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Introduction

Philip Schofield

The inspiration for the present volume came from Anthony Julius upon his appointment as University College London's first professor of law and the arts at the beginning of 2017. Given UCL's close association with Jeremy Bentham, and his own misgivings concerning the way in which Bentham, utilitarianism and political economy is standardly – and unsympathetically – contrasted with Coleridge, Romanticism and literature, Julius believed that the time was ripe for a reassessment. With a view to considering the question of 'Bentham and the arts', which, to those who had absorbed the standard account, would appear to be an oxymoron, he approached Philip Schofield, his colleague in UCL's Faculty of Laws and director of the Bentham Project and general editor of the new authoritative edition of *The Collected Works of Jeremy Bentham*. They invited Malcolm Quinn at the University of the Arts London to join the enterprise. Quinn formed the perfect link between Bentham and the arts, having recently published, under the title of *Utilitarianism and the Art School in Nineteenth-century Britain*, a study of the influence of utilitarian thought, and of Bentham in particular, on the introduction of publicly funded art education in Britain at the beginning of the Victorian era.¹ It was decided to invite scholars from a variety of backgrounds – including history, philosophy, psychology, literary studies and the arts – to contribute to a seminar series, which duly took place at UCL in the first half of 2018. It was hoped that the presentations would be of sufficient interest and importance to form the basis for a collection of essays – hopes that were not simply realized but far surpassed. In order to bring coherence and focus to the putative volume, the contributors were all asked to take Bentham's recently published writings on sexual morality

as their core material. These writings consisted of three essays entitled 'Of sexual irregularities – or, irregularities of the sexual appetite', 'Sextus', and 'General idea of a work, having for one of its objects the defence of the principle of *utility*, so far as concerns the liberty of taste ... Not Paul, but Jesus', which had been published in *Of Sexual Irregularities, and Other Writings on Sexual Morality (Collected Works of Jeremy Bentham)*,² and in *Not Paul, but Jesus*, Volume III (the work announced in 'General idea'), which had been made available online,³ pending its appearance in the *Collected Works* as part of the authoritative three-volume edition of *Not Paul, but Jesus*.⁴ All these writings date from the mid-1810s. As was to be expected, the contributors ranged much more widely across Bentham's corpus, but these essays, together with John Stuart Mill's critique of Bentham and in particular of his views on poetry, form a common thread through the present volume.

The orthodoxy to which Anthony Julius was exposed during his undergraduate studies at Cambridge, and which forms the impetus for the present volume, had been propagated by F.R. Leavis, arguably the most influential literary scholar of the twentieth century, who had used John Stuart Mill's complementary essays on Bentham and Coleridge – in Mill's view, the two major representative thinkers of the age – in order to draw the distinction between utilitarianism and Romanticism, and thereby had pitted political economy against literature. This theme is the starting-point for Julius's own chapter below, but for present purposes it is worth drawing attention to the fact that, while his essays contained both praise and criticism of Bentham and Coleridge, Mill was particularly disdainful of Bentham's attitude towards notions of taste. In drawing attention to taste, Mill anticipated the issue that looms large in the present volume because of its centrality to the debate on the relationship between utilitarianism and literature and between Bentham and the arts.

Mill argued that every human action could be considered from three 'aspects'. The moral aspect concerned its rightness or wrongness, addressed itself to reason and conscience and led to approval or disapproval; the aesthetic aspect concerned its beauty, addressed itself to the imagination and led to admiration or despising; and the sympathetic aspect concerned its loveableness, addressed itself to human fellow-feeling and led to love, pity or dislike. Bentham's 'error' had been to treat 'the *moral* view of actions and characters, which,' Mill admitted, 'is unquestionably the first and most important mode of looking at them, as if it were the sole one', and had thereby ignored the aesthetic and sympathetic aspects. Mill claimed that it was 'not possible for any

sophistry to confound these three modes of viewing an action', although it was 'very possible to adhere to one of them exclusively, and lose sight of the rest', which was precisely what Bentham had done. Mill continued:

He carried this so far, that there were certain phrases which, being expressive of what he considered to be this groundless liking or aversion, he could not bear to hear pronounced in his presence. Among these phrases were those of *good* and *bad taste*. He thought it an insolent piece of dogmatism in one person to praise or condemn another in a matter of taste: as if men's likings and dislikings, on things in themselves indifferent, were not full of the most important inferences as to every point in their character; as if a person's tastes did not show him to be wise or a fool, cultivated or ignorant, gentle or rough, sensitive or callous, generous or sordid, benevolent or selfish, conscientious or depraved.

Mill claimed that nothing had done more than Bentham's 'error' in this respect 'to place him in opposition to the common feelings of mankind, and to give to his philosophy that cold, mechanical, and ungenial air which characterizes the popular idea of a Benthamite'.⁵

Mill went on to draw attention to 'Bentham's peculiar opinions on poetry'. While denying that Bentham held the fine arts in contempt, Mill explained that he 'entertained no favour towards poetry':

Words, he thought, were perverted from their proper office when they were employed in uttering anything but precise logical truth. He says, somewhere in his works, that, 'quantity of pleasure being equal, push-pin is as good as poetry:' but this is only a paradoxical way of stating what he would equally have said of the things which he most valued and admired.

