THE IDEA OF EQUALITY IN ENGLISH POLITICAL THOUGHT

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INTRODUCTION

An attempt is made here to examine the analysis three political thinkers - Thomas Paine, William Godwin, and Jeremy Bentham have offered of the idea of equality. The inquiry undertaken is philosophical and not historical in character, since no attempt is made either at tracing the influence at the biographical-cum-intellectual level of one of them upon the other or at treating their ideas on equality as born out of their preoccupation with the same problem to which they give various answers and which can therefore be considered within a single overall framework. Instead, each thinker is considered independently, and a study is undertaken of the way he understands equality, the way he justifies it, the sort of equality he considers most important and his reasons for this, the area of life he takes the idea of equality to illuminate, the manner in which he relates it to other ideas, etc.. In each case, a fairly coherent philosophy of equality is sought to be constructed out of their respective writings.

These three thinkers are selected for two reasons. The idea of equality looms quite large in their thought; as such, it was felt that looking at their writings from the standpoint of equality may illuminate their certain features that may otherwise remain obscure or relatively underemphasized. Further,

as they consider equality from different philosophical positions it was believed that a critical examination of their writings could, perhaps, point to the general merits and limitations of their respective positions in terms of equality.

In chapter I, it is argued that there are three distinct views of God discernible in Paine's writings, and that corresponding to them are three distinct views of equality, though only two of them are discussed by Paine at any length. In chapter II, it is argued that, though Godwin begins as a thoroughgoing rationalist, there are shifts in his general philosophical position, and that, with each shift, his ideas on truth, rationality and equality undergo important changes. Finally, in chapter III, it is argued that there are two distinct theories of equality in Bentham and that the tension between them remains unresolved.

CONTENTS

Thomas Paine[1]

I

VIEWS ON GOD

Man, Paine argues, is a creature gifted with reason which is defined as the capacity to infer general principles regulating the relations between the observed phenomena. When the curious eye of man turns its attention to the universe outside, it discovers order and regularity, and finds that these are due to certain general laws which everything in the

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1. Most of the references to Paine's writings are to "Thomas Paine, Key Writin s", edited by Henry H. Clark, American Century Series, 1964. This is a collection of nearly all his important works. As some observations will be made in this chapter regarding the general approach characterising each of these works, it is considered more appropriate to cite not only the page number but also the specific work involved. Reference such as 'R.O.M. 1. 89' would thus mean 'Rights of Man, Part 1, Page 89'. When the works not included in Clark's collection are referred to, the references are to 'The Writings of Thomas Paine', collected and edited by M.D.Conway, The Knickerbocker Press, 1895, Volumes I - IV. Here too, for the reason stated above, not only the volume and the page number but the title of the specific work as well is cited.

universe acts in conformity with. It finds that the universe is composed of matter, is sustained by motion, and is regulated by these general laws. These observations lend it to ask a number of basic questions. Motion, it knows, is not a property of matter; 'The natural state of matter, as to peace, is a state of rest'. Now, motion means 'a change of place', and must be 'the effect of an external cause acting upon matter' as matter cannot give itself a motion, nor can man give it to matter. Unless God as the 'creator of motion' is assumed motion would remain unexplained. There is also a second question that reason asks. 'Everything we behold carries in itself the internal evidence that it did not make itself'; it must have been made' by something else, and this again must have been made by something else, and so on infinitely; 'it is the conviction arising from this evidence that carries us on, as it were by necessity, to the belief of a first cause eternally existing'.[1] True, it is 'incomprehensibly difficult' for a man to 'conceive' what a first cause is; but there is 'the tenfold greater difficulty of disbelieving it'[2]; and thus man is compelled to arrive at the belief in the first cause, which is none but God. One implication of this is that

1. A.O.R. 1. 259.
2. Ibid.

the person denying the existence of God is not just lacking 'faith' or has been denied 'grace' or is 'confused', but is simply 'foolish' in that his reason cannot see what is so self-evident. God thus is arrived at by two connected but different routes: the explanation of motion, and the explanation of the origin of things or the need of a first cause. The difference between the two is this. The first argument is consistent with the view that matter is a separate and independent principle, and that it does not owe its existence to God: that is to say, it is compatible with ontological dualism. The second argument, on the other hand, is not. God is the first cause; as nothing exists before and outside Him everything must owe its existence to Him. However, neither argument by itself is able to answer the third question that man's reason asks, which is where the general laws in nature come from, since they are not inherent in matter and are not man-made either. God can give motion, which can still be irregular and chaotic. Similarly, as the first cause God may set things going in the first instance; but this again would not explain by itself their regular <u>manner</u> of existence. Paine therefore throws in a third argument, the argument from design. God created the universe with a certain purpose and therefore of a certain character, i.e. of a certain definite structure and a certain definite manner of operation.[1]

1. Newton too argued for the existence of God on the grounds of (a) the beginning of motion in the universe; (b) the correction of the deficiencies arising in the subsequent natural operation of the

But what is God's purpose? and how do we find it out? God, Paine argues, is to be known not through the scriptures but only through His works, that is, the universe. The reasons for this are many. First, we cannot 'for certain' know that the Scriptures are His revelations. Second, any being, not excepting God, can only be known through his works:[1] he is what his works reveal him to be and has no being independent of them, and if he has, we have no means of knowing it. Third, this is the only way to obtain certain knowledge as it is based on the exercise of our natural reason, and does not require faith or superstition. Thus, in finding the existence and the attributes of God through His

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... system; (c) the orderly motion, the uniform direction and the complete mutual adjustment of various parts. God is thus required for three different reasons: He gives laws that produce regularity and uniform directing in motion; He is the original giver of motion without the mediation of which these eternal mechanical laws remain causally ineffective; and, finally, He steps in from time to time to correct the deficiencies that arise from or in the operation of these laws.

1. Ibid., 257 f.

works, there is no possibility of being 'deceived'[1], and there is certainty here not to be found elsewhere[2]. It is through such a study of the universe that God's existence is arrived at, and this is also precisely the way in which His purpose in creating the universe and its laws are to be discovered. One purpose He could have is that He wants to demonstrate His power to us: but this cannot be His sole or main purpose as it will make Him showy like a child, and, what is more, we are able to conceive other purposes more consistent with His nature as we know it to be. These natural principles and laws, we know, are the conditions of our happiness as their absence will mean chaos and spell human misery: it is, therefore, more plausible to argue that God's purpose is the benefit of mankind.[3] This has two aspects. Firstly and straightforwardly, He wants to create regularity, stability, predictability etc., and thus make us happy. Secondly, He wants to reveal the laws that alone create such a stability, and thereby to teach us how we should govern our interpersonal affairs; He wants us to study the universe, discover the principles regulating its parts, and act on them. To do this will be to 'imitate'[4]

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1. Ibid., A.O.R.11. 329.
2. Ibid., A.O.R. 1. 258.
3. Ibid., 282.
4. Ibid., 286 and 292.

Him, which a man has an obligation to do.

However, even if this was God's intention in creating these laws, why do I have an obligation to govern my relations in conformity with them? Or, more generally, why should I imitate God? What sort of an obligation is this? What does it consit in and what are its limits, if any? And, what is most important, which God is it that I am said to have an obligation to imitate? Now, Paine does not discuss these questions explicitly and at length, and his answers have to be reconstructed for him. As we have seen, there are three possible ways of conceiving God in him; crudely, there are three Gods - God the originator of Motion, God the First Cause who is also God the Creator, and, finally, God the Law-giver and Benefactor. Let us take the last God first as He is easy to deal with. Here I have an obligation to imitate Him because He is my Benefactor, and imitating Him consists in my discovering from the study of the universe the principles and laws according to which He benefits mankind, and acting on them: this means the twofold obligation of pursuing scientific activity and of practising morality. One central principle of such a morality is that we are to do good to all alike irrespective of their moral deserts exactly as God bestows rain, air and sunshine on all. Paine evidently is not very happy about this, and wants to emphasise God's

justice; God could not really treat the good and the bad alike, and must punish the latter; man too must do likewise. However, he cannot easily dispose of the argument that God is also seen not to care about desert in distributing His material benefits. As a result, he alternately emphasizes the obligation to practise justice as also the obligation to practise an undifferentiating benevolence.

As to the second view of God, that is, God the Creator, Paine asserts that our obligation to imitate Him arises from His being our Creator; he does not show any awareness of the objection usually made to such an assertion that the simple fact of creation does not by itself entail any obligation on the creature towards the creator. This obligation, he goes on, consists in two things. Firstly, we are to study the universe and discover the laws in accordance with which it was created, and to create things ourselves in accordance with them; this amounts to an obligation to practise and promote science and technology. We shall discuss this at some length later on. Secondly, God has created not only you or me but all of us, and thus there is equality of origin among us. Now certain rights, called natural rights, necessarily follow from this manner of our origin or coming into existence. We all therefore have equal natural rights, and our obligation is to respect equally the natural rights of others. This obligation is different in character from the obligation to practise justice

discussed earlier in connection with God the Benefactor in as much the latter does not presuppose any natural rights on the part of the individuals concerned.

As to God the Original Giver of Motion, it is prima facie very difficult to see what obligation one can possibly have to Him, and what the imitation of Him can consist in. What seems to be at the back of Paine's mind is the view that one serves such a God by pursuing one's 'interest'. Interest is the natural principle of motion in man, and by planting it in him God has ensured that man will 'move', make efforts, and preserve and embellish his existence. Man therefore imitates and serves God through purusing, as a matter of obligation, his own interests, and through striving to remove the institutions and the practices that stand in the way of the purusit of these interests. The latter would also imply an obligation to study the universe and discover what such 'unnatural' institutions are. The prusuit of one's interest or the satisfaction of one's natural wants thus comes to enjoy a divine sanction. Man's natural wants are devine, and so also the activities, such as manufacture and commerce undertaken to satisfy them.

However, the pursuit of one's interests could hardly be a matter of obligation as man does it anyway by the very constitution of his nature. Besides, it is not, strictly speaking, an imitation of God in as much as God implied here is one who imparts motion and is not Himself in motion in a way that man is.

One common obligation implied by all the three views of God is the obligation to undertake a study of the universe and discover its principles. Natural philosophy, Paine says, 'is properly a divine study. It is the study of God through His works'. By it 'we arrive at a knowledge of His existence' and 'gain a glimpse of His perfection'. Hence sciences are to be taught not 'as accomplishments only' but 'theologically or with reference to the Being who is the author of them, for all the principles of science are of divine origin.' Men cannot make them, but can only discover and apply them; a triangle, for example, is 'no other than the image of the principle', and all its properties 'exist independently of the figure, and existed before any triangle was drawn or thought of by man.'[1] For the same reason the pursuit of knowledge is the worship of God; every 'school of science' is a 'house of creation'[2], and every philosopher 'a preacher'. Since all arts are based on science, not only no

1. Ibid., 264.

2. Ibid., A.O.R. 11. 334.

science but also no art would have developed had not God revealed Himself in the universe. Thus, the more we learn about the universe and the more we know of God, the more we become conscious of the gratitude we owe Him. 'The Almighty is the great mechanic of the creation, the first philosopher and original teacher of all science';[1] science is 'the true theology'.[2]

From the standpoint of equality, these three views have different implications, and have different degrees of adequacy as the attempts to provide a foundation for it. We shall discuss this question more fully when we come to discuss the political implications of these views of God. What we may observe here is that Paine seems to find the views that centre round God the Benefactor and God the Original Giver of Motion rather inadequate: the former because one of its implications is the practice of undifferentiating goodness to all, and this goes against reciprocity, that is, 'doing as you would be done by' which is one of the central implications of equality as Paine understands it; the latter because it does not yield the idea of natural rights, which for Paine is inseparably associated with equality. As a result, he largely relies on God the Creator for supporting metaphysically his theory of equality. This is seen both in his grounding of

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1. Ibid., 333.

2. Ibid., A.O.R. 1. 262.

equality exclusively in the equality of origin, and in the fact that he discusses equality only in the 'Rights of Man, Part I' where the idea of God the Creator looms very large.

II

EQUALITY AND NATURAL RIGHTS

In spite of the fact that the ideas of natural rights and equality are very closely connected in his theory of equality, Paine never discusses at any length how man comes to have natural rights. Man, he says, has two sets of natural rights: intellectual rights or rights of the mind', in which are included rights to religion, to opinion, to judge, etc., and the rights of acting 'for his own comfort and happiness which are not injurious to the rights of others'.[1] The reason why he should consider these particular sets of rights so important seem to lie in his metaphysics. God wants man to study the universe and be happy: the intellectual rights would relate to the former and the other set of rights to the latter. Rights are 'not gifts from one man to another 'for who is he who could be the first giver?' and 'by what principle' and 'on what authority?' 'As therefore it is impossible to discover any origin of rights otherwise than in the origin of man, it consequently follows that rights appertain to man in right of his existence only and must therefore be equal to every man.' A declaration of rights 'is a manifest of the principles by which they (i.e. men) exist.'[2] The natural rights are said

1. Ibid., 88.

2. 'First Principles', Writings, III. 271.

to 'always appertain to man in right of his existence'; but he does not care to explain what this ambiguous expression precisely means. He could mean that man has a right of or to existence from which these other rights could be deduced; but he does not seem to mean this and, in fact, cannot, as this will mean man having a claim on God for being given an existence, and Paine does not have the metaphysics required for such an assertion. What he could mean and does seem to mean is that once a man comes into existence he has a right to continue to exist; because a man exists, he has certain rights, and these are called natural rights as they spring from the natural existence of man. The reason why a simple fact of existence could imply such rights seems to consist in the manner of man's origin. Man is created by God; he owes his existence only to God and not to any other man; as such, his natural or original state vis-a-vis other men is one of complete independence. He does not need anybody's permission to decide what he shall do with himself. An explanation very close to this is contained in his letter to Jefferson.[1] 'Suppose twenty persons, strangers to each other, to meet in a country not before inhabited, each would be a sovereign in his own natural right. His will would be his law.'

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1. 'Papers of T. Jefferson', Vol. XIII. P. 4.

Equality is 'one of the greatest of all truths and of the highest advantage to cultivate.'[1] All men are equal because 'man is all of one degree'; that is to say, there is an essential unity among men[2], springing from the fact that all alike are created by God and derive their existence from Him. Equality thus is 'the truth' about men. This is further confirmed by the fact that all religions, Christianity as well as others, necessarily and often despite explicit denials presuppose equality for their very foundation;[3] except for the 'only' distinction of 'the good and the bad' all religions 'are founded... on the unity of man'. 'Nay, even the laws of governments are obliged to slide into this principle by making degrees to consist in crimes and not in persons'; a criminal can be more or less guilty and thus more or less of a criminal, but never more or less of a man. Equality, further, is useful because it places man 'in a close connection with all his duties, whether to his creator, or to the creation of which he is a part'. Inequality creates a 'barrier' between man and man as also between man and God; this creates 'artificial chasm', and with it 'a vast distance'[5];

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1. Clark, Loc. cit., R.O.M. I. 87.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid., 87-88.

it also creates false ideas in a man about what others really are, and what their real relationship to himself is. All this tends 'to unmake man'[1], and man, as a result, 'becomes dissolute'.[2] In short, man is naturally a part of the universe, and all the inequalities other than those based on the distinctions of good and bad alienate him from it by severing his natural relations with other men and God; this alienation spells 'misery' and takes away from him the human aspect of his existence.

All men thus are 'born equal' because they are origin-ally equal, or because, 'to use a more fashionable phrase', there is equality of 'birth and family'[3]. In addition to this, however, Paine also sometimes advances a rather different basis for equality, which is that equality of all men springs from their belonging to the same 'species'[4]. The oriental suppression of women was the oppression of 'one half of the human species by the other'; monarchies are condemned because they tend 'to deteriorate the human species'; all men are of 'one degree' because they all belong to the same species. This

1. Ibid., 86.
2. Ibid., 87.
3. Ibid., 87.
4. Ibid., 173.

could mean introducing a biological basis of equality in addition to the earlier religions or spiritual one, and would create a conflict. It seems however that apart from the passing expressions of this kind, he does not advance the biological argument with any seriousness. Besides, even when he mentions the species-relationship of man to others he does not take it as ipso facto creating any obligation; men must first be 'kindred' and seen as such[1], and this follows only from the equality of origin or birth, which does make them kindred and makes equality a 'divine' principle by locating it in the archetypal act of Creation.

The fact of man's origin, as we have seen, points to his indebtedness and duty to God, while that of the equality of this origin points to his duties to other men. As to why a man should treat all men equally, what sort of an obligation this is, and where it is derived from, it is possible for Paine now to advance an answer different from the earlier one, which was that he should imitate God and that this imitation consists in treating all equally as God Himself does. He could now argue that men should treat each other equally because they <u>are</u> equal; they all have the same natural rights, and each must exercise his with due respect for those of others. This he ought to do because all men are ' of one degree ',

1. Ibid.

and there is simply no justification for one man to treat himself as superior to the rest. This argument could make God superfluous[1] as the ground of obligation to practise equality, be it God the Creator or God the Benefactor or God the Source of Motion, since one can be asked to treat all men equally simply because all are equal. God would, of course, remain as the ultimate explanation of equality, as men are equal because they all alike are created by Him, but He is no longer needed as a ground to recommend or justify the practice of equality. This superfluity of God as such a ground is interestingly revealed in Paine's discussion of man's duties. He had often talked of the obligation to practise equality as a religious obligation, and had identified it with the 'duty to God'.[2] He now begins to distinguish the two; man's duty consists of 'two points', 'duty to God', 'and with respect

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1. It is not logically required by the character of this argument that God must be dispensed with; one could argue, for example, that in creating all men in the same way, and in not getting some men to be created in a different way, say, drop from the grey clouds, He has expressed His wish that all men be treated as equals, and that man has therefore an obligation to practise equality. However, Paine does not choose to say this, and is not inconsistent in doing so.

2. Ibid., 88.

of his neighbour, to do as he would be done by'.[1] The latter is not subsumed under the former and, appropriately enough, is seen as involving reciprocity rather than humaneness, love, etc.. Besides, the obligation to practise equality here is not strictly a moral or a religious obligation but rather a rational one; if men are equal, it is simply irrational to treat them other than equally.

As Paine almost always talks of equality and natural rights in constant conjunction, it may be asked how precisely the two are related for him. Now they have been variously related by different philosophers. Some have taken equality itself as one of the natural rights, and treated the right to it as logically of the same kind as the rights to other things like life, property, etc.. Some others have derived equality from natural rights by arguing that men are equal because all have the same natural rights. Some others have done the opposite and have derived natural rights themselves from equality by arguing that, because men are equal, none has originally any authority over another, and that all are therefore naturally independent and have the full freedom of self-determination; from this freedom certain rights are considered to follow. Though Paine seems to come very close to this

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1. Ibid. A man here would have direct obligations to other men, and not via God as in 'the imitation' argument.

last manner of relating equality and natural rights, his general position seems to differ from all the three. He derives both equality and natural rights from the same source, i.e. God's archetypal act of the 'creation' of man subsequently 'carried forward' through 'the mode' of 'generation'[1]. In creating man God established equality among men and thus related them; but at the same time He made man independent of other men (in terms of origin), and thus established natural rights among them. Both are 'divine', and equally so.

Two questions may arise in this connection. Why should Paine consider it necessary and important to base quality as an ideal of conduct on the quality of origin? and second, as equality would seem to apply only to those men who are directly created by God and not to those in the subsequent generations, how can his theory establish equality among men today? His answer to the first question would be in terms of a general methodological principle that runs right through all his works, and that, in turn, rests on a certain view of reason and of the sort of 'proof' or 'argument' that alone this reason finds satisfactory. 'It is only by tracing things to their origin that we can gain rightful ideas of them; and it is by gaining such ideas that we discover the boundary that divides right from wrong'[2]. He employs this procedure to

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1. Ibid., 87

2. Ibid., 'Agrarian Justice', 339.

decide who has a property in a certain thing,[1] what government can and cannot do,[2] what religious institutions are good and what bad, etc.. As to why we should trace the origins of things and what sort of intelligibility we can expect from it, he argues that man's reason feels at home only when it has thus traced the beginning of a thing, as it is then able to obtain a standard by which to determine what the thing is origin-ally and, therefore, <u>really</u> like, how its present state finally differs from this, and how this difference could have come about. In the case of civil society, we go to the time when government was about to be established; and in the case of deciding matters about man himself, his rights, his relations with others, etc., we go 'to the time when man came from the hand of his maker', i.e. 'to the creation of man' or to 'the beginning of time'. 'Here our inquiries find a resting place and our reason finds a home', while in any intermediate stage there is 'no authority at all.' The very nature of man's reason thus entails a search for the ultimate origins of things, and to explain a thing rationally means to trace its origin and relate it as it is now to what it was then; this is the criterion of adequate explanation for Paine. One feature of this approach may be noted. Paine is not seeking a trans-temporal point of

1. Ibid. 339, 341.

2. Ibid. R. O. M. 1. 91.

reference where to ultimately anchor human affairs; but nor is he prepared to countenance any intermediate historic events like the Settlement of 1688, etc., or even the birth and death of Christ; what he is doing is to trace the beginning of time and locate things there. This implies an interesting theory of political time, or, the way in which the idea of time enters into politics and the role it plays there. In fact, the controversy between Paine and Burke can be reduced to the different views of political time that each entertains. However, for reasons of space, we shall not pursue this inquiry further.[1]

As to the second question, Paine distinguishes the 'Creation' from 'generation', and then relates them in an interesting way. God created Adam, while a man's parents generated him. However, there is no difference between the two activities, since generation 'is only the mode by which' the 'Creation' 'is carried forward'.[2] Consequently, every child born into the world must be considered as deriving its existence from God. The world is as new to him as it was to the first man that existed, and his natural right in it is of the same kind.'[3] Every act of generation is a repetition of the same primordial and

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1. In this connection see Writings III. 260. 'First principles'.
2. Ibid., R.O.M. I. 87. He does not elaborate this.
3. Ibid.

archetypal act of Creation, and the two have the same implications despite the difference in the time of their generation and in the immediate agency responsible for causing the act. That Paine should make this argument, give it such an importance and discuss it in the same paragraph as that where equality is sought to be established further goes to show that he considered equality of origin extremely crucial for the justification of equality as a moral and political ideal and that therefire he felt it necessary to closely relate generation and creation so as not to deprive equality for all meaning and practical application.

III

INTEREST AND POLITICS

As we noted earlier, there are three different views of God in Paine, and the political theories constructed on their basis would obviously be different. As to God the Benefactor, however, Paine does not construct any political theory on its basis, though he does hint at some of its political implications, which, mainly, are that man, as a rational being, is capable of discovering the general laws regulating the universe, of self-consciously acting on them, and of setting up a rational political society on their basis. What is important and what seems to worry Paine is how precisely these laws are to be interpreted. Interpreted as recommending undifferentiating goodness to all, which is what God is doing in sending light and rain to all alike, they could hardly be a viable basis for a Political Society; they would, for example, require loving one's enemies, and this is politically impossible.[1] Interpreted, on the other hand, as recommending justice, which is what God does in punishing the wicked and rewarding the virtuous, they could provide a viable basis for political society, but, then, they would not

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1. Clark, Loc. cit., 326f.

base justice on natural rights, and it is this that Paine really wants. Paine is frankly puzzled into silence by the apparent inconsistency between God's behaviour in the natural universe and that in the moral universe. As he does not have much to say on the political implications of this view of God, i.e. God the Benefactor, we shall largely ignore it. On the idea of God the originator of motion, a fairly elaborate political theory is constructed with interest as its basic category; and on that of God the Creator, a much more elaborate political theory is constructed with natural right as the basic category. Needless to say, these two theories are not entirely compatible with each other, and Paine's political thought remains vitiated by an unresolved tension between the two. We shall examine the former, the interest theory of politics in this chapter, and take up the latter, the natural right theory of politics in the next.

God has imparted a certain principle of motion to every thing in the universe, whereby it moves. It is gravitation in the case of matter, and 'want' or 'interest' or 'desire' in the case of men.[1] Like matter, man's natural state too is one of inertness, and it is interest alone that activates him without which he would not move a finger, and thus no development in any field would take place in its

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1. 'Attraction is to matter, what desire is to the mind'. Writings, IV. 437. 'Scientific Memoranda'.

absence. Like all other principles in the universe, it too is divine; it imparts motion, brings about man's progress, and is unfailing in its operations; it is the grand principle that sustains life, and its 'unceasing circulation ... passing through its (i.e. society's) innumerable channels, invigorates the whole mass of civilised man'.[1] It leads to agriculture, manufacture, commerce, in short, the whole civilisation as we know it; men have pursued and achieved it even under the most discouraging circumstances like wars, oppressive governments, etc., which they would not have been able to do had not interest 'operated' on them with the same 'strength' and irresistibility with which instinct operates on animals. What gravitation does to matter and instinct to animals, interest does to men.

Man's interest is the satisfaction of his natural wants. Now these wants are such that he cannot satisfy them by himself; he needs the help of others. Thus arises the hiatus between his natural wants and his natural powers, which is not something accidental but is a part of nature's intention, which is to lead men into society; 'these wants, acting upon every individual, impel the whole of them into society as naturally as gravitation acts to a centre.'[2]

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1. Clark, Loc. Cit., R.O.M.II.178.

2. Ibid., 176.

Nature has also 'implanted in him a system of social affections which, though not necessary to his existence, are essential to his happiness.'[1] It is interest, then, that is indispensable for the existence of society.

Natural wants thus bring men together in society and they, along with men's natural affections for each other, keep them together. Both of them bring about 'a great part of that order which reigns among mankind', which thus 'is not the effect of government'[2] but instead has 'its origin in the principles of society and the natural constitution of man'.[3] 'All the great laws of society are laws of nature'[4]. Society thus is a natural entity arising from the natural constitution, largely natural wants, of man, and having 'nearly the whole' of its business 'performed by the natural operation of the parts upon each other.'[5] What is more, it is a self-operating mechanism as the principle of interest guides each individual member, and so coordinates their actions that natural harmony is the result. Government, therefore, is an outsider to society. The more perfect a society, the more it regulates its own affairs itself, and 'the less occasion has it for government'.[6] The laws of society, as we have seen, are the laws of nature, and are few

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1. Ibid., 176-7.
2. Ibid., 176
3. Ibid., 176.
4. Ibid., 178
5. Ibid.
6. Ibid., 178

and extremely simple. Individuals observe them because it is their 'interest' to do so, 'and not on account of any formal laws their governments may impose or interpose'.[1] Society has its natural cohesion, and what government tends to do is to deprive it of this cohesion by hindering the natural motion of its parts and the natural unity they would thereby bring about; it begins to acquire an autonomous and independent character of its own, and 'assumes to exist for itself'. Government, on this account of its nature, is, strictly speaking, an evil; what is more, it becomes difficult to explain its necessity. Paine, not surprisingly, hardly goes into this question, and does not advance a single sensible argument as to why the institution of government should have come into being at all, and why it should have continued to exist so long. What he says is highly obscure: 'Government', he says, 'is no further necessary than to supply the few cases to which society and civilisation are not conveniently competent.'[2] What such cases are is not specified. Assuming, however, that he <u>is</u> able to show the necessity of government, what it will be required to do is to meet the sorts of cases, alluded to by Paine, that have made its existence necessary, and it will meet them not in terms of its own principles but in terms of those of Society. It

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1. Ibid., 179.

2. Ibid., 177.

is mainly to leave individuals alone to achieve 'common interest' through 'mutual dependence', and in the process to develop 'common usage' and general practices, which it then is to respect. The 'quantity' of government required for this is evidently minimal.

As this view of government arises from assimilating society to and explaining it in terms of nature, we shall call it a naturalistic theory of government. This theory has some important general features that may be noted. (1) It rests on the assumption of the natural harmony of interests. (2) It involves some sort of determinism by a natural principle; in the case of Paine, for example, it is interest which is such a natural principle, and which necessarily motivates man's conduct. (3) It assimilates political society to nature or the universe, and requires the former to be modelled after the latter. This is precisely what Paine himself is doing. Nature is law-governed, and so must be political society. As a consequence, it is laws that are to be sovereign, and it is the law-making organ that is to exercise sovereignty in the structure of government. Further, politics must be conducted in <u>universal</u> terms; a nation must 'extend and promote the principles of universal society'[1], and conduct its affairs not in terms of 'precedent' and 'authority'

1. Writings. II. 121.

but instead in those of the univers-al principles that are 'self-evident' and 'entirely independent' of their 'author and of everything relating to time, place and circumstance'. (4) The term 'principle' is used here in a way it is used in the scientific expressions like 'the principle of gravity' or 'the principle of motion'; Paine himself says that principles are 'like a system of pulleys'[1], and regulate the relationship between various parts as in a machine. He also, however, uses the term in a sense in which it is used in the ethical expressions like 'the principle of liberty' or 'this is a matter of principle'; this, as we shall see, belongs to the second non-naturalist trend in Paine. (5) Equality of men consists in each pursuing his own interest. There is the same God-given principle of motion in all men, and each is to be left free to be guided by it. This equality is sanctioned by nature, and when God is brought in, as in Paine, there is a divine sanction as well for it. (6) Interest is a primary category and rights are defined in terms of it; as Paine says, man 'acquires a knowledge of his rights' by attending to his 'interest',[2] which is taken to

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1. See Clark, Loc.cit., 'Common Sense'8, where a mechanistic analysis of the constitution is offered.

2. Ibid., R.O.M.II.223.

3. Ibid.

consist in his pursuing his occupation, enjoying 'the fruits of his labours and the produce of his property in peace and safety, and with the least possible expense.[1] Men have rights because they have interests, and have rights to those things in which their interests lie.

1. Ibid.

IV

POLITICAL THEORY OF NATURAL RIGHTS

The second theory that is equally dominant in Paine's writings seeks to understand politics in terms of the idea of natural rights. Man's original condition is one of independence. All authority over him can arise only from his consent; until it so arises he remains his own master. Now the whole point of having these natural rights is that man is able to enjoy the conditions they create, and this depends on his being able to enforce them. He has, of course, natural powers, and these are adequate for enforcing some of his natural rights; in such cases he is self-sufficient, and does not need any assistance from others. There are, however, others where he is not; he may, for example, judge that X is his property, but Y may at present be in possession of it, and he may have no means of enforcing this judgment and getting his property back. What he can do here is to deposit this and such other rights 'in the common stock of society', and take 'the arm of society, of which he is a part, in preference and in addition to his own.'[1] Such rights are then called 'civil rights' or 'those which pertain to man in right of his being a member of society'. Natural rights thus pertain to man in right of his natural existence, and civil rights in right of his civil existence.

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1. Ibid, R.O.M. I.89.

Now most natural rights theorists distinguish two kinds of natural rights: (1) rights to specific things like life or property, and (2) a right to judge how to exercise these rights, or what to do to make them effective. What most of them consider to be a source of trouble and confusion in society is not (1) but (2); it is each individual's right to judge what he should do to make his rights to specific things effective that is considered to lead to disagreements and conflicts. It is therefore (2) that is to be surrendered, so that a common judge can be set up; (1) can never be surrendered both because then it will not be a natural right at all which by definition is inalienable, and also because the very reason for invoking the notion of natural right will then have been defeated. Now Paine himself sees this, though in a rather confused way. Man, he says, has a natural right to judge in his own cause, but 'what availeth him to judge, if he has not power to redress?'[1] He therefore deposits this right in the common stock of society'.[2] But then Paine immediately goes on to argue that it is

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1. Ibid., 89. This, incidentally, highlights some important differences between Paine and Locke. Unlike Locke, he does not derive natural rights from the law of nature. Further, it is the law of nature that, for Locke, needs an executive and a judge; for Paine it is the natural rights that need these.
2. Ibid.

the natural rights to specific things (for which a man's power is not commensurate) that are surrendered, and this, as we have suggested, is impossible. All in all, he remains vague as to what rights it is that are being surrendered.

These ambiguities and oscillations affect his discussion of the relation betweeen natural and civil rights, as also of the nature of 'civil power'. 'Every civil right has for its foundation some natural right pre-existing in the individual'[1], and 'every civil right grows out of a natural right or, in other words, is a natural right exchanged.'[2] 'Society grants him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.' As to civil power, it 'is made up of the aggregate of that class of the natural rights of man which becomes defective in the individual in point of power and answers not his purpose, but when collected to a focus, become competent to the purpose of everyone.'[3] It arises from each depositing his natural right to judge (or/and other specific rights), and taking the arm of society 'in preference and in addition to his own.' It is this last sentence that highlights the conflict in Paine's mind: an individual cannot

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1. Ibid., 88.

2. Ibid., 89.

3. Ibid.

have the arm of society[1] both as an addition to and as a substitute for his own. Paine looks upon a civil right as a natural right plus security; the power of society here is an addition to individual's own power. But he also looks upon it as 'a natural right exchanged', that is, as a natural right surrendered to society which then returns it to him suitably modified and fully secured; the power of society here is taken 'in preference' to individual's own. It is only in this latter context that Paine's continual talk of natural rights being 'exchanged for civil rights' can have a meaning.

Man thus has natural rights and natural powers; in the hiatus between the two lies the explanation of civil society. Man is not naturally and necessarily led into society as in the case of the naturalists theory discussed earlier. He has nothing but natural rights and natural powers; when he is exercised about this hiatus, any answer to his problem must be wrought out of this sole natural equipment of his. He feels that civil society will be an answer to his problem, and is led to examine how it can be forged out of his natural rights and powers. The instrumentality through which he thinks this can be done is contract. Thus, civil society becomes necessary because

1. Paine mainly uses the term 'society,' by which in this context he means civil society.

man has natural rights to secure some of which he needs others, and it becomes possible because he has natural powers which, when combined with those of others, make this security feasible. What makes it necessary also provides the criterion in terms of which its practices are to be judged and justified. As civil society is simply an aggregate of natural rights that are a man's property of which he is the owner, every man is appropriately called 'a proprietor' in it, and the aggregate of these natural rights a 'capital'. As a result of compact between individuals, civil society is created; this is 'the only mode' in which it can rightly be established, and it is 'the only principle' on which it has a 'right to exist'.[1] This contract or compact Paine calls 'constitution', which thus is antecedent to government.[2] About the nature of the constitution and its relation to the contract, Paine, again, is not clear, and advances two different views. Men constitute themselves into a civil society through a contract, and the term 'constitution' refers to this act of the constituting of themselves by the people into a civil body; the contract is their constitution. But he also advances a rather different view

1. Ibid., 91.

2. Ibid., 92.

that the contract creates a civil society, which then elects an assembly that drafts a document that is called the constitution of that society. The contract and the constitution are separated, and the term ' constitution' is used to refer to a specific document.[1]

As individuals enter into the contract to better protect their natural rights, each is to be secured in the enjoyment of his rights, and none is to be allowed to interfere with another; justice is nothing but this equal security of natural rights. This is also called public good, which thus is nothing but equal justice. A government wedded to this is called variously 'a republic' or a government acting 'on the principle of a republic'[2] or 'a republican government'. The term 'republic' does not refer to 'any particular form of government', but instead to 'the purport, matter or object for which government ought to be instituted'; republic is res public, that is, public good, and implies a certain manner of constituting civil society. Now when people enter into 'their original compact of equal justice', they mutually resolve and pledge themselves to support

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1. Ibid., 93. also 131.

