

# **Response to the Review *The French Revolution and the Creation of Benthamism***

**Cyprian Blamires**

Cyprian Blamires, *The French Revolution and the Creation of Benthamism* (Basingstoke: Palgrave, Macmillan 2008)

I am grateful to Emmanuelle de Champs for her positive and perceptive account of *The French Revolution and the Creation of Benthamism*, and I am also grateful to her for making it possible for me to offer some observations in response to her review. I have to plead guilty to her complaint that my approach is somewhat ‘provocative’: I am hoping that it will stimulate (or ‘provoke’) important debate about the issues I have raised, leading to a recognition that Bentham is a very much more crucial figure in the development of modernity than has generally been recognised.

In this book I have endeavoured to answer three questions. First, what impelled Genevan ex-cleric Etienne Dumont to make it his life’s vocation to disseminate the ideas of Jeremy Bentham? Friends like the Irish novelist Maria Edgeworth and her father the educationalist and inventor Richard Lovell Edgeworth thought he was simply wasting his talents, for indeed Dumont was esteemed so highly by Lord Lansdowne that the onetime Prime Minister installed him in his household as the successor to no less a figure than Joseph Priestley; while Mirabeau, who relied on him for speechwriting and advice, could not praise him too warmly. The answer I propose in my book is that Dumont reached out to Bentham’s thought as a kind of lifeboat in the storms of the French Revolution, which he experienced firsthand as an adviser to Mirabeau and commentator on the Assembly proceedings. What Dumont saw in France in 1789 jolted him out of his complacent Enlightenment belief that if intelligent men of good will could only get together to introduce wise and prudent political and social reforms, all would be well. Long before the September Massacres he was disillusioned by the state of conflict which soon reigned among the factions in the Assembly, noting that there was a great deal of assertion and rhetoric but very little substance in the arguments. It was his desire to find a secure and authoritative basis for political reasoning that led him to embrace Benthamite utilitarianism, which seemed to him to provide a solid ‘scientific’ foundation for moral and legal decision-making. This new science, based on Bentham’s quantitative analyses of the degrees of pleasure or pain produced by given actions, was what he made the basis of his life’s work. It was not Bentham as a person he wished to promote but the new methodology for solving moral and legal problems that he found in Bentham’s writing. Dumont really did believe that this represented a ‘scientific’ discovery akin to that of Isaac Newton which would render all earlier moral and legal thinking otiose – and in this I think his understanding of Bentham was perfectly valid. It is an understanding of Bentham that has remained current down to the present day, though it has been supplemented in the writings of later commentators like Ogden and Harrison by reminders of his significant contributions to our ideas about language and legal fictions. However, it is my contention that there is a very great deal more to be said about Bentham, and to this I will return.

Once I had discovered what appeared to be Dumont’s agenda in promoting the ideas of

Bentham, there was then a second question to be answered. How influential was the Dumont presentation of Bentham? It is well known of course that Dumont created a global profile for Bentham, and that his French-language abstracts of Bentham manuscripts were retranslated into other languages so that Dumont's version of Bentham became the standard one outside the English-speaking world. What is less often noted is the huge presence of Dumont in the Bentham canon *in English*. For an abbreviated translation into English of his *Traité de législation civile et pénale* of 1802 under the title *Theory of Legislation* became the standard presentation in which English-speaking students encountered Bentham's thought right down to the last decades of the twentieth century. Most accounts of the *Theory of Legislation* have ignored the fact that it was an *incomplete* rendering of Dumont's text. Among the items omitted by the translator in this abbreviated version was Dumont's presentation of Bentham's Panopticon proposal, which consequently became lost to view in the English-speaking world. However, Dumont tells us that he only included his text on the Panopticon in his published French text in 1802 because the printer did his sums wrong as to the amount of material needed to fill three volumes, and Dumont had to find extra texts at the last minute. So I cannot agree with Emmanuelle de Champs when she portrays Dumont as a keen *Panopticien*. It is true that he later attempted to establish a Panopticon prison in Geneva, but he took a narrowly penalistic and misleading view of what Panopticon was all about, which leads me to the third question I have tried to answer in my book.

This question is: how did Dumont's own agenda as a promoter of Bentham affect or distort subsequent perceptions of Bentham down to our own time? My conclusion is this: Dumont's presentations of Bentham's thought are substantially valid in many areas, and there is not much in the way of deliberate misrepresentation. It is true that what we find in Dumont is the younger politically more conservative eighteenth-century Bentham and not the nineteenth-century political radical, but Dumont was quite accurate in his contention that Bentham was proposing a new science of morals and legislation. But he was also responsible for embedding in public consciousness the notion that Panopticon was essentially a type of model prison. Bentham's own Panopticon writings – which were for a very long time only accessible in the Bowring edition of the *Works* - tell a different story. Panopticon was not a prison but *an architectural technique* applicable to any establishment involving a requirement to supervise numbers of individuals, whether hospital patients, workers, pupils, or prisoners. In fact what Bentham wanted to demonstrate by setting up a Panopticon institution was the importance of three values fundamental to modern governance: economy, transparency, accountability. Of these E. de Champs mentions only one – economy – though to be fair, I do say rather more about economy, pointing out its centrality to Bentham's legal thinking. But it is my contention that the Bentham we see revealed here was a far more significant historical figure than the thinker who 'scientised' the old doctrine of utilitarianism. For while up to now no government has ever taken on board his 'felicific calculus' or sought to remake its legal system on a Benthamite basis (although this thinking has certainly had an influence in economics), these fundamentally Benthamite values of transparency, economy, and accountability as embodied in his pioneering glass and metal building technique (imagined and planned more than fifty years before the Crystal Palace) are massively influential in our world of today. That is why I chose to put on the cover of my book a picture of the glass Volkswagen Factory in Dresden; for it seems to me to represent a contemporary embodiment of Bentham's vision. Dumont's own failure to grasp this is demonstrated in the changes he makes to Bentham's *Political Tactics*. Although we do not have Bentham's original text

for this we do have his outline, in which the open architecture of the model parliamentary assembly building is fundamental; yet Dumont relegates this to the end almost as a footnote in his version.

Ironically, the failure to grasp Bentham's real intent in his Panopticon proposal is not merely down to the way it has been narrowly identified with prisons, but also to the reactionary distaste for the modern world shown by commentators like Foucault, for whom 'visibility is a trap'. And yet our media are awash with calls for greater transparency (along with accountability and economy) in public life. With his transparent architecture Bentham hoped to achieve just that, for the establishments he proposed would be cheap to build and cheap to operate, and the supervisors could easily be supervised themselves from outside. Is not this Bentham as pioneer of modernity a far more significant figure than the 'scientiser' of utilitarianism with whom Dumont was exclusively concerned?

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