Mill explained that Bentham's basic view was that poetry 'consisted essentially in exaggeration for effect: in proclaiming some one view of a thing very emphatically, and suppressing all the limitations and qualifications'. Such a criticism was too extensive, since it could be applied to each and every form of writing 'which undertakes to make men feel truths as well as to see them', and that justifiably did so 'if the portion of truth which it thus enforces be that which is called for by the occasion'.⁶

The passage on push-pin and poetry to which Mill famously refers appears in Bentham's *Rationale of Reward*, a text that had first appeared as the second volume of Étienne Dumont's French recension *Théorie des*

peines et des récompenses in 1811, but based on manuscripts written in the 1770s, and translated into English by Richard Smith and published in 1825. In the context of a discussion of the arts and sciences of amusement and curiosity, as distinguished from the arts and sciences of utility, Bentham remarked:

Prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry. If the game of push-pin furnish more pleasure, it is more valuable than either. Everybody can play at push-pin: poetry and music are relished only by a few.⁷

The above passage is one of the most often quoted passages from Bentham's vast corpus, and constitutes the *locus classicus* for those who deem him to be a philistine. Mill was quite correct that Bentham regarded exaggeration as essential to poetry as Bentham noted in a passage written for *Not Paul, but Jesus*, Vol. III: "The connection in the way of causality between things in themselves so disparate as music and virtue has been announced by Poetry, and Reason proves it. In Poetry, the force of the connection had indeed been exaggerated: for without exaggeration, that is falsification in a certain form, there can scarce be Poetry.' In the case in question, however, the exaggeration had 'at least a platform of truth to stand upon'. Bentham went on to point out that Shakespeare's sentiment that,

The man who has not music in his soul
Is fit for treasons, stratagems and spoils⁸

was not universally true: 'But what *is* true is, that the more occupied a man's mind is with music, and with the sentiments with which music is most accustomed to be accompanied ... is so much the less exposed to the temptation of engaging in any such destructive enterprizes.'⁹ This was a point that Bentham also made in *Rationale of Reward*: namely that taking delight in the fine arts, apart from the pleasure it gave to the practitioner, also had a societal benefit in keeping the practitioner out of mischief.¹⁰ Returning to *Not Paul, but Jesus*, Bentham went on to say that, in this respect, 'by filling up with innocent recreation that time which might otherwise have been occupied by vice', trap-ball and chess might be said to be 'equally favourable to virtue'.

But in favour of music, I am inclined to think, we may go farther, and pronounce it to have a connection with virtue peculiar to itself.

The artificial notes, which music is occupied in the production of, bear for the most part a natural resemblance to the notes expressive of the social affections, of those affections which are so many modifications of benevolence: complaint, entreaty, soothing, condolence, congratulation, co-exultation and the like. There is Music for War, it may be said, as well as for Love. True: but happily the War-music is comparatively but little in vogue: and even in War-Music, it is rather what there is of sociality in war, rather than what there is of malice and cruelty, that is expressed by it.¹¹

Again, Mill was quite correct to argue that Bentham did not recognize any separate spheres for aesthetics and sympathy – all was reducible to morality, or, in other words, to feelings of pleasure and pain. For Bentham, if taste referred to the sensations derived from the palate, then the notion made sense;¹² if taste referred to the propensity to derive pleasure from an object, then the notion made sense;¹³ but if taste referred to some sort of mental faculty, whether inherited or acquired, then the notion made no sense. The point was that when a person said that they had a taste for something, it made sense insofar as it indicated that the speaker derived pleasure from experiencing it, while to say that something was in ‘good taste’ could not mean anything more than that, since there was no other standard than the expected pleasure against which to measure the goodness of the taste. The phrase ‘good taste’, therefore, if it meant anything, meant ‘I like it’, but it was nonetheless typically used by members of the ruling classes as a claim of superiority over those members of the subject population who, it was pretended, did not have access to this (non-existent) standard. In contrast, the commitment to pleasure as the standard of taste implied social (and political) equality.

Bentham’s approach to the relationship between pleasure and taste was the key to his attitude towards sexual morality in the writings from the mid-1810s that, as noted above, form a common thread through the present volume. Bentham had condemned the punishment of homosexuality in his first major published work *A Fragment on Government*, which had appeared in 1776, defended sexual liberty in the ‘Pederasty’ essay written for his penal code in the mid-1780s and continued to espouse the views he had developed under the influence of the radical Enlightenment and transmit them into the Romantic period.¹⁴ As late as the mid-1820s, when working on another draft of his proposed penal code, and around the time that Mill was beginning to work on Bentham’s writings on evidence, Bentham returned, albeit briefly, to some of the themes that he

had developed in his writings on sexual morality in the mid-1780s and reiterated in his writings on sexual morality in the mid-1810s. In a short sequence of manuscripts entitled 'Innoxious eccentricities of the sexual appetite, why not included in the scheme of punishment', he pointed out:

Nature has given to man two cups of physical sweets: the one, containing those which are the produce of the operations by which the individual is preserved; another, containing those which are the produce of the operations by which the species is preserved. Into both, seconded by blind antipathy and pride, what is called Religion has now for about 18 centuries exerted itself in the endeavour either to dash the cup from the hand, or, by the infusion of its gall, to convert the cup of sweets into a cup of bitterness.