2. Ibid., R.O.M.II.191. For a further discussion of the nature of republic, contract, etc., see Writings.II.134 ff. 'Dissertations on Government.'

and maintain the rule of equal justice among themselves, and renounce not just 'the despotic form' but 'the despotic principle': they agree never to be governed nor to govern 'by mere will and power', and never to do certain sorts of things, such as to practise a despotism of one or of many, the latter in fact being 'worse'. They renounce as 'despotic, detestable and unjust' 'the assuming a right of breaking and violating their engagements, contracts and compacts with, or defrauding, imposing or tyrannising over each other', and 'the power of exercising at any future time any species of despotism over each other'. Thus, the right to break the compact is renounced when it is first entered into. It is this common commitment to the principle of 'equal justice' or 'the equal rights of man' that constitutes 'the common cementing principle which holds all the parts of a republic together'; the 'true' principle of a republic is 'the principle' of 'equal justice'. Of such a republican government one sees the rationale immediately; its laws and measures appeal of themselves; and, as one's obedience to them is based on a rational persuasion, no myths or artificial beliefs need to be created to motivate an individual citizen. As all obligations must be rooted in reason, one has an obligation to obey only the rational laws, that is, the laws of whose rational character one is convinced. Now, as we have just seen, the supreme principle of political life is

equal justice; only those laws, therefore, are politically rational or good that aim at or achieve equal justice. Similarly, only that man is politically rational who demands that his government achieves the equality of rights and justice, and defends and stands up for his government only when it conforms to this demand; a man wanting a government by kings is 'an idiot'.[1]

We have so far discussed the principle on which, in Paine's view, a government should act. We may now turn our attention to his discussion of what he calls the 'forms' of government. He starts by rejecting the traditional triadic classification. There 'can be but one element of human power and that element is man himself';[2] there are not three 'distinct and separate elements' of 'human power' and there cannot therefore be three distinct forms of government. What he seems to mean is that all power comes from only one source, that is, man; and in a political community it can come only from the people. Now the traditional classification of governments implies as if there are three 'distinct' sources of power; and this is not only incorrect but also mischievous, as it detracts from 'the Sovereignty' of the people. As an alternative, Paine suggests

1. Clark, Loc.cit., R.O.M.I.146.

2. Ibid., 161.

a scheme where governments are classified into 'representative' or 'hereditary', the latter including both 'monarchy and aristocracy'.[1] As to the criterion on which this classification is based, Paine mentions different ones at different places. He talks of 'consent' of the people, this being present in the representative and absent in the hereditary governments. He also mentions 'freedom': the representative government is based on man's freedom to decide the sort of government they should have, while in the hereditary government they are treated as a 'property' of the rulers.[2] He also emphasises a great deal an epistemological criterion: a government may be one based on knowledge, or on ignorance; the former is a representative government, the latter a hereditary one. Though this last distinction is of great importance, as we shall soon see, it is more in the nature of an <u>advantage</u> that a representative government has and a hereditary one does not; it is not a <u>criterion</u> for classifying governments. The basic criterion implied in his classification seems to be the manner in which political power is derived. The power a government

1. Ibid., 159.

2. Ibid., R.O.M.II.215.

wields is either 'delegated' to it by the people, or is simply 'assumed and usurped' by it;[1] the former is a representative government while the latter a hereditary one. Since all power lies in the people, only the former is really the 'civil' government; the latter is robbery, and not a government at all. It may be asked why Paine should be interested in classifying governments in terms of this criterion. The explanation would seem to lie in his continual concern with the beginnings of things, which, as we have already noted, is an important methodological principle inspiring his approach to many other areas of analysis. Nothing has a right to continue unless it has a right to exist, and the latter depends on how it came to exist in the first instance. Applying this principle to the classification of forms of government, it would follow that governments could begin either through 'delegation' or through 'assumption'.

This enables him to answer the question as to which <u>form</u> of government is most compatible with republic or the principle of the republic. Republic, he replies, 'is not necessarily connected with any particular form, but it most naturally assoc-

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1. Ibid., 198. For Paine, a government is either representative or hereditary with respect to its form; the two are mutually exclusive and collectively exhaustive.

2. Ibid., R.O.M.I.162.

iates with the representative form as being best calculated to secure the end for which a nation is at the expense of supporting it'.[1] He advances seven different arguments in support of representative government, and, in my view, his discussion of them constitutes an important theoretical contribution to the discussion on the subject of representation. His first argument is commonplace and familiar. Government is 'the management of the affairs of a nation'.[2] It is 'the property' of the whole community to which 'sovereignty, as a matter of right, appertains'. The community has 'an inherent, indefeasible right' to set up any form of government that accords with its interests and abolish one that does not; the only form of the government that gives an unrestricted scope for the exercise of this right is the one resting on the election of its rulers. His second argument is one that is quite handy to a man of his metaphysics: it is the only form of government that accords with nature. Nature is orderly, regular, law-governed, and consistent; anything that is irregular or whimsical is simply not natural. Now in all hereditary governments we find that

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1. Ibid., 191. See also Writings.III.265. 'First Principles': 'The true and only basis of representative government is equality of rights', which is how republic is defined.

2. Ibid., R.O.M.I.162.

an intelligent father does not always have an intelligent son, and a good king is often succeeded by a foolish one; this is a 'natural proof' that nature abhors hereditary governments. His third argument is a follow-up of the first one. The 'principle' of civil government is public good or equal justice, and it is best realised through a form where people regulate their affairs themselves 'without the use of secondary means'[1]. This is 'democracy' or the 'original simple democracy' as practised by the ancient Athenians in their days of glory. However, it is impractible in an 'extensive and populour territory',[2] not because of any defect in its principle but because of 'the inconvenience of its form'. We can, however, secure such a democracy in the large modern states by 'ingrafting representation upon democracy'.[3] The result is representative democracy or 'representative government', which is not different in kind or principle from the direct or simple democracy since all it does is to evolve a

1. Ibid., R.O.M.II.191.

2. Ibid., 193.

3. Ibid.....

form more suitable to the same principle in the context of a larger state. 'What Athens was in miniature America will be in magnitude'.[1] Representative government thus is only 'simple' democracy writ large, or, more correctly, it is representation plus universal franchise.

His last four arguments in support of representative government are more interesting. The fourth and the most important one is formulated in terms of political knowledge. There is something of an inconsistency in exercising power without knowledge, and the exercise of power over a thing in ignorance of its nature is irrational. 'Sovereign Power without sovereign knowledge ... is a something which contradicts itself'.[2] Government, therefore, needs knowledge if it is to regulate rationally the affairs of rational men. The knowledge is of two kinds: knowledge of the principles on which any government ought to be established; and knowledge of the interests of all the parts.[3] The formers is 'no more than an operation of the mind acting by its own powers'; human mind here does not need to know anything outside itself, but can work out the 'system of principles' through simple reflections. The latter, on the other hand, is 'of a different kind',

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1. Ibid.
2. Writings.II.135.'Dissertations on Government'.
3. Ibid., R.O.M.I.163.

and is crucial for 'the practice upon those principles as applying to the various and numerous circumstances of a nation.' It is a 'practical knowledge', and, unlike the former, can only be had through familiarity with the concrete circumstances of the people concerned. In politics we require such a knowledge of trade, commerce, agriculture, etc., as also of the difficulties and the problems of the various parts of the country. This knowledge no single individual can have, as 'it is an assemblage of practical knowledge' which only the persons coming from different areas can bring. The need for this kind of knowledge required for the conduct of government constitutes an argument in support of representative government. The knowledge that the Founder or the Constitution-Maker or the familiar figure of the Legislator requires is of the general principles of political life, and can be had and, in fact, can best be had through quiet reflection; but the knowledge that a government requires for the day to day conduct of the country's affairs is predominantly practical, and the only means of acquiring it is through the instrumentality of representation. Why he will rule out the possibility of a monarch acquiring all the knowledge required through the instrumentalities of the civil service, the opinion surveys, the questionnaires, the Royal commissions, etc., and completely dispense with a representative government is not clear. I suspect he would argue that only the persons coming from among the people can have such a knowledge

in any intimate and first hand way; but it is difficult to press this point in the absence of any discussion by Paine of epistemology, particularly political epistemology.

Rule by one man, as we have seen, is disapproved since such a man lacks full knowledge of all the parts of a community, and, being 'brought up in such a distant line of life', his experiences and ideas tend to be remote from those of his subjects. However, there is one area of organised life, i.e. army, where one-man rule is justified. Here the Commander-in-Chief has a complete and justifiable control over the entire army in matters relating to its 'conditions and purpose'. The reasons for this are two. First, every man in the army is of the same profession, a soldier.' The Commander-in-chief is no exception, who, 'therefore', finds 'the knowledge necessary to the exercise of the power' 'within himself.'[1] By understanding himself, he comprehends 'the local situation, interest and duty of everyman' within 'the domain of his command.' Second, his power is always exercised against an enemy and not against the army to which it is, in fact, intended 'to give its capacity for action'. 'However, all these reasons cease' and 'lose' their 'fitness' when applied to the nation, since 'all' the elements of the

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1. 'Writings' II.135. 'Dissertation on Government'.

nation 'differ from those of an army'. 'An army has but one occupation and but one interest', while a nation 'is composed of distinct, unconnected individuals, following various trades, employments and pursuits, continually meeting, crossing, uniting, opposing and separating from each other as accidents, interest and circumstances shall direct'.[1] 'Another very material matter' in which the two differ is 'temper'. An army has 'but one temper' - 'a temper formed by discipline, mutuality of habits, union of objects and pursuits, and the style of military manner;' 'but this can never be the case among the individuals of a nation'.[2]

The fifth argument in support of representative government is in terms of political unity. Government 'is no more than some common centre in which all the parts of society unite'.[3] Any political unity that a nation has is always in terms of a single centre from where all its parts are governed, and with which, therefore, they must be closely connected. In the

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1. Ibid., 136.
2. Ibid....
3. Ibid., R.O.M.II.194.

case of representative government, we have such a single centre as well as the bond connecting it with the various parts of a nation; it thus provides 'the strongest and most powerful centre that can be devised for a nation.'[1] A nation here is 'like a body contained within a circle, having a common centre in which every radius meets, and that centre is formed by representation'.[2]

The sixth and the seventh arguments in support of representative government are simple but interesting. Government needs men of talents and abilities, and 'the construction of government ought to be such' as to bring them out and offer them an access to power. Every man has 'a mass of sense'[3] and certain 'faculties' 'lying in a dormant state', which, unless excited to action, 'will descend with him in that condition to the grave.' This 'capacity' 'never fails to appear in revolutions'; what must be done is to 'bring (it) forward by a quiet and regular operation' in peace times. Finally, representative government has an immense educational value following from its 'public' character. It 'presents itself on the open theatre of the world in a fair and manly manner'; there are no

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1. 'Writings' III.6. A Letter 'To the authors of "Le Republicain", 1791.

2. Clark, Loc.cit., R.O.M.II.194.

3. Ibid.

mysteries here and the reasons for every action of the government are clear and publicly debated. Besides, it diffuses a great body of knowledge throughout the nation 'on the subject of government,' and 'Those who are not in the representation know as much of the nature of business as those who are'[1]. There is, as a result, a general spread of political education, and the citizens become more and more capable of acting on 'moral' and 'public'principles'[2]; that is to say, of undertaking an intelligent political activity.

All these cumulatively make a powerful case for the sort of government Paine chooses to call 'representative'; negatively, they constitute a telling indictment of what he calls 'hereditary'government. What seems less tenable, however, is how he wants all these beneficial consequences to issue from representative government as he understands it. Paine seems concerned to concentrate all power in a single centre, and this, while leaving the ultimate controlling power in the hands of the people, does not seem to give them much initiative. People can elect, or throw out the government they have elected, but aside from this there is no scheme for any continual popular action, or for any closer integration between the people and their representatives. Representative government is said both to 'con-

1. Ibid., 197.

2. Ibid., 190.

centrate' political knowledge at 'a single centre' and also to 'diffuse' it 'throughout the nation', but there is no attempt to relate and coordinate the two processes. This poses another important problem as well. As we have seen, Paine takes representative government to differ from the direct democracy of Athens only in 'form', their principle being the same. This becomes very hard to maintain. The latter, as he himself says, meant direct participation by every citizen in the collective deliberations and decisions of the community, while the former means that the role of the individual is confined largely to electing and removing his rulers. This is not to say that the two are inconsistent, but only that representation, as Paine understands, it can not be grafted on the direct democracy as he found in ancient Athens: the ethos or the principles of the two are very different. In one, an individual citizen initiates policies, introduces legislation, and is politically very active; in the other, the initiative does not lie with him, and his sole task is to say yes or no once every few years. What he next goes on to say is much more surprising still. His discussion of representation, as he himself says, is inspired by a desire to make the direct democracy of Athens feasible in the large states of today; and yet he goes on to argue that representation 'is preferable to simple democracy even in small territories. Athens, by representation,

would have surpassed her own democracy.'[1] There seems to be no important reason for this assertion except, perhaps, that such democracies tend to be unruly and convulsive[2], and degenerate into some other less desirable form of government, or become unstable and gets run over by an invader. But even this will not do. Why should direct democracies be unruly? And, if they can be, what reasons have we to believe that representative governments will not be? When the question is pressed, one comes up against an important inegalitarian assumption that underlies many of Paine's arguments[3], which is that the wisdom required in politics is to be found only in some members of the society, and that, therefore, not all the citizens but only those having it are to be elected as representatives and are to run the government. However, though only some men in any society have political wisdom, these some are not fixed and always the same, since political wisdom 'is continually changing its places. It rises in one today, in another tomorrow.'[4] 'As this is the order of nature, the order of government must necessarily follow it, or government will, as we see it does, degenerate into ignorance.

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1. Ibid., 194. It may be observed that Paine almost always uses the term 'democracy' to mean simple or direct democracy.

2. Ibid., 190.

3. Ibid., 188.

4. Ibid.

Thus, as political wisdom at any given time can only be found in a few, the superiority of representative government over direct democracy can not be one of 'form' or 'convenience' only as Paine argues, but must be one of 'principle', since the former ensures the rule of wisdom while direct democracy, by making political power accessible to all, does not.

We have seen that Paine takes republic alone as the legitimate form of civil society, and understands it as based on the principle of equality of rights of all individuals. Each individual is a proprietor in civil society, and has, therefore, an equal say in how its affairs are to be regulated. This leads to his advocacy of universal suffrage[1], which is based on this as well as on a number of other logically disparate grounds. Negatively, he begins by rejecting property qualification. Property has 'wings' and can 'fly away', and the right to vote too will have to fly away with it. 'When a brood-mare shall fortunately produce a foal or a mule that, by being worth the sum in question, shall convey to its owner the right of voting, or by its death, take it from him, in whom does the origin of such a right exist? Is it in the man or in the mule?' Property qualification is also ruled out on the rationalist ground that it means 'attaching rights to mere

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1. Writings.III.265ff. 'First Principles'.

matter and making man the agent of that matter., He wants the right to vote to rest instead on a 'natural' principle, which he finds in 'age'; all men are sure to arrive at it and thus, no inequality is involved; also, no man can take it away from another; and once it arrives it does not go away. What is more, it is in full harmony with the natural process of man's mental maturation. It is argued to deny a man a right to vote is to reduce him 'to slavery' which 'consists in being subject to the will of another'. Another argument in similar vein is that such an exclusion of any person implies 'a stigma on the moral character of the persons excluded.' There is also, however, the usual utilitarian argument that the strength and the security of a government 'is in proportion to the number of people interested in supporting it',and that, therefore, universal suffrage is a good 'policy'.

In addition to the universality of franchise the principle of equality has two other important implications, political and economic. We shall take the economic implication first. Property, Paine says, is of two kinds, natural and artificial. The former comes from God,and includes land, air, water, etc.; the latter is that acquired by every man with his own labour. To the former all men have equal rights as they have equal natural rights to comfort and happiness. As to the latter, since all men have not contributed equally and can never

contribute equally because of natural differences in strength, ability, industry, etc., they cannot have equal rights, and every one 'should hold on to the product of his own labour as his right share'. Now, the former implies that every man is a 'joint life-proprietor with the rest in the property of the soil', and that the earth 'in its natural uncultivated state' is 'the common property of the Human Race'. But men occupy and cultivate and improve it, and this is a duty enjoined on them by nature, since the earth, in its uncultivated state, can support only a small population, while nature wants the entire growing population to survive and, therefore, provided with food. Since this improvement, however, is inseparable from the earth, men come to acquire property in the latter as well, though, strictly, they can have property only in the results of the improvement in the land that they have effected through their labour. It is thus unjust that they should continue to maintain property in the land, as this violates the principle of equality; but, then, to deprive them of the fruits of their labour is equally unjust. Paine has a solution. Each landlord has a 'right to occupy' the land, but not to '<u>locate as his property</u> in perpetuity any part of it'. Further, for appropriating the common property he is to pay a ground-rent to the community at the time of inheritance, the suggestion that has inspired the idea of estate duty. Out of this, a national fund is to be created, from which £15 are to be paid to every man arriving at the age of twentyone as a com-

pensation for the loss of his natural inheritance to the earth. In addition, £10 is to be paid per annum to every man aged fifty. Both these payments are to continue endlessly, as all men, in the present as well as in the future generations, have a natural right to the earth. Since all have this right both payments are to be made to all men, the rich and the poor alike. Further, all estates of the clear yearly value of £50 are to be taxed. Paine also advanced various other proposals, such as that government should enjoin parents to send their children to a school and should pay £4 a year for every child to help them finance this education, that it should pay the amount of twenty shillings to newly married couples, etc.; but these obligations are not derived from man's equal natural right to the earth, and we shall not, therefore, discuss them at length. As to artificial property it is based on man's right to the product of his labour. Even here, however, as no individual can acquire any property without the aid of society, its owner 'owes, on every principle of justice, of gratitude and of civilisation, a part of it to society from whence the whole came'. This justifies the levying of taxes as well as a forcible purchase by government of a property in the case of a legally determined public necessity.

In the case of both the natural and the artificial property, it would have been noticed that Paine is not interested in any full-fledged economic equality, but only in

providing a basic economic security to all; 'I care not how affluent some men be, provided that none be miserable in consequence of it.' He himself defends his economic programme on the ground that by keeping the poor contented it will 'give to the accumulation of riches a degree of security' that any existing economic arrangement can not. Further, his plan does not draw out the full implications of men's natural equality of rights, and for this he was attacked by Thomas Spence, who himself, starting from the same premise, advocated that all the inhabitants of each parish are to form a corporation which is to own its entire land and become its 'sovereign lord': it is then to let out the land to farmers on a moderate rental which should be such as to defray the expenses of the local and partly of the central administration, including what is needed to relieve the poor: the rental paid will vary according to the quantity, the quality and the convenience of the land. This, too, falls far short of the full implications of natural equality, but it does go further than Paine.

We may now take up the political implications of the principle of equality. Men have equal rights, and this, as we have seen, leads to the sovereignty of the nation. But, if men of today have these equal rights, men of tomorrow have them in no less a degree. This leads to the principle of equality of

generations. 'Every generation is equal in rights to the generations which precede it, by the same rule that every individual is born equal in rights with his comtemporary.'[1] Since equality of men is 'divine' equality of generations too is 'divine'.[2] This equality has three important implications. Firstly, 'Those who have quitted the world, and those who are not arrived in it yet, are as remote from each other as the utmost stretch of mortal imagination can conceive: what possible obligations then can exist between them....?'[3] Precedents qua precedents have no authority; each generation is to regulate its affairs in a manner conducive to its interests, and has no obligations either to its ancestors or to its posterity. Secondly, each gene ation is an unquestioned master of its political destiny, and is free to determine its political arrangements as it deems meet'. It can change both the rulers it finds itself governed by and the form of government it discovers itself living under; it is this changing of the form of government that he calls 'revolution'. Thirdly, all forms of hereditary government are ruled out.[4] For someone to pass on

1. Ibid.,R.O.M.I.86.

2. For a fuller treatment of the concept of generation and its two senses, 'natural' and 'legal', see Writings III,262, 'First Principles'.

3. Ibid., 63.

4. Ibid., 143-5.

his power and authority to his successor is to imply that the succeeding generation has no right to determine its own political destiny; in so doing one generation is pretending to be a 'testator', and to this it has no right.

Now this third implication is fairly straightforward and unexceptionable. The first one raises some tricky questions which Paine does not go into. If all generations are equal it should follow that the present generation must take into account the interests and the needs of the generations to come who, too, have an equal claim to the resources of the country; this would mean that the present generation has obligations to the future ones. Similarly, it also has obligations to the past generations who have a right to see that their achievements are not frittered away or their records blotted out by the present one, who, despite the fact that one is living and the other is dead, does nevertheless remain their equal. This raises some other problems as well that are mainly connected with the second implication, to which we now turn. The present generation is not bound by the agreements entered into or the arrangements set up by the past ones. Paine attacks the Act of 1688 in which the English people are considered to have surrendered their rights for all future time to the king and all his successors, and says that 'All such clauses, acts or declarations.... are in themselves null and void'. This does not mean, Paine argues,

that each generation must throw away its heritage, and start everything anew;[1] all it means is that nothing for it has authority unless it, the final source of all authority, chooses to confer it. The problem however remains: can an assembly consisting of a nation's delegates alter an existing constitution? Paine's answer in 'No', and is based on the distinction between 'the nation in its organised character' and 'the nation in its original character';[2] An assembly specifically convened to draft a constitution represents the nation in its latter capacity; all subsequent assemblies represent it in the former. The authority of the two is 'different' in as much as these future assemblies are only to act according to the principles laid down by the former. This distinction, however, is difficult to sustain, given Paine's emphasis on the equality of generations; each assembly after all is as much a representative of the nation as any other, and, ther fore, has as much sovereignty. He can, of course, reply that in one case the nation has authorised the assembly to 'make' the constitution, while in the other, it has

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1. Writings.II.147. 'Dissertations on Government;' It is a 'vague, inconsistent idea' that every elected assembly is free to reject all the present institutions; this will make every 'new election' a 'new revolution.' 'It would be declaring an assembly despotic for the time being', and would not be 'a government of established principles'.
2. Ibid., 93.

authorised it simply to act within the framework of this constitution. This, however, only shifts the problem to a different level: is the nation free to reject the existing constitution and give itself any other that it likes? Paine's answer, as we have seen, is 'yes' and 'no' to the former, and 'no' to the latter part of the question. If a constitution is bad, the nation can and ought to throw it off through a 'revolution'; if good, it can not and ought not to, as it can give itself only the right sort of constitution which already exists by definition. But, it may be asked, if the nation is fully sovereign and has complete freedom to do what it likes, is it not inconsistent to say that it can not do certain sorts of things? This is, in fact, the old theological problem appearing in a political guise: if God is omnipotent, why cannot he do what he likes, including what is unjust and irrational? There is, in fact, a great relevance in drawing this parallel because Paine does understand people in terms of the attributes generally assigned to God. People are in civil society what God is in the universe. They, like God, have the ultimate creative and controlling power over all things political. All authority emanates from them and is regulated and ultimately removed by them. Again, like God, they are self- sufficient in and do not need to depend on any one else for the wisdom they require for regulating their affairs. What is

more important, they are to exercise their sovereign power, again, like God, in accordance with 'reason' and 'justice' and not 'will' and 'pleasure'; they are to act on a steady 'principle', and not on a fickle 'temper'.[1] It is in this that the answer to the question we have just asked is to be found. The individuals in their original contract can set up only a republic. It is their common loyalty to the principle of equal rights that unites them and constitutes them into a civil body; equality is the principle of their civil existence or being. To deny or to reject this is for an individual or a government or a nation to be arbitrary and irrational, and to this it has no right, while it has positively a duty not to do this. This binds all generations alike and accommodates the idea of equality between them, the equality consisting in the equal obligation to respect and uphold the central principle of their civil existence.[2] It

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1. Ibid., 149

2. See Writings II. 147. 'Dissertations on Government'. See also 111.262. 'First Principles': 'though continually existing, (a nation) is continually in a state of renewal and succession; it is never stationary. Every day produces new births, carries minors forward to maturity and old persons from the stage,'; 'there is an ever running flood of generations'. Despite these 'The state is still the same state', 'a perpetual permanent body, always in being and still the same'. This is so because all the changing generations rule by the same 'established principles'.

may be asked if, in taking this position, Paine was not rejecting his earlier view that no generation can ever bind another. The answer is in the negative. Paine would be contradicting himself if what he had said earlier meant that the first generation has the freedom to decide whether or not to have a republic; but he has said nothing of the kind. All generations are equally obliged to maintain the republic and operate within its general framework; consistently with this, they all alike are free to introduce any changes they deem 'convenient'.

To conclude, what we have tried to show in this and the last section is that in Paine's works two different theories of politics are discernible: (1) the naturalistic and (11) the rationalistic. In the former, interest is the principle of action in man, leading him into society: society is seen as organic and interdependent. Each individual is considered to have certain obligations to society that arise from his nature and are not contractual or volitional in character. Further, society is able to take care of itself because of the regular operation of its laws that digest its various parts into a harmonious framework; as

such, government is superfluous and even dangerous.[1] Society is the product of individuals purusing their interests, i.e. satisfying their wants; it is the economic principle that thus gives it its existence and unity. As a result the equality that is most emphasized is the equality in the pursuit of one's interests, since it is this pursuit that is integrally connected with the nature of man; law, if it should exist at all, must exist only to secure it. In order to ensure that law does this the law-making body must be composed of the representatives of all the citizens. This leads to the advocacy of universal suffrage which thus is justified in terms of individual's interest. Inequality is condemned because it is 'out of nature'[2] and hinders the smooth

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1. Here, however, there are two possible ways of introducing the institution of government, should this be considered necessary. One may argue that, though society <u>is</u> fully self-sufficient in principle, it cannot be so in practice as long as certain existing evil institutions continue; government's role is to remove these and, with the, itself. <u>OR</u> one may argue that the machine of society needs occasional repairs, a removal of clots that may get built up into its various parts, etc., and that government is needed to do these jobs. These repairs, however, are to be done and can only be done in terms of the principles that already regulate the machine.

2. Ibid., 79.

flow of nature in society; once it is removed, human nature, which 'is not of itself vicious', will appear and assert itself. An individual is to judge everything in terms of his interest; he examines the cost, and compares it with the advantages.'[1] The criterion of political judgment and evaluation is thus mainly economic in character. 'Every man wishes to pursue his occupation and to enjoy the fruits of his labours and the produce of his property in peace and safety, and with the least possible expense. When these things are accomplished, all the objects for which government ought to be established are answered.'

As to (11), i.e. the rationalistic theory of politics it takes two forms in him, the first of which is almost ignored[2] and the second much more fully developed. (a) In its first form, the individual, as a rational creature, is considered able to discover the general principles regulating the universe, and has an obligation, arising from his obligation to imitate God, to discover and act on them. Scientific study of society becomes very important, since a rational action must be based on knowledge. There is no determinism as is implied in the naturalistic theory; man is distinguished from other elements in the universe in that they necessarily and automatically act in a certain regular way, while he acts

1. Ibid., R.O.M., II. 197., also Ibid. 211.

2. i.e. the theory based on God the Benefactor, referred to in the opening paragraph of section III.

in conscious awareness of the laws regulating himself and the nature outside. One of its political implications is that, since man as a rational being is acting consciously, the resulting harmony of interests is not natural but rational in character. As such, there is a possibility of disharmony and of occasional breakdown, and this makes the emergence of government easier to explain. (b) In its second form, the rationalistic theory appears as a theory of natural rights. Human reason, restless until it reaches the beginning of things where alone it feels at home, discovers that men were all created equal at the beginning of time, and that this equality applies with equal congency to all men born since. Besides, to existence pertain rights: to natural existence natural rights, and to civil, civil. These have to be secured, and hence the need of civil society that is based on equality. In this approach the kind of equality that is significant is the equality in natural rights and, as a matter of secondary importance, the equality in civil rights since only through them can the equality in natural rights be secured and safeguarded. Further, government here acts on the principle of republic and aims at securing the rights, and not on the principles of society as in (1) and (11a). Government is not 'a badge of lost innocence', nor an institution creating inequality, but

is, instead a great equallising agency. Since in the state of nature all have equal rights but unequal powers, the strong will dominate the weak; 'This being the case the institution of civil society is for the purpose of making an equalisation of powers that shall be parallel to, and a guarantee of, the equality of rights'.[1]

(1) places Paine very close to Adam Smith; (11a) to Godwin or some of the Deists, depending on how reason is precisely understood; and (11b) to the 'modern' natural rights theorists. Both (1) and (11a) are implicit in Deism, which is amenable to two different interpretations: the universe as a mechanism can be conceived to be so arranged that each part necessarily functions in a certain way leading eventually to ultimate overall natural harmony, or one may distinguish within it man from other elements, and expect him, as a rational being, or enjoin on him a duty, to act consciously in terms of the general principles and the elicited intentions of his Maker. (11b) represents a very different manner of thinking and distinguishes Paine from the Deists.

Now, all these three are to be found in Paine as we have noted earlier; they are, further, to be found in nearly all his works, and can be seen lying ill at ease in the same

1. Writings. Vol. 111. 272. 'First Principles'.

paragraph and, even, the same sentence[1]. If, however, a fairly broad generalisation be permitted, one could say that (1), i.e. the naturalistic approach to politics in general and to equality in particular is reflected in 'The Rights of Man' part 11, (11a) in 'The Age of Reason', and (11b) in 'The Rights of Man' part 1 so far as its political implications are concerned, and in 'Agrarian Justice' so far as its economic implications are concerned. In moral terms (1) will lead to the morality of interest, (11a) to the morality of beneficence or justice, depending on how God the Benefactor is interpreted, and (11b) to that of rights and justice.[2] Even when (11a) is interpreted in terms of justice, it will be different from (11b) in as much the practice of justice here is entailed by the goodness of the agent and not by any claims arising from the rights of those treated justly as is the case with (11b); God, for example, treats all men justly not because men have rights that God must respect, but because God is good. Similarly, a man ought to treat other men justly because

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1. Ibid., R.O.M.11.212; Laws derive their authority 'from the justness of their principles <u>and</u> the interest which a nation feels therein.'

2. In terms of the three Gods we talked of earlier, (1) here will correspond, broadly speaking, to God the original giver of Motion, (11a) to God the Benefactor, and (11b) to God the Creator of Man.

this is what being morally good implies, and one's obligation to be so good arises from the prior obligation to imitate God. In (11b), on the other hand, treating others justly consists in respecting their equal natural rights. These rights are, of course, God-given; but the obligation to practise justice can arise from the simple fact that all men are equal, and that no one is a man in any 'superior degree'. God comes in as an explanation of the origin of equality and natural rights, but is no longer necessary as a ground of the obligation to practise justice.

In terms of the theories of equality they imply, all the three seem inadequate to me. As to (1), equality here centres round the idea of interest; but interest is just a form that the general principle of motion takes as it applies to men. The principle of motion equally obtains in the universe at large, among inanimate objects (where it is the principle of gravitation) as also among plants and animals; besides, it appears among animals in precisely the same form as in men, since animals too have wants which motivate their actions. Why then should equality of treatment be confined only to men? and why should we not take the interests of animals as of equal importance with our own? This is also true of (11a). God showers His benefits not just upon men but also upon animals and plants and mountains and rivers; why should a man, then, confine his

beneficence only to other men? (11b) is also subject to the same objection. Men are equal because of the equality of their origin, and have natural rights issuing precisely from this fact. But animals, etc., too are the creation of God, and thus share equality of origin not only with one another but also with men. All this does not mean that Paine is not justified in talking of equality of men. What it does, however, mean is that the very ground on which this equality rests requires that other elements, or, narrowing the field, other beings in the universe too should be considered equal not only among themselves but also with men, and that Paine cannot accept one implication and refuse to accept the other which too follows from precisely the same general principle. In the absence of any discussion by him of this question, the answer to it has to be reconstructed out of what he says in other contexts, and one can only hope that he would have been consistent enough to give some such answer. He could say that man is a rational creature, reason being the property distinguishing him from the rest of the creation; but that animals do not have reason, which thus could provide a basis for drawing a qualitative distinction between men and animals. Even this, however, would create difficulties. Idiots, mad men and others lack reason; are they not, then, to

be denied equality with other men, and treated on par with non-human beings? Paine does not want to say this as he recommends kindness, justice, etc., to all men alike. What he could, and I think would, say is that reason characterises man as a species, and that, therefore, man as a species is superior to other species; this would mean both that equality would not need to be extended to non-human beings in the universe, and also that even a mad man could not be treated on par with an animal since, though mad, he is still a man, a member of the species man. Even when, however, an answer on these lines is given it remains unsatisfactory. Paine's general account of equality on such an answer will rest on two separate principles, the principle of reason and the principle of species. Man as a species has reason, and, therefore, equality or beneficence is to be confined to men only; all men belong to the same species, and are entitled to equality among themselves. In short, the principle of reason does the negative job of exclusing non-human beings, and the principles of species does the positive job of establishing equality among men themselves. Now, it is not clear what precise relationship obtains between these two principles. Further, if equality of men rests on their belonging to the same species, there simply is no point in talking of the equality of origin as the basis of the

equality of natural rights. It can, of course, be rejoined that it is precisely this equality of origin that is meant by saying that men belong to the same species. This, however, would not do in that all the beings in the universe have the same origin, and yet do not belong to the same species. Some principle or ground other than the equality of origin will have to be introduced; and, then, the equality of men would come to rest on it rather than on the equality of origin. Finally, since the exclusion of non-human beings comes to rest on reason, the naturalistic theory of politics that we have already noted in Paine will be particularly inadequate, in as much as it is interest that is for it the dominant principle of human life, and reason plays only a subsidiary role.

V

INTERPRETATIONS OF PAINE

In the light of this discussion, we may examine, from the standpoint of equality, the three major interpretations of Paine that are commonly advanced, and that see him either as a Primitivist or as a Deist or, finally, as a Quaker. All of them have been advanced with considerable force, and nearly all the commentators on Paine can be interpreted as subscribing to one or the other of these three. What each of these claims is that it is primitivism or Deism or Quakerism that is the central principle of unity in Paine's system of ideas, and that it is this alone that offers a coherent and adequate explanation of all its various parts.

Lois Whitney[1] advances the primitivist interpretation of Paine. He understands primitivism as the belief that the earliest condition of man and of human society was the best. Paine's 'panacea', he argues, 'is the characteristic primitivistic one: go back to nature, study man in the earliest stages of his existence; find out the laws of nature; simplify!'[2] Further, he 'uses nearly everyone of the primitivistic presuppositions as the basis of a prophecy of unlimited progress,'[3] these being the nature-art

1. 'Primitivism and the Idea of Progress', 1934.

2. Ibid., 227.

3. Ibid.

distinction, the faith in simplicity, the disapproval of novelty and inventions, the negative character of evil, the natural harmony between man's reason and Truth leading to the prediction of the ultimate triumph of the latter, etc..

Now, this interpretation of Paine can be questioned on a number of grounds. Unlike the primitivists, Paine rejects the idea of a state of nature; what is more, he completely separates this idea from that of natural rights which he does accept. To establish these rights he appeals to the primordial fact of the coming of the first man from the hands of God, and he does this because it represents the first emergence of man, as also the first and the last direct link between man and God; there is no appeal here to any first state of the historical existence of man in the primitivist sense. This is further confirmed by Paine's insistence that the Creation or the first emergence of man is not a process that occurred once and for all, but is instead continually repeated in the case of each individual. Besides, what he gets out of this exercise is not any historical condition to which men are to return, but a set of universal norms wherewith to evaluate and reconstruct the existing societies. As a result, all he wants is that 'the principle of republic' be strictly adhered to; this is the highest political value for him, and is not located in any pre-social or pre-contractual existence of man. Even the

other Paine, the naturalist as we have called him, is not amenable to the primitivist interpretation. As a naturalist, he assimilates man and society to nature. Man acts on the principles that are natural to him, and that are in harmony with those regulating the universe; as to society, it is to be organized in a way that leaves completely undisturbed the operations of the natural principles in man. There is nothing primitivistic about this. So far as equality is concerned an attempt to establish it in society, therefore, does not represent any return to some primitive egalitarian manner of existence; and the standard of evaluating any existing social inequalities is not found in such a primitive existence, but rather in certain universal and timeless principles.

