and legal proposals, into speeches to be delivered to the National Assembly. One may see in the Library of University College long slips of manuscript inscribed "To be shown to M. Mirabeau." The procedure of the Assembly was largely based on a sketch by Bentham, and he, with Wilberforce the Tory philanthropist, and Paine the republican, was made a citizen of France.

In 1792, when the French Revolution had taken its own course, Bentham's father died, and left him £600 a year. At the same time, Samuel Bentham returned from Russia and began to work for the British Admiralty. Then came the great disaster of Bentham's life. He and his brother in Russia had worked out a scheme for a wheel-shaped building, where a single inspector could watch a large number of workmen in the galleries which radiated from his observation-room. The building was to be called the Panopticon. This scheme Bentham now proposed to the government as a means of improving the abominable prisons of the day and abolishing the equally abominable hulks and transportation-settlements. The Ministry encouraged him, he was enthusiastic, and he sank nearly all his inherited capital on the purchase of land and the commencement of a model prison at Millbank. He was convinced that the same scheme could be used for abolishing the degradation of the old poor law, and that it was an infallible "machine for grinding rogues honest and idle men industrious." He proposed a contract by which all the prisoners and paupers in England should be handed over to him to employ for profit in Panopticon buildings. But Bentham's psychology, though it was a good enough weapon for reform in legal and parliamentary procedure, was utterly insufficient for the direction of the whole lives of tens of thousands of children and women, and invalids and defectives, and criminals, and unemployed or unemployable workmen. Yet every year Bentham became

more convinced of the perfection of his scheme, and every year its details became more minute and more unworkable. The Ministry began to distrust him, but, after the manner of busy statesmen in war-time, came to no decision. Already in 1795 Wilberforce writes, "Poor Bentham is dying of the sickness of hope deferred"; and again in 1811, "Never was anyone worse used than Bentham. I have seen the tears running down the face of that strong-minded man through vexation at the pressing importunity of creditors and the insolence of official underlings, when day after day he was begging at the Treasury for what was, indeed, a mere matter of right." At last, in 1811, the Government appointed a Select Committee, which drew up an unanswerable report both as to the impracticability of the scheme, and as to the right of Bentham to compensation, and he was paid £23,000.

He was now 65 years old, and many of his friends must have thought of him as a broken man, broken by one of those "fixed ideas" which are the special curse of solitary and original thinkers. Many years later he told Bowring, "I cannot look among Panopticon papers; it is like opening a drawer where devils are locked up, it is like breaking into a haunted house."

But Bentham's best and most effective work was still to be done. In 1808 he had become acquainted with James Mill, a Scotch philosopher who was supporting a growing family by literary journalism, and through Mill with Francis Place, the Charing Cross tailor, ex-Trade Union Secretary, and masterly election-manager. Mill and Place became his devoted disciples, and brought their revered and beloved master for the first time into practical English politics. They convinced him that the Greatest Happiness Principle was meaningless unless it led to universal suffrage. Bentham became the intellectual leader of the famous Westminster group of Radical politicians. He was soon surrounded by men a generation or two generations younger than himself, Mill and his son, Place, Wakefield, Grote, Southwood Smith, Parkes, Bowring, Buller, Chadwick and others. Under the stimulus of these new followers, with their varied experience, and their hopes for a new world after the long war, he carried on his work as political inventor and

adviser more continuously and effectively than ever before. He drafted a complete scheme of Parliamentary democracy. He poured out details of elementary, secondary and technical public education. He performed miracles of industry in preparing a codification of all law. Between 1824 and 1832, with the help of Southwood Smith and Chadwick, he wrote his unfinished but amazing *Constitutional Code*, the mine from which a whole new system of English Government and of the relation between English central and local government was extracted in the years that followed the Reform Bill of 1832. From the incompletely printed manuscript of the *Constitutional Code* Chadwick took the details of the New Poor Law of 1834, Parkes and Place the details of the Municipal Reform Act of 1835, Chadwick the details and even phrasing of the Act establishing a scientific system of vital statistics in 1836. The whole book was at last printed in 1841, and contained, mixed with some details which seem to us fanciful, schemes which have since then been carried out for a logical division of work between the government departments, for Ministries of Health, and Education, and Police, and Transport, in connection with corresponding municipal committees and expert municipal officials, and—most wonderful of all when one thinks of the patronage arrangements of the time—a Civil Service recruited by competitive examination, access to which was to be made possible to the poorest boy of talent by a great system of educational scholarships. Tallyrand was right when he said of Bentham in 1830, "Though all the world was stolen from him, he is still rich."