The 'pretence' given for denying pleasure in relation to food and drink, whether through the interdiction of certain foodstuffs or fasting in general, was 'the acquisition of the sympathy and the appeasing the antipathy of an Almighty being, who, by a self-contradictory proposition, is at the same [time] stiled benevolent: and not simply benevolent, but supremely benevolent'. All this was despite the fact that to Jesus, 'asceticism in all its forms was an object of undissembled scorn and ridicule. Asceticism is not *Christianity*, but *Paulism*.'¹⁵ In relation to both food and drink and sexual gratification, 'the law of appetite' was '*Maximize enjoyment*', subject to the limits imposed by prudence and benevolence, whereby pleasure should not be experienced at the cost of greater pain either to oneself or to others.¹⁶

In relation to sexual gratification, Bentham pointed to five categories of 'error' that deviated from the 'standard' that the 'tyrant' had identified, namely sexual intercourse between one man and one woman for the procreation of children. The *error tempore* related to women's menstrual periods, the *error loci* to the use of parts of the body that would not lead to procreation, the *error sexus* to activities with members of the same-sex, the *error species* to activities with non-humans, and the *error numeri*, where (presumably) any other number of persons than two were involved.¹⁷ Bentham wondered whether a casuist would reckon that the sin was greater, the further 'the aberration from the seat and standard of rectitude'. On this basis, the *error sexus* would be worse than the *error loci* where a man's partner was a woman, the *error species* would be worse than the *error sexus*, but worst of all would be sex with an inanimate object. Recollecting an incident from his childhood, Bentham continued:

Never shall I forget the horror with which a reverend divine once communicated a discovery which, in the field of sin, he had just made. Once upon a time among the antients, wise as they were, Statues – statues soft and flexible made on purpose – had been but too successful rivals to the originals: such was the pride of learning, so delectable to it the discovery, the presence of a schoolboy, son of him to whom it was communicated, was no bar to the communication of it.

The acme of heinousness in this line is not yet reached. If an elastic statue of a faultless biped is in some respects less unlike the original than an original quadruped is, in other respects it is more far removed. But between a woman and a french roll, how immeasurable the distance! A° 1789 at [... ?], while Turks and Russians were in arms,¹⁸ a hapless wigh[t] became the town-talk on account of the extraordinary use he had found for so ordinary an article. But it was to beauty in its proper seat that this passion had been excited: and to the one woman so far inferior were all others, the oven presented to him a less unworthy representative than any he could have found in the appropriate bed chamber. A substitute had he found for her (the lady was told) at a baker's? At what baker's? answer – at any baker's. Unhappy man! it was by the lady's inexorable cruelty he had been driven to this distance.

As in this rather singular instance woman beheld her successful rival and substitute at the baker's, man is in the habit of beholding his at the wax and tallow chandler's.¹⁹

Mill, who welcomed the prospect of men's 'natural passions' becoming 'as it already is with a large number of women, completely under the control of the reason',²⁰ would, no doubt, not have regarded Bentham's recounting of this anecdote, and indeed the whole passage, to be in good taste, but it also suggests that Bentham may have rather more to say to us, on these matters at least, than his successor in the utilitarian tradition.

The contributions to the present volume are distributed among three parts dealing broadly with first, philosophy and sexuality; second, intellectual history and literature; and third aesthetics, taste and art. Part I on 'Philosophy and sexuality' opens with Philip Schofield's chapter on 'The epicurean universe of Jeremy Bentham: Taste, beauty and reality', which provides an account of Bentham's utilitarianism within the context of his deeper commitment to a materialist ontology, and is intended to provide some historical context for the ensuing chapters. According to Schofield, Bentham appears to have adopted a materialist ontology and

a sceptical attitude towards religion by the time when, aged 16, he was required to subscribe to the Thirty-nine Articles of the Church of England in order to take his degree at the University of Oxford. He later confessed himself to be 'an Epicurean', and this, Schofield suggests, is the key to appreciating why Bentham continues to divide opinion so strongly. What is at stake is illustrated by reference to the respective attitudes of French philosopher Michel Onfray and American political theorist Cathy Gere. Onfray approves of Bentham's positioning himself in opposition to the dominant intellectual tradition represented by Plato, Christianity and Kant, whereas Gere sees his rejection of Kantian autonomy as opening the way for the abuse of marginalized individuals in order to benefit society in general. For Bentham, Schofield explains, there was the physical world and nothing more, at least nothing more that could be known, and all notions (ideals, concepts, angels, gods) that purported to refer to the non-physical world were so much nonsense. The same was true for statements about beauty and taste, insofar as they were made with reference to some metaphysical standard, while those making these statements were claiming not only aesthetic but political superiority over the bulk of the population who failed to appreciate the pretended non-existent standard. In his typology of ethical theories, Bentham had distinguished adherents of the principle of utility from adherents of the principle of sympathy and antipathy. The latter attempted to exercise power and influence by elevating their own opinions into standards that were binding on others. Hence proponents of 'taste' were adherents of the principle of sympathy and antipathy.