We may now turn to the Quaker interpretation of Paine, which is advanced by his ablest biographer, Conway.[1] He argues that Paine emphasises, like the Quakers, the sacredness and the inviolability of man, and makes it the basis of his theory of equality. Like them again he understands reason as 'a natural light within', and its operations as intuitive rather than discussive in character. He too wants freedom and democracy, and reduces religion to morals as they do. Now,

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1. Paine, he says, is 'explicable only by the intensity of his Quakerism', M.D.Conway: 'Life of Paine', New York, 1892, II;P.201. Further, 'Paine's political principles were evolved out of his early Quakerism. He was potential in George Fox'.

there is no denying the fact that there is much that is common between him and the Quakers. His father was of 'a Quaker profession'[1], and he himself professed deep admiration for the 'moral and benign part'[2] of the Quaker thought. He shared many features of their thought, such as their humanitarianism, their belief in the fatherhood of God and the brotherhood of all men (though with some reservations), their concern for equality of all men (again with some reservations), their tolerant attitude to other sects and faiths,[3] their concern for the dignity and the inviolability of the individual, and their rejection of the clergy as the mediator between man and God. However, the differences are much greater, and, even when there are agreements, they largely follow from very different philosophical premises. We may state some relevant biographical details first. Paine's father had 'married out of meeting', and had been 'expelled from the society'[4]; he himself was never actively affiliated with the Quakers, and they had refused his plea on death-bed to be buried with their brethren. There is also a difference in the ethos pervading the two systems of ideas.

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1. Clark, Loc. cit., A.O.R. 1. 273.
2. Ibid., 276.
3. Ibid., 326.
4. T. C. Rickman: 'Life of Thomas Paine', London, 1814. p.33.

Quakerism is broadly characterised by humility, gentleness, Godfearingness, concern with the freedom from slavery to the flesh, preoccupation with self-conquest, etc.. The temper pervading Paine's system is almost the opposite, and his attitude to the existing institutions, nearly all of which he considers evil, is one of intolerance and arrogance. His intellectual approach to the men whose ideas he disagrees with is rude and abusive. Besides, he both attacks and defends the Quakers on the Deist ground, saying that his ground for preferring Quakerism is that it 'approaches the nearest of all others to true Deism'[1], but that 'they have contracted themselves too much by leaving the works of God out of their system,'[2] and do not appreciate nature as the revelation of God, and take a very confined view of Him. As Paine remarks ' ... if the taste of a Quaker could have been consulted at the creation, what a silent and drab-coloured creation it would have been! Not a flower would have blossomed its gaieties nor a bird been permitted to sing.' The main differences between the two as they relate to equality seem to be as follows. The Quakers do not seek to secure the inviolability of the individual, and equality among these individuals, through the notion of natural rights;

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1. Even when he is thus a Quaker, he is so <u>because</u> he is a Deist.
2. Clark., Loc. cit., A.O.R. I. 276.

duty, not right, is the important category of their thought. Besides, this inviolability is established through the sacredness of the soul, and, since each has a soul which is equally sacred, all are equal. Paine, as we have seen, emphasized the equality of origin, the sort of argument the Quakers do not make. For them, each individual receives light from God; Christ, the spirit of God, existed greatly in Jesus,[1] but it had always existed in men; for most Quakers, this light exists in equal measure in all men, and is of the same quality or nature in the believers and the unbelievers alike. This points to a further difference, i.e. an epistemological one between the two. Knowledge of right and wrong, for the Quakers, is obtained through the inner light, which operates when man's mind is silent, and hence the sanctity of silence is emphasised. Paine's epistemology, on the other hand, emphasizes rational reflection and empirical observation, and, as such, he can claim to offer 'natural proof' of many of his theses. Though he does say, not unlike the Quakers, that 'knowledge' of morality 'exists in every man's conscience',[2] he does not seriously maintain it as it is not entirely in harmony with his predominantly rationalist ethics. Connected with the Quakers' view of silence is

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1. Philip S. Belasco: 'Authority in Church and State', London, 1928. 14f.

2. Clark., Loc. cit., A.O.R. 11. 328.

their emphasis on small meetings where a general sense of the meeting' can be more easily arrived at and where members can more adequately submit themselves to 'divine guidance' and deliberate in that spirit. One of the corolaries of this emphasis to consensus is that voting is ruled out as a mechanical collision of forces in which 'the large mass' of individuals prevails and where force and rectitude decides the issue; the Quakers are therefore concerned to discover the 'sense' or the 'weight' of the meeting. This has an interesting inegalitarian implication. Though all members in any meeting have an almost equal measure of inner light, it is clearer in some who are also more capable of eliciting and expressing it; to these wiser and more experienced members a greater weight is to be given, and this is what voting does not do. Paine's understanding of equality, on the other hand, is more mechanical; voting is emphasized, and with it the principle of majority. He, of course, shares the Quaker emphasis on wisdom and wants the wise to wield power; this is, in fact, one of the reasons underlying his preference for representative government. But he rejects the idea of giving additional weightage to their votes. There is one ohter difference as well that arises out of this. Since consensus is so important to the Quaker view of politics, an individual member who consistently and completely dissents from the decisions of the meeting is

to be 'disowned' by it. He cannot be forced or condemned, and, yet, unanimity must be preserved; 'disowning'[1] him provides a way out, as it preserves the unanimity, and absolves the individual from the responsibility for the actions he disagrees with. Paine has nothing to do with this. Majority binds all concerned, and minority must acknowledge as its own any decision made by majority. Finally, so far as his view of reason is concerned, Paine is not and cannot be a consistent Quaker precisely because he is also a Deist.[2] The universe is a book where the instructions of God are printed; man needs no special 'inner light' as his senses and reason are enough. Besides, reason operates in a geometrical manner, i.e. it apprehends general principles and

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1. Belsaco., Loc. cit., 116 ff.

2. See in this connection Tindal's criticism of the Quakers in 'Christianity as old as creation', London, 1730. p.161-2. The Quakers, according to him, treat 'light within' as a 'principle of action distinct from reason by which all are governed in matters of religion.' Though Tindal, like Paine, admires their 'good sense', he wants these 'senseless notions' to go. His criticisms are mainly three: (1) if the Quakers are right, men 'destitute of all reason' should know all matters of religion; (11) 'what it (i.e. light within) is or how it operates' is not told; (iii) the Quakers debate and settle their matters, not through any such light but through reason, which thus is the highest authority even for them, though they do not openly acknowledge it.

deduces specific moral norms from them; this is very different from the nature of the Quaker 'inner light'.

We may now turn to the Deist interpretation of Paine, advanced most forcefully by Clark[1], and which, in my view, is more adequate than the other two. The Deists were not a close-knit band of people with a unified system of thought, and widely disagreed on a number of important matters. What I propose to do is to identify a set of general philosophical views that nearly all the Deists held, and that gave them a certain identity, distinguishing them from others, particularly from those they were fighting against. I shall then go on to elucidate the theory of equality implied by these views, and examine how and in what respects Paine's theory is at divergence with it.

Deism took as its starting point not the idea of God (as with the Christians), nor the individual himself (as with the Cartesian rationalists and the 'classical' empiricists such as Locke, Berkeley and Hume), but the nature of the universe. For the Christians the universe is intelligible only as a creation of God, who thus is logically primary. For Descartes, Locke and others we do not have a complete certainty about the existence and the nature of the world, while we do have such a certainty in the case of ourselves, be it

1. H. H. Clark., Loc. cit., Introduction, XVI, XXI.

through our 'ideas' or 'sensations'. The Deists did not share this scepticism. The world is there for us to see; it is not an illusion, nor its existence a matter of inference. In short, they had a realist epistemology. As man is a part of the universe and is in fullest epistemological harmony with it, he could observe and study it with his natural senses and reason, though the emphasis was more on reason than on senses. With the help of these, and without the need of any personal revelation, man discovers the existence of God. For some, he could also discover His attributes; others[1] were doubtful. What they all agreed about was that He was the creator of the universe,[2] was separate from it, and

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1. Tolland in 'Christianity not Mysterious' says, 'we comprehend nothing better than his (i.e. God's) attributes' (p.86); but see Paine, 'Reason can discover the one (i.e. God's existence), but it falls infinitely short in discovering the whole of the other (i.e. His attributes)', Clark, Loc.cit., 261.

2. This is how God was understood by the Deists, and not as the first intelligible principle like the Good of Plato, or as the self-thinking Thought of Aristotle, or as the infinite substance of Spinoza.

was good and wise. Many thought that once having made the universe, He never interfered with its operations; others thought he did from time to time. This involved the Deists in an interesting controversy. God is rational and acts according to natural laws. Now, our knowledge of these laws informs us that, by the very nature of things, a perpetual motion machine can never be built. Even God, therefore, could not build it, and will have to step in from time to time for repairs, and thus cannot be a completely 'idle spectator'. This view, rather than the one insisting on the complete subsequent withdrawal of God from the universe, seems to be more compatible with the general Deist position. Some even argued that He could not be invoked to guarantee either the validity or the operation of moral laws, and emphasized the rational element in the obligation to obey them; others, like Voltaire, understood God as punishing evil and rewarding good and thereby guaranteeing the reign of moral laws, and thus emphasized the religious element in the obligation to obey them. As to the nature of the universe, the Deists generally argued that it was a self-contained mechanism, and could be explained, once its origin was conceded, in terms of its own regular laws; the usual analogy was that of a watch.[1] This involved a

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1. This would imply that the Deist view of God as the creator or the great Mechanic or the Master Craftsman was something most likely to follow from man's image of himself as essentially a homo faber.

rejection of the constantly interfering Deity, 'a local busybody' in favour of one who is more like 'an absentee landlord'.

All this in terms of its social and political or simply human implications meant, among other things, conferring a great respectability on science, identifying religion and morality, anthropomorphising God where what God was like and what He could and could not do was determined in the light of what man was taken to be like in his nature and abilities,[1] knowing the nature of a thing only through ascertaining and observing its achievements and operations, and dismissing any aspect or feature of it that lacks this tangible embodiment or publicly observable dimension, insistence on the possibility of a science of society, and a plea for an integration of man with nature and enjoining on him a positive obligation to achieve it. Most Deists insisted on the uniform possession of reason by all men. Reason was seen as something fundamental and constant in the generic constitution of man, though its exercise could be obscured by prejudice, self-interest, or false associations: the metaphor largely employed was that of a 'light' temporarily obscured by a 'veil' which, when taken off, permitted

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1. It means reducing the difference between man and God to one of degree, and rejecting the customary one of kind.

the light to 'shine' again. Since reason was identical in all men they would all come up with the same truth. This implied an ultimate uniformity of the moral ideal, and made all differences suspect. Conversely, nothing was considered valid and true that was beyond the comprehension of 'the plain man'; truth must be 'level with every man's mother-wit', and be proportioned 'to the meanest understanding'.[1] This led to the emphasis on simplicity and the rejection of all intricate reasoning, and required that all explanations and justifications of events and actions be given in terms of general principles as they were the simplest to grasp and easiest to deal with. It is important to remember that the equality in reason that is attributed to all men is equality in practical reason or reason as necessary for practical purposes, and not in theoretical or scientific reason in which men differed very widely; not all were believed capable of becoming philosophers or scientists. God is good, wants his creatures to be happy, and therefore has endowed them all alike with reason adequate to <u>this</u> purpose. Even in the perception of simple and general practical truths, however, industriousness, leisure, prejudice-free mind, etc. are needed, and these not all men have at present. They all are, of course, to have them eventually, but, in the

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1. Bolingbroke: <u>Works</u>, 1793, Vol.V. P.103-4.

meantime, some who are more equipped are to lead and guide the rest.

The theory of equality that follows from these views would have the following features. (1) A belief in the essential equality of all men in practical reason. (11) The universality of moral principles, or their being the same for all men at all times and in all places. (111) Comprehensibility of truth to all minds, thus implying 'consensus gentium' as the standard of it. (1V) Moral equality of all men consisting in all being entitled to equal respect and consideration. (V) A persistent tendency, though never fully articulated, to establish equality between man and God[1]. God is bound by the natural laws as man is.

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1. A confirmation of this may be found in the fact that most answers to the Deists were inspired by a desire to establish the qualitative superiority of God over man, and, with that, His inscrutability; justice as His attribute was consequently underplayed, and the view that man can and ought to <u>imitate</u> God was rejected. See e.g. P. Browne: 'Things supernatural and Divine conceived by analogy with Things Natural and Human', 1733, p.237, 269 and 333. Browne, it will be remembered, was answering Tolland's 'Christianity not Mysterious'. This concern is also revealed in Archbishop Synge's answer to Tolland in an appendix to his 'A Gentleman's Religion'.

True, He is the original Designer, and hence has, or better had, superiority over men; but, even in this respect, His superiority is not that great since man, in designing machines, is acting on the same principles as He once did, and thus is repeating and continually re-enacting His original and archetypal act. As Paine said, 'The man who proportions the several parts of a mill uses the same scientific principles as if he had the power of constructing a universe'. In fact, there seems to be an underlying assumption that making machines is the most God-like activity,[1] and that man is performing a religious activity and discharging a religious obligation in making tools and machines, in as much as he is apprehending and acting on the general principles of the universe, is giving them a concrete existence through relating various objects otherwise totally unconnected with each other, and all this with a view to benefiting mankind. (V1) A refusal to extend equality to atheists. Nearly all the Deists were agreed in calling atheists 'fools'. As Derham said, 'so manifest a demonstration of a Deity are the Motions of the Heavens and Earth that if men do not see them, it is a sign of great stupidity; and if they will not see, and be convinced by them, it is as plain

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1. This may go to reinforce the point we made earlier about the relation between man's self-image as homo faber and his view of God as the Master Craftsman.

a sign of their prejudice and perverseness.'[1] Such men were not to be tolerated, and equality was not to be extended to them.[2] (V11) An insistence on the 'rule of law'. Imitation of God consists in promoting general good as this is what God Himself does; besides, as God does this according to general laws, man too is to promote general good according to general laws. This leads to what has come to be called 'rule-utilitarianism'. All inequalities in society are to be justified or condemned in terms of general good conceived in terms of general rules applied impartially to all. Politically speaking, all arbitrary rule, tyranny, despotism, etc. were ruled out, and the government of laws became all important. The Deists, however, were not as united in their positive preferences for a particular form of government. Some wanted a 'mixed government' where different parts stood in a definite relationship to one another, and created concord. Some were more happy with an 'enlightened despotism' understood as a form of government in which a monarch ruled according to the general laws discovered by him from the study of the universe; this was believed to resemble the way in which the universe itself was governed. Some few insisted on the representative government as alone consistent with the Deist metaphysics.

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1. 'Physico - Theology'. 1715. p. 70.

2. In this connection, see Tindal 'Rights of the Christian Church', p.12, where he says that the social contract gives the legislator a right to punish the wicked, and that he is, therefore, justified in chastising atheists, blasphemers and profane persons.

Now with quite a lot of this Paine agrees. We noted earlier how he calls himself a Deist and attacks Quakers on the Deist ground. We also saw how he thinks of God as the creator and the original giver of motion, of the universe as a machine[1], uses the traditional watch metaphor[2], speaks of 'imitating' God, considers the universe as law-governed, abhors both anarchy and tyranny, rejects any personal Revelation, whether of the exclusive Christian variety or of the universal Quaker variety, etc. etc.. That Paine's system of ideas has many Deist elements is, therefore, beyond question. But this should not lead us to overlook various other features of his thought that seem to intimate a rather different world of ideas. Deism, as we have seen, could take two positions regarding the relationship between God and the universe: either God has set up this machine in such a way that He never needs to intervene, <u>or</u> that He could not do this, or simply has not done it, and that He does, therefore, need to intervene from time to time. In political terms, the former would lead either to a completely impersonalistic naturalism where men, following the necessary laws of their nature and without any conscious design, create full harmony

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1. Conway, Loc.cit., IV. 316. 'Prospect Papers'.

2. Ibid., IV, 317.

in society, or to an initial setting up of a political mechanism by a Legislator who, then, completely disappears never to return. The latter, on the other hand, would imply that a government is to set up an initial framework of laws that all the members of the society would abide by, and then is to intervene from time to time when repairs are called for. This latter view could also draw, without creating any significant difference in the nature of the argument, a distinction between the First Legislator who will set up the political machine, and the subsequent government who will then conduct the necessary repairs in the light of the laws laid down and the purpose intended by the Legislator. Now Paine's theory of government, mainly the one based on the idea of natural rights, cannot be fitted into this scheme. Government for him is the result of a contract entered into for securing the natural rights of individuals; this determines the nature of the activities government is to engage in, as also the scope of its authority. The idea of natural rights is central to Paine, but not to Deism. Besides, even when a Deist does talk of such rights his manner of deriving them is very different from Paine's, and the implications he draws from them are, again, very different. For Paine, government is not only to make laws, provide security, etc., but is also to impose taxes, and distribute the money among the people in such ways as are consistent with their natural

rights. A Deist does not assign such a role to government. Further, a Deist looks at the universe, infers the scheme of God, and determines what rights a man must have to fulfil his intended role. Paine too does this, but then goes on to appeal to the creation of man or the beginning of time, and, what is more, sees each act of birth as a re-enactment of this original act. Besides, it is the rights thus derived that are primary, and everything else, duties, laws, obligations, etc. follows from them. For a Deist, on the other hand, the universe is an ordered whole. An individual man is a part of it, and has certain duties towards it; like God, he is to promote general good, and this is his highest obligation; the emphasis thus is on man's duties rather than on his rights.[1]

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1. See e.g. Tindal, Loc.cit. p.331ff. He quotes at length Clark's summary of the Deist position where Clark shows how, for a Deist, men are 'to promote the happiness of others' 'according to the extent of their several powers and abilities'; Tindal adds, 'The Deists, no doubt, will own that the Doctor has done them justice' (331). He himself emphasizes man's duties and not rights (Ibid.) See also Bolingbroke, 'Fragments or Minutes of Essays', particularly X - XVI: he rejects the idea of contract, and finds the origin of society in family; he further, does not talk of rights but of duties, and wants men in society to behave towards each other as members of a family. In 'The Idea of a Patriot King', he even speaks of 'a patriarchal family where the head and all the members are united by one common interest and animated by one common spirit.'

This is also seen in the Deist attitude to equality. Tindal agrees with Clark when the latter takes the Deist position as implying that a man is to 'submit to his superiors in all just and right things for the preservation of society ...', 'just and honest ... in all his dealings with his equals' 'and towards his inferiors to be gentle and kind'. Deism, though concerned to establish a moral and a basic degree of intellectual equality among men, had no interest in any programme of social and economic equality, and even the moral equality was not rooted in a man's 'right' to be treated equally with others. We have so much come to associate the idea of mechanism with the ideas of will, contract and the primacy of rights that it may seem to be a strange paradox that Deists should generally be emphasizing duties. This paradox, however, can be resolved even within this general explanatory framework where the ideas of mechanism and rights are normally associated. The universe as a mechanism is not something that men themselves have set up acting on their own volition. It is set up by God, and, like all machines, set up for a general purpose transcending the machine concerned, and according to certain general laws. Men are parts of it, and, like all parts, have a definite place and a function; the justification of their existence is that the general purpose of the universe requires it, and that of their specific nature is that only then can they play

the part expected of them. A machine set up voluntarily to secure one's rights is very different from the one where, in the morning of one's consciousness, one finds oneself encumbered with a specific assignment.

WILLIAM GODWIN

I

REALITY AND EQUALITY

Godwin has been variously interpreted. Some have seen him as a rationalist[1]; others as a utilitarian[2]; some others as a romantic[3]; and many more have interpreted him as showing any two or all of these strands of thought and have thus considered his system infected with a basic inconsistency. Monro, for example, sees him as a utilitarian with some rationalist features; Grylls, as a rationalist with some romantic features[4]; and Priestley sees him mainly as a rationalist, admits the existence of utilarian features, but interpretes them, with some measure of success, as simply

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1. Herbert Read; 'Forward' to 'William Godwin', by George Woodwock, London, 1946.

2. D.H. Monro: 'Godwin's Moral Philosophy', O.U.P.,1953. He admits, however, that Godwin's works have many rationalist features. Also, D.Fleisher: 'William Godwin: a study in Liberalism', 1951.

3. A.E. Rodway, ed: 'Godwin and The Age of Transition', London, 1952.

4. M.R.G. Grylls: 'William Godwin and His World', London, 1953.

manners of expression.[1] It seems to me that most of these interpretations, with the qualified exception of Priestley's, seek to impose an unwarranted degree of unity on Godwin's views, and, in so doing, ignore certain of their important features, and overemphasize others that are relatively less important. What is more, Godwin is looked at from a wrong historical perspective, and is made to fit into a set of categories that are alien to his thought, and is made to answer questions some of which he was simply not aware of, and when he was, he did not consider of great significance. What I propose to do in this chapter is to interpret his views in a way that seems more faithful to the texts; as my

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1. F.E.L. Priestley, ed: 'Enquiry concerning political justice, and its influence on Morals and Happiness by W. Godwin', The University of Toronto Press, 1946, Vol.III, Introduction, p.15. 'Enquiry concerning Political Justice' (hereafter referred to as 'P.J.') is Godwin's most famous work on Political theory, and Priestley's is the best edition of it. P.J. passed through three editions in Godwin's lifetime, i.e. in 1793, 1796 and 1798, and in each case he made important revisions, the most important ones being in that of 1798. Unless otherwise stated, all references are to the 1798 edition and are given by book, chapter and page numbers; thus 'II.4.200' means 'Book II, chapter 4, p.200'. No page numbers are given when references are made to the 1793 edition.

main preoccupation will be to relate them to his theory of equality, it is the latter that will constitute the principle of unity and organisation in my interpretation.

Before we deal with anything we must know what its real nature is, and base our conduct on this knowledge; else, we are acting on 'illusion' or falsehood'. In our dealings with men we are to disciver man's real nature, and build on it the norms of our conduct. It is not only the man and the animal and other things in the universe that have a nature; actions too have a nature. An action 'by the necessary and unalterable laws of existance' possesses a certain tendency which is 'peculiarly its own'; and it must be done or refrained from solely on the basis of its natural tendency. It may come to have a different tendency and may lead to different consequences as a result of an intervention by the existing institutions; to do it because of these consequences is not to do it 'for its intrinsic excellence'[1] or natural tendency but for some additional inducement or motive; and this is not moral. To be moral is to be 'exposed to no other influence'[2] than that of the real nature of the natural tendency of an action as Truth or reality alone is to act on man's mind and determine.

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1. P.J., II.61172.

2. Ibid.,173.

it. This alone, Godwin argues, guarantees the right of private judgment as one's mind remains uninfluenced by any human interference, and is left free to engage in a direct and unmediated encounter with reality.

About human reality or the real nature of man Godwin asserts three 'truths'. (1) Man seeks pleasure and avoids pain; pleasure is the only good and pain the only evil for him.[1] (11) Man is a rational being. He is capable of discovering Truth, i.e. has reason or 'talents', and of acting on the Truth so perceived, i.e. has virtue. It is in these two that he differs from animals. (111) All men share a common human nature. They all have senses of 'the same denomination', find pleasure and pain in the same things, are subjects of 'sensible impressions', have faculties of thinking and feeling, are subject to the law of the association of ideas, have their passions excited by similar means, etc.. As 'All organised bodies of the animal or vegetable kingdom are cast in a mould of given dimension and feature' that all belonging to this class share, and by means of which 'the class of each individual is determined', so also all men have a certain 'form', - 'a certain complement of limbs, a certain internal structure, and organs of sense and certain powers of intellect'. 'Hence it follows that' men

1. P.J., IV.9.440.

are 'like' and 'equal' to each other.[1] Within this general similarity there can of course be 'varieties', but the similarity is logically prior and morally more significant.

From each of these truths certain implications follow. From (1) it follows that in our conduct towards others what we should aim at is their pleasure. From (2) it follows that man is to live a fully rational life, which consists in his improving his understanding and acting on his own judgment; in this lies his individuality or 'independence'. In failing to act on my own judgment I 'annihilate my individuality', have no 'integrity', 'by so much I abdicate the most valuable part of the character of man,' and become 'an animal'. 'Man is the ornament of the universe' only 'in proportion to' his individuality. When this is seen in connection with (1), it would follow that man really can, and ought to, find pleasure only in things suited to his nature. This leads to what Godwin calls a 'scale of happiness'[2]. At the bottom is the life of daily drudgery, highly routinised and dull and characterised by 'the contemptible insensibility of an oyster'. Slightly higher is the life of the pleasures of palate, elegance, show, riches, etc.. Still higher is the life of intellectual and aesthetic pleasures. Finally, at the top

1. 'Thoughts on Man', 1831. Essay II. p.24-5.

2. P.J., IV.9.444.

is the life of benevolence, disinterested generosity, etc., in short, of virtue. The first two represent lives suited to 'only a better sort of brutes'; in the third 'we acknowledge something of the features of man'; in the fourth we see a truly human existence. Not surprisingly, Godwin goes on to offer an intellectualist account[1] of sense pleasures and argues that they are not pleasures in themselves, but become so only by getting combined with 'the pleasures of intellect and cultivation'. 'Reduce them to their nakedness, and they would be generally despised'; remove, for example a pleasant companionship from a sumptuous dinner, and the latter has no attraction for man. All this is fully consistent with the general primacy of mind over body in his metaphysics and ethics, and is reflected in his conception of the perfection of man as consisting in the complete control of mind over body such that man conquers[2] sex and other 'appetites', sleep, and even death. These are not speculative lapses, but are integral to his basic principles as they are to many other similar rationalist systems; besides, having stated them in the 1793 edition of 'Political Justice', he excises them in the subsequent editions, but restores them in his later work, 'Thoughts on Man'.

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1. P.J., I.5.71ff

2. P.J., VIII.9.Appendix.

From (111) follows equality of all men. All men are equal because they share 'the same' nature. Men are equal in things that are humanly real, i.e. things that are inherently and essentially human and that make a man a man and not an animal or anything else, and are, therefore, entitled to equal treatment. As a corollary, they are so entitled only in those matters that are humanly real. The real nature of men, as we have seen, is to improve their understanding, act on their own judgment, and in so doing find their true happiness; in these matters, therefore, men are to be equal, this equality being the most appropriate to their human station. All men are thus to be treated equally because they are essentially or ultimately alike, or, crudely, because they all belong to the same 'class'; equality is thus rooted in similarity. Our obligation to practise equality follows from the obligation, entailed by our rational nature, to treat things according to their real nature; if men are really similar, why should we not treat them similarly? Men, of course, are dissimilar, and this too is not to be ignored, though it must be remembered, says Godwin, that the similarities are more in number and are more important[1] because it is they, after all, that make all men belong to

1. P.J., III.7.240. The differences in 'habits and tastes' are treated as 'accidental varieties', and it is implied that they are to be eliminated.

the same class and thus make them men. He oscillates a great deal between treating these dissimilarities as the products of environment alone and treating them as hereditary before finally adopting the latter view.

But, what justifies equality also justifies inequality. All men are capable of a truly human life, but some are more so because of their superiority in talents and virtue; from this, inequality arises, which, like equality, is rooted in the human reality, and has, therefore, the same justification. Correspondingly, only the inequality that is so rooted has this justification; all other kinds of inequality, that is, those not springing from talents and virtue have no such basis, and lack all justification. The 'genuine' inequality that Godwin has admitted he calls 'equity', 'a term derived from the same origin' as equality. Though equity is in 'some sense an exception' to the principle of equality, it is 'friendly' and not 'adverse' to it in that it enhances into every man 'an emulation of excellence'[1]. Besides, it is against 'wisdom and reason' that men of great merits and virtues should be regarded with the same 'degree of complacence' as others. Godwin does not spell out the first point at any length, but seems to mean that the recognition of inequality will inspire men to emulate their superiors.

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1. P.J., II.3.147.

There are some important features of Godwin's theory of equality that may be noted. Firstly, the initial assumption is in favour of equality; inequality is an exception, though, of course, a justifiable one. What is more, equality, in a very important sense, is more 'natural' to man; it 'implies a purer theory of happiness than inequality'[1] as, unlike inequality, it rules out the pleasures

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1. P.J., VIII.5.478. In this connection see, St.Leon 11,235: Marguerite says, 'A generous spirit, Reginald, delights to live upon equal terms with his associates and fellows.... Equality is the soul of all real and cordial society... How unhappy the wretch, the monster rather let me say, that is without an equal; that... cannot find a brother...'. But see also Thoughts on Man, p.289f; love and friendship can exist only between unequals and not 'where the parties are, and are felt by each other to be, on an equality'. The reason for this seems to be that between equals there are fear and reserve, while between unequals there are trust which implies lack of fear, and openness which implies lack of reserve. Inequality, however, is not to be so great as to rule out communication, and is in all cases to imply 'reciprocity' and mutual dependence.

of superiority, of ostentation, of status, of power, etc.; these pleasures that are integral to a situation of inequality do not arise in and go well with that of equality. Further, the respects in which men are equal are more, and are more important, than those they are unequal in. Moreover, whatever degree of inequality does exist is ultimately removable, though Godwin came to doubt this more and more in his later works.

Secondly, he rejects the Platonic and the Aristotelian understanding of equality as proportion. For Plato and Aristotle only the proportionate equality is equality and the 'flat' or 'complete' equality is not equality at all but instead inequality. For Godwin, on the other hand, all proportions or deviations from complete equality <u>are</u> inequalities, though they may be justifiable. The difference between the two approaches is one of the meaning of equality. Equality <u>means</u> proportion for Aristotle, while for Godwin all proportion <u>means</u> inequality. This does not alter the moral and the political recommendations made, but only the language of expression. Giving more to a more worthy man, Aristotle would say, is equality, while Godwin would say it is inequality; both, however, would agree that it is justified. This difference in meaning, it seems to me, is not something contingent and arbitary, resulting from each choosing to employ a term in his own discretionary or stipulative way, but is integrally connected with their respective metaphysics.

Two reasons may be advanced for holding this view. (1) 'Equality' is generally a term of commendation, 'inequality' that of deprecation. One would, therefore, expect, though this is not logically necessary, that a philosopher would use the term 'equality' for what he considers desirable. Hence, Aristotle's use of it to refer to proportion, and Godwin's to its absence. (2) 'Equality', logically, is a positive term, and 'inequality' a negative one as it implies an absence of equality; there is, therefore, a logical justification for using 'equality' to refer to what a philosopher takes as positive or natural or prior, and 'inequality' to refer to that which is parasitic on it, and inexplicable save in terms of it. For Aristotle, the principle of proportion regulates the universe, and ensures order by digesting various parts of it into a proper and systematic relationship; it regulates not only the universe as a whole but also every small part of it. Now proportion implies inequality, a certain relationship of superiority and inferiority; as a corollary, it is inequality (as it is commonly understood) that is central to justice; equality is defined in terms of justice, which is thus prior to equality. Godwin, on the other hand, is impressed by the principle of equality in terms of which he understands and explains order and harmony wherever they are found; he, therefore, takes equality as logically prior, and defines justice in terms of equality.

The third feature of Godwin's theory of equality concerns the criterion of inequality. Men of different worth are to be treated differently, and worth is considered to lie in virtue which is the practice of 'rational benevolence'. Rational benevolence consists in conferring on others benefits that are consistent with human nature. The highest quality of man is virtue, and therefore 'the most precious boon we can bestow upon others is virtue'. Our benevolence should thus take the form of encouraging others to live a life of virtue and, since virtue depends on knowledge, of bestowing knowledge on them and improving their understanding.[1] This, incidentally, has the advantage of harmonising individual and social happiness since an individual's own highest happiness lies in the practice of benevolence which also implies the highest happiness of others. It may be asked what our response is to be to a man who lives a higher kind of life, say, a life of aesthetic pleasures, but does not contribute to general good. Godwin's reply rests on a distinction between 'private' and public or social criteria of worth[2]. The capacity for a higher kind of personal happiness is a private criterion, while that for promoting general good is a public one; and, in a political and social context, only the latter can be relevant.

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1. P.J., VI.5.313

2. P.J., II.2.127

Fourthly, in the inequality he has recognised Godwin see no dangers and all advantages, What the latter are we have already seen. As to why there are no dangers he advances a number of reasons. Those superior in wisdom have an obligation to improve the understandings of their inferiors and gradually to raise them up to their own level; 'this is the true equalisation of mankind'[1], and any inequality that contributes to it is to be welcomed. Moreover, the recognition of their superiority does not entail giving them any rewards in the forms of power, wealth or status, since this will mean introducing arbitary incentives and detracting from the intrinsic excellence of the action. What is more, the nature of virtue is so vastly different from such mundane things that there is simply no commensurability between the two. The only reward appropriate to the wise is that their merits and deeds be acknowledged and appreciated by their contemporaries and be remembered by their posterity.

Fifthly, Godwin's theory of equality implies the moral uniformity of all men. Because of the unity of human nature 'there is but one perfection to man'. What benefits one benefits all, and what improves the understanding of one man also improves that of others. The perfect men are all alike and find their happiness in the same sort of life, and the conditions under which

1. P.J., IV.9.448

perfection can be achieved are also the same for all. It is this that provides Godwin a standard by which to attack slavery even when slaves are apparently happy with their condition. Theirs is not 'the fit and genuine state' as they are not 'brutes'; 'Are they contented? I am not contented for them.'[1] Our duty is to argue with them and their masters, and strive unceasingly to alter their conditions, though never with force, as 'conviction of the understanding' is 'the compass which is to direct our proceedings in the general affairs.'[2]

Finally, Godwin's theory implies a certain equality between man and God. Many theories of equality assign man a certain dignity and inviolability and thereby establish equality among men, but in so doing they treat man as a puppet or a slave of God, as if a man could be an equal of another man only by becoming a slave of God. Godwin avoids this, and insists on man's equality with God just as much as he does on a man's equality with other men. He achieves this in several different and not always consistent ways. To start with, he denies the possibility of knowing anything about God. A mind can attend only to one thing at a time. We simply cannot have any conception of a mind that attends to all things at the same time; we may, therefore, behold

1. P.J., IV.9.443.

2. Ibid., III.7.241-4.

natural phenomena and admire their harmony and mutual adaptation, but are not to 'erect an hypothesis under the idea of making all things easy.'[1] There is also the usual humanist argument that 'our proper concern is with our fellow-creatures and ourselves'[2], and not with any so-called 'mysterious power at work on all sides'. However, the arguments on which he mainly relies are two. The first is the usual rationalist argument that puts immutable truths above, and considers them independent of, the will of God; God's existence, 'if necessary, was necessary only as the sensorium of truth and the medium of its operations.'[3] He interprets Plato as saying that the 'truths of mathematics, metaphysics and morals ... taught the creator of the world the nature of his materials, the result of his operations, the consequences of all possible systems in all their detail.'[4] The role of God 'is less that of fabricating than conducting; ... but the serving as a medium by which truth, the nature of which is unalterable, might become an active and operating

1. 'Essays', Essay XIV.
2. Ibid., Essay III, p.88.
3. P.J., 1796.IV.8.
4. P.J., 1793.IV.4.

principle.'[1] As to the precise nature of these 'truths of general nature', he is vague, and says that truths 'preceded, either substantially or in the nature of things, the particular existences that surround us and are independent of them all.'[2] But for the qualifying clause beginning with 'either....', this is straightforward transcendentalism with its separate world of universals serving as formal causes in the process of creation. In the human context, this would mean that God must have had a pre-existing model of human nature before He created men. There is much in Godwin, particularly early Godwin, that supports this interpretation. He frequently talks of 'the reality of human nature'. What is most striking, every time he speaks of the unity of human nature he invokes metaphors from the realm of craftsmanship. Minds of men are 'framed' upon the same 'model'; others are only "'1' multiplied";[3] and an analysis of one mind is valid for all minds. He even argues that where this fails or where it is denied, 'it is not easy to suggest a proceeding that shall supply the deficiency.[4] This 'model' metaphor, along with various other cognate metaphors[5] like 'instrument',

1. P.J., 1796.VII.1.

2. P.J., 1793.IV.4.

3. Thoughts on Man, Essay XIV.

4. Ibid., Essay XXII.

5. e.g. Ibid., Essay XVIII., also Essay, II. p. 25.

'specimen', 'copy', 'form', and 'mould' is repeated at a number of places. He expunges many of the transcendentalist passages in the subsequent editions of 'Political Justice', though this does not apply to the metaphors mentioned.

The second arguement he relies on to ensure man's equality with God is a predominantly moral one. Our creator, 'if we must imagine something' like that, must 'retain the characteristics of a being vested with rights as well as duties.' 'He who made us what we are by so doing contracted an engagement with us...; he owes his creature justice'. The term 'mercy' is 'meaningless'; the creature is 'in equity entitled' by his 'real merits' to a proper treatment from God. If asked why God must respect man's rights Godwin's answer is twofold. God, given His nature, must be wanting men to be virtuous; but virtue can not be compatible with craven fear; it requires a free and independent decision on the part of the moral agent, and this can only be based on the considerations of justice; that is to say, on the belief that his action will be judged on its own merit and will be given the treatment it rightfully deserves. Secondly, it is man and his dignity that are our main moral concerns; our view of God must fit in with this; or, else, it must be rejected. Now the dignity of a rational being like man consists in judging things for himself; his individual judgement is therefore inviolable and must be respected by God.