Bentham in his old age became an international figure in a wider sense than he had been when he was made a citizen of France. Dumont's French translations and condensations of his manuscripts were read all over the world, and were used by the leaders of the new national movements which defeated the Holy Alliance and created free nations from the fragments of the Spanish and Turkish Empires. In 1793 he had addressed a vigorous pamphlet to the French Government with the title *Emancipate your Colonies*. His English version of this pamphlet ends: "You will, I say, give up your colonies because

you have no right to govern them, because they had rather not be governed by you, because it is against their interests to be governed by you, because you can get nothing by governing them, because you cannot keep them, because the expense of trying to keep them would be ruinous, because your constitution would suffer for your keeping them, because your principles forbid your keeping them, and because you would do good to all the world by parting with them."

This pamphlet was used during the next thirty years for semiprivate circulation among the friends of colonial liberty, and the manuscripts in the library of the University of London show that Bentham was in 1828 drafting a petition to be addressed from the Canadians to the British Parliament asking for complete separation.

But events and Bentham's own intellectual industry and honesty and elasticity were during the last few years of his life driving him far beyond a merely negative attitude as to England's overseas dependencies. In 1819 James Mill had become a high official of the East India Company, and soon brought John Mill in as his assistant. Bentham became profoundly interested in Indian reform; and Rammohun Roy, the founder of the reforming society called the Brahma Somaj, became his friend and correspondent. Lord William Bentinck, when in 1827 he went as Governor General to India, wrote to Bentham, "I am going to British India, but I shall not be Governor General. It is you who will be Governor General." For India Bentham concentrated his efforts on the task of separating law from despotic discretion, and of building up a system of legal and judicial institutions based on political science and independent of the executive government. If ever we march out of India and leave behind us anything better than mountains of empty soda-water bottles, it may be that this principle of Bentham's will prove to be our most permanent contribution to Indian civilization.

In 1829, when Bentham was eighty-one years old, Edward Gibbon Wakefield, the reckless, able son of Bentham's old friend Edward Wakefield, came out of Newgate prison, after serving a sentence of two years for the fraudulent abduction of

an heiress. In prison Gibbon Wakefield had thought out a scheme for the scientific settlement and self-government of the Australian colonies. He took his scheme to Bentham, and it is a wonderful proof of the elasticity of Bentham's mind in extreme old age that he was at once converted, and sat down to draft, on sheets of paper which are still preserved, the prospectus of a colonization company, and a declaration of the principles of Australian self-government. One sentence of his draft states the object of the proposed Colonization Society, in words which those responsible for the intellectual life of Australia should still heed to-day, as the "giving to the immigrant into Australia not merely the means of existence . . . but, through the medium of education, the means of *well-being* in all time to come, as well in respect of the mind as in respect of the body." One is glad to know that the Australian scheme even healed in part the wound of the Panopticon disappointment, and that Bentham could write, "I am reconciled to the loss of Panopticon when I think of the mass of happiness that is being created there."

What is still more wonderful is that Bentham at eighty-one saw that if England was to help in the creation of this "mass of happiness" in her temperate colonies the old principle of *Emancipate your Colonies* must be abandoned in favor of a new principle of self-government within the Empire. He printed a page of retraction to that effect, which he pasted on the remaining copies of his original pamphlet; and six years after Bentham's death his disciples made that principle the basis of that new Canadian polity which soon spread to the other Dominions.

GRAHAM WALLAS

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