In the [second chapter](#) entitled 'Not Kant, but Bentham: On taste', echoing Bentham's *Not Paul, but Jesus*, Frances Ferguson points to the comparison that is standardly drawn in aesthetics between the 'commanding figure' of Immanuel Kant and the 'philistine' Bentham, but comes to the non-standard conclusion, through tracing their respective attitudes towards sexuality, that the latter's approach has more to commend it. Both thinkers were operating in a wider cultural environment in which individuals were increasingly claiming a right to be 'acknowledged', as manifested, for instance, in demands for a democratic franchise. Kant's approach, Ferguson explains, was grounded in the notion of individual autonomy, with aesthetic judgment consisting in disinterested first-personal experience. To make an aesthetic judgment was to go beyond the mere perception of an object and any use it might have and to recognize its inherent beauty and sublimity. It was also a judgment that was independent of any social convention. For Bentham, aesthetics in general and taste in particular was reducible to pleasure

and pain. He turned to history – represented in both purportedly factual and fictional literature – in order to show what activities had been regarded as pleasurable and desirable. This gave him the opportunity to criticize the law of his own time that punished male-male sex and which, he claimed, originated in a particular reading of certain passages in the Bible. In what she sees as his most striking argument, Bentham points to Jesus’s non-condemnation of irregular sexual activities and his rejection of asceticism, not as a means of stating his own views, but as a means of impressing upon persons confessing themselves to be Christians the views that, given this commitment, they ought to hold. Hence, in contrast to Kant’s first-person, present judgment, Bentham presents ‘a significant expansive account of aesthetic judgment’ that draws on the historical record, avoids relativism and yet leaves individual judgment liable to criticism and reformulation.

In the [third chapter](#) entitled “‘Envy accompanied with antipathy’: Bentham on the psychology of sexual *ressentiment*”, Stella Sandford draws attention to important parallels between Bentham’s and Sigmund Freud’s writings on sexuality, particularly the latter’s *Three Essays on the Theory of Sexuality* (1905). Understanding sexuality primarily in terms of pleasure (rather than reproductive teleology) and presupposing sexual orientation to be a matter of taste, Bentham, like Freud, defends sexual freedom and denies that same-sex desire is either pathological or unnatural. In some respects, Bentham presents a more radical account of sexual freedom than Freud in that he sees consensual sexual activity as not merely morally neutral but as a positive good. This is linked, Sandford suggests, to Bentham’s more straightforward account of pleasure. She points out that, for Bentham, it was not homosexuality, but its virulent condemnation, that required explanation, given that there was no utilitarian justification for condemning it. Bentham identifies the principles of asceticism and antipathy as the grounds for this condemnation. He traces the origin of the ascetic principle, insofar as it condemns sexual pleasure in its ‘irregular’ shapes, to the Mosaic law and sees it given further and decisive support in the teachings of St Paul. This gives rise, however, to a puzzle. Given Bentham’s general theory of motivation – that all actions are motivated by a desire for pleasure and an aversion to pain – how can the principle of asceticism, which seeks to suppress pleasure, be a motive for anything? It turns out that asceticism does in fact give rise to motives, and in the case of the condemnation of homosexuality, the motive is envy. The condemner is envious of the pleasure enjoyed by the partaker in male-male sex and in ‘irregular’ sexual gratification more generally, the punishment of which leads to the gratification

of ill-will or vengeance, and thereby satisfies the pleasure of antipathy. Bentham's psychological explanation for the social antipathy towards same-sex sexuality, Sandford notes, not only anticipates Friedrich Nietzsche's psychology of '*ressentiment*' and the unconscious of Freud, but reveals, in this area at least, a more complicated picture of Bentham's psychological theory than has hitherto generally been recognized.