We may now turn to Godwin's theory of justice, and examine its relation to his theory of equality just discussed. We mentioned earlier the three-fold truths about man that Godwin has enunciated; when integrated, they give a full and adequate view of the real nature of man, or of human reality. Justice consists in conforming to human reality, and is defined as 'that impartial treatment of everyman in matters that relate to his happiness, which is measured solely by a consideration of the properties of the receiver and the capacity of him who bestows.'[1] Impartiality is emphasised because it is an implication of equality; happiness because it is taken to be the nature of man to desire pleasure; the 'properties of the receiver' has a reference to the recipient's worth, a worthier man to be preferred to one who is less worthy in deciding whom to benefit; and, finally, the capacity of the benefactor is important as, otherwise, benevolence degenerates into sentimentalism. It will be noted that one's personal relationship with the receiver is totally irrelevant; even if I myself or my father is involved, I should have no hesitation in subordinating my or his interest to that of a superior being if this is what an impartial consideration of the claims of each requires; 'what magic is there in the pronoun

1. P.J., II.2.126.

'my'? Eaah should consider himself 'an impartial spectator of an angelic nature' beholding things 'from an elevated station', and 'uninfluenced' by any 'prejudices'. Every individual is to be considered solely as a human being, and the only relevant consideration is his worth, which alone is taken to constitute his humanness. To treat a man of worth as if he had none, or vice versa, is 'falsehood', and constitutes a denial of the reality as it is; it is to treat him as if he is not what he really is, and as if he is someone or something else. Each is to be treated 'exactly' as he 'deserves' since this alone is full justice. Justice thus entails an obligation on me 'constantly and carefylly' to examine 'the deserts of all those with whom I am connected', making, of course, 'a certain allowance for the fallibility of human judgement'.

Justice thus understood has three important implications. Firstly, I am to be grateful to my benefactor only if I have been worthy of this benefit; if someone else was more worthy and my benefactor knew it, I should not only be not grateful to him but should positively censure him. Godwin is not satisfied even with this. Why should I be grateful at all, even if I am the most worthy person in a given situation? In treating me as he did my benefactor has simply given me my due; what he did was right and therefore his duty to do; and for doing one's duty no gratitude is due from others.

Secondly, the language of rights comes under fire. Rights, he says, are of two kinds[1], 'active', i.e. 'to do as we list', and 'passive', i.e. 'forbearance or assistance of other men'; and strictly speaking, the term 'right' should apply only to the former. Justice implies that everything we do must be done in the light of whether or not it will promote general happiness. 'We have in reality nothing that is strictly speaking our own;'[2] everything has 'a destination prescribed to it by the immutable voice of reason and justice.' We thus cannot have rights to do as we like with ourselves, our time or our money or our opportunities. Rights understood in the active sense, i.e. as 'aggressive claims' are incompatible with justice and the real human nature. We have only duties. With our discharge of them no one is to interfere; in this negative assurance, we find right in its passive sense. Others may criticise or advise me when I am making a wrong use of my faculties, but they are never to impose their views on me or to coerce me in any way. If any one suffers as a result of my action, he 'may justly complain'; 'in a passive sense ..., his right is as complete as if he had my bond in his possession', but he has no right actively to advance his claims and interfere with me. What

1. P.J., II.5.158.

2. Ibid., 162.

he can do is to remind me of my duties but not of his rights. Similarly, I have no right to freedom of conscience, but then society, too, has no right to interfere with it. Thus my freedom is as secure as ever, except that the mode of securing it is different. Not to have a right to a thing does not mean that I should not have it; everything I have or do must be justified, and everything that I can be justified in having or doing I must have or do. If I do not have it I am not to assert my claim, but instead I am patiently to bring it to others' notice and to try to make them conscious of their duties until they come to see and give me my due. In short, my rights spring from others' duties, and these, in turn, spring from the principles of justice or right.

At several places, however, Godwin formulates the distinction between the two kinds of rights in terms of that between 'rights' and 'claims', and, though he still wants to expunge the vocabulary of rights, he seems concerned to retain the vocabulary of claims. To the extent this is only a different manner of saying what he was saying earlier, ther is no inconsistency involved; but there is also a different undertone suggestive of a sneaking attempt to bring back the language or rights, though not exactly of the kind earlier criticised. Men do not have rights but claims, and it is desirable to talk of one's claims and not just of others' duties, since this will influence the conviction of mankind,

remind them of their duties, and gradually influence their conduct. If all that is meant here is that we must adopt the language of claims for utilitarian reasons without actually believing in it, this is insincerity, and Godwin can not recommend it[1]. If, on the other hand, Godwin recommends that we should sincerely believe in it, it implies a slight shift in his position in that the locus of morals is no longer oneself with one's duties, but instead another person with his claims.

Thirdly, justice and utility are seen as coincident, and no conflict is envisaged between the two. Justice obtains between all percipient beings in matters involving pleasure and pain, and is seen to consist in the impartial treatment of all with a view to 'the production of the greatest sum of pleasure or happiness'.[2] It seems to me that Godwin is mistaken in assuming such a complete harmony between justice and utility. There are many non-utilitarian features of his thought that may be pointed out. He insists on the goodness of a motive, and believes certain motives to be intrinsically good. There are many values other than

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1. Insincerity is one of the worst vices in his moral system; this is because it is practical falsehood, while sincerity is truth 'in a practical view'. ibid., IV.6.327f.

2. 'Summary of principles', IV in P.J.

pleasure that are intrinsically good, for example, sincerity, individuality, and private judgment. The obligation to pursue happiness is not sui generis, but results from the obligation to pursue truth. He rejects the system of reward and punishment as a manner of getting men to pursue general happiness, which instead is to be pursued only because one sees it is a good thing: if one does not pursue general happiness for its own sake, one is to be argued with, and not conditioned or coerced into desiring it as intrinsically worthwhile. Finally, education is to aim at cultivating a child's capacity for judgment and encouraging its exercise, and not at building up 'correct' associations in his mind.[1] However, to go on to argue, as Priestley[2] does, that Godwin's works do not display any 'utilitarian' features, or that they can be explained away seems to me a mistake. Utilitarianism is a vague term, and can mean a number of things. Most commentators on Godwin, not excepting Priestley, have equated it with the form it takes in the hands of Bentham. This can not be justified, but, even if it is conceded for the sake of an argument, it can be shown that Godwin's works display many features usually associated with Benthamite utilitarianism. These mainly are hedonism (as a moral theory),

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1. The Enquirer. Essays VI, IX.

2. Loc.cit., Introduction.

egoism (as a psychological theory), associationism (as a manner of relating one idea to another), and sensationalism (as an epistemology). Now, all of these are discernible in Godwin's writings, and together constitute what may be called a naturalist trend in him. He is a hedonist, particularly in his later works.[1] He is also an egoist,[2] though he does later modify his position. He also gives an associationist account of how ideas get formed and come to accompany or follow one another. As to his sensationalism, we shall have a great deal to say later on. The conclusion seems inescapable to me that two very different trends lie side by side in his works, and form a very uneasy partnership.

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1. Compare, for example, Bk. Iv. Ch. 9 of the 1793 edition of P.J. with the chapter that replaces it in the subsequent editions.

2. P.J., IV.X.425.

II

POLITICAL IMPLICATIONS

Equality or 'equal admission to the means of improvement and genuine happiness' is as we have seen, the central ideal of political life; all our efforts are to be directed towards realising it, and all our actions and practices are to be judged by its standard. We shall now examine some implications of this view. What does it mean, for example, in terms of political obligation, political authority, political knowledge etc.? and how do we go about achieving it? Every society needs an element of order. This is usually secured through the institution of Government which prescribes and enforces 'regulations'. For a number of reasons that we shall consider later, Godwin considers government evil, and visualises an ideal society where it will not exist. His search is thus for a non-governmental form of political life: can a community, he inquires, decide its own affairs without having the formal institution of government and all that goes with it, such as elections, representatives, law and judiciary? Even with this form of political life he is not always happy, and goes on to imagine a kind of human existence where all forms of political life are unnecessary and absent. In an important sense this is entailed by his rationalism which takes reason alone as the essence of man and leads to a

persistent tendency that can best be described as a desire to turn man into God. 'Man is a God-like being'.[1] 'Mind' or reason is the essence of man. 'The body is the prison of the mind',[2] and is 'the house of clay ... poorly fitted to entertain so divine a guest'[3]; the ideal a man is to aim at is one in which his mind may come to transcend the limitations, such as sex, sleep and death imposed by his body[4]. Not only that a mind should be independent of matter, that is, a body; it can be and should be independent of other minds as well. It can discover the highest truth and act on it without any help or inspiration from others. Ideally, society is not a necessity for man but a luxury, and he enters into it solely out of his concern for others. All forms of cooperation[5], such as marriage, orchestras and theatre companies are disapproved as compromising mind's sovereign independence. The upshot of all this is that a fully rational man will be self-sufficient, will have conquered all the limitations imposed by matter, and will be benevolent to others not as a

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1. T.O.M., I.9.
2. Ibid., 10,II.
3. Ibid., 14.
4. P.J., VIII. 9. Appendix.
5. Ibid., VIII. 8. Appendix.

natural necessity of inclination, but as an expression of his rational goodness to others; in short, he will be 'like' God. Such men create no mischiefs and have no conflicts with others. Politics can have no place here. This, as we have said, is one of the logical implications of his rationalism. Godwin, however, is not a consistent rationalist; he not only modifies it but also adopts a different position, i.e. naturalism, though never completely, and always keeps it subordinate to his rationalism. Society, Godwin now argues, is 'natural' to man, a necessity of his nature; he has no meaning outside it. He has a natural feeling of benevolence towards others, which leads him to prefer others' happiness to his own. He can not discover Truth unaided, but needs the cooperation of others, and depends on them to supply him a motive, i.e. their appreciation and praise for undertaking the arduous pursuit of Truth. All this implies a different view of man[1] and his relation to others, a view that may be called the 'human view of man' as distinguished from the earlier 'divine view of man'. Man, on this human view, is a creature dependent on others, incapable of complete self-sufficiency, tied to others by the

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1. See 'The Enquirer', p. 244. Man is now enjoined to develop not only his reason but 'every part of his nature', including muscles and delicacy of 'corporal tact'.

natural bonds of 'sympathy', and sentenced to live under the conditions imposed by matter of which his own body is the representative nearest to him. Given such human beings, the need for politics and, even, government becomes easier to explain.

Until man becomes God the ideal human existence cannot be achieved, and politics will have to continue; further, till man so improve that they become capable of non-governmental form of political life, even the institution of government will have to continue. Now while politics continues, it must, like all other human activities, be based on truth, on 'political truth'. As politics is an activity undertaken by human beings the above-stated three truths about human nature in general continue to apply to it and constitute its ultimate foundations. These three 'truths', it will be remembered, are that man seek happiness, that they are rational and their actions originate in their opinions, and, finally, that they all share a common human nature. The implications of the first and the third truths are fairly clear and have already been discussed. From the fact that men's actions originate in their opinions Godwin deduces five 'corollaries respecting political truth':[1] (1) 'sound reasoning and truth, when adequately communicated, must always be victorious over error'; (2) they are 'capable of

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1. P.J., 1.5.85-6

being so communicated;' (3) 'Truth is omnipotent'; (4) 'The vices and moral weakness of man are not invincible'; (5) 'Man is perfectible' or 'susceptible of perpetual improvement'. The 'knowledge of political truth' tells us 'what are the hopes and prospects of human improvement';[1] it destroys the foundation of pessimism, reinforces optimism, and is thus necessary for promoting 'the true interests of mankind.'[2] These general truths do not, however, constitute all the knowledge required in politics. A political activity occurs in a specific context and in relation to a specific individual. We, therefore, need the knowledge of concrete situations as well. General political truths tell us what are to be the general ends of political action, how we are to go about realising them, etc.; but an attempt to realise any such end always occurs in a specific context, and requires a calculation of consequences and an awareness of individual circumstances. We cannot thus deduce actions from general truths, as in mathematics. Political knowledge or knowledge required for undertaking intelligent political activity is thus the knowledge of the specific circumstances of individual cases, and the knowledge of general truths in terms of which these circumstances are to be interpreted. The knowledgeable or intelligent political

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1. Ibid.
2. ibid, VIII.9.536

activity is thus an activity based on general truths seen in the context of specific circumstances.

This means that each case is to be judged 'on its own merits', though not in its own terms, and a decision is to be taken accordingly. All general rules are suspect[1]. They select some average aspect of a situation and distort it by reducing it to types. Epistemologically speaking, they are posterior to concrete decisions, and are parastic and misleading abridgments of the latter. They are not, however, entirely useless. We can not always think out the detailed consequences of various alternatives every time we have to act; general rules provide 'resting places', and direct our attention to certain important features of an action. Their utility, however, is far outweighed by the pernicious

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1. To avoid misunderstanding, the distinction between 'general truths' and 'general rules' needs to be emphasized. General truths point to the real nature of a thing and its relations with other things; in the light of them, one has to decide one's response to a specific situation. Unlike general rules, they do not 'require' or 'enjoin' any specific kind of action, but instead constitute an overall cognitive framework within the context of which specific decisions are to be made freely and unencumbered by any general rules.

effects they produce. They are static, and arrest our knowledge at a particular state of its development; our knowledge may increase, and yet we may remain stuck with rules representing an earlier, relatively inferior, state of knowledge. What is more, they may ignore or underemphasize the most important aspects of a situation in their concern to stress only the general and the average. In terms of the psychology of conduct, Godwin goes on, actions based on them are only 'imperfectly voluntary' in that we do not fully and adequately reason things out every time we act, but do so only imperfectly, relying most of the time on such generalised averages; they thus involve an element of 'prejudice' and of lack of rigour and alertness in our responses to individual and concrete real situations. Every action 'has its appropriate result', which must be considered 'closely' and minutely, and not 'from a certain distance' as general rules do. This is 'the true dignity of human reason.'

This implies a certain view of political or moral rationality, i.e. of the manner in which reason operates in politics and morals and arrives at judgments or decisions concerning the worthwhileness of specific actions or practices or institutions. Reason as understood here is a calculating faculty; it weighs the evidence for various alternatives, judges the probability of consequences, and arrives at a decision most likely to lead, in a given context, to the ideal end of human conduct, justice. It will avoid all

'resting places' and 'abstractions', and decide each case afresh and 'on its own merits', irrespective of how it or its like was decided in the past. Political or moral situations are unique, and the only rational response to them is to treat them individually. 'Every case is, therefore, a rule to itself.'[1] Political judgment is not arrived at (a) deductively or by deducing it from general rules; or (b) inductively, i.e. by asking what has generally been done in such like cases in the past, extracting a general rule, and extrapolating it to cover the present situation; or (c) analogically; or, finally, (d) in terms of precedents. It is the result of an examination of a specific case in the light of general truths arrived at independently by philosophical reason regarding man's human nature in general, and political nature in particular.

This view of political rationality leads Godwin to eliminate both laws and institutions from political life. Laws are general rules, and the arguments against the latter

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1. This is not the position he had taken in the 1793 ed. of P.J.. See, for example, IV.5.296: We are to act on general principles, and 'must perceive in the preservation of that general principle a balance of universal good, outweighing the benefit to arise in any instance from superseding it.'

will apply to them as well. As to his anti-institutionalism, one basis of it has already been suggested. Man's mind is to be guided exclusively by the natural tendency of the action in question. If institutions reinforce this tendency, they are superfluous and even dangerous as they create a new motive, thus detracting from the natural force of the action; if they go counter to it, they are evidently most unnatural and pernicious. Another basis of his anti-institutionalism is this theory of political rationality. Rational behaviour is possible only where men do not get fixed into any specific mental grooves: their minds must be pliable and ready to appreciate the uniqueness of any new situation. Besides, they should have no biases or prejudices or specific committments, and it is just these that institutions generate; they fix us in one particular moment, require absolute loyalties, and create partialities. The very nature of institutions is totally incompatible with the nature of human mind: 'it is the inalienable tendency of positive institution to retain that with which it is conversant for ever in the same state', while 'it is one of the most unquestionable properties of mind to be susceptible of perpetual improvement.'[1]

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1. P.J., VI.1.

We may now turn to Godwin's views on political authority and obligation and their relation to equality. Truth alone can have authority over man. Conversely, man's primary obligation is not to any other man but only to Truth. Obedience 'is an act of the understanding or will', and 'can have no legitimate connection' with force; 'I am therefore bound to truth and justice' only. Since Truth alone has authority, a human being is to have authority only when, and in proportion to, the correctness of his opinions. There will always be men who can do a given job better than I; doctors and carpenters, for example, know their job better than I do. I may have confidence in and respect for them, and may justifiably defer to their judgment and thus accept their authority. But such a situation normally exists only when a specific skill or competence is required; it does not obtain in politics where we are concerned with 'cases of general justice which are equally within the province of every human understanding.'[1] True, there are many men today who lack such understanding; but this is simply a consequence of the present society and must eventually be eliminated, and along with it the need for confidence and respect, as 'confidence is in all cases the offspring of

1. ibid., III.6.237.

ignorance'.[1] When each individual increases his 'wisdom and virtue' the need for confidence in others' judgment will decrease, and he will obey only the authority of his own reason; this will be 'the true euthanasia of government' and of all hitherto necessary forms of political inequalities. In the meantime, the government will continue and will demand our obedience. We are to obey only those of its measures that accord with our perception of Truth, since our obligation to it springs exclusively from our obligation to Truth and has no separate principle or status. Political obligation thus is simply a species of moral obligation, obtaining while the institution of governement lasts.

The obligation to achieve equality through continual 'political improvement' is the highest 'political duty'; in other words, it is the duty to practise 'political justice'. Political obligation or duty[2] is thus not seen exclusively in governmental terms; the important question in connection with political obligation is not, 'Why should I obey the government?; as is its customary formulation, but instead is, 'What can I do to achieve the highest kind of life for all

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1. ibid., 111.6.237.

2. Godwin uses these two terms interchangeably, though mostly he uses the latter.

men?' Now running right through Godwin's writings is, as we have seen, a distinction between some type of elite[1] and the average masses of men; as such, political duties of each will obviously be different. The latter have the duty (a) never to abandon their own judgment and put unreasoned confidence in others; and (b) positively to continually improve their understandings and keep their minds open to any new truth that may come their way. The duties of the elite are more stringent, and consist in the sustained pursuit of truth and fearless and sincere communication of it. They are to address themselves to 'the rich' whom they are to try to convince of the evils of their pursuits, of the impossibility of resisting truth, and of the usefulness of making concessions in time. They are also to address themselves to 'the adherents of equality' whom they are to preach the irresistibility and omnipotence of Truth, patience, calm persuasions, abjuration of the use of force, and the desirability of having good will for all, the rich not excluded. Truth discovered by the wise will thus spread to all other sections of the community and will persude them to see things as they really are. As a result, Men will come to be 'estimated for what they are, and not for their accidental appendages'. The attractions of rank, status, etc., will

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1. See his reference to 'men of genius', 'the long-looked-for saviours of the human race', in 'The Enquirer', London, 1797, p.10-11, 316-7.

lose their appeal, and the men enjoying them will no longer be respected. Eventually, all attempts to fulfil 'love of distinction' through these channels will cease. The movement 'towards equality' is 'inevitable' since our 'knowledge of truth', on which all improvement depends, is bound to increase. The knowledge of its inevitability is very important as it gives us confidence, patience and calm amidst setbacks.

But how are these wise men to go about their business? Godwin at different stages toys with different ideas. In the first edition of 'political Justice', he thought they could get into representative assemblies and use them as levers of influence; but he emphasizes this less and less in the subsequent editions of it and also in his other subsequent works. He now argues that the whole institution of representative assembly is undesirable. These assemblies are concerned with arriving at decisions rather than with discovering Truth, and, therefore, rely on voting, which is mechanical, creates fictitious unanimity, terminates discussions prematurely, and ignores minority, etc.. This rejection of representative assemblies, coupled with the earlier rejection of the institution of government, means that political channels are no longer available to the wise, thus making the question of discovering other suitable ones very acute indeed. Godwin thinks they might get into

educational institutions, but finds this unsatisfactory, since one here deals only with children and not adults who, after all, run the society in which these children have to spend most of their time. He also thinks of literature as a possible medium of communicating Truth, and tried his hand at it himself, but again comes to doubt its effectiveness as the masses have no leisure for reading, reasoning and reflecting. He has another more fundamental objection as well. Books 'have a sort of constitutional coldness'[1]; they lack vividness, and we do not take in their arguments. 'A book is an abstraction'[3], as we do not feel that 'a real man addresses us in it.' What, then, is the way out? The real 'Power of conversion lies in the reciprocation of answer and rejoinder' or 'oral communication'[4]; and, therefore, the only hope of salvation lies in ensuring a direct personal contact between the wise and the masses. The wise, he argues, will compare their ideas and examine their difficulties in conversation with each other, and thereby try to reach the Truth. They will then communicate it to others and convince them. These latter, in turn, will 'impart their acquisitions to still other hearers, and the circle of instruction will

1. P.J., IV.3.295.
2. Preface to the first edition of 'Caleb Williams', XXI.
3. T.O.M., p.251.
4. Ibid.

perpetually increase.'[1] The wise are not to form parties or associations for reasons we have already suggested; at best they may combine in ad hoc and informal groups, but they are mainly to be on their own, touring the country and spreading the message. No wonder, Godwin calls them 'missionaries'. Ideally, they are to be motivated exclusively by 'disinterestedness', but, for most part, their motive will be the 'love of distinction' or the 'thirst for fame'[2] which is, after all, the ruling passion' of man confirmed by our own experience as well as by the various examples in history. As to the masses, he does not think they should have any difficulty in apprehending the Truth communicated to them. The discovery of Truth is, of course, a very difficult process, and only 'the enlightened' can undertake it as present; but this is very different from saying that the masses cannot grasp it when it is presented to them, particularly when it is stated in a few clear propositions. Truth is essentially simple and self-evident, and is comprehensible to every mind.

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1. P.J. , 3. 296.

2. 'Defence of the Rockingham party', quoted by Pollin in 'Education and Enlightenment in the works of W. Godwin', p.213. Also, P.J. VIII.1.427. Elsewhere he implies that, even with a man of complete wisdom and virtue, this love of distinction will 'certainly enter into his consideration', though it will not be 'the first and leading motive.' The Enquirer.p.281.

Finally, who are to be these elite?, and how do we identify them? They are to be 'men of study and reflection'[1], possessing leisure and substance, and not engaged in the occupations of traders (who cheat and seek profit ruthlessly), lawyers (who, among other things, make money by chicanery and deliberately delaying justice), the clergy[2], etc.. The lower class agitators are also condemned as they lack moderation and balance. In 1812 he writes to a friend, 'You and I, who are of course among the enlightened ... '[3]. James Mackintosh, his intimate friend, says in 'Vindicia Gallicae' that the philosophers are 'a distinct nation in the midst of an unenlightened multitude ... The multitude have attained sufficient knowledge to value the superiority of enlightened men.'[4] They, the philosophers, have escaped the corrupting influence of the degenerate society they live in, and are the sole saviours of humanity.

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1. The elite needed for 'the regeneration' of the 'species' (P.J., 1793, IV.2.) matures in the soil 'less that of action than of inquiry and instruction' (P.J., IV.3.298).

2. The Enquirer, Essay V.

3. Kegan Paul: 'W. Godwin', II.195.

4. New York, 1866, p.459 and 461. In this connection, see also Mary Wollstonecraft: 'Vindication of the Rights of Woman', London, 1929, p.21, note.

III.

EPISTEMOLOGY, MORAL PSYCHOLOGY AND EQUALITY.

We have discussed Godwin's theory of equality at some length. Now there are two general questions that arise in connection with it, and what I propose to do in this section is to elucidate Godwin's answers to them and assess their adequacy.

(A) He has based equality on the nature of things; but how do we know the nature of things? If we do not and cannot, the very foundation of his theory of equality is blasted. We have thus to enquire into the epistemological basis of his theory of equality.

(B) Is it possible for men to act on the principle of equality, and practise justice? Or is the practice of equality made impossible by the way in which Godwin understands man, morality and equality? The inquiry here is concerning his moral psychology, and is intended to ascertain if it is such as to make equality an operative principle.

A: Godwin lists three sources of knowledge: self-evidence, deduction, and observation and experiment.[1] There are important

1. 'Essays', Essay XV.

shifts in the degree of importance he assigns to them. In 'Political Justice', though observation and experiment are mentioned and discussed, it is the other two that are considered more important; in his later works, particularly 'Thoughts on Man', it is the other way round. He himself says as much[1]. Deduction and intuition, he argues, are risky as everything depends on one or two principles, which, if wrong, lead to the collapse of the entire system. We are instead to be much more cautious and rely on minute analysis, gradual collection of facts, etc.. This shift, as we shall see, is partly explained by his declining faith in the infallibility and certainty of reason, and partly by his changed view on the nature of truth.

The assumption of the self-evidence of Truth underlies most of his arguments in 'Political Justice'. Truth is self-evident. When presented, it compels assent as it has 'force' that is irresistible.'[2] I propose to call this 'the theory of compulsive Truth'. It has certain important implications

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1. 'The Enquirer', Preface.

2. P.J., I. 5. 91; ibid., IV. 2. 276; ibid., V. 8. 78; also, ibid., 1793, IV. 2; ibid., IV. 4. 300. It is also worth noting that in describing the nature of Truth many light metaphors, such as 'light', 'shine', 'beam', 'bright' and 'lustre' are used. Truth operates in a manner similar to light; it is sudden, self-evident, irresistible, forces open our eyes, and commands our assent.

which may be spelled out. One cannot resist assenting to Truth when it is presented; one is 'compelled' or 'forced', and has no choice. Truth so understood becomes, in a very important sense, incompatible with freedom. There is no scope for individual judgment. Truth has an intrinsic power of irresistibly evoking the right response, be it that of immediate acceptance or immediate rejection; an act of judgment is simply superfluous. What is more, it comes to be considered dangerous, and a source of much, if not all, mischief and mistake. The unpremeditated and undeliberated assent 'commanded' by the intrinsic evidence of Truth cannot be mistaken. All mistakes must, therefore, be due to an exercise of judgment, which is an unwarranted interpolation between the commanding Truth and the supine human intellect; in fact, the exercise of one's judgment is an expression of hubris. It comes to be argued that, since Truth is always the same, there must be an eventual universal agreement among men on all matters. All differences are suspect and are frowned upon; to the extent they are expressions of individuality, it too is suspect, and is expected to yield place to uniformity. When those who, like Godwin, hold such a view come to realise that differences between men persist and even increase with the increase of knowledge, they tend to deny this as the ultimate

predicament of man, and argue that an eventual uniformity of all views can be achieved if only there were yet more information being made available to all, or if men could somehow be persuaded to empty their minds of prejudices. When this theory is taken as an epistemological basis of equality, it would come to be argued that equality of all men is a self-evident fact; it is self-evident, as Godwin, for example, says, that all men have the same 'form' and belong to the same 'class', and hence are equal.

Godwin, however, does not seem entirely happy with this position. It makes his defence of private judgment less tenable. It also makes it difficult to ex lain the failure of mankind to have progressed so far, as also the persistence of disagreements. He changes his position and comes to interpret the nature of Truth rather differently. In a footnote added in the 1796 edition of 'Political Justice', he says that truth 'has strictly no existence but in the mind of him who utters or hears it', and that the immutability of it means 'nothing more' than predicting 'with greater or less probability' and saying, 'This is what I believe, and what all reasonable beings, till they shall fall short of me in their degree of information, will continue to believe.'[1]

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1. ibid., 1798, I. V.

Truth now is a belief based, of course, on evidence; but this evidence has to be examined by the individual concerned and is to be assigned greater or less probability. This means that man is no longer a drum inevitably responding to the irresistible beatings of self-evident Truth. He appears in his own and makes his impact. He is now active. He weighs evidence and is not overwhelmed by it; he decides how much probability to assign to various shreds of evidence; and, finally, through the exercise of his own judgment, he comes and is not compelled to a conclusion which is always tentative. I propose to call this 'the theory of persuasive truth'.

This shift from the compulsive to the persuasive view of truth inaugurates some significant changes in Godwin's system, and almost alters its character. There is less confidence now in the power of Truth: 'our best reasonings may betray, and our wisest conclusions deceive us.'[1] Besides, it is man who seeks truth, weighs evidence for a problem, etc.; and he, not being a disembodied reason, has his own failings; 'where is the man', Godwin now asks, 'who can say that no unconscious bias has influenced him in the progress of his investigation?'[2] In fact,

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1.'T.O.M.' Essay XIII, 359.

2.Ibid., 247.

he now advises us not to 'immediately' assent to any proposition, however specious, when it is presented to us 'for the first time', and suggests that we should instead consider and reconsider it,[1] and that even then 'We can.. by no means be secure that we have attained to a perfect result.'[2] Human affairs now come to be seen in terms of 'probability'[3] and not of 'inevitability'. Further, the platonic insistence that Truth is 'at all times and in all places the same'[4] and that 'only one' of the many opinions on a given subject 'can be true'[5] tends to disappear, as is seen in his excision of such passages in the subsequent editions of 'Political Justice'. The possibility of a disagreement and of failure to convince others is now admitted. His account of human conduct also undergoes a change. When Truth is considered compulsive, the knowledge of it is considered necessarily to lead to action, since theory of compulsive Truth entails this kind of rational determinism. When, on the other hand, truth is considered persuasive, there can be a gap between knowledge and action. As a corollary, the perfectibility of man and the possibility of achieving full equality become less certain.

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1. Ibid., p.257
2. Ibid., Essay XIII.p.
3. P.J., II.403.
4. Ibid., 1793, III.7.
5. Ibid., I.4.Sec.I.

Even when there is progress, it is precarious. However, since the dream of ultimate perfection remains, the need for greater efforts on the part of all, especially the elite, becomes very much greater, as Truth is no longer omnipotent and needs man's help. As an impersonal principle, that is, Truth becomes less dominant and powerful, the personal element, that is human activity becomes more necessary. This new intellectual conviction is very siginificantly symbolised in Godwin's later day sympathies for Zoroastrianism where, in the struggle between the two principles of good and evil, the former needs human co-operation.

This shift that we have noted still keeps him within the general framework he had started with; it is a shift within his overall rationalist epistemology. But, alongside this rationalist epistemology, he also adopts a very different epistemology, that is, empiricism or, more strictly, sensationlism. It is stated in 'Political Justice',[1] but its clearest statement appears in 'Thoughts on Man'.[2] Man's mind is blank at birth; external impressions make their impact on it, producing sehsations that are associated according to general laws. Godwin does not say what these laws are. As the basic sensations that a man feels are those of pleasure and pain, one would expect that the associations would be taking place in terms of pleasure and pain; Godwin almost implies this[3]

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1. IV. 9: 1. 4. 2. 379 f. and 444f.

3. P.J. 1793. I. 4: also, Ibid. 1798. IV. 9.

Mind can comprehend only a single idea at a time, though this need not be a simple idea. Consciousness is of the nature of thought, and is nothing but 'a second thought'. Mind is simply the 'series of thoughts' 'linked together', and there is no underlying substance. Further, 'if there be anything that we know more certainly than another', it is our 'sensations',[1] They are also infallible; 'we are not deceived by our senses, but deceived in the inference we make from our sensations.'[2] If we infer from the sensation of colour that there is something outside us corresponding to it, and if we are wrong, it does not follow that 'our senses deceive us'. Godwin introduces a distinction that is crucial to his theory of equality. Mind and matter are very different in kind. Matter is 'deaf', 'inert' 'inexorable', etc.; mind, on the other hand, anticipates, calculates,etc..It is, therefore, 'in a high degree unreasonable' to make reasoning concerning matter 'a standard of what we ought to think respecting the phenomena of mind'.[3] We can not infer from our sensations the nature of matter; all we can know is a set of phenomena following a regular order.

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1. P.J. I. 4.
2. T.O.M., 379.
3. T.O.M., 450.

But we can infer from our sensations of other human beings their precise nature. Our knowledge of matter is inferential and unreliable, while our knowledge of mind is certain. Besides there is 'a precise resemblance and analogy' between mind and mind, and, therefore, we can have a certain and reliable knowledge of other minds. Given this, Godwin's account of our knowledge of the uniformity of human nature is more or less on inductivist lines. I know what my mind is like; I receive 'impressions' from my intercourse with others, and I infer from these that they too are beings like me. I think, feel, fall sick, reason, and so do others; from this, I arrive at the idea of human nature and am convinced of its reality. I extend it to other men whom I have never seen, and conclude that they too are 'specimens' of the same nature.[1] 'There is such a thing, therefore, as human nature'[2], and I know its 'reality' 'for I feel the particulars that constitute it within myself.'

Strangely enough, he goes on to deduce the existence of other men from the uniformity of human nature. Because we all have the same nature, the impressions I get from another person are 'a commanding evidence that he is a real being, having a proper and

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1. Ibid., Essay II. 24.

2. Ibid., Essay XXII. 446.

independent existence.'[1] This is circular, since, in order to know that these impressions come from existing human beings and are not my dreams or fantasies, it must first be shown that other men exist. Besides, impressions also come about men who are dead and gone, and a criterion is needed to distinguish those that necessarily imply the existence of others from those that do not. Godwin himself is not very happy about the adequacy of this argument, and goes on to advance two others both of which are closely connected, though differing in their logical structure. In both of them the existence of others is a postulate; but they imply different views as to the precise philosophical character of this postulate. In one argument, the justification for making such a postulate is that it 'explains much'.[2] My sensations have no meaning and are reduced to 'a senseless mummery' unless others are 'believed to exist'. These sensations of other must have come from somewhere, and the best possible answer is that they come, 'exactly' as they 'speak', from other human beings. How, further, can you explain 'sympathy', 'history', etc?

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1. T.O.M., 446.

2. Ibid., 448.

The other argument is pragmatic or, rather, utilitarian. The 'belief in the existence of our fellow-men' makes virtue and morality possible. In the absence of this belief I will have no reason for undertaking the arduous pursuit of Truth and for striving to disseminate it and thereby improve other men. All that is distinctly human will be gone and, along with it, the reason for my own existence; 'take away the existence of my fellow-men,... 'You take my life, taking the thing whereon I live.'[1] As if realising that all these arguments are highly unsatisfactory he throws in a very different consideration. Philosophical truths are different from practical truths or truths of practical life. It may be proved philosophically that other men do not exist, but this will not affect our 'active life' even in the slightest. We may '"think with the learned"', but 'must always act... "with the vulgar" when we come abroad into the world.'[2] Philosophical truths 'can never form the rule for the intercourse between man and man'.[3] It is interesting to contrast this with one of his arguments in defence of determinism that this 'philosophical truth' will make us more charitable and patient of others' weaknesses.

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1. T.O.M., 449.
2. Ibid., 455.
3. Ibid., 439; also, 241.

About these arguments for the existence of others, one point may be made. In the first argument, i.e. one based on an individual's impressions or sensations, other men's existence in some sense depends on the individual having the sensations of them. This is not to say that their existence is constituted by his sensations; this is not Godwin's position. However, it is the percipient who enjoys epistemological primacy over others. You exist because I, among others, have sensations of a certain sort about you; in a very important sense, I confer existence on you. In the other argument with its two variations, it is others that explain my sensations, give them a meaning, enable me to distinguish them from illusions, and in this sense, confer existence and reality on me. It is others who enjoy epistemological primacy. Both raise important problems that Godwin shows no awareness of, and neither implies the epistemological parity between the individual percipient and the rest which an adequate theory of equality may have to have as its epistemological basis.

B: Godwin begins by rejecting the well-known Lockean account of conduct. The motive behind any action can not be one of relieving a feeling of uneasiness, since the latter 'implies the desire itself as the antecedent and parent of uneasiness. It is because I wish my neighbour's advantage that I am uneasy at his misfortune'.[1]

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1. P.J., IV. 10. 429.

