

Perspectives on Spanish Research on Bentham

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There is no great interest in Jeremy Bentham in Spain in our days. There was in his time. Bentham's Spanish contemporaries did indeed want to know and to spread his theories. But in the second half of the 19th century, for causes connected with the turbulent history of Spanish liberalism in that century, as in the rest of Europe, that interest vanished. It was not until the last quarter of the 20th century that there was again interest in our author's thought with the translation and publication of some of his works and academic studies on him.

With the exception of a couple of examples, the translations and publications of Bentham have been made by scholars looking to complete their own curriculum, rather than to spread or criticise ideas, so losing a great opportunity of interesting the general public. This would have generated a demand by readers that would have encouraged the publishing houses to commission new translations with an eye to the market, orientating work to the service of the readers and not that of the translators.

Something similar has happened with the studies on Bentham. There are no general studies made with the intention of spreading his work or making in-depth research into theoretical aspects that could answer readers' intellectual curiosity or their questions on legal or political theory. What we have are a few uncoordinated doctoral theses (including mine, now written too long ago) with the meritorious but ill-advised desire to discover new territories, and some very specialized and equally unconnected academic articles. The rest are vague allusions, generally full of prejudices, in works dedicated to other subjects.

These slim publications have not managed to catch the attention of the general educated public, nor yet of the academic world. We must bear in mind that until recently in Spain, in the field of law and politics as well as that of philosophy, the reference was to Germany and, to a lesser extent, France but not Britain or the United States. The Anglo-American world was practically unknown in these academic spheres. The most recent generations in the universities have drastically changed the situation and now study in fine detail what is produced there. This is limited, however to the most up to date, without interest in the historical foundations on which the latest theories are based.

An attempt to correct the situation, as far as utilitarian studies were concerned, was the creation at the beginning of the nineties of the Sociedad Iberoamericana de Estudios Utilitaristas (SIEU), founded by a group of enthusiasts around Professor Esperanza Guisan. The idea was to foster meetings between researchers throughout Spain as well as Portugal and South America with the aim of encouraging collaboration between them and diffusion of their respective studies. The Society has hosted a considerable number of national and international congresses, in which many of the Ibero-American utilitarian scholars and prestigious specialists from Britain, France, Italy and other countries took part. The Society runs a web page and a prestigious journal, *Τελος*. A point worthy of mention is that the support received from the Bentham Project and the International Society of Utilitarian Studies, mainly from Professors Fred Rosen and Philip Schofield, has been warm and constant since the very beginning. SIEU, nevertheless, is not a Benthamite society, but a utilitarian one, and its members come from diverse academic fields and deal with utilitarianism in general, both from a historical viewpoint and with its application to present-day problems in ethics, economy, education, et cetera. Due to this, strictly

Benthamite studies play but a little part in the sum of the research carried out in the Society, and they are done almost exclusively by those coming from academic fields connected with law.

Apart from SIEU there is no other institution sponsoring Benthamite studies, just a small number of researchers, dispersed throughout several universities, are concerned with them, and all of them do it only occasionally, not with full dedication.

With this outlook, it is probably worth asking ourselves about the prospects for purely Spanish research on Bentham. Due to the recent approach to the Anglo-American academic area, produced in the field of humanities and legal theory in Spain, we are still at a time of updating, of getting in touch with the latest developments in this matter. Hopefully, in the years to come, as the different Anglo-American schools of thought are accepted as a part of its own, familiarity with the tradition that supports it will become more and more necessary, and studies on Bentham, as with all other major authors in that tradition, will become something usual.

Apart from this academic research, a wider diffusion of Bentham's theories among the non-academic educated public can reasonably be expected. This diffusion is likely to be both quicker and more profound as that public is offered translations and informative essays dealing with topics in which Bentham's contributions are even more enlightening, due to the fact that they have not been the subject of subsequent refinements (as happened with much of his "expository jurisprudence", duplicated by legal dogmatics –*Begriffsjurisprudenz*, e. g.– and refined by Kelsen's formalism), as with most of his "censorial jurisprudence", or his political theories on public opinion, freedom of the press, his analysis of causes and remedies for the "sinister interests" of minorities in power, and so on. Bentham is still useful for us, in addition to his sharp analysis being an important source of intellectual pleasure.

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