In the [fourth chapter](#) entitled 'Literature, morals and utility: Bentham, Dumont and de Staël', which commences Part II on 'Intellectual history and literature', Emmanuelle de Champs places Bentham's views on taste in the context of Enlightenment and post-Enlightenment debates in the Francophone literature on the relationship between aesthetics, morals and politics. In the eighteenth century it was a commonplace to associate improvement in morals with refinement in aesthetic judgment and to view the diffusion of artistic taste as a means of promoting a cohesive and stable society. Good taste in morals was linked to good taste in the arts, with education providing the means to improve both morals and the appreciation of the arts. This association, De Champs explains, was rejected by Bentham, whose radically individualist account of pleasure led him to deny the existence of any collective standard of taste. Bentham claimed that literary critics robbed the people of innocent pleasures while poetry promoted falsehood. To a writer such as Turgot, the utilitarian emphasis on individual pleasure threatened the consensus on which society rested. De Champs then illustrates how Bentham's ideas on taste were received by two representative figures, namely Étienne Dumont, Bentham's friend and translator, and Germaine de Staël, the writer and literary critic. Dumont attempted to take elements from both Rousseau and Bentham – adhering to the former's views on morals and aesthetics but rejecting his politics, and adhering to the latter's social science but rejecting his views on taste. Dumont defended literary criticism on the grounds that it promoted interest in artistic endeavour and helped to form public opinion, accepting that there was good and bad taste, as opposed to Bentham who denied that the notions of good and bad could be applied to taste. Influenced by her reading of Kant, de Staël argued that idealism bridged the gap between morals and politics through a universal aesthetic sensitivity. She therefore rejected Bentham's approach as part of her rejection of Enlightenment rationalism and materialism more generally.

In the [fifth chapter](#) entitled 'Jeremy Bentham's imagination and the ethics of prose style: Paraphrase, substitution, translation', Jan-Melissa Schramm explores Bentham's techniques of phraseoplerosis and paraphrasis, whereby abstract terms were placed in propositions that

were then translated into equivalent propositions that contained terms representing real (physical) objects, in the context of eighteenth- and nineteenth-century debates on translation. At the end of the seventeenth century, the parameters of the debate were set by John Dryden, who had identified three categories of translation: the first was metaphor or literal translation; the second was paraphrase, where the translator followed the sense, though not the exact words, of the author; and the third was imitation, where the translator merely took inspiration from the original. The question arose as to whether the form and style of a passage could ever be separated from its content. At one end of the spectrum was the view that word-for-word translation was possible, while at the other end was the view that each author had an inimitable style that expressed an untranslatable individuality.

Bentham believed that his techniques of phraseoplerosis and paraphrasis provided an accurate method of connecting linguistic representation with physical reality, but this translation of ideas put him at odds with those literary critics who rejected the possibility of such a reductive exposition, and saw instead an unbreakable synthesis between form and content. Bentham's own writings, moreover, proved challenging for his contemporaries to assess. Critics, notably but not only William Hazlitt in *The Spirit of the Age* (1825), commented on his prolixity and inaccessibility while appreciating the value of his ideas. At the same time it was recognized that Bentham's translator Étienne Dumont, while not providing literal translations of Bentham's prose, a task that Dumont himself regarded as impossible, had translated his ideas and hence made them accessible. Schramm then draws a connection between the techniques of substitution in language and that of representation and substitution in ethics and politics. Critics of Bentham's approach, and of utilitarianism more generally, deplored the treatment of individuals as interchangeable units in a calculation of utility undertaken for the benefit of the community as a whole. John Stuart Mill, for instance, criticized Bentham for his lack of imaginative sympathy – he could not change places with, or 'enter into the mind and circumstances of', another – while Charles Dickens in *Hard Times* was concerned with the implications of treating individuals as elements in a utility calculation. Schramm concludes by reminding us that the issue at stake is how to reconcile 'fairness for all' with 'personal fulfilment for each uniquely valuable human being'.

In the [sixth chapter](#) entitled "'Is it true? ... what is the meaning of it?": Bentham, Romanticism and the fictions of reason', Tim Milnes notes that assessments of the relationship between Benthamite utilitarianism

and Romanticism have been heavily influenced by John Stuart Mill's characterization of Bentham and Coleridge as the great counterweights of early nineteenth-century British thought. According to Mill, the fundamental imperative of Bentham's thought is epistemological and empirical and hence concerned with truth, while in Coleridge's work, it is hermeneutic and aesthetic and hence concerned with meaning. Milnes argues that Mill presents a simplistic and misleading picture and that the relationship between Bentham's utilitarianism and Romanticism needs to be rethought. The critical point of reference for both utilitarians and Romantics, as represented by Bentham and William Hazlitt respectively, was David Hume's account of language as a product of social convention, which thereby sustained certain fictions of belief that made civilized life possible. Bentham's response to Hume's theory of fictions was to develop his technique of paraphrasis, which translated figurative language into less figurative language that was ultimately grounded in real entities, including pleasure and pain. What counted as a real entity, notes Milnes, was not correspondence between word and object, but coherence within the linguistic community in question. Hence, Bentham subordinated truth to meaning. Hazlitt, who had famously criticized Bentham and associated him with what he regarded as the objectionable philosophy of empiricism, materialism and egoism, responded to Hume by relocating fictions of belief from the sphere of social convention into that of mental construction, elevating the imagination and subordinating reason, and thus privileging the artist at the expense of the philosopher. Far from abandoning truth, Hazlitt idealized it by placing it at the indeterminate boundary between reason and imagination. Mill's binary opposition between utilitarianism, fact and truth on the one side, and Romanticism, feeling and meaning on the other, appears far less plausible, concludes Milnes, when Bentham is read as a 'proto-pragmatist' and the Romantics as 'thwarted idealists'.