'I should be no more uneasy about this than about the number of syllables contained in the present paragraph if I had not previously loved it for its own sake.'[1] Pleasure lies in 'indulging the desire', that is, in doing what we already desire; uneasiness or pain 'is the apprehension of any obstacle' to the desire, and is 'only generated by obstacles to the attainment of our desires'. Pleasure and pain thus are 'not the authors of my determination', as they are contingent on my desires, which are formed independently of pleasure and pain. However, they 'undoubtedly tend to perpetuate and strengthen' desires; a man acting benevolently will find great happiness and harmony within himself, and this will tend to confirm him in his benevolent propensity.[2]

Now desire is the product of opinion. Man is a rational being, and does nothing unless he is convinced it is right. Take a murderer. He may oscillate and succumb to the solicitations of different passions at different times before he decides to murder someone; but 'whenever his resolution is formed, it is formed upon the suggestions of the rational faculty; and... he is then most strongly impressed with the superior recommendations of the conduct he pursues'.[3]

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1. Ibid.

2. Ibid., 430.

3. P.J., I. 5. 62.

'Voluntary actions of men originate in their opinions', Godwin asserts. It will be observed that he is confusing two different things here; that is, doing an action after careful consideration of its consequences, which is how he defines a 'voluntary' action, and doing it because at the precise moment of doing it one feels convinced that it is the right thing to do. This distinction can be indicated in a different way as well. Since voluntary action is the preduct of rational deliberation, we should be ready and able 'upon all occasions clearly to announce and fully to enumerate'[1] the reasons that led us to it. A murderer, on the other hand, can hardly do this. What he can do, if he is intelligent enough, is to explain the psychological process he passed through, his oscillations, the passions he felt, etc., before he finally plunged his dagger into the poor neighbour's back. This confusion on the part of Godwin is seen in a number of other places as well; for example, his account of the experience of the crusaders in the Holy Land. In general terms it springs from a failure to distinguish between the rationalist and the associationalist account of conduct.

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1. P.J., I., 5. 69.

Man's actions, we have seen, are the results of his opinions. But how precisely are opinion or reason or knowledge and conduct related to each other? Does opinion immediately lead to conduct? Or does desire intervene at any stage? when? and in what form? Godwin seems to give four different answers to these questions. They can be grouped into two, one of which may be called rationalistic and the other naturalistic; both correspond very broadly to the two different epistemologies that we discussed earlier. His first answer is that knowledge by itself leads to conduct. Man is rational; when he knows something is right he just does it, and there is simply no reason why he should need any mediating principle.[1] In terms of our earlier analysis this is entailed by his theory of compulsive Truth. The second answer is related to the first, but is yet quite different. Reason is indispensable for conduct, but is not by itself able to generate it; it needs the assistance of imagination which helps it to acquire a full and complete

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1. He defines knowledge as 'a clear and undoubting apprehension such as no delusion can resist', and insists on distinguishing it from pale recollections of ideas and fleeting opinions (IV.2.276); it consists in seeing 'a thing in all its enormity', i.e. as it <u>really</u> is. (ibid).

knowledge about a particular situation. Such a full knowledge generates a desire for doing something about this situation, and it is this desire that leads to conduct.[1] To gain full knowledge reason alone is inadequate. An act of 'imagination' is needed, so that the subject thought of 'comes before us clothed in flesh and blood and presents a set of features and a sensible reality'; then 'our passions are roused through every fibre of our heart'.[2] The Knowledge here must be the knowledge of details, and must be such as to create 'sensible' and sensuous images in the agent's mind. Before, for example, he does anything about poverty in another country, or even in his own, his mind must have vivid images of starving men, crying children, emanciated bodies, etc.; these images will create in him a desire to do something to remove poverty, and this desire will lead to an appropriate action. A mere knowledge of 'abstractions and generalities' will not do as it is totally incapable of producing such an effect.

Now if it is desire or feeling[3] that is the immediate cause of conduct, why not say that feeling is the principle of motion in man? Reason can then be brought in either as the regulator

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1. 'Thoughts on Man', Essay XV. 275.

2. 'Mandeville', Edinburgh, 1817, iii. 45-6.

3. Godwin equates desire with feeling, and opinion or knowledge with reason; the problem of the relation between opinion and desire can also, therefore, be stated as the problem of the relation between reason and feeling.

of feelings, or may simply be dismissed as superfluous by building-in the regulating element within the structure of the feeling itself. Godwin says both these, and they provide his remaining two answers. 'The voluntary actions of men are under the direction of their feelings. Reason is not an independent principle, and has no tendency to excite us to action; in a practical view, it is merely a comparison and balancing of different feelings'.[1] Reason, in this answer, is still important and continues to provide a basis for the belief in the improvement of man. His fourth answer is very different, and contains nearly all the elements that usually go with the sensationalist epistemology, i.e. egoism, hedonism and associationism. Man is a creature of pleasure and pain; by the very necessity of his nature he desires pleasure and avoids pain; if he foresees no pleasure or pain, 'this will excite no desire and lead to no voluntary action'. My hand 'necessarily'[2] stretches out when I see pleasure resulting from an object. This would lead to considering man as simply a machine. Godwin is not at all worried about this, and, in fact, insists that man is a machine. What he wants to avoid is man's being assimilated to a 'material mechanism' or giving an explanation of his conduct, like Hartley,

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1. P.J., 'Summary of principle', VI.

2. P.J., IV. 9. 403.

in terms of vibrations of the body. Man, he argues, is an 'intellectual mechanism', a mechanism whose movements take place through the medium of 'thought'. Thought as understood here does not have the cognitiveness and deliberateness implied in the terms 'judgment' or 'opinion', and is just one link in the long chain of antecedents and causequents. Godwin adds to this an egoistic account of human conduct. I cannot desire anything but my own pleasant sensations, and can never desire others' pleasure 'but as the means of agreeable sensation' of my own.[1] Later, as in the case of a miser's pursuit of money, others' pleasure may come to be pursued for its own sake, and then what, to start with, was a means to an end may become an end in itself. Godwin however is not entirely happy with this associationist explanation. Associations may get built up between <u>any</u> two sensations and they may not be right. Besides, they are accidental and infected with contingency; is there any support for them in the nature of man? As he cannot answer these questions within the associationist framework, he turns to rationalism for an answer. We come to desire others' pleasures as a means to our own, but soon 'reflection confirms' it 'in a sense in which it never can confirm any of the factitious passions';[2] we find that men around us are 'of the same nature with ourselves, and that our own pleasures are 'of as much

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1. T.O.M., Essay V. 105.

2. F.J., IV. 10. 427.

value' as everybody else's. This offers us the criterion with which to select right associations from wrong ones. Besides, the pursuit of others' pleasure thus comes to be rooted in the uniformity of human nature, and is no longer contengent.

To recapitulate, Godwin's four answers to the question of the relation between reason and conduct are these: reason necessarily leads to conduct; reason leads to conduct only when aided by imagination; feeling regulated by reason leads to conduct; and, finally, feeling can take care of itself and reason has no role to play. We have seen how he finds the last answer most unsatisfactory, and reintroduces the directive role of reason, making it thereby almost indistinguishable from the third answer. Now this third answer raises an important problem; could not feeling'defeat the tardy decisions of judgment?'[1]; reason will recommend benevolence, but feeling may refuse to follow, and there would then be a 'perpetual hostility' between the two. One way out is to argue that man has a 'natural' feeling of 'benevolence' for others, and this is precisely what Godwin[2] does, little realising that this meant rejecting egoism he had earlier insisted on. What reason exists to do is to regulate the operations of this natural feeling, and prevent it from degenerating into simple sentimentalism.

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1. P.J., 1. 53.

2. T.O.M., 115; P.J., IV. X. 433: 'If self-love can be the only principle of action, there can be no such thing as virtue.'

To return to the question we originally started with, it seems that each of these three answers is capable of providing a psychological basis for his theory of equality, and that thus his moral psychology is not at odds with his moral and political ideals. His fourth answer, taken as a thorough-going associationism, is not so capable, since, if men are left alone, some of them might end up with 'wrong' associations and never find pleasure in, and hence act on, the principles of equality and justice. If, on the other hand, some one, say, a legislator, builds up right associations in them, he is setting himself up as the superior of all, and is giving no scope to their judgments, and is filling their minds with ideas that he considers right. In so doing he is violating the twin principles of equality and private judgment. As to the remaining three answers, what is required is the knowledge of Truth, and the capacity to grasp it, i.e. reason. This knowledge is open and accessible to all. Some men, of course, at present know more, and are thus capable of a higher degree of moral and political life; but there is nothing 'in the nature of things' to prevent the rest from acquiring it. As for reason, Godwin asserts the basic equality of all men. All men are thus equally capable of moral and political life, as the moral and political capacity or the capacity required for rational moral and political

conduct exists in all men. There are, of course, differences in the degree of reason men have, so that, though all alike are capable of rational moral and political life, some are capable of organizing their life more knowledgeably and on a more comprehensive scale. These differences, he hopes, could eventually go, thus enabling all men to live a full moral and political life in equal degree. A note of disillusionment, however, is increasingly creeping in[1], so much so that one of his contemporaries accused him of having the 'only aim' of 'displaying...the darkest and the blackest passions which corrupt mankind.'[2]

There is one difficulty, however, common to all the three answers. In order to practise virtue or rational benevolence, a man must have a full knowledge of the circumstances and the capacities of the potential beneficiary; this, it will be recollected, was made the precondition of the practice of equality and justice. Now this will create an obligation on a moral agent to fully inform himself of all the specific circumstances and the capacities of each individual in his community, since, for all he knows, he may have

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1. P.J. VIII. X. 533; added in the 1796 edition.

2. 'The Gentleman's Magazine', 1836. p. 669.

overlooked a person more worthy than the one he has benefited. But, however diligent a man may be, it is humanly impossible for him to acquire such a knowledge, as the individuals involved are countless and their circumstances for ever changing. This imposes a serious epistomological limitation on the practice of equality, and Godwin sees the force of it. He now suggests that we should act on a more limited principle; we know most about the members of our own family and about our own kindred and friends, and should, therefore, confine our benevolence mainly to them.[1] The pursuit of my own good and the good of my family and friends thus becomes my primary duty for epistemological reasons. When, however, I do know about others' circumstances, I have an obligation to consider their claims as well. I also continue to have an obligation to strive to know more and more about them, and am not justified in resting content with the pursuit of narrow interests by seeking shelter under the limited-knowledge argument. I am, further, not justified in pursuing these narrow interests when I know that they are likely to harm others. However, even when the force of all these qualifications is conceded, it remains true that the

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1. See e.g. his notebook - data for his intended 'First principles of Morals': the argument for confining one's affection, etc. to one's kindred is in terms of knowledge. See also, 'St. Leon', 1831. Preface.

practice of equality and justice is seriously delimited, and the principle of equality of all men is made correspondingly less significant.

This difficulty becomes most acute in a political context. Here we are concerned with the community as a whole; and, given Godwin's view of justice, we shall have to have a detailed knowledge of the circumstances, etc. of each area and of each individual. What are we to do? Limitations of available political knowledge would seem to rule out all actions based on justice and equality. He refuses to despair, and suggests, but never discusses, an interesting way out, which, it seems to me, does not really solve the problem. The difficulties with modern political communities, he argues, are mainly two. Firstly, they are so vast that we can hardly know anything about many of their members and areas. We can deal with them, not individually, but only en mass and, therefore, in averages. We have to typify situations and build stereotypes, and through them we seek to grasp political reality; 'type' 'average', etc. thus become the necessary central categories of our political epistemology. Secondly, modern political communities are so complex that we hardly ever see things 'as they are'. Things are continually hidden from our eyes, deliberately or through the sheer complexity of the social and political structure. We cannot follow clearly the con-

sequences of our actions as they are interfered with at a number of points by social institutions. The realisation or the knowledge of what we are and what we are doing and with what results never fully dawns on us. The answer to the problem of political knowledge stated earlier, therefore, lies in developing an alternative to the modern political communities. This alternative, as he adumbrates it, consists in (1) breaking them into small local communities, (11) simplifying social, economic and political life, and (111) creating general equality of conditions. (1) will mean an increased contact between individuals and a full knowledge of each other's circumstances, capacities and defects; the practice of equality and justice would thus become possible. Besides, concrete cases could be dealt with on their own merits, and no general rules or laws would be necessary. As to (11), the economic life will be simplified by breaking up large existing industries into small local ones, and the removal of the existing distinctions of status and rank will simplify the social life. All this will make it possible for us to see and judge individuals 'exactly as they are'. What (111) means is that there is to be a general equalisation of conditions, so that all men will have almost equal capacities and nearly uniform circumstances. This will mean that the epis-

temological difficulty of knowing the circumstances and the capacities of each individual,created by the wide variations in these, will then be absent,as the general equality, or,strictly, the general uniformity of men's conditions would permit a generalisation applying to all individuals on the basis of the knowledge of one case only.

Now, apart from several other difficulties that can be pointed out in this answer, there is one that is most relevant from the standpoint of political knowledge. Godwin himself, as we have seen, comes to doubt the possibility of the general equality of conditions. Even assuming its ultimate possibility, what do we do in the meantime? Is political action paralysed? I do not see what answer he can give. Someone,like Paine or John Stuart Mill,who, though operating in a different framework of ideas,is in general sympathy with Godwin's overall preoccupation could answer that a closer interaction between various local communities through their representatives in a national assembly, a closer integration between the representatives and their constituents, and several similar devices could facilitate the acquisition and dissemination of political knowledge. But Godwin is unable to take such a position, given his suspicion of institutions and his understanding of the nature of politics. He, of course,

at places seems to consider representative assemblies of some value,[1] but does not incorporate them in his system as something worthwhile; and, in any case, he sees no value in them from the standpoint of political knowledge. What he ultimately ends up by saying is that we are to confine our benevolence to the narrow circle of the known people; and that all we can do for the community at large is to spread the knowledge of political truths.

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1. P.J., V. XIV. 122.

Jeremy Bentham[1]

Bentham's theory of equality rests on three main bases: (1) his theory of reality; (2) his theory of science and measurement; and (3) his theory of moral and political conduct. (1) defines who are to be treated equally and

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1. Most of the references to Bentham's writings are to 'The Works of Jeremy Bentham's, published under the superintendence of his executor, John Bowring, Edinburgh, 1859. The references are given by the volume and the page number; thus 'X 225' means 'volume X, page 225'. In two cases I have referred to more handy editions: (1) 'A Fragment on Government and An Introduction to The Principles of Morals and Legislation', Edited with an Introduction by Wilfrid Harrison, Oxford, 1960; the references here are given by the chapter and the paragraph number; thus 'Principles, ch.1.para 5' means 'An Introduction to the Principles of Morals and Legislation, chapter 1, paragraph 5.' (2) 'The Limits of Jurisprudnnce defined', Edited with an Introduction by C.W. Everett, New York, 1945; the references to it are given in full.

in what; (2) suggests when equality is to be practised; and (3) specifies who is to practise this equality, why and within what limits. As will be realised these are very broad characterisations of the relation each of these theories bears to his general theory of equality. It need hardly be pointed out that any criticism of Bentham's theory of equality will consist in criticising any one or all of these three theories. My aim in the pages that follow is not to offer any detailed criticism, but instead to elucidate certain marked inconsistencies in Bentham and to indicate the general directions a criticism can take.

I

Theory of Reality

Entity is one of the key categories in Bentham's philosophy. He defines it as anything 'for the designation of which the grammatical part of speech called a noun-substantive is employed.'[1] Entities may be either bodily or mental [2]; the science that studies the former is called 'somatology'; that studying the latter is 'psychology'. Ontology comprises both and thus is defined as the science of

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1. VIII.195.

2. This is not the same as the usual body-mind distinction as the term 'body' here refers to many entities other than the human body.

entities.[1] The entities are either perceptible or inferential[2]. Each of these can, further, be real or fictitious. A perceptible entity is one whose existence is known to men 'by the immediate testimony of their senses, without reasoning, i.e. without reflection'; it is, in short, a body. An inferential entity is one 'the persuasion' of whose existence is produced by reflection - is inferred from a chain of reasoning'; the examples of it are a ghost, God, angels, a devil, etc.. A real entity is one to which 'on the occasion and for the purpose of discourse, existence is really meant to be ascribed'. A fictitious entity is that to which, though 'by the grammatical form of discourse' existence is ascribed, 'yet in truth and reality, existence is not meant to be ascribed.' Fictitious entities can 'not be spoken of at all if they were not spoken of as real ones'; there must be 'the supposition of a sort of verbal reality of theirs'. What he means is that when we abstract an aspect of a real object and talk about it, we cannot but talk about it in terms suited only to a concrete object or 'substance'. Besides, we can later relate it to this substance only through prepositions which, too, imply as if two concrete substances are

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1. Ibid.

2. Elsewhere, he divides them as 'realities' and 'fictions'. III.286.

being related; for example, 'The earth is in motion'; here, motion is spoken of as if it were ' receptacle' in which the earth is 'lodged'. Bentham goes on to show at some length the specific prepositions with which different fictitious entities are integrally connected. His scheme of classification would thus yield four kinds of entities - perceptible and real, perceptible and fictitious, inferential and real, and finally inferential and fictitious. Bentham, however, does not give a single example of the second, and does not say anything more about it. Further, having defined an entity in terms of grammar, he evidently finds it difficult to distinguish between real and fictitious entities in terms of their grammatical status, since a criterion independent of grammar is needed to ascertain whether or not an entity is real or fictitious; he therefore falls back on the other distinction, and defines both these in terms of perceivability.

Anything that can be perceived is real. Our perceptions are real; we know them immediately, and our persuasion of their existence is 'more necessary and irresistible' than that of anything else. Some may argue they are not real entities as they are not solid or permenent, but there is no 'sufficient or just reason' why either of these must be considered 'the essence of reality'. As to corporeal substances, we infer their existence from our perceptions;

but this inference is so 'necessary' and 'irresistible' that we cannot but admit that they exist. Besides, 'suppose' their non-existence and 'act upon it', and 'the pain, the perception of pain, will at once bear against you'; this 'punishment' convinces you of their reality. In the case of inferential incorporal substances, 'no such immediate punishment will follow'.[1] Though we cannot doubt the reality of corporal substances, it remains true that our knowledge of them has the character of an inference; 'with reference and in contradistinction' to perceptions, they are 'inferential' entities, and perceptions are 'the sole perceptible' entities. 'The reality of a body of any kind can be established' only by the evidence afforded by perceptions'; the latter therefore possess reality in a 'higher degree'.[2]

Elsewhere[3] he advances a different ontological and epistemological position. Our knowledge of the existence of bodies is not a matter of inference from our sensations, be they those of pain or of any other kind, but of 'one of the five senses and in particular of the sense of touch'. Any 'tangible object' is real, 'as this man, this beast, this bird.'; 'the

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1. VIII.197

2. Ibid.,196.

3. Ibid.,327

object spoken of may be termed a real entity' as its existence 'is made known to us by one or more of our five senses'. A real entity is defined as 'a substance - an object, the existence of which is made known to us by one or more of our five senses', 'say, in a word, where the object is a tangible one'. 'A real entity is either a person or a thing, a substance rational or a substance not rational'. This account, it seems to me, is different from the earlier one both ontologically and epistemologically: ontologically, because concrete and perceptible individual objects are here considered primarily real, while in the earlier account this status was given to sensations; epistemologically, because here our knowledge of these individual objects is direct and not inferential, while in the earlier account it was mediated and inferential. I shall argue later that these two different ontological and epistemological positions which may, for convenience, be called Sensationalism and Realism[1], may perhaps account for two different theories of equality that are discernible in Bentham's works.

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1. Realism is, of course, a highly ambiguous term and has been used to describe at least two different ontological positions: (1) that universals subsist apart from their individual instances; and (2) that physical objects exist independently of being thought or perceived; I shall use it to refer to (2). When used in this sense, there are several different kinds of Realism - critical Realism, New Realism, Naive Realism, etc.; Bentham's position would seem to come very close to New Realism in that physical objects for him are immediately perceived, and not through the medium of sensations.

In either case, however, his account of fictitious entities remains more or less the same. A fictitious entity is one 'the existence of which is feigned by the imagination for the purposes of discourse;' it has no real existence and cannot be perceived by the senses. Examples of them are motion, existence, time, obligation, etc.. They are classified into various groups, such as 'physical fictitious entities' which include quantity, quality, relation, etc., and 'political and quasi-political fictitious entities' which include obligation, right, power, property, etc.. All of them 'owe their existence - their impossible, yet indispensable existence' 'to language alone'. How, then, can we deal with them? and why should they be employed at all? 'Every fictitious entity bears some relation to some real entity, and can not otherwise be understood than in so far as that relation is obtained.'[1] It may be related to a real entity directly, in which case it is 'a fictitious entity of the first remove', or through another fictitious entity, in which case it is a fictitious entity of the second remove.[2] Language

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1. Ibid., 197. Also, A fictitious entity is 'a mere nothing', and, therefore, a proposition ascribing any property to it cannot be 'in itself and of itself a true one.'

2. Ibid. See also ibid., 325.

has two uses - designative or 'intransitive', i.e. fixing 'floating' thoughts, and communicative or transitive, i.e. appealing to other men's understanding or exciting their will. In both these a single word tends to refer not just to a single object but also to a class of objects. This is very necessary but also most dangerous, as it gives rise to an illusion that there must be some entity corresponding to such a general word. Two reasons may be given why this should happen. Firstly, a general word is used in language in the same way in which a word referring to a real entity is used, and has the same grammtical status. Secondly, our experience of using one word to describe one entity inclines us to believe that to every word there corresponds an entity.

What we must do to escape such illusions is to take such words or propositions containing them, and translate them into words or propositions referring to real entities. This can be done in two ways - 'Paraphrasis' and 'Archetypation'.[1]

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1. He also calls the former 'a pointing out of the root of the idea' and the latter a pointing out of 'the root of the word' 'by which it is designated'. It must be noted that paraphrasis is one of the many modes of 'Exposition', though it is the most relevant in this context; the other are 'Synonymation', 'Illustration', 'Exemplication', 'Description', etc.. Ibid., 246ff.

The former means 'giving phrase for phrase', and consists in giving for a proposition containing a fictitious entity 'a proposition having for its subject some real entity.' It is to be first put into a propositional form, called 'phraseoplerosis - a completion of the phrase', and then analysed. This is because 'In language, the integer to be looked for is an entire proposition'; anything less can communicate nothing. He attacks Aristotle for arguing that terms are prior to propositions and for considering the latter as having 'the character of compounds capable of being composed out of these elements'. For Bentham, 'in the first place came propositions and that out of these propositions, by abstraction and analysis, terms possessed, each of them, of an independent import were framed.'[1] By proposition is meant a 'logical proposition', and 'a sentence' may contain one or more propositions. The latter, that is, archetypation consists in bringing out the archetypal image underlying a fictitious entity. A proposition with a fictitious entity as its subject and some attribute as its predicate generally presents some image of some real action or state of things, and this image has to be brought out. The image will always be of something physical, and thus the process of archetypation may also be characterised as tracing 'the origin of the psychological in some physical

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1. VIII.322.

idea'. 'There is no name of a psychical entity which is not also the name of a physical entity, in which capacity alone it must have continued to have been employed long before it was transferred to the field of psychical entities'. 'Every psychological proposition has, for its archetype, a physical proposition'.[1] Bentham gives a number of examples to illustrate what he means by Paraphrasis and archetypation. 'Obligation' is a fictitious entity; there is nothing real to which it refers, though we do feel as if it does when we say, for example, that 'X has an obligation to Y.' What this proposition really means is that a certain conduct is incumbent on X; what this in turn means is that, if X fails to behave in a certain way, he will be subjected to pain. To convey this 'idea of eventual sensation' and to designate 'the event on the happening of which such sensation is considered as being about to take place' is to offer the paraphrasis of the fiction of 'obligation'. To further bring out the image underlying it, the image 'of a man lying down with a heavy body pressing upon him', is

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1. III.286,333. See also his account of the origin of language, ibid., 228-9.

archetypation.[1] It is the doing of both these and the consequent resolution of fictitious entities into something 'real' that constitutes the 'logical analysis' of fictions, and is one of the primary jobs of a philisopher.

Bentham liked to believe that his theory of fictions was a great contribution to the logic of practice, which includes morals and politics, and that it represented an advance on the Aristotelian logic. If definition is understood in the Aristotelian manner as 'per genus et differentium', a fictitious entity can not be defined as it has no genus; a right or an obligation, for example, 'is not a species of anything.' All real entities can have a genus, but no fictitious entity can have it. Thus the Aristotelian logic which knows only the technique of definition proves totally inadequate in dealing with fictitious entities, and is therefore of no use whatever in morals and politics where such entities abound. Its categories are best fitted to deal with the real and concrete entities like men and animals and plants, but are utterly inapplicable to 'abstract' and fictitious' entities like rights and obligations [2]. Tod deal with the entities of the latter

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1. Elsewhere he expressed this as 'the image of a cord, or any other tie or bond by which the object in question is bound, or fastened to any other.' Further, the root of the idea of obligation 'lies in a material image, exposed as an archetype', i.e. the image of being tied by a cord.

2. See, particylarly, ibid., 251f, 292, and 593; also X145: 'O Logic';... come to the aid of thy master, Legislation'.

kind a different technique is required; and this technique, as we have seen, is paraphrasis which thus 'performs in relation to the name of the fictitious subject the same sort of office which for the name of a real entity, is performed by a definition of the ordinary stamp'. Before we see the sort of analysis that Bentham himself offers of the moral and political fictitious entities, we shall have first to ascertain what he takes to be the moral and political realities; that is, what he takes to be the real entities in the fields of morals and politics. Since morals and politics for him are activities of men pursuing ends determined by their natural psychological constitution, moral and political real entities are none but psychological real entities. We shall therefore first acquaint ourselves with his analysis of the human mind.

Bentham divides 'the whole structure of the mind' into 'two faculties', perceptive and appetitive; to the former belong 'all mental experiences', and to the latter 'all mental operations and their results'.[1] Perception or experience is divided into 'pathematic perceptions' or those perceptions consisting of or attended with 'sensations or feelings either of pain or pleasure', and 'apathematic perceptions' or those not consisting of or attended with pain or pleasure. Now pain and pleasure operate as motives in the production

1. VIII.279-80

of desires and thus belong to the appertitive faculty as well; they 'compose therefore, asit were, the bond of union and channel of communication between the two faculties.'[1]

Perceptions, pathematic or apathematic, are devided into those involving, and those not involving, judgment. A judgment-involving perception is always liable to error, while the one not involving it is not; for example, 'that I see something, i.e. that on the retina of my eyes an image is depicted, in this is no error;' but in my judgment that it is ' a distant hill', I may be in error, since it may, in fact, be 'a cloud'. Where mind passively receives things, it can never be mistaken;[2] where it becomes active and begins to judge things, it becomes liable to error. Logically a proposition expressing a simple sensation is very different in character from that expressing 'the existence of a matter of fact exterior to the person of the speaker', since in the case of the latter one is always implying, 'this is my opinion or judgment', but not in the case of the former; for example, to say 'this pen exists' is to say, 'my opinion is that this pen exists', and, as in all opinions, one may be

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1. Ibid.; see also I.205

2. III.320

mistaken. But in the case of a proposition expressing a sensation, one is absolutely certain, and one's statement is the description of a fact and not an expression of a judgment. In moral terms, this means that one can never be mistaken about one's pleasures; that is about whether or not a given object gives one pleasure; but one is liable to be mistaken about the means of achieving them. As to how our judgment regarding a given object can be verified, the answer Bentham implies is that in every judgment we are making a prediction; to say 'that is a hill' is to say that, if one looks again, the same image will be seen. To judge is to expect certain sorts of sensations.

In an earlier argument, however, he had argued that our judgments are verified in terms of the sensations of pleasure and pain, and particularly of pain. Now that arguement is obivously at odds with the present one where prediction, expectation and subsequent confirmation by the recurrence of the same sensation under the same conditions are considered the criterion of reality. The latter is a straight-forward sensationalist argument, while the argument earlier advanced was a hedonistic one. This is not to imply that sensationalism and hedonism are incompatible, but only that they are not logically identical. It is not necessary that

a sensationalist must be a hedonist[1] nor, even, that a hedonist must be a sensationalist. A hedonist must, of course, take pleasure and pain alone as real, but may not then go on to understand them as atomic and distinct sensations; taking pleasure and pain alone as real does not necessarily entail any specific view about their real nature. For this very reason a hedonist can as well be a sensationlist without incurring any charge of inconsistency. However, he is a particular kind of sensationlist in as much as, though he is committed to considering sensations alone as real, he is equally committed to considering only certain sorts of sensations, that is, those of pleasure and pain, as real. Like all sensationalists, he too connects these sensations in terms of certain general laws, and can justifiably advance similarity and contiguity as such laws. But he must understand them in terms of pleasure and pain; similar sensations can be connected, but not <u>any</u> similar sensations; only the sensations of pleasure, that is to say, only the sensations similar in being pleasant or, more narrowly, perhaps, only the sensations of certain kinds of pleasure must be so connected. This is equally true of the sensations of pain. Further, not only similarity but also contiguity and causality

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1. It is interesting, however, to note that many sensationalists in the history of philosophy have also been hedonists.

must be likewise hedonistically interpreted. A hedonist's general epistemology, logic, methodology, etc., must also be similarly orientated. He must account for rationality and its exercise in terms of man's concern to avoid pain and obtain pleasure. He must also argue that mind's essential nature is conative rather than cognative. Men must be interpreted as becoming aware of themselves, of other men, and of things around them in terms of pleasure and pain, and as identifying and recognising others only as sources of pleasures or pains. All this is intended to imply that hedonism is not just a psychological theory describing how men behave and why, nor just an ethical theory prescribing the ends of human actions or laying down the standard of moral evaluation, but that, and more importantly, it is a philosophical theory, or better, a philosophy. It offers certain definite views on the nature and criteria of reality, on epistemology, on logic, on methodology, on the inescapable features of human existence, on the nature of man's capacities, etc.. One corollary of this is that the usual division of hedonism into psychological hedonism and ethical hedonism is inadequate because it fails to notice its philosophical character, and, as a result, fails to observe that both the psychological and the ethical hedonism are integrally connected through presupposing a common philosophical theory.

Now Bentham is a hedonist; he gives a hedonist account of reality, of epistemology,[1] of logic,[2] of methodology,[3] of reason,[4] of the nature of man, etc.. Pleasure and Pain, he argues, are the sole psychological or human realities; they are 'the roots - the main pillars or foundations of all the rest, - the matter of which all the rest are composed.'[5] One may employ, if one likes, any other 'physical image' to describe the relationship between them and other psychological entities as long as one bears in mind that 'without any of the rest, these (i.e. pleasure and pain) are susceptible of existence', but that 'without these, no one of all those others ever had, or ever could have had, existence.'[6] All psychological, political and moral entities have meaning only when related to pleasure and pain: 'the class of political, including legal, fictitious entities' is to be related 'to the fundamental ideas of pain and pleasure',

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1. VIII.197.
2. Ibid.,222; also, ibid.,232.
3. Principles, ch. XVIII. Para LVII.
4. II.455ff.
5. I.211.
6. Ibid.

since only then is 'a distinct and fixed meaning ... given to a numerous tribe of words' which, otherwise, 'have no assignable ideas, no fixed, no real import.'[1] We have seen how he shows this in the case of a political fictitious entity like 'obligation'. Virtues and Vices or moral fictitious entities are also similarly analysed. They are 'no better than empty declamations' or 'empty sounds', if not related to pleasure and pain; when so related, virtue will be seen simply as that which leads to pleasure, and vice as what leads to pain. Or take specific virtues like friendship, humanity and patriotism; they are nothing but forms of sympathy, which, again, is nothing but finding pleasure in the happiness of others and pain in their pain. When sympathy is extended to a single individual, it is 'friendship'; when to a nation, 'public spirit or patriotism'; when to a man in pain, 'pity or compassion'. In short, all moral and political fictitious entities are ultimately reducible to specific pleasures and pains of which they are composed and to which they refer, and must be so reduced if any explanation of them is to be adequate. Because pleasure and pain are the sole realities, all justifications and explanations must be in their terms. This also offers the

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1. III.286.

criterion of the adequacy of any analysis of a concept or a problem or a situation: only that analysis is adequate which analyses and explains all aspects of a given problem in terms of pleasure and pain and uses no 'vague' or meaningless words, that is, those not reducible to pleasure and pain. As to how psychological fictitious entities like emotion, motive desire, interest, passion, disposition, inclination and will can be reduced to pleasure and pain, Bentham's account is fairly familiar. 'Every operation of the mind and thence every operation of the body is the result of an exercise of the will or volitional faculty'; this faculty is a branch of the appetitive faculty 'in which desire ... has place'. 'Desire has for its object either pleasure or pain, or, what is commonly the case, a mixture of both.' When a desire is considered as having produced or operating towards the probable production of a result, it is called 'a motive'; an act of will only takes place in consequence of a desire operating as a motive. Now 'no desire can take place unless when the idea of pleasure or pain, in some shape or degree, has place.' 'Take

away all pleasure and all pain, and you have no desire.' Thus every action is the result of will, and will is or[1] is produced by a desire operating as a motive; if the desire is ineffective, no act of will results. In all cases desire causes will, and all desire is for pleasure and away from pain. No desire can exist in the absence of an idea of pleasure or pain even if the latter is 'minute in the extreme'; such an idea is 'requisite and sufficient to the formation of a desire.'

Bentham understands motive as a 'power', something forcing or pushing man to action; because of this, he argues, when the tendency of a desire is to restrain and not to produce, an action, 'the term motive cannot be employed without a contradiction in terms.' This understanding of motive is also revealed in what Bentham takes to be its synonyms; viz., 'inducement',

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1. Bentham is ambiguous on this point. He say will is produced by desire; but he also says that will exists when the production of the state of things which is the immediate object of the desire is considered as following immediately and certainly upon the existence of the desire.

2. I.208.

'spur' and 'incitement'[1]. The relation between motive and pleasure is very close. Pleasure is what we all aim at, but it cannot operate 'as a spring of action ... but in so far as, in the particular direction in question, action is regarded as a means of obtaining it'; so, too, with pain, which cannot operate as a motive except in so far as the specific action is regarded as a means of obtaining it. One achieves pleasure or avoids pain through an action which one would not do unless one knew it as a means to achieving pleasure or avoiding pain; pleasure here operates 'in the character of a motive'; one does not have a motive <u>to</u> pleasure, since pleasure itself is a motive. By definition every motive has some pleasure 'for its basis'.[2] There can be no action without a motive, and all motives have pleasure or pain as their basis. All actions thus are

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1. Bentham, however, is not entirely clear and consistent, and also holds a rather different view that man apprehends pleasure in a thing, which, then, attracts him from out there and thus constitutes a motive for action. This Aristotelian unmoved mover-like character of pleasure is seen in the other five synonyms of motive that he lists, i.e. 'invitation', 'solicitation', 'allurement', 'enticement' and 'temptation'.

2. Ibid., 211.

determined by pleasure or pain, and determined mechanistically as motives are, or are like, forces acting on men's minds and necessarily leading them to act in certain specific ways.

Every motive, Bentham goes on, has a corresponding interest. He also connects interest and pleasure very closely. There is no inconsistency involved here, since motive is nothing but pleasure operating in a certain character. A man is said to have an interest in any subject 'in so far as that subject is considered more or less likely to be to him a source of pleasure or exemption';[1] the subject concerned may be a thing, in which case we talk of <u>use</u>, or a person, in which case we talk of <u>service</u>. 'Interest' thus refers to a thing which leads to pleasure, i.e. to a 'means' to or 'source' of pleasure; it is a matter of utility, which, in turn, is defined in terms of pleasure and pain. Every pleasure and pain has a corresponding interest; the pain of death or bodily pain, for example, has the corresponding interest of existence; the pain of fatigue or labour has the interest of the pillow; the pleasure of sympathy has the 'interest of the heart'. There is a great deal of confusion in this attempt to relate pleasure and interest. It is, to say the least, very curious to argue that the heart is the interest of sympathy in the same sense as the pillow is of fatigue. One can detect at least four different

1. Ibid., 207.

relationships between them in Bentham. (1) Interest is what leads to or is likely to lead to pleasure; interest is here a means to pleasure which is an end. (2) Interest is identified with pleasure; a thing 'promotes your interest', for example, if it 'increases your pleasure'. (3) Interest is in some sense prior to pleasure: that action is good which increases the happiness of him 'whose interest is in question'. (4) Interest is an objective correlate of pleasure. Pleasures and pains of a man are extremely private; when therefore they appear in the interpersonal realm, which they must if they are to have any role in morals and politics, they cannot appear as pleasure and pain, but only in the form of interests.[1] Interests, unlike pleasures and pains, are objective and identifiable, can be secured and protected by law, and possess a certain durability; others can identify them and thus know what my interests are and where they lie; they can then know what not to disturb and what to stay away from. All this does not apply to pleasure and pain which, being private and not fully identifiable, are incapable of creating a common political society, and which, being transient, are hardly capable of making it lasting and durable.[2]

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1. Principles Ch.I. Para. 5.

2. Durability, in fact, is one of the two central features of political society as Bentham defines it. See 'A Fragment on Government', Ch. I. Para 13.

This would mean that pleasure and pain are the sole psychological realities and that interests are the sole political realities; pleasure and pain may lie at the basis of interests, but in politics only the latter would have a meaning and relevance. As we shall see, Bentham does not and cannot take this position, and treats pleasure and pain alone as political (and moral) realities.

Now Bentham does seem to see these and various other difficulties confronting a thorough-going hedonist as is obvious in his very attempt to introduce the category of interest and relate it to pleasure; fatigue is private but pillow gives it a public character.[1] However, the relationship between the two is not clearly worked out; what is more, having started with pleasure and pain as the sole realities, he can define interest only as a means to pleasure or pain. Besides, though interests can be identified, they are not the sorts of things that can be measured or even totalled up,[2]

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1. The relation between pleasure and interest is one of the most confusing and confused aspects of Bentham's thought. This is no less true of J.S. Mill. See, for example, 'On Liberty', Ch.IV.; also, 'Utilitarianism', Ch.II: happiness' speaking practically' may be called 'interest'.

2. One can easily speak of 'the greatest happiness' or 'the greatest possible happiness' but not of 'the greatest interest' or 'the greatest possible interest'.

while Bentham's main interest is precisely in measurement. Finally, when he talks of interest he uses the term in a descriptive and not a normative sense as, for example, J. S. Mill does. Having a certain view about 'the destiny' of man, Mill is able to specify the conditions integrally connected with it, and call them 'the permanent interests of mankind'. Bentham sees no norm outside of the things men find their pleasures in, and, as such, men's interests can only be determined by ascertaining what objects different men find their pleasures in. Correspondingly, in order for an object to be considered a matter of universal interest, it will have to be presupposed that all men feel the corresponding kind of pleasure, that is, that they are uniform in this particular respect: men can have common interests only if they are all constituted alike. He is thus constrained to assume the uniformity of human nature if he is to explain the existence of political societies.

It is the definition of interest in terms of pleasure that provides both the psychological and the epistemological foundation of Bentham's egoistic account of human conduct. Man can be guided only by pleasure and pain. Now, as it is only his own pleasure that he can directly and immediately feel, and as others' pleasure and pain can affect him only by first affecting his own pleasure and pain, man can be guided only by his own pleasure and pain. Every man thus is an egoist. Egoism is an ambiguous expression, and its philosophical and popular senses need to be distinguished. ~~In the former~~

In the former sense, it implies egocentricity, and means that a man can be guided only by his own feelings and sentiments; in the latter, it implies what is commonly called 'selfishness', and means that a man cares only for himself. The distinction can be expressed by referring to the former as 'self-ish' and to the latter as 'selfish'. The two senses are not necessarily connected. When I give away all my property in charity because this gives me pleasure, I am, of course, being guided by the considerations of my own pleasure, but I am not at all being 'selfish'. As I can be motivated only by my own pleasure, I can pursue only my own pleasure; but my pleasure may be such that it is found only in giving pleasure to others.[1] It all depends on the nature and the range of the self that is being cared for. As Bentham says, 'We see ourselves doubled in those we love; and it is by no means impossible to love ourselves better in those others than in our actual self'. We can love others, though this is only another mode of loving ourselves. To use the language of interest as Bentham does, every action is interested, since there is no action without a motive, and every motive has 'a corresponding interest'. 'No human action ever has been, or ever can be, disinterested'.[2] When actions or men are

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1. This, of course, may not and does not always happen, and I may find pleasure in things that cause more pain to others; the problem of harmonising the two is one of the main problems of morals and legislation.

2. I.212. But he also talks of sympathy as an independent principle and not fully reducible to self-interest; this is inconsistency.

called disinterested, the only meaning this term has is that the 'interest of the self-regarding class' is absent; but this is its narrow and 'more confined' meaning; etymologically, it means absence of all interest, and this is psychologically impossible. This, however, does not detract from the 'merit' of the action believed to be disinterested.

From the epistemological standpoint, the definition of interest in terms of pleasure means that 'there is no one who knows what is for your interest so well as yourself'. Interest is what gives pleasure, and pleasure is something intensely personal as only you know where you find pleasure and pain. This immediately involves Bentham in a dilemma: if a man never knows where another's pleasures lie, how is a political society possible at all? His answer is interesting. There is a high degree of uniformity among men so far as pain is concerned, and fortunately it is this that a legislator is mainly concerned with. All men find it painful to starve, to see their expectations frustrated, etc.; from this we can easily conclude that a government committed to the greatest happiness of the community is to aim at achieving security and subsistence for all. True, the amount of pain different men experience from starvation, etc. may vary, but to a legislator looking at men 'from a great height' these differences do not appear at all. As to pleasure, there is a lesser degree of uniformity among men. Fortunately, however,

money is the universal instrument of pleasure. A legislator thus is again not handicapped, since all he has to do is to aim at achieving 'abundance', that is, general prosperity and economic development. Once he has ensured that there is plenty of money around, he is to leave individual citizens free to use it to obtain their diverse pleasures. Once these two assumptions are made - that men are uniform in the sources of their pain and that money is the source and measure of nearly all of their pleasures, it becomes easy for Bentham to construct a durable political society on the basis of the fleeting and private sensations of pleasure and pain.

In the light of this account of Bentham's psychology, we may now examine the relationship between the two faculties that we noted earlier, i.e. the perceptive and the appetitive faculties of mind. The former, as we have seen, is passive, and is referred to as 'experience', while the latter characterises the active side of man, and is referred to as 'operation'. A study of the features of the former is called a logic of 'the understanding', and that of the latter 'a logic of the will'. Of these two branches of logic, 'that recondite art, Aristotle saw only' the former, and the 'succeeding logicians, treading the steps of their great founder, have concurred in seeing with no other eyes.'[2]

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1. Principles, Preface, para. 35.

2. Ibid.

Bentham rejects this Aristotelian tradition and holds the opposite view that it is the logic of the will that is extremely important in understanding morals and politics. Of this logic 'the science of law, considered in respect of its form, is the most important branch... It is to the art of legislation what the science of anatomy is to the art of medicine: with this difference that the subject of it is what the artist has to work with, instead of being what he has to work upon.' The body politic is no less 'in danger' without it 'than the body natural from ignorance in the other.' It is 'so intimately connected' with the logic of the understanding that hardly any difference can be pointed out between the two; 'whatever difference there is in point of importance is in favour of the logic of the will, since it is only by their capacity of directing the operations of this faculty that the operations of the understandings are of any consequence.' All mental operations are caused by the desire for pleasure and the aversion for pain. All pleasures and pains, since they are 'experiences', are experienced in perception; that is, are experienced by the perceptive faculty. All thought and action thus arise from the stimulants experienced in perception, and all thought ultimately aims at discovering the causes of pleasure and pain and at guiding and helping action. The mind of man can be moved in all its operations only by pleasure and pain and can take only the direction

suggested by them. Understanding is subordinated to will even at the level of motives. Motives affect will in the form of desires, and understanding in the form of 'any consideration - the apparent tendency of which is to give increase to the efficiency of the desire in the character of a motive to the will.'[1] The idea of pleasure or pain applies in the first instance to the will which, then, immediately acts. If this idea is 'not conclusive', the will refers to it the understanding which calculates the balance of pleasure and pain; if the judgment of the understanding is that the surplus of pleasure is going to result from this action, the result is the volition, whose 'immediate consequence' is the will,and of this 'the corresponding action is the immediate consequence.'[2] Thus antecedently to action the will is always in exercise, but 'not so the understanding'. Besides, what operate as motives to the understanding also operate as motives to the will since 'else, they would not be motives. The converse does not hold good.'[3] The considerations that operate in the form of motives to the understanding operate 'in subservience to' the motives to the will. The 'faculty'

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1. I.208

2. Ibid., 209

3. Ibid., 208

of understanding thus is posterior to the faculty of will, is activated by it, and is subordinated to it, as it engages itself only with the problems that the will presents. It has no inner dynamism of its own, nor any autonomous principle of motion, and is concerned with increasing the efficiency of a desire by showing how it can best or most 'economically' be satisfied; it is, that is to say, concerned only with the 'means'. This primacy of will over understanding implies that the pursuit of knowledge or, for that matter, of any other activity is ultimately motivated by a concern for man's pleasure and is directed towards maximising it. This means, as we shall see later, that all errors lie only in the understanding and not at all in the will.

II

Proof of the Principle of Utility

Since the principle of utility occupies a central place in Bentham's theory of morals and legislation, and since all institutions and practices, including equality and inequality, are evaluated and justified or disapproved in its terms, the manner in which he proves it is of crucial significance.. 'By the principle of utility is meant that principle which approves or disappproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question.'[1] But a little later[2] he formulates it slightly differently, and talks of 'the happiness of the community' and not of 'the party whose interest is in question'. Elsewhere,[3] he implies that 'conformable to the principle of utility' means

1. Principles, ch.I, Para 2.
2. Ibid., Para 9.
3. Ibid., Para 6.

concerning 'the community at large'. There seems to be an inconsistency between the two formulations. One formulation asserts that men's actions are to be judged by the standard of the happiness of the community. The other formulation maintains, on the other hand, that we are to judge them by the standard of the happiness of those involved; this would mean that the actions affecting the agent alone are to be judged in terms of whether or not they maximise his happiness. This inconsistency seems to spring from Bentham's concern to so formulate the principle of utility that it is applicable both to 'private ethics' where, according to him, one's own maximum happiness is the standard, and to legislation where the maximum happiness of the community is the sole standard.[1] In its either formulation, however, the principle contains two different propositions. (a) Every action is to be judged in terms of some external consideration and not, for example, in terms of its purely formal character or the motive underlying it.

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1. Ibid., ch. XVII, Para 3 ff.

(b) Pleasure and pain, and not some 'fictitious' entities like justice or perfection or self-realisation or God's will, are to be such external considerations; and, even when pleasure and pain are admitted, it is pleasure and not pain in terms of which the standard of evaluation is to be formulated; a good action is one that leads to pleasure, and not one that leads to pain. When Bentham tries to prove the principle of utility, what he has to prove is both (a) and (b). As the propositions to be proved are different, they must be proved in different ways, and the composite proof that Bentham offers will have to be broken down into two separate proofs for each of them. It may be asked if the decomposition of the principle of utility does not involve imposing a distinction on Bentham that he himself never thought of, and if any support can be found in his writings for decomposing his 'proof' in this way. Both these can be satisfactorily answered. One easy and general answer could be that (a) and (b) are logically distinct; (a) does not entail (b), and one can accept it without accepting (b). Their 'proofs' therefore should be kept separate. There is, further, an overwhelming internal evidence that would warrant such a two-fold decomposition. Bentham uses the term 'principle' as a com-

mendatory expression; to say that a given standard of judgment is not a principle at all is to dismiss it as subjective, capricious and useless. This is how, for example, he dismisses the 'principle' of sympathy and antipathy.[1] Further, in the course of proving the principle of utility he looks for all possible 'rivals' or 'alternatives' to it, and finds that they all boil down to only two,[2] the principle of sympathy and antipathy and the principle of asceticism. The former is defined as 'that principle which approves or disapproves of certain actions, not on account of their tending to augment the happiness, not yet on account of their tending to diminish the happiness of the party whose interest is in question, but merely because a man finds himself disposed to approve or disapprove of them: holding up that approbation or disapprobation as a sufficient reason for itself,

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1. Ibid., ch.11, para 12.

2. He does, of course, mention the third 'theological principle' that takes 'the will of God' as the standard of evaluation; but dismisses it as 'not in fact a distinct principle' but simply one or the other of the three principles 'presenting itself under another shape.' Ibid., Ch.II. para 18.

and disclaiming the necessity of looking out for any extrinsic ground.'[1] Leaving the detailed analysis of Bentham's examination of it till later, what we should observe here is that he does look upon the principle of sympathy and antipathy as an alternative to (a), that is, to an appeal to some external consideration; (a) appeals to some 'external' consideration, while the principle of sympathy appeals to an 'internal' one, and the two are 'clearly' opposed.[2] As for the principle of asceticism, it approves of actions 'in so far as they tend to diminish' happiness, and disapproves of them 'in so far as they tend to augment it;' it is 'like the principle of utility' in appealing to pleasure and pain, but applies it 'in an inverse manner'. It is thus opposed to (b). The logical disparateness of the two principles considered as alternatives to the principle of utility reinforces the

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1. Ibid., Ch.II. para 11.

2. Apart from whether or not the principles of sympathy agrees with the greatest happiness principle, it is enough to condemn it that it is not really a principle as it does not appeal to an 'external' consideration. It is rather a principle in name than in reality'; it is 'the negation of all principle'. Ibid., Ch.II. Para 12.

thesis that the proof of the latter is not unitary, but is instead two-in-one. As to why he should fuse the two in this way, and fail to disengage an appeal to consequences from an evaluation of the consequences in terms of pleasure and pain, the answer seems to lie in his failure to distinguish between utilitarianism, which simply means that a thing is good if it is useful, and hedonism, which means that that thing is good or useful that gives pleasure. Bentham fuses these two in his formulation of the principle of utility or the utilitarian thesis, and fails to notice that what he has to prove is not one but two separate theses.

Before we go on to analyse Bentham's proof, it is important to discuss three general questions on the answers to which the proof depends. What is a 'principle', the term he throws around a great deal? and what does it mean to say that it implies an appeal to some external considerations? Secondly, what is it that is precisely to be proved about the principle of utility? that it is a principle? that men always unconsciously act on it? or what else? Thirdly, what does it mean to 'prove' anything? and more specifically, what does it mean to prove a principle? His answers to these questions are not fully stated anywhere and have to be reconstructed for him, and in the ultimate analysis they remain very vague and unsatisfactory. A principle, for him, always

involves some 'external' consideration to which an appeal can be made; that is to say, it does not involve an appeal to a man's conscience or moral sense or personal wish or anything subjective, but instead to something objective that all can identify and examine. It is defined as 'that which points out some external consideration as a means of warranting and guiding the internal sentiments of approbation and disapprobation'. As what is external to an action are its consequences, it can more simply be defined as anything involving an appeal to consequences.[1] Thus understood, a principle has the character of a standard; it is something to which actions can conform, with which they can be compared, and of which one can be a 'partisan'. Secondly, a principle is 'a first idea which is conceived to serve as a foundation or beginning to any series of operations; in some cases, of physical operations; but of mental operations in the present case.'[2] Every chain of reasoning needs such a first beginning or a fixed point without which there is an 'anarchy of ideas'. What is more, a priciple alone gives 'consistency' to men's actions which, in its absence, are capricious and disjointed. Man must, therefore, always act on

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1. Bentham also makes some odd and inconsistent remarks such as that a principle is 'an abridgment of the corresponding rule' (111.215), and that it can be taken 'as an act of the mind, a sentiment', (Principles, Ch.I.Para 2, Footnote).

2. Ibid.

one settled principle which, being always the same, will make all his actions fully consistent. Thirdly, a principle is different from an end, though it is rooted in it; 'public good' ought to be the end of the legislator, while general utility ought to be 'the foundation'[1] or the principle of his reasonings. Fourthly, it must be universal both in the sense that it must be available for judging every action or practice and that it must be true for all men at all times.

As to what precisely is to be proved about the principle of utility, his answer is, 'the rectitude'. What has to be shown is that it is correct and is something on which all men ought to act and by which their judgments ought to be guided. As to the third question regarding the nature of proof, he implies that it differs according to what it is that is to be proved. If a simple proposition is to be proved, some empirical evidence is enough. If axioms are to be proved, 'referring to universal experience as their immediate basis, they are incapable of demonstration, and require only to be developed and illustrated in order to be recognized as incontestable.'[2] In the case of the proof of a

1. Ibid., Ch.I, para 1.

2. Ibid., Preface, para 12, Footnote 1.

a principle, his answer is much fuller and clearer. No 'direct proof' can be given of a principle since 'that which is used to prove everything else cannot itself be proved'; a proof must commence somewhere, but then the principle itself is the point of commencement! A man can 'move the earth';[1] 'But he must first find out another earth to stand upon'. If, however, it cannot be proved in the absence of such an Archimidean standpoint, it can not be disproved either. What we can do is to remove his 'prejudices' because of which 'a man may happen to be disposed not to relish it;' we can remove these by showing him certain 'steps' that he should take, and hope that 'perhaps he may come to reconcile himself to it.' It is this that Bentham himself does with respect to the principle of utility, though in a rather rhetorical manner.

Would a sceptic, he asks[2] 'judge and act without any principle', or with a principle? If the latter, the game is up; if the former then he is appealing to the 'unfounded[3] sentiments' of men. Now if sentiments are to be the

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1. Ibid., Ch.,I para 13.

2. Ibid., Ch.I., para 14.

3. 'unfounded', because a principle alone by definition can be a foundation.

standard of right and wrong, are they to be his own, or everybody's? If his own, is not his standard 'despotical', as it makes his own sentiments the standard for all men? If every one's, is it not 'anarchical', since different men have different sentiments which, again, are different at different times?; besides, 'all arguments' will then be 'at an end' since a man does not have 'anything more to say' after he has said, 'I like this'. If, seeing the force of these arguments, the sceptic now says his sentiments 'must be grounded on reflection', then 'on what particulars' is the reflection to turn? If on the utility of the act, the game is up. If on anything else, what are they? If partly utility and partly anything else, 'how far' will he adopt the former? Why? Why not 'any farther'? The sceptic is defeated into silence. As if not satisfied with this line of argument, Bentham goes on to advance a rather different kind of argument. Suppose there is to be adopted a principle other than that of utility; can a man have 'a motive.. to pursue the dictates of it?' If there is, what is it? and how is it different from that which enforces 'the dictates of utility?' If there is no such motive, 'what it is this principle can be good for?' Bentham concludes that the principle of utility is 'a right principle to be governed by and that in all cases; 'it follows ..... that whatever

principle differs from it in any case must necessarily be a wrong one.'[1] 'To prove any other principle, therefore, to be a wrong one, there needs no more than just to show it to be what it is, a principle of which the dictates are in some point or other different from those of the principle of utility; to state is to confute it.'

We shall now turn to Bentham's discussion of the alternatives to the principle of utility, and note what considerations he appeals to in knocking them down. His proof, as we have seen, is of two different propositions; all actions must be judged by an external standard, and only the principle of utility is the correct external standard; to the former is opposed the 'principle' of sympathy and antipathy, and to the latter that of asceticism. Our discussion will thus consist in showing how Bentham knocks down these two 'principles', and how by implication he justifies the two propositions constituting the principle of utility.

As to the refutation of the principle of sympathy and

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1. Ibid., Ch.II., para 1

antipathy[1], his arguments are mainly five. First, it is not a principle at all since it fails to show any 'external consideration' to which an appeal can be made; this means a breakdown of all arguments, and a rejection of all forms of reasoning in human affairs. Second, it leads to despotism 'in practice', or 'in disposition'. A man committed to it 'declaims with fury and virulence against all who differ from him': he is convinced of the rightness of his own sentiments, and of the judgments he makes on their basis; as a result, he gets fanatical and accuses all differing from him 'of corruption and insincerity.'[2] What is more, it becomes a 'pretence' for refusing to undertake a detailed

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1. It may take various forms and involve an appeal to things like moral sense, common sense, eternal and immutable Rule of Right, Fitness of Things, Law of Nature, Law of Reason, Natural Equity, Godd Order, etc.. He lumps all these together and expects the following criticisms to apply to them all alike. The arguments based on them 'it is more frequent to see applied to morals than to politics : but their influence extends itself to both'. Ibid., Ch.II,, para 14. Footnote 1.

2. Ibid., Ch.II,, para 14. Footnote 1.

'inquiry' into the rightness or otherwise of one's sentiments. Third, it is inconstant in its application as it wildly fluctuates between the extremes of severity and lenity, especially in matters of punishment: Severity because there is nothing which some one may not disapprove and thus make 'a ground of punishment'; lenity because a remote but strong mischief may evoke no antipathy. Fourth, it is not self-sufficient but parasitic as it needs another principle to regulate it, since, after all, men's feelings and sentiments do, and have to, fall back on something else to guide themselves by. Finally, it confuses 'cause' with 'ground or reason'. The former 'operates on the mind of the agent and produces the act', while the latter 'warrants' a 'legislator' or a 'by-stander' or an agent himself in approving or disapproving it. The 'reasons', more appropriately the 'causes', 'why such and such an act <u>has</u> been done' are different from 'the reason' why they <u>ought</u> to have been done'. The logic of 'why' is different in both cases. Now sympathy or antipathy may lead to good 'effects' and we may therefore approve of it as a motive, but we can never make it 'a ground of action',[1] since it may sometimes lead to bad effects as well.

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1. Ibid., Ch.II, para 19;

A few general observations on these arguments may not be considered inappropriate. Some of these arguments Bentham emphasizes in the context of 'the general department of morals', others in that of 'the particular department of politics', and the rest in that of both. The second argument is largely in a moral context and attacks the principle of sympathy and antipathy as a moral principle. The third argument, on the other hand, is advanced almost exclusively against it as a political principle by which he here means a legislative, and more specifically, a penal principle, and consists in attacking it for rejecting 'the harsh and rugged dictates of political utility.'[2] In fact, this argument, in terms of its importance as well as the amount of space devoted to it, occupies a central place, and would justify the view that Bentham is mainly concerned to attack the principle of sympathy and antipathy as a political principle. It is, further, worth observing that some of these arguments, particularly the second and the third and, to some extent, the first, are in terms of consequences, while

1. Ibid., Ch.II, para 19.

2. Ibid., Ch.II, para 13.

the fourth and, to some extent, the fifth are mainly formal in that they start from a certain view of what a principle should logically be like, that is, self-sufficient, and then go on to reject the principle of sympathy and antipathy as it does not satisfy this condition. What is interesting to note is that the former sort of arguments would mean that his criticism of the principle of sympathy and antipathy is circular, since we are asked to appeal to consequences because such an appeal results in good consequences. Besides, how do we judge these consequences themselves? True, the principle of sympathy and antipathy leads to despotism; but so what? Why is despotism bad? Again, it may lead to violent fluctuations in the amounts of punishment imposed; but why is this bad? Bentham gives no answer; but, if pressed, he would argue that consequences are to be judged by the hedonist standard: the principle of sympathy and antipathy is wrong because it leads to despotism, severity of punishment, etc., and these are bad because they result in greater pain in the community. This would mean that his hedonism is logically prior to his utilitarianism, and that his refutation of the principle of sympathy and antipathy is parasitic on his refutation of the principle of asceticism.

As to Bentham's proof of the second proposition, it will have to consist in proving that (1) only the principle formulated in terms of pleasure or pain is correct

or right, and that (2) of these two, only that moral standard or principle is correct which is formulated in terms of pleasure. Now his answer to (1) is in terms of his metaphysics. Pleasure and pain are the sole realities in the field of action; everything else is reducible to them, and, when it is not, it is simply 'fictitious'. Pleasure and pain are the only things men are motivated by; there is simply no point in advancing a principle different from these two, as the whole point of advancing a principle is that it should be practicable. It is in this context that his famous passage becomes most relevant. '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 ..... They govern us in all we do, in all we say, in all we think: every effort we can make to throw off our subjection will serve but to demonstrate and confirm it. In words a man may pretend to abjure their empire: but in reality he will remain subject to it all the while.'[1] Pleasure and pain are our 'masters', and are both the 'causes' of our actions and the 'standards' for judging them; they are 'sovereign', and

1. Ibid., Ch.I., para 1.

to introduce any other standard is by definition impossible, as, otherwise, they will not be sovereign. What we must do therefore is to recognize our 'subjection' to them and build our moral principle on their 'foundation'. It is the 'truth' about man's nature that he always and necessarily pursues pleasure and avoids pain and judges all actions in terms of their tendency to produce a 'surplus' of pleasure over pain, a 'profit'. Any moral principle based on a denial of this rests on 'falsehood'.

Bentham's refutation of the principle of asceticism rests on five main arguments, and is interspersed with some arguments in support of the principle of utility. To begin with, the principle of asceticism is incapable of 'consistent' application, the incapacity being practical and not logical. Even if a small part of mankind were to practise it, 'in a day's time, they will have turned it (the earth) into a hell' as each will be imposing pain on others, this being now the most moral thing to do. The principle of utility, on the contrary, '<u>is</u> capable of being consistently pursued', and, what is more significant, 'the more consistently it is pursued, the better it must ever be for mankind.' It may be rejoined that this is already to assume that producing more pleasure is a good thing, which is precisely what

is in dispute. Anticipating this objection Bentham makes his second argument. If misery or pain is really good, 'It would not matter much whether it were brought by each man upon himself, or by one man upon another'; we must therefore be enjoined to inflict as much pain as possible on others. But then the same people who consider pain good consider inflicting it on others 'a sin', thus implying that pain is a bad thing and pleasure a good thing. Thirdly, no government has ever so far practised the principle of asceticism as a conscious plan, not even the one composed of men explicitly committed to the practice of it. Fourthly, it is 'at bottom but the principle of utility misapplied': men wedded to it are in fact pursuing their pleasure, but mistakenly believe they can do so only by courting pain. It is thus not an independent or a separate principle but only a misconceived formulation by 'hasty speculators' of the principle of utility. Fifthly, and finally, the principle of utility is already implicit in all the specific moral judgments that we continuously make: take all such judgments, analyse them, and you will see that implied in them all is this principle, which thus is not a new invention but something 'deferred to' 'on many, perhaps on most occasions' of his life by every man 'without thinking of it'.

These arguments, it will have been noticed, are of varying logical character. In the case of the first one, there is a suggestion of justifying consistency on the hedonist ground, but it is not pressed, and consistency is recognized as a necessary formal requirement in any principle; the principle of utility is correct because, among other things, it is consistent, and not that consistency is good <u>because</u> it leads to pleasure. The second and the third arguments are left at that, and not used to point to any essential weakness or limitation in the principle of asceticism itself. As stated, they simply refer to empirical facts, and do not show that these facts are not contingent and could not have been otherwise, but are, in a very significant sense, inevitable as they spring from the very nature of man which completely rules out the possibility of any action based on the principle of asceticism. The fourth argument could be highly interesting in criticising a principle by pointing to its parasitic and second-order character, but Bentham again makes a mess of it by turning it clumsily into a psychologistic and genetic argument.[1] As to the fifth and final argument, he does not go on to examine specific moral judgments that men make and show how the principle of utility underlies them all.

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1. See, e.g., Ibid., Ch.II., para 9; also Ch.I., para 12.

Besides, his thesis that pleasure is the end of all our actions can be questioned as it can at least be argued that a man pursuing pain is not doing so as a means to his eventual pleasure. It can, further, be argued that the fact that a principle underlies all our moral judgments is not necessarily a proof of its validity. Finally, his first three arguments against the principle of asceticism are relevant only when that principle is seen in a political context; they do not show why it is invalid in a moral context, using the term 'moral' to refer to the narrow area of purely 'self-regarding' actions as Bentham himself does many times. Why should I not organize my own personal life in such a way that I get maximum pain, and why should I not judge my actions when they concern me alone in accordance with the principle of asceticism?

To conclude, we have seen how Bentham criticises the two principles of sympathy and antipathy and of asceticism. It will have been noticed that their respective criticisms are not fully integrated, and that each invokes certain arguments not to be found in the case of the other. The arguement based on consistency, for example, occupies an important place in the case of the principle of asceticism, but not in that of sympathy

and antipathy; this can also be said of several other arguments. This is not intended as a criticism, but only to suggest that the criticisms of the two principles have different logical structures. Bentham also fails to notice the differing logic of the two principles in their moral and political character, and is at times guilty of arguing for their moral invalidity on the basis of their political invalidity, or, what is worse, their political inapplicability. In both, however, it is worth noting that it is the political, or, strictly, the legislative realm that is mainly the context of the criticism. This is not surprising as his approach to nearly all the problems is from the standpoint of a legislator.

It is important to bear in mind what precisely it is that Bentham has proved. He has not proved, and did not set out to prove, that pleasure is good and pain bad or evil. It is simply a fact about man's natural constitution that he desires pleasure and avoids pain,[1] and Bentham at no point considers it a serious problem for him to show that pleasure is good. What he has proved, and what he set out to

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1. 'My notion of man is that, successfully or unsuccessfully, he aims at happiness and so will continue to aim as long as he continues to be man, in everything he does'. (<u>A comment on Commentaries</u>, p. 84.)

prove,[1] is 'the principle of utility'; that is, that the happiness of the community is the only standard by which men's actions are to be judged. To use his own metaphors, men are 'placed' under the 'sovereignty' of pleasure and pain by nature. Man's reason is to recognise this 'subjection' and form its standards accordingly since it cannot sit in judgement on these 'masters' as it has no standards outside of them. Moreover, not to recognize this subjection is hubris in as much as it implies questioning the operations of 'Nature'; politically speaking, since it is political metaphors that Bentham is using, it will be an act of 'rebellion' 'to abjure their empire'. Besides, this will be a rebellion that has just no point, since one knows right from the start not only that it is bound to fail but also that the rebellion is in principle impossible as, in the very act of rebelling, one is only obeying one's nature-appointed masters: the poor ascetic thinks he has rebelled successfully, but if only he knew that he is still continuing to obey the 'master' pleasure just as well as its

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1. He sees it as his task 'to establish the unity and the sovereignty of this principle by rigourously excluding every other'.

any other faithful subject, though unknowingly and con-usedly! To borrow J.S. Mill's expression in a similar context, it is 'metaphysically impossible' to do anything but desire pleasure and avoid pain, and, as such, it is simply pointless to ask if I should pursue pleasure. It follows therefore that we must judge every action in terms of the amounts of pleasure and pain it leads to. Since we are so constituted as to desire pleasure and 'always' to pursue it, we 'mostly' - 'on most occasions' - already judge our own and others'actions by this standard; sometimes, of course, we do not, and this is because of our 'prejudice', or through 'not understanding always how to apply it'.[1] It is precisely this hiatus between what we always actually desire and do and how we sometimes judge that constituted Bentham's problem, which he is trying to solve by urging on us to be more 'consistent' and adopt the principle of utility in all that we do.

It may be asked, as it has been, if Bentham's case for the principle of utility does not rest on the derivation of an 'ought' from an 'is', and therefore commit a fallacy.

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1. Principles, Ch.I., para 12.

An answer has to be reconstructed for him as he does not go into this question in this form. His whole ethics, as he insists repeatedly, is based on the vital distinction between an 'is' and an 'ought', and he, in fact, nearly always attacks his opponents, especially those concerned to defend the status quo, as wanting to fuse the two. His own discussion of the distinction is largely in the legislative context where it appears in the form of the distinction between the 'expository' and the 'censorial' jurisprudence.[1] He insists that any attempt to identify the two is self-contradictory as it implies 'finding everything as it should be', and thus fails to realise that 'whatever now is established, once was innovation.' 'The difference between Hume and me is this: the use he made of it (i.e. principle of utility) was to account for that which is, I to know what ought to be'[2]. Reading Hume's 'Treatise on Human Nature - 'that work from which however in proportion to the bulk of it, no great quantity of useful instruction seemed derivable', the distinction

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1. I. 229f

2. Letter to Dumont, Sept.6, 1822

between 'what has been done' and 'what ought to be done' struck him 'as one of cardinal importance'.[1] To any one failing to see it, 'the whole field of ethics.. must ever have been, - yea, and ever will be -, a labyrinth without a clue', as it was to 'Grotius and Puffendorf'. To emphasize it he coined the word 'Deontology' which 'turns altogether upon this distinction', and conveys the idea that ethics is concerned with, and only with, the 'ought'.

It may seem a strange paradox that the man who is so emphatic on distinguishing between an 'is' and an 'ought' should appear to take a position involving the closest identification of the two, and, what is most interesting, state both the positions in the same paragraph with unperturbed ease. The paradox, however, loses its sharpness when it is remembered that the distinction and the identification take place at two different levels. In any political or social or moral context, an existing institution or practice cannot be its own standard, and thus fact and value are distinct. Where then is the standard to be found? Not in the 'feeling' of a man; a thing is not good because I feel it is so, or even because I have a certain feeling <u>towards</u> it, a 'pro-

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1. VIII. 128.

attitude'; this is what Bentham would call the principle of sympathy and antipathy, and we have noted how vehemently he rejects it. Nor, again, is the standard to be found in the universal agreement of men; though very unlikely, it is still possible that men may come to agree on things that are really evil. The standard can be found only in the nature of man, which provides the ends in terms of which all standards are to be formed. It cannot be asked of pleasure why it is good simply because it is the only thing that man is naturally capable of desiring and enjoying. This will also rule out the question why we should pursue pleasure; we are constituted in a certain way, and to be rational is to accept this 'subjection' to our natural and 'sovereign masters', the subjection being inherent in the human condition. But, the questioner may persist, is there no place for heroism, a grand metaphysical revolt against the conditions of one's existence, even if only to spend oneself out in a futile combat? This is no heroism Bentham would reply, and, provided he can be induced to see heroism as something valuable, he would see it as consisting in remaining within the inevitable limits of the human nature and fully realising its 'principle'; that is, in maximising the happiness of the community to the best of one's capacity.

Those not entirely happy with this

account of moral obligation in Bentham may like to consider another possible interpretation which I personally find totally unsatisfactory. Man should, or has an obligation to, pursue pleasure. This obligation arises from the fact that the pursuit of pleasure is the principle of his nature which he has an obligation to follow either because nature is divinely created, or because nature is itself divine; the former will offer a Deistic and the latter a Spinozistic interpretation of Bentham. Now there is, of course, some evidence for such an interpretation in his writings. 'Nature' is believed to have 'placed' man under the sovereignty of pleasure and pain. There is also the assumption of natural harmony between man's pursuit of pleasure and his well-being, at least in that the pursuit of pleasure does not spell man's disaster but instead contributes to his survival. Again, most of Bentham's criticisms are directed against the 'God of wrath and vangeance' and not against God as such, and therefore the idea of God is not alien to his system. Finally, it is only on this interpretation, it is argued, that he can be saved from the charge of committing the fallacy of deriving values from facts. However, all this does not build up a very good case, and there is an overwhelming evidence on the other side. 'nature has placed mankind...', he later says,

is only a 'metaphor'. He rejects 'natural law' both on the ground that it is neither law nor natural. He does not think that God exists and has created men, and treats all speculations about His existence and nature as idle and useless. The subject of religion is 'excluded from the list of subjects taught at his Chrestomathic Day School. What is most important, he does not say that man has <u>an obligation</u> to pursue pleasure and avoid pain, since man do this anyway.