Continuing the theme of the relationship between Bentham and Romanticism, in the [seventh chapter](#) entitled 'More Bentham, less Mill', Anthony Julius complains that literature and the visual arts are neglected in the liberal defence of free speech, and he lays much of the blame at the feet of John Stuart Mill, both because of the nature of his writings on the subject and the enormous influence that they have had and continue to have. Despite his reputation among literary critics, Mill, claims Julius, is 'feeble in his aesthetic positions' and in *On Liberty*, which contains his classic defence of free speech, he is 'hostile to literary free speech'. Julius shows how Mill's pronouncements on poetry were superficial and how he deprecated the novel, and goes on to explain how Mill's approach

to higher and lower pleasures opened the door to literary and artistic censorship. The point was that Victorian progressivism made a link between sexual continence and human improvement, and hence Mill would not have entertained the idea that sexual material might serve a literary or aesthetic purpose.

Bentham, Julius notes, has been characterized as a philistine, due in part to Mill's criticism of his attitude towards poetry, as expressed in the two aphorisms that he attributed to him, namely that 'pushpin is as good as poetry' and that 'all poetry is misrepresentation'. Mill was worried first, that by refusing to acknowledge the superiority of poetry over a child's game, the utilitarians were vulnerable to the charge that their philosophy was fit only for pigs; and second, 'that a shared understanding of language leaves no space for poetry'. Julius retorts that in relation to the first aphorism, Bentham was opening up debate, while Mill was shutting it down, and in relation to the second, that Bentham was no more culpable than any other philosopher who worked within a positivist account of language, including Mill himself. Julius then proceeds to reconstruct Bentham's aesthetics – confessedly from a charitable point of view – through his 'several engagements with Romanticism'. He argues that Bentham is just as much a creature of Romanticism as he is of the Enlightenment, and sees his attitude to the arts not so much as rejecting the Romantic but giving an alternative conceptualization of it in terms of pleasure. 'Bentham found common ground with his fellow Romantics, but then pushed *beyond* them', notes Julius. Indeed, both Bentham and the Romantics championed pleasure, disparaged the notion of taste, refused 'to separate the corporeal from the spiritual', and were, crucially, committed to free speech. Bentham's defence of the liberty of taste, particularly in sexual matters, combined with his condemnation of censorship, implied freedom of literary speech – 'what may be *practised*', writes Julius, 'may also be *written about*'. If liberalism is to find a defence of free speech that convincingly incorporates aesthetic expression, concludes Julius, it will be necessary to 'work with Bentham'.

In the [eighth chapter](#) entitled 'Enlightenment unrefined: Bentham's realism and the analysis of beauty', which commences Part III on 'Aesthetics, taste and art', Malcolm Quinn begins by discussing attacks on Bentham's hedonic utilitarianism as a form of cultural barbarism. He argues that we should not concur with Karl Marx's view that 'the arch-philistine, Jeremy Bentham' was the 'heavy-footed oracle of the "common sense" of the nineteenth-century bourgeoisie', but instead should interpret Bentham as recognizing that a 'common-sense'

approach to the analysis of beauty would be self-defeating if it attempted to impose social norms that could separate the beautiful from the ugly. Bentham's praise for William Hogarth's prints *Beer Street* and *Gin Lane* of 1751 exposes the contradictions of the position that Hogarth adopted in his manifesto *The Analysis of Beauty*, published two years later. In this text, Hogarth attempted a rational, impartial analysis of the truth of beauty, to assist the ordinary observer and defeat the artificial rules of art promoted by so-called connoisseurs. In advocating an aesthetics of 'plain truth', Hogarth argues that the body of a living woman is more beautiful than a statue of Venus and that the form of a woman's body surpasses that of a man. In Bentham's terms, however, a definition of beauty based on reproductive sexuality was not tenable, because sexuality was an inclination without a fixed object that ignored the distinction between the beautiful and the ugly.

In the [ninth chapter](#) entitled 'Jeremy Bentham's principle of utility and taste: An alternative approach to aesthetics in two stages', Benjamin Bourcier contrasts Bentham's commitment to legislative non-interference in matters of taste with his provision for moral education in the private sphere. It was the duty of government to ensure respect for and equal treatment of each person's taste, that is the disposition to derive pleasure from a particular activity or state of affairs. It was also incumbent on government to avoid imposing one particular conception of happiness on everyone. The point was that the liberty of taste was necessary in order to bring about the greatest happiness. For Bentham, all pleasure was good, and the only legitimate criterion of morality was the quantity of pleasure, and hence prohibiting some enjoyment on the grounds that it was distasteful was morally wrong. Making 'war upon pleasure' in this way, which characterized the adherent of the principle of asceticism, was the trademark of the tyrant and despot. Veiled in the pretence of promoting virtue, it was a means of securing the interests of the ruling few at the expense of the subject many.

In private ethics, Bourcier points out, there is a danger that the radical subjectivism of taste will lead to anarchy. In response, Bentham gave the deontologist the role of educating individuals as to how they might reap the greatest pleasures from the choices that they made. Each individual was the best judge of their own pleasure, and it was senseless to tell a person that something that they enjoyed was in bad taste. Nevertheless, a person's tastes might change, either because they become better informed or because they no longer derive pleasure from the experience in question. The advice of the deontologist was necessary to support the individual in understanding how to join their interest

with their duty by pointing out the pains and pleasures that were likely to result from the alternative courses of action open to them. The deontologist also helped to form public opinion, through which the moral sanction operated, and acted as a further constraint on individual choice.

In the [tenth chapter](#) entitled 'From pain to pleasure: Panopticon dreams and Pentagon Petal', Fran Cottell and Marianne Mueller explain the background to an artwork consisting of a long bench in the shape of five interconnected pentagons and installed on a site that is now the Rootstein Hopkins Parade Ground adjacent to Tate Britain in Millbank, London, but where Bentham at one time had hoped to construct his panopticon prison. The panopticon scheme was effectively rejected by government in 1803, and in 1813 construction began for a very different design of prison: the Millbank Penitentiary. Cottell and Mueller's work explores the relationship between architectural form and social behaviour, which was the central theme of Bentham's panopticon, but rather than modelling behaviour, as Bentham intended, their aim is to advance the possibilities for social intercourse in an open-ended way. In this chapter, Cottell and Mueller describe the architectural features of the proposed panopticon and its aim of facilitating surveillance. They contrast the openness and airiness of the unrealized prison with the darkness and unhygienic conditions of the prison that was actually built. Moreover, while the panopticon was intended to be circular, Millbank Prison was configured as a series of hexagons, each of them with a central watchtower, but from which very little could in fact be seen. Millbank Prison was closed in 1892, and the site turned over to a military hospital.

Cottell and Mueller point out that, in general, people are resistant to the use of architecture to determine their behaviour. Inspired by the Dutch architect Herman Hertzberger, they attempt to design spaces that 'allow for and stimulate the spontaneous interpretation of users in pursuit of pleasure and empowerment'. In using the Rootstein Hopkins Parade Ground, they wanted to subvert the historical associations of the site with the exercise of power and the imposition of pain (even Bentham's panopticon, despite its humanitarian features, would still have been a place of punishment and hence a space for the infliction of pain) by installing a structure that could be used in multifarious ways and promote pleasurable activities. The pentagon design of Millbank Prison was reinterpreted to form a flower-shaped bench, though its dimensions were such that it could as easily be walked upon or lain upon as sat upon. It might be used for private one-to-one conversations or for social group encounters. Cottell and Mueller describe the various ways in which the space was used by the diverse communities that lived in, worked at,

or merely visited the Millbank site. The anti-Benthamism of the architectural concept was translated into the very Benthamic enterprise of converting pain into pleasure.

In the [eleventh](#) and [final chapter](#) of the volume, dealing appropriately with Bentham's auto-icon, entitled 'Bentham's image: the corporeality check', Carolyn Shapiro argues that Bentham's own auto-icon is 'the corpo-realization of what underlies Bentham's theories of logic, language and legislation'. That Bentham wished to ground everything in the physicality of the human body is shown in the constant references in his writings to real entities, that is to physical bodies and in particular the sensations of pleasure and pain – this is the corporeality that underlies the greatest happiness principle. His interest in etymology involved relating the meaning of words to the physical image that lay at their 'root'. Shapiro points out that Bentham's writing was a physical activity related by pain and pleasure to all other activities, including those involving sexual gratification. She highlights the parallels between Bentham's manuscript corpus and his own body – his corpse – in that they both needed to be crafted by other hands – the editor and the surgeon – following instructions of various sorts left by Bentham himself.

Shapiro points out that Bentham criticized religion for its unjustifiable leap from the notion of physical to that of moral impurity, and its consequent demand for punishment, and hence the infliction of physical pain, for those deemed to be impure, despite the lack of any physical grounding. This was an example of the operation of the principle of antipathy, a passion located in the breasts (physical bodies) of rulers, in order to subdue those subject to them. Moving from the real, physical body to the imaginary paved the way for tyranny. The religiously inspired principle of asceticism, propagated by Paul despite being opposed by Jesus, was characterized by groundless pronouncements of immorality. The solution for Bentham was to remove fiction from language and link language to the physical by means of the techniques of phraseoplerosis and paraphrasis. The body, when language loses its connection to the physical, is claimed for mischievous and malign purposes, as exemplified in the condemnation of homosexuality when the body is co-opted by asceticism. Shapiro posits that the homosexual body, like that of Jesus, stands open to other bodies, while Bentham in turn proposes an inter-coursing body with its 'inlets' to pleasure. Bentham proposed to invite William Beckford, novelist and homosexual, to collaborate with him on the *Not Paul, but Jesus* manuscripts and thereby to give form and order to his corpus, just as his surgeon Thomas Southwood Smith would be invited to give form and order to his corpse.