In short, a tentative and rather inadequate answer to this very important question that we have tried to offer is this. Because pleasure and pain are the sole moral and political realities, they alone can constitute the <u>ends</u> of human actions; the pursuit of anything else, such as justice or perfection will be the pursuit of 'illusory' ends or of 'fictions'. Further, they alone can provide the <u>standard</u> for evaluating human actions, since, if any other standard is suggested, it can be shown to be reducible to that formulated in terms of pleasure and pain. Finally, they alone can be the <u>motives</u> for undertaking actions, as man is constitutionally incapable of being motivated by anything else. These three reinforce each other; for example, if pleasure and pain are the sole motives, a moral standard formulated in any other terms will be simply be

'impracticable', and therefore useless and dangerous, useless because the whole point of having a standard is that man should conform to it, dangerous because it will make impossible demands on men and lead to frustration, self-condemnation and, even, to cynicism. Any moral standard must be formulated in the awareness of human nature, and thus in terms of pleasure and pain, as this is what Bentham's elaborate inquiry has convinced him human nature is. The ultimate choice thus is between formulating it in terms of pleasure, or in terms of pain. His 'proof', as we have seen, consists in confronting us with two sets of alternatives, each of them arising at two different stages of moral and political conduct. Firstly, are we to act and judge capriciously, or are we to have some definite standard? Secondly, if the answer to the first question is, as he shows it must be, that we must have some definite standard, what standard are we going to adopt? that recommending maximum happiness, or that recommending maximum pain? It may be asked why Bentham should see only two, and particularly only these two alternatives at each of the two stages. His first set of alternatives seems to spring from his view of reason and a desire to see

that men do not opt out of a rational debate about the morality of their actions.[1] His second set of alternatives seems to spring from his theory of man which considers pleasure and pain alone as the sole human realities.

Thus morality must be defined in terms of pleasure; but this does not mean that the pursuit of pleasure is, ipso facto, moral. Pleasure is a sensation we all naturally enjoy having. It is not a 'moral good'; it is what he calls a 'pathological good', or a 'sensation' we call enjoy when we have it. He would prefer to call it a 'physical' good but for the fact that 'in that case, those pleasures and pains, the seat of which is not in the body but only in the mind, might be regarded as excluded'.[2] Pleasure becomes a moral good only 'in so far as human will is considered as instrumental in the production of it.'

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1. We shall see later what sort of a debate he would consider 'rational'.

2. I. 206.

When we will an action intended to achieve it, we are being moral, and the pleasure thus resulting is a 'moral good'.[1] Not pleasure but the deliberate pursuit of pleasure is morally good. Now one may bring it about in a misguided way, that is prefer a less quantity of it when more is available, or bring it about haphazardly and capriciously and not consistently as a matter of principle. One can thus be moral, but not in a rational way. Desiring pleasure is something natural, and there is nothing rational or moral about it. To will to undertake actions intended to achieve it is to be moral.[2] To will to undertake, as a matter of principle, such actions as will achieve it to the maximum, and for the whole community or for those affected by one's actions[3] is to be rationally moral. This is precisely what

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1. 'So far as anything else is made of it, either the word is without meaning, or the thing is without value'. Ibid.. see also III.212ff., VIII.36. What is really important is the conscious exercise of 'human agency'; but as this, like anything else, cannot occur without will, will becomes important in defining morality.

2. 'Will occupies itself about the end'. IV.110.

3. See the two different formulations of the principle of utility mentioned earlier.

the principle of utility states, which thus is a principle of rational morality, and if Bentham's proof is correct, it is the principle or rational morality. An important confirmation of this interpretation of Bentham's ethical theory will be found in the fact that he defines morality of an action not in terms of pleasure as such but in those of the principle of utility[1]; a right action is one 'conformable to the principle of utility'; it is 'only' in terms of this conformity that 'ought', 'right', and 'wrong' have a meaning'.[2]

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1. Principles Ch.I., para 10.

2. Ibid. Bentham himself does not give a full statement of his ethical theory anywhere; his observations are scattered, and not always consistent. What I have done here is to construct a position for him that seems to do justice to most of his observations and that appears to be in accord with his intentions as well as the general assumptions underlying his philosophy.

III

Measurement, Science and Equality

An action, we have seen, is good if it leads to a balance of pleasure over pain; similarly, any measure aiming at achieving equality of a specific sort and in a specific context is good if it leads to a balance of pleasure over pain. Now this obviously raises a number of questions, the chief among which is whether it is ever possible to ascertain such a surplus. It would, of course, be possible, if the pleasures and the pains resulting from a given action can be respectively added and then subtracted; but how is this possible when there are various kinds of pleasures and pains not always reducible to a common set of homogeneous units, and when they have each a number of aspects, such as intensity, duration, etc., which again do not look mutually commensurable? Bentham is aware of these questions, and assures us that they can all be satisfactorily answered.

The question, he says, is one of being able to 'measure' 'the value' or 'force' 'of a lot of pleasure or pain'[1]. 'To a person considered by himself, the value of a pleasure or pain considered by itself, will be greater or lesser' according

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1. Principles. Ch. IV.

to its four 'elements' or 'dimensions', i.e. intensity, duration, certainty (or uncertainty) and propinquity (or remoteness). If we are considering its value for estimating the tendency of an act by which it is produced, two other dimensions must be taken into account: fecundity or the 'chance... of being followed by sensations of the same kind', i.e. pleasure by pleasure and pain by pain, and Purity or the 'chance... of not being followed by sensations of the opposite kind'. i.e. pleasure by pain and pain by pleasure; what is emphasized here is the 'productivity' of pleasure, the former describing its positive and the latter the negative aspect. These two, strictly, are not the dimensions of pleasure or pain itself, but of the act by which pleasure or pain has been produced. When finally the social context of an act is under consideration, 'extent' or the 'number of persons affected by it' should also be taken into account. Thus to take 'an exact account' of the general tendency of any act affecting the interests of the community, we are to proceed as follows. Begin with any one person of those 'whose interests seem most immediately to be affected by it'; see what pleasures and pains it produces in him in the first instance; distinguish every single pleasure and pain and assess its value. Then, see what pleasures and pains are likely to follow afterwards, and, in their light, assess the fecundity and the purity of the pleasures

and the pains of the first instance. Finally, sum up 'all the values' of the pleasures and the pains, and see where the 'balance' lies. This will give us the result with respect to the man we have started with. Now work this out in the case of all the individuals affected, and we will arrive at the grand sum total which will indicate a surplus of pleasure or of pain. We can, then, decide whether or not the greatest happiness principle requires us to do or to approve the action whose hedonic consequences we have thus calculated. Not that this elaborate process should be or can be done previous to 'every' moral and political judgment or decision, but that it must 'always' be kept in view, and can in principle be done.

But this is precisely the problem: can it be done even in principle? In this account, Bentham has simply talked of 'assessing the value' of each pleasure and pain; but the value of a pleasure is a function of the four or six or seven[1] dimensions, as we have just seen; can these dimensions be measured? Further, underlying the grand sum total is the assumption that pleasures and pains of different individuals can be added; how

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1. i.e. depending on whether the pleasure by itself or the act or the social context is taken into account.

is this assumption justified? His answers to these questions are sketchy and highly unsatisfactory. As to measuring the value, one of the things he has to do is to specify the units in terms of which various dimensions can be quantified and measured, and this he does, though rather tentatively. The unit of intensity is 'the faintest' possible sensation 'that can be distinguished to be pleasure' or pain; a moment of time is the unit of duration;immediate 'present' is the unit of certainty and propinquity; as to other dimensions their units are not specified. In assessing the value of a pleasure or a pain, the degrees of intensity and duration are to be counted in whole numbers as multipliers of these units,while certainty and propinquity work in the reverse direction. The reason for this is that in the case of the former two we start with the smallest units, while in the case of the latter two we start with the largest units; the most certain sensation,for example, is the one actually felt, and all others can only be less and never more certain. In finally determining the quantity of a pleasure or a pain,the intensity units are to be <u>multiplied</u> by the duration units,and the resulting figure is to be further <u>multiplied</u> by the fractions of certainty and propinquity; to this are <u>added</u> the numbers expressive of fecundity, and from the total those

expressive of purity are subtracted; the net result is finally multiplied by the extent, i.e. the number of individuals affected. This is Bentham's 'felicific calculus', also called 'moral arithmetic', 'moral thermometer'[1], etc..

Despite his apparent confidence in his ability to develop an exact calculus of pleasure and pain, he continues to have misgivings about it. What worries him most, and not surprisingly, is the question of measuring intensity; he frankly states at a number of places that it is not 'susceptible of measurement'.[2] If the implications of this are fully faced, it will wreck not only his 'felicific calculus' but also his political and moral theory, since his views on what the legislator should do and how, his theory of equality, and his shift from the principle of 'the greatest happiness of the greatest number' to that of 'the greatest happiness' are all based on the possibility of measuring intensity. He has thus to provide for its measurement, and he does this through the medium of money. Take

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1. I.304.

2. IV.542.

the pleasure, he says, of seeing your enemy suffer through conviction in a court of law.[1] To obtain it, you will have to file a suit against him in a court of law, which will cost you, say, £50. Are you prepared to spend this amount? If your answer is in the affirmative, it follows that your total pleasure, or the intensity of your pleasure, is equal to £50. Now take another pleasure, say, of charity. Are you prepared to spend £50 to obtain it? If yes, your pleasures of revenge and of charity, being each equal to the same amount of money, are 'equal' to each other. Similarly, if the same amount is offered to get a certain pleasure as also to avoid a certain pain, 'The pleasure and pain must be reputed equivalent'. This can be generalised to account for all pleasures and pains, and money thus becomes 'the only common measure that things afford'. It is the measure of 'drinking so many bottles of wine' or of 'enjoying the favours of such a woman' or of 'doing such a service to one's country or to mankind in general'; all these can properly be spoken of 'as being in money of such a value'. He offers an 'Apology for applying it (i.e. money) to such pleasures', but 'from necessity, and it is only from necessity I speak and prompt mankind to speak a mercenary language.' If money is not

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1. VII,569

accepted as an accurate instrument, 'find out some other that shall be more accurate, or bid adieu to Politics and Morals.'

Running side by side and closely connected but not identical with it is the argument that money can buy nearly all pleasures and ward off nearly all pains; it is 'a means of acquiring even power and reputation and love and nearly 'all such things'. At one place[1], he even makes this a ground for arguing that money can measure all pleasures and pains: because it can buy all pleasures, it is their 'representative', and a measure of their value. Strictly speaking, it is not necessary for him to connect the two arguments in this way, and generally he does not do so. His usual manner of relating the two is to say that of those pleasures that are produced by money, it is both the 'source' and 'exact measure'; of others not produced by it, it is the direct or indirect measure, but in either case 'an exact and proper one'; of yet others, it may be 'the assumed measure', if not 'the original one', as in the case of the pleasure of revenge cited above. It is interesting to note how Bentham understands moral and political life on the model of economic

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1. Baumgardt, D.: 'Bentham and the Ethics of Today', Appendix IV.

life, and pleasure and pain on the analogy of money. They are 'the currency' of moral and political life; like money, they too are subject to the law of diminishing utility; they too can be 'maximised' and 'accumulated'; goodwill, for example, is a 'capital' one painfully builds up, and involves 'saving' pleasures for the future.

One important implication of introducing money to measure intensity, which Bentham has failed to notice, is that the detailed process of measurement, earlier described, is simply not necessary any longer, as one can take a certain pleasure as a whole and compare it with a specific amount of money. This, of course, would not be the case if money were introduced to measure intensity alone, but in that case the whole calculus will be speaking two different and mutually non-translatable languages - that of money in the case of intensity, and that of the respective kinds of non-monetary units in the case of the other dimensions of pleasure and pain. If therefore he is to introduce money, which, for reasons we have seen, he has to, he must also take the further steps of translating all the dimensions into the monetary language; and once he does this, he can easily dispense with the elaborate calculation of the quantities of pleasures and pains, and simply take the pleasure concerned as a whole and express it in monetary terms. Even the quantitative comparisons of pleasures can be most reliably and easily

made in this way since a pleasure is greater than another if the person enjoying or seeking it is prepared to make a greater sacrifice for it.

But even the introduction of money does not really solve the problem, since money is not constant in value as its value depends on how much of it one already has. A, for example, offers £50 for the pleasure of revenge while B offers only £10 for it. This can not mean that A's pleasure is five times greater than B's, nor that he is five times as eager to have it, since £50 may be of exactly the same value to him as £10 is to B. The value of money, as Bentham himself recognized, is a function of the ratio between what is spent and what is left. However, if the quantities of money involved are small and thus more or less equal, 'the pleasures produced by two sums' are '<u>as</u> the sums producing them'; in such situations, money is most intimately related to pleasure as every single bit of it is important, and the pleasures felt by two persons can be more accurately measured, as we know, or can justifiably 'assume', that the same amount of money has the same value for both. This will mean that so long as the existing vast inequalities in the amounts of money owned persist, money can not be an accurate instrument of measurement, and the hope of the 'science of pleasure' is doomed. Bentham concedes that a fair degree of equality in the money owned is presupposed

by his science of pleasure, but goes on to assert that this equality already exists. Most men have smaller and more or less equal quantities of money, and therefore, for all purposes of 'practice', men will 'stand a better chance of being right by supposing them equal than by supposing them to be otherwise than equal.'[1] This will hardly do, and Bentham is caught up in an interesting paradox. The logic of his position would require him to insist on equalising the quantities of money in the hands of all the members of a community, thus making equality of wealth a scientific necessity or the necessary condition of the science of pleasure. His moral theory, however, would rule this out as the pain of loss is always much greater than the pleasure of gain, and the frustration of expectations which the rich will experience if wealth is equalised is the most acute pain in Bentham's scheme. This would mean that, so far as equality is concerned, science and ethics pull in a different directions and have very different implications. What is more, 'scientific ethics' would be a self-contradictory expression, not, of course, absolutely but only within the context of any existing society with settled expectations; in a soceity just coming into existence, there are no established expectations, and equality therefore will be the practice recommended by the principle of utility. The paradox, however, loses much of its sting for him, since,

1. VII.559.

despite his occasional claims to the contrary and his employment of scientific idioms like 'axioms', 'science of pleasure' and 'measurement' to describe what he is doing, he is not really interested in developing such a science. His main concern is legislation, and it is from this standpoint that he approaches and examines all problems. The main question he is asking and answering in all his works is: what ought a legislator to do? and how can we ensure that he will do this? He is not interested in the principle of utility in general, but only as it applies in the field of legislation; he himself says as much. Again, the equality he is interested in is one which a legislator can help to achieve. This is also true of his discussions of human nature, of society, of religion, of measurement, etc., all of which are undertaken with a view to providing guidance to a legislator. He is therefore content to formulate generalisations that are rather broad and ad hoc and inexact from the standpoint of a social scientist, but of sufficient merit to warrant a legislator's reliance on them; for a legislator they are all that he has and can hope to have. In the present context of the discussion of measurement, Bentham rests content by arguing that, barring the extremes of wealth and poverty, there is a broad equality of wealth in the modern communities, which enables a legislator to make rough measure-

ments that are valid for all practical purposes; moreover, he can try to reduce prevailing inequalities, and thereby enhance the possibility of a more exact measurement.

It may be asked why Bentham should be interested at all in the possibility of measurement; what are the reasons arising from his philosophical system itself that led him to seriously accept the possibility of measurement, and to believe that he had to find an important place for it in his system? A number of answers[1] have been given and could be given; we shall here undertake a very brief examination of four of them. (1) A Benthamite individual, it is argued, is a happiness-seeking animal; but he finds that the 'materials' of happiness are so 'scanty' that he must carefully calculate, and not lose a single possible drop of pleasure through negligence or oversight, and in general get the best out of each opportunity[2]. Bentham did talk, for example, of 'the economy of happiness.' This argument can also take a slightly different form. The world as it is is so constituted that one can hardly have any pleasure without having some pain; one should therefore be most careful in choosing one's pleasures. On this interpretation, the emphasis on the properties of

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1. In all there seem to be about eleven of them.

2. This interpretation is implied by Sheldon Wolin, 'Politics and Vision', George Allen and Unwin, 1961, 326f.

pleasure, such as 'purity', 'fecundity' and, to some extent, 'duration' becomes easier to explain. I find this interpretation unsatisfactory as it ignores Bentham's optimism and looks at him through the eyes of James Mill. As Bentham said, 'It does not follow that the sum of evil is greater than that of good. Not only is evil more rare, but it is accidental: it does not arise, like good, from constant and necessary causes. Up to a certain point, also, it is in our power to repulse evil from and attract good to, ourselves. There is also in human nature a feeling of confidence in happiness, which prevails over the fear of its loss.'[1] (2) Despite Bentham's pretensions, it is argued, his felicific calculus is not, strictly, a device of calculation, but simply a tool of classification; as such, it pointed out to him what elements were to be considered in a given situation, and, then, among these he compared in terms of greater and less and not in any precise way: Bentham was, in short, a classifier rather than a calculator.[2] Though true up to a point, I think this view underestimates the importance of the idea of measurement in Bentham's system. Further, classification and measurement are two distinct activities for him, and have different

1. I.306.
2. Mitchell W.C.: 'The Backward Art of Spending Money'.

purposes; the former is prior and methodically sorts things out; then, in each class so formed, measurement becomes possible. Bentham is not interested in classification for its own sake but only because it is a necessary condition of measurement. (3) The idea of measurment is intended only to provide a more accurate language of expression. Like the employment of mathematical language anywhere else, it does not achieve any substantial results or introduce any new standards of judgment, but only aims at providing a more precise and value-free instrument of expression; it can therefore easily be removed from Bentham's philosophical system if we should choose to do so. It seems to me this view is untenable. Firstly, Bentham is happy with the ordinary language and suggests that we can always use two words instead of one to more precisely express our ideas. Secondly, though true that our ordinary language is full of emotional and value-ridden words, it is possible to coin neutral words, as he himself is continually doing, in place of what he calls 'syllogistic' and 'dyslogistic' words. Thirdly, he is not worried about men being able to express themselves but rather about their being able to convince each other 'indisputably', which propositions of arithmetic 'compellingly' do. Finally, as we argued earlier, the idea of measurement is of very great importance, particularly to his moral and

political theory, and can not be abandoned without serious damage to it. (4) There is a more philosophical account suggested by H. Arendt.[1] The post-Cartesian man has lost the common world - the world of concrete objects that man earlier shared in common with other men, and has been thrown back upon himself and his 'internal world'. One of its many implications is that certain knowledge is possible 'only where the mind plays with its own forms and formulas'. Living continually in doubt man wants certainty, and, so far as the context of our discussion is concerned, he wants to be certain that he is really getting the maximum of pleasure; he can find this only in the impersonal world of mathematics which can convince him 'beyond doubt' that the action he has done is better than its alternative because the former gives him so many units of pleasure, while the latter would have given much less. Further, for men who have become solipsistic, the only possible language of communication is that of mathematics. Though in general sympathy with this interpretation, I find it inadequate for two reasons. Firstly, the argument from the loss of the common world is less

1. 'Human Condition', A Doubleday Anchor Book, 1959. p. 240ff. What follows is a very general sketch of her position, and hardly does justice to its brilliance and richness.

applicable to Bentham than to many others, as Bentham does assert the existence of the world of concrete objects, the reality of individuals around us, etc.. Secondly, he takes sensations as giving certain knowledge and carrying on their face the certificate of their veracity; if Bentham, like most rationalists, had doubted this, he would, as Arendt rightly says, have to fall on mathematics as the sole source of certainty and the only possible medium of interpersonal communication; but he does not.

It seems to me that the explanation may perhaps lie in Bentham's view of reason. He understands reason, not, like Paine, as a capacity to grasp general principles and act on them, but mainly as 'a faculty' that 'calculates'. Because of his philosophical hedonism, it becomes necessary for him to say that reason always calculates in terms of pleasure and pain, i.e. 'advantages' and 'disadvantages' or 'gains' and 'losses'; 'the name of reasons is not with any use of propriety applicable' to those 'portions of discourse that do not talk in terms of, and relate things to the greatest happiness principle'; no argument is rational unless stated in terms of this principle. Pointing out an advantage of a thing is a reason for it, and pointing out its disadvantage a reason against it, a 'counter-reason'. To give reasons

for a proposal is to point out its advantages.[1] About every thing it turns its attention to reason always asks for its advantages and disadvantages, calculates them and pursues the direction of maximum gain; it always seeks surplus or profit in whatever it does. It divides everything into two, one of which represents gain and the other loss, 'weighs' the two, and calculates the surplus. This is the very nature of reason. It is this that explains the predominant place that the ideas of 'surplus' and 'maximum'[2] occupy in his view of human affairs. Reason calculates with a view to obtaining the maximum of pleasure which is its sole end. Of every thing it touches, it asks if it serves this end, and works out an answer through calculation. Further, to philosophise about human institutions or to rationally examine them is precisely to do this; that is to say, to assess their advantages and disadvantages, to see where the balance lies, and to examine the possible alternative institutions from the standpoint of their capacity to yield the balance of maximum pleasure. It is this that Bentham himself is doing.

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1. IV.540f.

2. Particularly, the idea of 'maximum' Bentham seems to be one of the first philosophers to give it such a central place and to grasp and define rationality in terms of it.

in all his works, be they a study of penal laws or of civil institutions or of constitutional codes. The view of political philosophy that emerges from this is that it is mainly an examination of political institutions and proposals in terms of their 'political utility', as moral philosophy is a study of its own appropriate proposals and institutions in terms of their'moral utility'.

It is in this light that one is to judge the rationality of moral and political conduct. A man who forgoes a gain in favour of a loss or who consciously prefers modest to maximum gains is simply irrational; or else he must be pursuing and finding some gains, as in the case of the ascetic, that for the time being remain inscrutable to us. It is a proof of the rationality of one's conduct that one should be able to show, at the level of choosing between ends, the calculations one has made, and to establish that one was pursuing nothing but the maximum gain; at the level of choosing between alternative means, one should, further, be able to repeat this process and show that one has chosen only the means most suited to achieve one's end with maximum economy.

It is this view of reason that seems to hold the key to many aspects of his system. It may explain why he is a utilitarian; utilitarianism, on this view, is implicit in

his very understanding of reason, so that to be rational is to always think in terms of utility. It also, perhaps, explains his theory of obligation; since pleasure is the end of man, to be rational is to have the maximum of it, i.e. to pursue 'the greatest happiness'. Of course, man does not naturally do this, though this is what he must rationally do; a resolution of the tension between the two is one of the problems of morals and politics. It also seems to explain why he emphasizes measurement, and what he takes it to mean. It is the process of calculation made precise to a reasonable degree that Bentham means by measurement; when one has analysed the units in terms of which the calculation takes place and has arrived at some manner of totalling them up, one has come to what he calls 'measurement'. If measurement is nothing but a more refined calculation, and if calculation is something that reason does by its very nature, it would seem to follow that the idea of measurement is inherent in the very idea of reason. This relation between reason and measurement is also seen in some common assumptions that they both share. Firstly, since to reason is to calculate gains and losses, there must be two sides, and at least two and also only two, of the ledger, i.e. of the process of decision-making; it is this, perhaps, that explains why Bentham takes only two elements, pleasure and pain, and is concerned to treat all feelings, sentiments, etc. as

simply 'synonyms' for one or the other of the two. Secondly, these two sides of the ledger must be considered opposed to each other so that an addition to one is a gain and that to the other a loss; what is more, an addition to one must be capable of being considered a loss to the other so that we should be able to use the two expressions, the 'augmentation of one' and the 'diminution of the other' interchangeably, as Bentham himself does at a number of places.[1] But also, thirdly, the two sides must be related to each other; otherwise, how are we to compare gains and losses with each other, 'weigh' one against the other, and say that one side 'outweighs' the other? This requires a common framework of co-ordinates such as intensity, duration, etc., which are equally applicable to both sides; it also requires that we should be able to first reduce all the various sorts of pleasures to simple and homogeneous ones and then to quantify them in terms of their dimensions. It is this that may explain why Bentham should first break down all the 'complex' pleasures and pains into the 'simple' ones and then assess the value of each in terms of its dimensions.

One important consequence of the introduction of measurement would be, Bentham believes, that all rational decisions

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1. Principles, ch.I.Para.3.

will be fully communicable and explainable to others. Our reasoning will be 'precise' and 'incontestable' and all men could be got round to agree to its conclusions; there will be just no room for doubt or dispute as one cannot question the procedures and conclusions of arithmetic. Our decisions and the precedures leading to them will be 'self-evident', and will 'compel' assent from 'reason'. What he ultima ely hopes to do is to 'compel' conviction through the sheer 'force' of arithmetical truths and thus dispense with the need of persuading others.

IV

HEDONISTIC THEORY OF EQUALITY

Pleasure and pain are the sole moral and political realities. In the moral and the political realm man appears only as a being feeling pleasure and pain; he has no reality independent of them. A creature incapable of feeling pleasure and pain is morally and politically irrelevant and unreal, as he just does not exist for moral and polotical purposes where the capacity to suffer is the sole criterion of reality and existence. 'The blackness of the skin', 'the number of legs', 'the villosity of the skin', 'the termination of the os sacrum', etc. are not sufficient reasons for 'abandoning a sensitive being' to tyranny and torment. As regards these beings 'the question is not, can they reason? nor can they talk? but can they suffer? ' A creature that can suffer has 'interests' to neglect which is to 'degrade' it 'into the class of things! Man is essentially a suffering being; to be a man is to suffer; and therefore to treat him as if he cannot or does not suffer is to imply that he is not a 'person', but a 'thing'.

Since pleasure and pain are the sole moral and political realities, equality must be understood in terms of them as, otherwise, it would be simply 'fictitious'. It is therefore to be practised only among and also among all those

beings who are capable of feeling pleasure and pain. Further, those men are to be treated equally who feel equal quantities of pleasure and pain: they are equal who experience equal quantities of pleasure or pain. The content of equality, i.e. the sort of thing men are to be treated equally in is also furnished by pleasure or pain; the equality that really matters to men is the equality in pleasure and pain. It is only this kind of equality that Bentham calls and can call 'real' equality or equality 'in reality'; any other kind is simply 'formal'. A judge, for example, may be faced with two criminals who have committed the same crime, and may want to impose the same punishment on both; but what does this 'sameness' consist in? He can send both of them to prison for the same period of time, or impose the same fine on both; this would be one sort of equality. But it is quite possible that one of them has all his children grown up, while the other has all his under ten, so that the total hardship resulting from the former being sent to prison may be much less than what might result if the latter were sent. The apparent equality of punishment could mean gross inequality in the total amount of actual pain felt. Since it is pleasure and pain alone that are of real importance, it is the equality in pain that is of real importance here; and if this requires differing degrees or even different kinds of punishment, there is every justification

for it. It may, incidentally, be observed that if only those men are to be treated equally who feel equal quantities of pleasure or pain, there has first to be established the possibility of measurement; we must be able to measure happiness if equality is not to be an inoperative and impractical ideal. Thus Bentham's very understanding of equality would require him to show that such measurement is possible.

What the legislator exists to do is to secure the greatest happiness. Concrete individuals do not enter into his calculation, save as so many quantities of pleasure and pain. Equality among men simply does not arise in this context for the very simple reason that there are no creatures called 'men'; 'equality of men', if one is to use such an expression, consists in the total exclusion or bracketing of every man. Two units of happiness are equal to two units of happiness, irrespective of who is experiencing them, exactly as the weight of forty pounds in my hands is equal to the weight of forty pounds in yours, irrespective of who you and I are; 'who' - the distinct identifiable individual gives place to 'how much'. For the same reason, three units of happiness are more than, and therefore to be preferred to, two units of happiness, irrespective of who is feeling which of these two quantities. This, it would seem, is not equality or inequality of persons, but instead

equality or inequality of the quantities of pleasure. Of course, it does imply that status, wealth, etc. of the persons concerned are not to come into the picture, and it may thus imply a degree of equality of men qua men. However, they do come in indirectly as affecting the quantity of pleasure and pain a man feels. A rich man, for example, is used to a life of luxury, and will suffer an acute pain of frustration of expectations when deprived of his wealth, while a poor man, used to a life of drudgery, may not, in getting a little more money, experience such an additional quantity of pleasure as to offset the pain felt by the rich man. Besides equality here does not spring from a respect for persons, but it 'irrespective' of them. It does not rest on the principle that all individuals are equal in worth or importance or dignity or scaredness; euqlity is just an incidental, unsought for consequence of concentrating on quantity alone. This is borne out by Bentham's discussion of slavery. A 'strong argument' against slavery is that a slave produces less than a free man and that slavery thus means less of 'abundance' without which the happiness of the community 'cannot' be augmented. Moreover, slaves are to be emancipated only when this can be done 'without overturning' the 'fortunes' and the 'personal security' of the slave-owners; else, there is 'calamity', and this forms 'the greatest objection against projects of emancipation'.

If, instead of one man having many slaves, we could arrange to have 'only one slave to one master', there may, in fact, be nothing wrong with slavery, s nce 'it might be possible that, all things considered, the sum of good in this arrangement would be nearly equal to that of evil'.[1]

The legislator, we have seen, has an obligation to treat equal quantities equally. This obligation does not arise from any moral consideration but instead from the simple 'truths of arithmetic'. Two equals two, and it is absurd to ask <u>why</u> should one treat two as equal to two; similarly, if two individuals feel equal amounts of happiness, it is absurd to ask <u>why</u> they should be treated equally; and if one of them experiences more happiness than another, it is equally absurd to ask why he should be preferred to the other.

There is, as we have seen, a general obligation on the legislator to pursue and achieve the greatest happiness in society. Now it can be argued that this would require not only that he should treat equal quantities of happiness equally, but also that he should <u>create</u> a greater degree of equality among men than might happen to obtain in his society. Bentham is all in favour of this, and devotes a great deal of his time to working out its implications. His discussion of it broadly centres round two themes: (1) Axioms of pleasure and pain; and (11) Ends of legislation.

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1. 1.344ff.

'Axioms of pleasure and pain'

Bentham draws a clear distinction between a principle and an axiom. We have seen what a principle means for him; utility, ascenticism, etc. are examples of it. An axiom is a statement expressing causal connections between two entities. The axioms 'have to a certain point the character and certainty of mathematical propositions'.[1] As a hedonist, he is chiefly interested in the axioms of 'moral pathology', which he defines as those 'expressive of the connection between such occurrences as are continually taking place or are liable to take place, and the pleasures and pains which are respectively the results of them.'[2] They give us 'the knowledge of the feelings, affections and passions, and their effects upon happiness'. 'Medicine is founded upon the axioms of physical pathology; morals are the medicine of the soul: legislation is the practical branch; it ought, therefore, to be founded upon the axioms of mental pathology';[2] he uses the two terms, 'moral pathology' and 'mental pathology' interchangeably. They show how different situations and circumstances are related to the pleasures and pains of individuals. Examples of such

1. I.305.

2. III.224.

axioms are: 'it is worse to lose than not to gain', 'mankind in general appear to be more sensible of grief than pleasure from an equal cause', 'the negative evil of not having gained is not equal to the positive evil of having lost'. Since the 'true' principle on which the legislator is to act is the principle of utility, we can deduce, given these axioms, certain 'ends' which alone lead to the greatest happiness and at which the legislator ought to aim. Bentham carries out this deduction and comes out with four ends: security, subsistence, abundance and equality. We shall discuss them a little later.

Not all the axioms that Bentham discusses are directly relevant to equality as an end of legislation. Besides, the equality that he is mainly concerned with is economic in character; that is, the one involved in and requiring the redistribution of wealth[1]. As such, the 'axioms of mental pathology' that he discusses as relevant to the question of equality are those relating 'the effect of a portion of wealth upon happiness'. In addition to those listed earlier some of them are: (1) a portion of wealth is connected with a corresponding portion of happiness. (11) Greater wealth means greater happiness.

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1. The term wealth 'is used with a more extended signification and includes everything which serves for subsistence and abundance' ibid., 305.

(111) An increase in happiness is not, however, equal to an increase in wealth. (1V) 'The more nearly the actual proportion (between the two masses of wealth) approaches to equality, the greater will be the total mass of happiness'. (V) A loss of a portion of wealth will produce a loss of happiness 'according to the proportion between the portion he loses and the portion he retains'. Suppose I possess £1,000, and gamble with the stake of £500; if I lose, my fortune is diminished by one half; if I win, it is increased only by one third. Or, suppose the stake is £1,000; if I win, my fortune is increased by one half; if I lose, it is entirely destroyed and I am reduced to stark poverty. So also is the case with happiness; in the former, 'my happiness is not doubled with my fortune'; but 'if I lose, my happiness is destroyed'.[1] (V1) The greater the number of persons with equal fortunes among whom a given loss is divided, the less considerable is the loss of the total mass of happiness. In fact, the axioms regarding the distribution of happiness operate in a reverse manner when applied to the distribution of a loss, and we need not discuss them.

These and several other axioms not listed here are to decide what policy the legislator should follow with respect to equality. Further, the axioms invoked will vary and will

1. Ibid. 306.

operate with different force according to the context in which he is acting, such as when wealth 'has always been possessed', when 'it is about to be gained', and when 'it is about to be lost'. The practice of equality thus is a matter of 'calculation', and not of 'instinct' and 'sentiments'.[1] Legislators do, in fact, generally 'follow the counsels of equality', but unfortunately 'under the name of equity' which, however, is a matter of 'sentiment' and is too 'vague and ill-developed'. We should instead base our practice of equality on the scientific calculation in terms of 'rigorous propositions', and continually check it with reference to the greatest happiness principle.

On this view, any decision about which inequality to mitigate or eliminate, when and how, could be scientifically arrived at by working out the implications of those 'rigorous' axioms that are relevant in the context; in short, equality as an end of legislation would presuppose a fully fashioned science of pleasure. But such a science is made impossible by the very nature of pleasure itself as we have already noted. It is further made impossible by the way Bentham understands human nature and the differences between men. The quantity of pleasure or pain a man is liable to experience depends not only on the cause of the pleasure, but also upon several

1. Ibid., 307.

other factors, called 'circumstances influencing sensibility'. They affect both the 'quantum',i.e. the disposition to feel such or such a quantity of pleasure or pain from a given cause, and the 'bias' of a man's sensibility, i.e. the disposition to feel pleasure or pain in different things, or in different proportion from the same things. They apply differently to different causes of pleasure and pain. To a certain cause a certain circumstance may not apply at all, while it may apply with a great force to another cause. These circumstances are thirty two in all, and include health[1], strength, bodily imperfection, quantity and quality of knowledge,[2] strength of intellectual powers,[3] bent of

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1. When 'bodily indisposed', a man is less sensible to the influence of any pleasurable cause and more to that of 'any afflictive one'.

2. i.e. having 'interesting' ideas in store or ideas that influence a man's own or others' happiness. 'When these ideas are many, and of importance, a man is said to be a man of knowledge'. See how knowledge is hedonistically interpreted.

3. i.e. 'the degree of facility' with which a man can call up ideas. This capacity 'in general, seems to correspond pretty exactly to general strength or body'. Principles ch.VI,para.12.

inclinations, pecuniary circumstances,[1] habitual occupations, age, sex, connections in the way of sympathy and antipathy,[2] etc. Of these, twenty four are called primary and eight secondary, as the former operate by themselves while the latter operate only through the former. The effects of the secondary circumstances are open to observation. Of the primary circumstances, some, like bodily imperfection and insanity, when they exist, affect all and with the same force, and therefore their effects also can be easily assessed. As to some others such as strength and hardihood, we can always ascertain their existence, but can not always measure their effects on a man's sensibility. There are, however, some others such as the radical frame of mind and the bent of inclinations, in whose case neither the existance can be ascertained nor can the effects be measured, and which 'therefore cannot be taken into account' except when and to the extent their existance and influence are indicated by secondary circumstances. Besides, they are 'connate', are 'relative to a man... and... are coeval to his birth', and are what 'metaphysicians and physiologists' call 'idiosyncrasy, i.e. idios (peculiar) and synkros (composition)! they are, in

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1. i.e. Property or 'whatever he has in store independent of his labour'.

2. i.e. those the idea of whose happiness give one pleasure or pain.

short, natural and ineliminable, and even in the remote future we cannot hope to get rid of them. Thus they make any 'science of pleasure' impossible not only today but also in any foreseeable future. Even when the differences between men are not natural, they are often 'inscrutable', and this further adds to the difficulties.