Finally, it is worth remembering that, in the spring and early summer of 2018, Bentham's auto-icon, consisting of his skeleton, clothes and wax head, was transported across the Atlantic ocean in order to appear in a major exhibition entitled 'Like life: Sculpture, color, and the body' at the Metropolitan Museum of Art, New York.²¹ Given the received view of Bentham as a philistine, there is some irony in the fact that Bentham's own remains have themselves been transformed into a work of art.

Notes

- 1 Quinn, 2013.
- 2 Bentham, ed. Schofield *et al.*, 2014.
- 3 Bentham, 2013.
- 4 The preparation of *Of Sexual Irregularities and Not Paul, but Jesus*, Vol. III for publication was generously funded by the Leverhulme Trust. Bentham discussed many of the same themes in material headed 'Pederasty', written in about 1785 for a proposed penal code, and published in a non-authoritative but mainly reliable version in Crompton, 1978.
- 5 Mill, ed. Robson *et al.*, 1969, 75–115 at 112–13.
- 6 Mill, ed. Robson *et al.*, 1969, 113–14.
- 7 Bentham, ed. Bowring, 1843 [hereafter Bowring], ii. 253.
- 8 See *The Merchant of Venice*, v. i. 83–5, usually rendered as 'The man that hath no music in himself, / Nor is not mov'd with concord of sweet sounds, / Is fit for treasons, stratagems, and spoils'.
- 9 University College London Library, Bentham Papers [hereafter UC], box cxlix, fo. 64; Bentham, ed. Quinn, 2001, 131 n.
- 10 Bowring, ii. 254.
- 11 UC cxlix. 65.
- 12 Bentham, ed. Goldworth, 1983, 79.
- 13 Bentham, ed. Schofield *et al.*, 2014, 4.
- 14 Henry Sidgwick, usually recognized, along with Bentham and John Stuart Mill, as the third of the triumvirate of great classical utilitarian philosophers, claimed that Bentham was the pre-eminent representative of the Enlightenment and that Benthamism was 'the legacy left to the nineteenth century by the eighteenth', being the force against which the new 'philosophy of Restoration and Reaction has had to struggle continually with varying success'. See Sidgwick, 1904, 136 ff.
- 15 UC clviii. 10 (20 December 1824).
- 16 UC clviii. 11 (20 December 1824).
- 17 UC clviii. 12–13 (20 December 1824), 14–15 (13 January 1825).
- 18 The name of the place in which the following anecdote is set has so far proved to be illegible, but if Bentham was referring to the time he spent at Krichëv in Russia, he has misremembered the date. The Russo-Turkish war broke out on 5/16 August 1787, and Bentham left Krichëv on 19/30 November 1787, arriving back in England in early February 1788.
- 19 UC lxxviii. 15–16 (13 January 1825).
- 20 See Mill to Lord Amberley, 2 February 1870, in Mill, ed. Mineka and Lindley, 1972, 1692–3.
- 21 See Anon, 2018.

References

- Anon. 'Like Life: Sculpture, Color, and the Body', Metropolitan Museum of Art, New York (2018) [<https://www.metmuseum.org/exhibitions/listings/2018/like-life>].
- Bentham, J. 'A Table of the Springs of Action', in *Deontology: Together with A Table of the Springs of Action and Article on Utilitarianism (CW)*, ed. A. Goldworth. Oxford: Clarendon Press, 1983.
- Bentham, J. *Not Paul, but Jesus*, Vol. III: *Doctrine*. London: Bentham Project, UCL, 2013 [<http://discovery.ucl.ac.uk/1392179/3/npbj.pdf>].
- Bentham, J. *Of Sexual Irregularities, and Other Writings on Sexual Morality (CW)*, eds. P. Schofield, C. Pease-Watkin and Michael Quinn. Oxford: Clarendon Press, 2014.
- Bentham, J. *The Works of Jeremy Bentham*, ed. John Bowring. 11 vols. Edinburgh: William Tait, 1838–43.
- Bentham, J. *Writings on the Poor Laws: I (CW)*, ed. Michael Quinn. Oxford: Clarendon Press, 2001.
- Crompton, L. 'Jeremy Bentham's Essay on Paederasty', *Journal of Homosexuality* 3 (1978): 383–405 and 4 (1978): 91–107.
- Mill, J.S. 'Bentham', in *Essays on Ethics, Religion and Society*, eds. J.M. Robson, F.E.L. Priestley, and D.P. Dryer, *The Collected Works of John Stuart Mill: Volume X*. Toronto: University of Toronto Press; London: Routledge, 1969, 75–115.
- Mill, J.S. *The Later Letters of John Stuart Mill 1849–1873*, eds. F.E. Mineka and D.N. Lindley, *The Collected Works of John Stuart Mill: Volume XVII*. Toronto: University of Toronto Press; London: Routledge, 1972.
- Quinn, Malcolm. *Utilitarianism and the Art School in Nineteenth-Century Britain*. London and New York: Routledge, 2013.
- Sidgwick, H. 'Bentham and Benthamism in Politics and Ethics', in *Miscellaneous Essays and Addresses*. London: Macmillan, 1904.