Bentham recognizes these serious difficulties in the way of constructing the science of pleasure, but escapes in the same way as he had done earlier. We must, he says, lay aside those factors that create such difficulties, since, otherwise, 'it would be impossible to form a single general proposition'. Now it is true that, if we do this, our resulting general propositions 'may be found false or inexact in each particular case'; but 'they approach more nearly to truth than any others which can be substituted for them'. Besides, it is the legislator who is going to operate with them, and, as he is concerned with a large number of cases and only in a very general way, they will continue to have a very great value for him. It will be seen that once again, as in the case of measurement, Bentham is face to face with the impossibility of a science of pleasure, the situation he candidly acknowledges. It also becomes clear that he is looking at all his problems from the standpoint of a legislator, and that, as such, all he is interested in is a set of ad hoc, empirically based, common sense generalisations.

Ends of Legislation

We mentioned earlier how, given the axioms of mental pathology, four ends are deducible that a legislator should aim at in his pursuit of the greatest happiness. Because the pain of frustration of expectations is so overwhelming, security is important; because the pain of starvation is so intense, subsistence is important; abundance becomes important both because the pleasure of acquisition is great, and because the happiness of the community is maximised through prosperity and industry; finally, equality is important because both money and pleasure are subject to the law of diminishing returns. These four are hierarchically arranged in terms of their importance for the greatest happiness of the community. Security occupies the topmost place in the hierarchy both because the pain resulting from frustration of one's expectations is very acute, and because without it there is 'no abundance, nor even certain subsistence, and the only equality which can exist in such a condition is the equality of misery'. Subsistence occupies the second, abundance the third, and equality the fourth place. Abundance is less important than subsistence because 'the pain of death will always be a greater evil than the pain of disappointed expectation'; as such, 'the title of the

indigent is stronger than the title of the proprietor of superfluity'. Indigence can be removed by so securing the institution of property that the economy of the community develops and creates prosperity and employment all around. Where this is insufficient law is to take ' a regular contribution' from the rich and create a common fund which is to be used to help the poor. This levy will not disturb the security of expectations if it is 'established on a fixed footing', since each proprietor will know beforehand what he has to pay; a loss known in advance gives must less pain than when unexpected. There will, of course, be some who are indigent through their own fault, but to let them starve on that score is an act of vengence which can not be the motive of a legislator wedded to the principle of utility. To argue, further, that they should be left to starve so that a proper example may be set to others is also wrong, since such people are 'weak in logic' and hardly ever likely to draw and learn the proper lesson; even if they do, they will hardly act on it and start saving for the future as they are given over solely to the present. What we can do with such men is to 'place the motive near' them and show them the immediate prospect of a marriage or of any other pleasure, and they will 'soon' begin to save to improve their condition.

In his discussion of equality, Bentham starts by distinguishing between 'absolute' and 'practical' equality. This distinction is drawn in terms of the hierarchy of ends: if equality alone is emphasized and its proper place in the hierarchy ignored, what we have is absolute equality; when equality is attended to after 'provision as effectual as can be made for those three other particular ends of superior necessity', what we have is practical equality.[1] Absolute equality 'has place in physics; it applies ... to weight, measure, time and thence to motion'. It is possible and desirable in matters of security and subsistence, which ought to be absolutely equal to all. In the case of subsistence, we refer to those 'instruments' which are such that, with any lesser quantity, existence could not have place'[2]; this is equally true of security. But with respect to wealth or 'abundance', such an equality is completely ruled out because, if practised, it would prove to be self-defeative[3] as wealth will be frittered away and

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1. IV. 541. 2. IX. 14.

3. 'The establishment of equality is a chimera: the only thing which can be done is to diminish inequality'. Besides, 'the cry for equality is only a pretext to cover the robbery which idleness perpetrates upon industry'. Equality implies violence both for establishing it in the first instance, and for preserving it by guarding the common level above which none is to be allowed to rise. 'This so much boasted passion for equality...is a propensity which begins in vice and leads to ruin.' 'In the scale of merit, it is as much below selfishness as selfishness is below the virtue of benevolence'.

we will be left with universal poverty; besides, it will create insecurity and a general feeling of 'apprehension', leading to lack of industry and aversion to labour.[1] Equality occupies the 'last' place in the order of priorities, and the legislator is to seek to realise it 'only after all the others are provided for'.[2] Security is 'the foundation of life; ... Equality only produces a certain portion of happiness'; security and subsistence are 'like life itself' while abundance and equality are 'the ornaments of life'.[3] If we keep equality to its proper place in the hierarchy[3] of ends and concentrate on the other three, particularly security, the amount of general happiness realised will be much greater, and equality itself will benefit. In a nation which prospers by agriculture, manufacture, and commerce, there is a continual progress towards equality if only laws do not oppose it by creating monopolies, permitting entails and restraining trade; 'large properties will be seen, without effort, without revolutions, without shock, to subdivide themselves, by little and little, and a much greater number of individuals will participate in the advantage of

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1. The institution of property is needed to overcome man's natural aversion to labour.

2. III. 294; also, ibid., 293.

3. I. 303, and 311.

moderate fortunes'. This will be 'the natural result of the different habits formed by opulence and poverty'; that is to say, the rich tend to become indolent and thus poorer, while the poor begin to labour and save and thus become richer. 'Hence, we may conclude that security, by preserving its rank as the supreme principle, indirectly conducts to the establishment of equality, while this latter, if taken as the basis of the social arrangement, would destroy security in establishing itself.' However, law can intervene, though very 'gently', and 'favour' equalisation whenever so doing augments 'national wealth' and increases general happiness. His main ground for believing that equalisation augments general happiness is the axiom stating the increasing disproportion between an increase in money and that in happiness. He takes the two cases of a monarch earning £1,000,000 a year and a labourer earning £20 a year, and asks how much difference in happiness does this vast difference in money make? Fifty thousand times? Five hundred times? 'Five times the labourer's seems a very large, not to say an excessive allowance; even twice, a liberal one'.[1] It was 'on the ground of <u>these</u> considerations'[2] that equality was added to the other three ends of law, and is 'no less material',

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1. IV. 541.

2. IV. 541. my underlines.

though the latter are the 'ends of superior necessity' and should 'take the lead'. Bentham also extends the axiom asserting the relative independence of happiness of money to cover 'all other sources or causes of pleasure'; 'add ribbons after ribbons to a man', and you will add increasingly less and less to his happiness. This highlights the difficulty he finds in accommodating the idea of justice in his system. Justice may require that 'ribbons after ribbons' be piled on a man if his deeds deserve them, while the greatest happiness principle may require that some of them be conferred on others as well who, however undeserving, would certainly get a lot more happiness from getting them. The orientation of the principle of utility is basically different from that of the principle of justice.

How, then, is this 'gentle' equalisation to be achieved? Up to a certain point, equality and security are incompatible, but 'with a little patience and skill they may be brought by degrees to coincide'. The mediator between the two is 'time'. If a legislator were presiding over the inauguration of an entirely new society, the greatest happiness principle will enjoin on him the duty to place all its members on a level of equality, as all men feel more or less equal quantities of happiness and there is no reason why one should start off better than another. But, if he is operating in the context of an already established society, his situation is very

different, the most important difference being the existance of established expectations; people expect to continue to own things they have always owned and to enjoy the customery standard of life. Now any attempt to eliminate expectations and wipe society clean will create a tremendous amount of pain. Besides, why do we want to do so?. If for equality, your action is simply going to destroy it; if for security, the best thing to do is to preserve, and not change the existing institutions; if for subsistence and abundance, these again can be achieved only by retaining the existing institutions and introducing gradually whatever changes are felt necessary. In short, the whole case is for preserving the social arrangements and improving tham very gently in the direction required by the greates' happiness principle. Any improvements does, of course, mean some frustration of some expectations. What we can and ought to do in such cases is to minimise the expectations right from the beginning, which we can do by making it clear that there can never by any absolute right to property, by getting the individuals concerned prepared for it, by spreading out the frustration when it does arise and by choosing a moment when the expectations are likely to be less strong. As for timing, the best moment to disturb expectations is a man's death. Law

may then intervene 'by limiting in certain respects the powers of disposing of it (i.e. property) by will'. It may also extend the law of Escheat. Bentham elaborates this at great length.[1] What it involves is broadly this: (1) all 'vacant successions' are to be appropriated for public use; (11) only the interest on the property but not a share in the property itself is to be given to those relations in the pale who are without children and have no prospect of having one, this latter being determined by inquiring if a woman of or over forty eight and a man of or over sixty had any child within the past five years; (111) and, finally, a portion of the deceased's property is to be taken away when the relations, though in the pale, could hardly have based their plan of life on the expectation of succession.

Before ending the discussion of the four ends of legislation some general observations may not be irrelevant. These ends, it will be seen, differ in the logical character. Besides, they can not all be realised in the same way, and make different kinds of demands on the legislator. Equality differs from all the three in that it is a

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1. II. 585 ff.

'distributive' ideal and has no content of its own; we can only talk of equality or security or of subsistence or of abundance.[1] Moreover, it is not 'an immediate instrument of felicity', but operates 'only through the medium of those three, especially through abundance and security'. It is introduced only because of the diminishing utility of any use object, particularly wealth. It may be asked why Bentham does not mention as ends of legislation many other things that one would expect him to, particularly 'liberty'. The reason seems to lie in his reductionist analysis. Suppose A binds me to a tree, and a legislator steps in to command him to unbind me. What he is doing, strictly speaking, is not to restore my liberty, but rather to coerce my neighbour, i.e. to visit him with pain, and thereby to give me <u>security</u>. Property too is assimilated to security. It does not at all consist in physically possessing an object; it is nothing more than a ground of expectations, or, more precisely, just a set of secured expectations, and, as such, is an aspect or 'species' of security. Liberty and property are thus subsumed under security. Finally, it is by means of expectations that 'the successive moments which form the duration of life are not like insulated and independent parts but become parts of a continuous whole. Expectation is a chain which unites our

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1. IV. 541. also, I. 302 ff.

present and our future existance'. It is in terms of them that a man achieves a sense of identity, and therefore to secure them is to secure his identity. This may expalin why security should be so important for Bentham. Besides, it is law that creates security, and thus makes it possible for men to achieve a sense of identity. Legislative activity on this view, acquires an ontological significance, as it sets up and attends to the framework within which alone man discovers himself, acquires a sense of identity, and achieves a sense of continuity in time by imposing on fleeting sensations a required measure of durability.

V

INDIVIDUALISTIC THEORY OF EQUALITY

Bentham's earlier theory of equality, as we have seen, treats pleasure and pain alone as real and reduces the individual to a certain quantity of pleasure or pain, with the result that the concrete individual just does not appear. Bentham, however, is not entirely happy with this position and gradually slides into a position closely connected with it, but yet very different from it in its philosophical character. He now argues that quantities of pleasure and pain refer to specific individual men; they are not detached entities floating around in the air, but are felt by specific persons. As a result, a concrete man appears on the scene whose reality, Bentham says, we all know. He is a unity and is easily distinguishable from others; in short, he is a unit. Besides, he is not a conventional but a natural unit, and is not a construct of the legislator, but exists in his own right. As a unit, he is one, and so is every other man. Since one is always equal to one, one unit, i.e. one man is equal to another unit, i.e. another man. When, therefore, a legislator appears on the scene to pursue general happiness, it becomes his duty to 'count' each as

'one', and the simple reason for this is the 'truth' of arithmetic that one is always equal to one. His duty to treat all equally arises from the fact that all are equal, equal in their numerical value. Each individual is a single whole, and as such a whole has a value, not a moral but a numerical value, which is one; since each has the same value, all are equal. As this position does not rule out the view that individuals feel pleasure and pain, the latter do not cease to be the central ends of moral and political action, and equality continues to be defined in their terms; the value of each man is interpreted as the value of each man's happiness. We, then, simply take 'individual happiness' as a single unit, and do not go on to calculate how many units of happiness it embodies or represents; our calculation takes its bearing from this unit whose further breakdown we do not attempt. As Bentham says, 'The happiness and unhappiness of any one member of the community - high or low, rich or poor - what greater or lesser part is it of the universal happiness and unhappiness, than that of any other?'[1] Since society is

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1. III. 459. J.S.Mill in his 'Utilitarianism', Everyman's Library, p.58, calls 'everybody' to count for one, nobody for more than one', 'Bentham's dictum', but gives no reference. I cannot find any trace of this precise formula in Bentham's writings; it seems to be a part of the unwritten folklore of the Master and his disciples. However, he frequently, as in this quotation, comes pretty close to saying the same thing. See also IV. 540.

nothing but an aggregate of individuals and since all are equal qua units, this conclusion seems necessarily to follow. This is particularly important from the legislator's standpoint; he is 'a common guardian', and in his eyes, how 'can any one man's happiness be shown to have any stronger or less strong claim to regard than any others?' If there are two sources of pleasure both of which give the same quantity of pleasure, but one gives pleasure only to one man while the other to two, the choice between them is <u>not</u> a matter of indifference to the legislator. 'In the eyes of a common trustee entrusted with the interests of all the three and acting according to his trust, the value of the second source of pleasure will be just <u>twice</u> as great as that of the first'.[1]

Now, this position, which we may call the individualistic theory of equality, has several interesting implications. (1) It maintains that each individual has a certain unity, and that, qua a unit, he is well rounded off; if he had loose

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1. IV. 540. My underlines. See also some of his arguments for the emancipation of colonies; 'You choose your own government; why are not other people to choose theirs?' Ibid. 408.

ends transgressing into other units such that no delimitation or demarcation was possible, he would no longer be distinct and identifiable from others. This implication would tend to draw the theory towards considering man's body as a central to the establishment of equality, since body is observable, is most distinct, is clearly separate from other bodies, and is a unity; body would become a mark of identifying individuals among whom equality is to be established. Some such philosophical view would seem to underly the expressions like 'everybody', 'somebody' and 'anybody'. (II) The individuals are irreducible and separate units and therefore can be added to each other. It can also be found out which of the two aggregates is greater (in the number of units it contains) than the other. In short, this theory makes it possible and necessary to understand morals and politics in terms of the category of number. What the legislator is to do is to pursue the happiness of all alike, and, since this is not always possible, to pursue the happiness of the greatest number. While the idea of 'the greatest happiness' had loomed large in the earlier view, it is now the turn of the idea of 'the greatest number'.[1] This enshrines the principle of majority rule

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1. The greatest happiness principle is basically a critique of inequality; the greatest number principle is a plea for equality; the orientation of the two is different.

as the process of arriving at a decision is, in the ultimate analysis, one of counting men or of adding numbers of units. Politics becomes a matter of arithmetic.[1] It is some of the implications of the logic of number that frightened Bentham away from this theory as we shall presently see. It is worth noting that Bentham's defence of the majority principle, unlike that of Hobbes and Locke, is on arithmetical and not on mechanistic lines. For Hobbes and Locke, a majority represents a greater force and can alone therefore move the body-politic; for Bentham, on the other hand, each individual has the numerical value of one, and a majority represents a greater number or value and should therefore decide. (III) The individual alone is real, and institutions and communities are fictions; we have, therefore, nothing to guide our steps in politics and morals save the specific interests of the concrete individuals. About any problem that is raised, it can and ought to be asked who the specific individuals involved are, and about every institution, we should ask and be able to answer whose interest it protects and whose interest it is

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1. 'political arithmetic' as Bentham calls it. IV.540.

to protect it'.[1] If it cannot be traced to specific individuals, we are to conclude it protects 'nobody's' interest and that it is 'nobody's' interest to protect it. Similarly, all obligations are obligations to specific individuals. We can and must ask, 'You say I have an obligation to preserve this institution; but first tell me, to whom do I have this obligation?' One implication of this is that the idea of posterity does not enter into the understanding of politics as it does not consist of specifiable individuals and cannot permit such a breakdown in terms of identifiable individuals. An argument such as that one has an obligation to transmit intact, and, when possible, enriched, the existing institutions to the succeeding generations becomes simply incomprehensible, as it actually does with Bentham. So too an argument based on an obligation to ancestors, as again it does with Bentham.[2]

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1. In the hedonistic theory of equality, the questions asked will be different; in dealing with any question, one would ask what quantities of pleasure and pain are involved; and regarding every institution, one would ask how much, i.e. how many units of happiness it achieves.

2. I.321.

(IV) Since the happiness of each individual is equally important, it would follow that the legislator should see that each is assured a nearly equal quantity of happiness; he should ensure not only security and subsistence to all but also other 'instruments of felicity'. Now, Bentham does not work out the implications of this argument, but what he says concerning women would throw some light. A woman is entitled to 'as large a portion of the universal happiness and interest as does that of a person of the male sex. No reason can be assigned why a person of the one sex should as such have less happiness than a person of the other sex.'[1] She should 'therefore' have no less a portion of 'the external means of happiness'. 'If, in this respect, there were a difference, the principle of equality would require that it should be rather in favour of the female than of the male sex: in as much as there are so many causes of suffering which do not attach upon the male, and do attach upon the female sex.' Man, for example, has a greater physical power which could be a means of injury; to secure her against it, 'if' there is to be a difference in political power, it should be in her favour. Now there is no

1. IX. 108.

reason why this argument should not be extended to cover other members of the community as well; and then it would mean that a legislator is to ensure the provision of more or less equal means of happiness to them all. If he finds some are handicapped through lack of education or wealth or political apathy, he should give them additional political power so that the equal importance of their happiness continues to be acknowledged and acted upon. This would imply a greater degree of interference on his part with the established expectations, and a greater concern with the happiness of the larger number than with the greatest quantity of happiness in general. This will involve redefining the hierarchy of the ends of legislation, though the ends will remain the same. Men will continue to want security and subsistence; there will only be misery if the community is not prosperous, and thus abundance too will have to be strived for. But their relative importance vis-a-vis equality would certainly change. If the expectations of the rich, for example, have to be disturbed in order to distribute the instruments of felicity more widely, this should be done even when the pain caused to the rich is great. Of course, if they are so disturbed as to lose all incentive, they will not produce abundance, and this will affect equality of happiness itself. This, however, is to be decided by

the principle of equality itself. It is security and abundance that will now be judged by the principle of equality to which they will have to be accommodated, and not the other way round as in the case of the greatest happiness principle. This is confirmed by the way in which Bentham criticises Locke in his unpublished article on 'utilitarianism'. Locke considers property all important, and only the 'possessors of property' are to be the objects of government's care; they alone are to be represented 'in and by' the legislature, and the poor are to be treated as 'slaves'. Locke had 'not got beyond aristocracy, the opulent, the ruling, the influential few', and 'the people, the purely subject many, had not as yet fallen within the sphere of his observation.'

What I have been suggesting is that there are two distinct theories of equality in Bentham, which I have called hedonistic and individualistic. In the first theory, those men are to be treated equally who feel equal quantities of happiness; if one man feels more, he is to be preferred. In the second theory, each individual represents a unity; his pleasures are his and nobody else's; he is to be taken as a whole, and his happiness is to be treated, no matter what its quantity, as equal to another's. What I, further, suggest

is that the two theories can be related to two different ontologies that we noted earlier. The first theory springs from the sensationalist ontology for which sensations alone are ultimately real; the individual is a construct out of them and, as such, is real in a 'lower degree', or is simply unreal if no need of such a construct is felt. The second theory springs from the realist ontology where the individual, the natural concrete individual, is real and exists in his own right; his reality is not a derived one, nor is our knowledge of him an inference. Now it may be argued that the two theories of equality can be explained differently; in one, Bentham is taking sensations as units of calculation and is adding them up; in the other, he takes them as constituting unities and is adding up these unities; sensations remain ultimate realities in both, and thus no other theory of reality is involved. My arguments against this are mainly three. (1) It takes no account of Bentham's view that the tangible natural objects, which include men, are real; we see them, touch them, and know that they are there. (11) It ignores his own observation that the greatest happiness principle rests on 'a fiction' that the quantities of happiness felt by different individuals can be added; 'It is vain to talk of adding quantities which after the addition will continue distinct as they were before; one man's

happiness will never be another man's happiness'. Such an addition breaks down against the natural barrier created by the physical separateness of natural individuals. It is not surprising that the example he gives should be that of adding apples and pears, the natural and physically separate entities.[1] (111) The idea of body occupies a tremendously important place in his philosophical system. It provides the principle of individuality by first demarcating one individual from another, and then explaining nearly all differences between them in terms of bodily constitution.[2] Further, there is a persistent tendency in him to reduce all pleasures ultimately to the pleasures of the body; the pleasures of the mind are only the pleasures of the body remembered; the pleasures of justice or of doing one's duty are likewise explained. Though this is his general position on the question of the relation between mind and body, it is not his only position; he also sympathised with a slightly different position.[3]

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1. Mss., University College, No. 14.

2. Principles, ch. VII, Para. 12.

3. See, for example, Ibid., Para. 31, Footnote 2.

Now, Bentham operates with both the hedonistic and the individualistic theories of equality, and hence his formulation of the principle of utility as 'the greatest happiness of the greatest number'. It is not a self-consistent formula either in terms of its practical implications or in those of its philosophical assumptions. As to the former, a policy may achieve the greatest happiness which may not be the happiness of the greatest number. Let us take the example that Bentham himself gives. Imagine 4001 men in a state of perfect equality. If you were now to reduce 2000 to slavery and distribute their property among the remaining 2001, you may have secured the happiness of the greatest number but not the greatest happiness, since the amount of pain caused to the former will far outweigh the amount of pleasure issuing to the latter.[1] He also discusses[2] the hypothetical case of distributing the few Catholics in England as slaves among the much larger

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1. Quoted by E. Halevey; 'The Growth of Philosophic Radicalism', London, 1934, p. 501.

2. MS. article on 'utilitarianism', loc.cit..

community of the Protestants. The tension between the two halves of the formula reveals itself here as well, and much more starkly. It is because of this tension, which he was aware of[1], that he had to abandon the formula in favour of one embodying only one of the two principles, and for a variety of reasons he decided to opt for the greatest happiness principle. However, he did continue to employ this composite formula in nearly all his works published even after this explicitly acknowledged shift. This need not surprise us, nor must he be criticised for it, since he does achieve a certain degree of practical harmony between the two halves of the formula by making certain assumptions. If it can be argued, as Bentham himself does[2], that all individuals generally <u>experience</u> more or less equal quantities of happiness, it follows that the greatest happiness in the community <u>is</u> the

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1. For 'reason altogether incontestable', he discarded 'this appendage'; he felt that the two parts, the 'greatest happiness' and the 'greatest number', represent 'at bottom the opposite qualities'.

2. See his example, cited earlier, regarding the monarch feeling hardly even twice the happiness of the man at the other end of the economic spectrum.

happiness of its greatest number, though, of course, not exactly, since a few experiencing, say, one and a quarter times more happiness than others, could upset this 'equivalence'; however, the equivalence is more true, the greater the number on either side, say, 4000 men to 2000 instead of 2001 to 2000. Besides, as Bentham views equality from the standpoint of a legislator, what he wants is some broad equivalence between the two halves of the formula, and this he can certainly have on this assumption. Or he could, as he actually does at places, go about achieving this harmony in a different way. Though each individual does not at present experience an equal quantity of happiness because of the vast economic inequalities, etc., each has an equal capacity for happiness. Man has a limited capacity for happiness, and all men have it in a more less equal degree. Government could reduce the economic inequalities, and thus eventually, in time, the two halves of the formula, in discord at present, can be harmonised. The equal capacity for happiness is not an assumption of the legislator which he makes for his convenience, but a natural fact about the constitution of men. If men, in fact, have vastly unequal capacities for happiness, this assumption will mean great unhappiness to those with greater capacity for happiness, and thus will lack any justification.

At a philosophical level, however, the conflict between the two theories remains insoluble. They represent two different ontologies as well as two different epistemologies. The greatest happiness principle is born in a framework where pleasure and pain alone are real; individual man is irrelevant save as a locus of pleasure and pain and as representing so many quantities of pleasure or pain; he is these quantities. The sensations of pleasure and pain alone are real, and to have them is to know them. The result is the predominance of impersonalism in every aspect of Bentham's system. As to the greatest number principle, it makes its appearance in a framework of ideas where individual man is taken as a unit: separate from others, irreducible, and existing in his own right. We think here in terms of pleasure and pain because it is he who feels them, while in the case of the greatest happiness principle, our primary concern is with pleasure and pain, and he is only an incidental construct out of them. From the standpoint of equality, the philosophical difference is great. In the case of the greatest number principle, equality among men is equality qua separate irreducible units; the ground of equality is their being equal qua men; and the principle of happiness comes in only to provide content, i.e. to

specify what it is that men are to be treated equally in, and not to answer who are to be treated equally. Besides, equality here is a positive concept in that it does not consist in the equal elimination of all individuals as under the greatest happiness principle, but instead in taking cognizance of the individual and giving him an importance, a positive value, which is equal in the case of all men. As a result, equality enters as an important element in the highest moral and political ideal and, in fact, goes to shape it, and does not remain an incidental consequence of pursuing an ideal which it obviously has no hand in shaping, as is the case with the greatest happiness principle. The happiness of the greatest number is to be pursued precisely because the happiness of each is equally important; thus the greatest number principle is derived from equality, while in the case of the greatest happiness principle, it is equality that is derived from it. This points to an interesting difference. In the case of the greatest happiness principle, the ground for equalisation is that it maximises happiness; it is thus given a utilitarian justification. In the case of the greatest number principle, the happiness of each is equally important because each individual is equal and has the same value as any other person in the eyes of

the legislator. This does not seem to be a utilitarian justification of equality. It seems to me the latter principle cannot offer such a justification, since a utilitarian justification requires a prior independent principle in terms of which anything, equality in this case, can be justified; this is available in the case of the greatest happiness principle, but not in that of the greatest number principle which is itself derived from, and is thus not independent of, equality.

These differences, however, should not blind us to certain general similarities between the two theories: and the existence of these similarities need not surprise us as both of them are arithmetically and hedonistically orientated. (1) The nature of man is to pursue pleasure and avoid pain, and thus pleasure and pain continue to provide the ends of moral and political action, though, of course, they have very different roles to play in each of them. (11) In both, it is equality more than the other three ends of legislation, that is, security, subsistence and abundance, that provides the principle of movement. Security, etc., will require the legislator to practise 'quietism'; it is the concern for equality, however understood, that calls for action on his part. (111) In neither is there any talk, as in Kant,

of the intrinsic worth or dignity of the individual. (IV) The considerations of arithmetic continue to dominate both; in one, the quantities of pleasure and pain are added; in the other, the individuals as units are added. The result is the preoccupation with 'the greatest' in both, though it has a different logic in each case. (V) The concept of 'rights does not emerge in either; even in the individualistic theory men do not have a right to equality or happiness. Instead, it is the concept of duty that is primary. In the course of pursuing the general happiness the legislator will, of course, create a framework of rights, as these give security which is the most im-

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1. The difference between the 'rational censor' of the laws and 'the anarchist' is that the former will say that men ought to be equal and not that they have a right to equality. See Halévy, loc.cit.,175; also, X. 214-15; 1.154.

2. Duty, of course, is a 'fictitious entity', since pleasure and pain alone are 'real entities'; but right is a kind of secondary fictitious entity'. Limits of Jurisprududence Defined', edited by Charles Everett, p. 30 ff. See also 315 ff.

3. I use this term to cover both 'the greatest happiness' and 'the happiness of the greatest number' and thereby avoid having to mention both each time.

portant 'instrument' of felicity. The legislator has a duty to pursue the greatest happiness or the happiness of the greatest number, but this does not give the individual citizen a right to demand that his happiness must be pursued. Now this primacy of duty is not surprising in the context of Bentham's general system, and he could have arrived at it in a number of ways. A right must be based on reasons, not 'sentiments';[1] all reasons are in terms of the principle of utility; therefore, all rights must be based on this principle. Now what this principle mainly does is to emphasize an individual's duties; duty thus must be prior to right which can only be comprehended in terms of duty. Bentham also achieves this result in a different way. He understands rights as consisting in so many services from other people; to render these services is the duty imposed on them by law; and it is because they have this duty that I can be said to have a right to these services. The primacy of duty is also integral to his understanding of law. Law is a command and what a command does is primarily to ask a man to do something;

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1. See, for example, Dumont's Letters, Letter XII, quoted by Halevy, Loc.cit., p. 179.

that is to say, the idea of command leads, in the first instance, to the idea of duty which, then, leads to the idea of right. Besides, rights are the creatures of the legislator, and one can not have rights against the legislator, who can thus have duties to his subjects that do not derive from the latter's rights. Bentham concludes that he approves of right in 'its adjective shape', as used in the expressions like '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', but disapproves of it in its substantive sense', as used in the expressions like 'I have a right to put myself upon a par with everybody in every respect'; in its former sense, right 'breathes morality and peace', but in the latter sense, it 'breathes anarchy and violence'. (VI) Equality, in both theories, is looked at from the legislative standpoint. Besides, it is discussed mainly in the economic context. The two are closely connected. The legislator's duty is to maximise the happiness of the community. Now happiness, as we have noted, is largely the result of money which can <u>buy</u> 'most' pleasures. As such, it is his duty to achieve a measure of economic equality. As Bentham is concerned with happiness, which is largely a function of money, it is not surprising that economic equality

should engage his attention so much; at several places, he, in fact, defines equality as essentially an economic category.[1] Bentham's preoccupation with economic equalisation could also arise from two other sources. Money is 'the measure of the quantities of most pleasures, and its suitability as such a measure is increased, the nearer the quantities of money in people's hands are to equality; his concern for measurement would also thus incline him to be preoccupied with the question of economic equality. Secondly, economic equality would give him one of the criteria for evaluating a society, though with certain qualifications. The greater the equality achieved peacefully in a society, the greater must be the amount of happiness in it, and the 'better' to this extent that society is. Equality is to be 'greater' but not 'absolute', because, then, there is only 'misery', and such a society must be considered 'worse'. Thus a society with an 'absolute' equality of wealth or with its sails turned towards it ranks very low; that with 'vast' inequality is a little better, though it is still bad; one with the highest 'practicable' degree of equality is the best. (VII)

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1. 1. 302.

In both, utilitarianism does not always find arithmetic a very congenial companion. The latter implies that, if two quantities of happiness are equal, say, ten units each, they are to be treated equally, and this for the simple reason that ten is equal to ten. Now this does not always go well with a utilitarian argument which requires an appeal to be made to consequences. Arithmetical truths by themselves can have no obliging power for a utilitarian. Why should two equal quantities be treated equally unless it can be shown that this leads to the greatest happiness? On the other hand, if treating two equal quantities equally results in a greater pain, one could have no obligation to treat them equally. Take an example of a community where the Jews are generally hated. To treat a Jew feeling an exactly equal quantity of happiness with a non-Jew on equal terms with the latter will result in greater general unhappiness as the non-Jews will be pained at seeing the Jews treated as their equals; and, since it is the general happiness and unhappiness that is the concern of a utilitarian, he will have to disregard the 'Truths of arithmetic'. This remains equally the case whether utilitarianism is understood as meaning 'the greatest happiness' or 'the happiness of the greatest number'. The former will rule out treating two persons who feel equal quantities of happiness equally, if this is likely to

increase the general unhappiness in the community. The latter, too, will come to the same conclusion, if such an equality of treatment is likely to make many men unhappy and thus lead to the unhappiness of the greater number. In both cases, one is looking for the consequences, and this is not in accord with the purely formal character of the obligation implied by the argument resting on the 'Truths of arithmetic'. This, of course, makes a utilitarian defence of equality very inadequate and shaky, but this is a different point. What is important in this context is to note that the arguments based on arithmetical truths seem to have different practical implications, and seem certainly to have a different logical structure, to those based on utility.

VI

IDENTIFICATION OF INTERESTS

Each individual pursues his own interest, but he ought to pursue the interest of the community; how can the two be harmonised? This question that has come to be called 'the problem of the identification of interests' has two aspects: how can an individual naturally pursuing his own interest be got to pursue the general interest? and, secondly, how can a government that always consists of self-interested individuals be got to pursue the wider interest of the community? Let us start with the first question. The individual interest and the general interest, Bentham starts by arguing, are not totally opposed to each other. To say that each pursues his own interest is not to say that he has no concern for others. We observed earlier how egoism as a philosophical theory is different from what is commonly called selfishness. An individual can and does feel sympathy, benevolence, etc. for others, and may even sacrifice himself for them, though he can and does do this only because he finds his pleasure in it. At the other end, the general interest is not something totally different from the individual interest, but is only an aggregate of such interests; if the individual interest is harmed, to that precise extent the general interest too is harmed. Further,

the general interest itself requires that each should pursue his interest as, otherwise, he will stop carrying for himself, will destroy himself, and will eventually spell 'the extinction of the species'. Conversely, the fact that the species is not yet extinct is an empirical proof that the pursuit of self-interest is in the general interest. The problem of identifying the individual and the general interest thus becomes more manageable as the two sides that have to be harmonised are already permeated to a large degree by the principles of each other.

The identification, Bentham argues, is not achieved as a necessary consequence of the natural process: there is no natural harmony of interests. It has to be consciously sought for, and government is the only agency capable of seeking and achieving it as it alone is in charge of the interest of the community as a whole. Halévy takes a different view and sees a serious conflict between Bentham's juristic and economic theories. He maintains that in the former Bentham makes it the primary function of government to create an artificial harmony between the individual and the public interest, while in the latter he reaches laissez-faire conclusions on the basis of an assumed harmony of interests.[1] It seems

1. Loc. cit., 17; also, Ibid., 488 ff.

to me Halévy is wrong and that his case rests on a mistaken interpretation of Bentham. Bentham wants government to set up a general framework within which economic activity is to take place. Its main concern is with the happiness of the community; and its relations with the economic life are to be determined solely by this consideration. If it feels that the general happiness is being minimised by the practices of the economic life, it is to step in; for example, it is to give aid to the workers injured by an introduction of labour-saving machines; it is to support an unprofitable industry to prevent the ruin of the workmen employed there; it is to see that full employment is maintained, and where it is not, government is to provide establishments for the maintenance and employment of the able-bodied poor; it is to provide security against food shortages, etc..[1] This is not to argue that Benthan wants government to continually interfere with the economic life, but only that Bentham's approach is pragmatic not dogmatic, and that where he does advocate non-interference, his case for it rests not so much on the assumed natural harmony of interests as on his more general views that each individual alone knows his interests, and that all acts of coercion result in pain and pain is evil. Philosophically speaking, Halévy's case rests

1. III. 38 ff; also, ibid., 72f.

on the belief that Bentham wants to neatly separate nature and reason, leaving nature to regulate economic life and reason to regulate legal life, so that the greatest happiness is achieved in the former by leaving things alone, while in the latter it requires the intervention of government; in short, as economic life and legal life are different in their nature the principle of utility is believed to take different forms in both. It seems to me this dichotomy between economics and law is unjustified, since Bentham does not neatly demarcate the areas between nature and reason in this way. Human affairs are to be governed by the principles which reason, not nature, formulates, though, of course, in the light of the ends suggested by nature. The principle of the greatest happiness which alone is the highest norm in human life is something deduced by reason, and is not what men naturally act on. Further, in the course of realising these principles in social life nature often helps; for example, the natural sympathy of parents for their children ensures that the latter will not be miserable. In such cases, reason is to leave nature alone. But also quite often nature 'falters' and acts irrationally; for example, the natural sense of revenge a victim or his relations feel towards an offender, or an excessive fondness and indulgence parents may feel for their children, may both result in enormous pain to the parties involved. In such cases reason is to step in and correct nature. Thus of every area

of human life reason is the judge, and is never to leave nature completely alone except where it has found it to be reliable. In political terms, this means that government alone is the supreme judge and custodian of the happiness of the community, and is 'to practise non-interference; whenever, but also only when, this is likely to maximise the happiness of the community.

As to how government is to identify the interest of the individual with the interest of the community, it seems to me three different answers are discernible in Bentham's writings. The first answer is broadly on the associationist lines. Rational behaviour is only a matter of the correct association of ideas. Government is to so educate children that they do not find pleasure in anything save what is in the general interest. As to the grown-up men, the solution lies in creating new associations. For those sceptical if old associations can be so thoroughly replaced and new ones formed with such ease, Bentham has the answer based on his belief in the infinite malleability of human mind: 'As respects pleasures, the mind of man possesses happy flexibility. One source of amusement being cut off, it endeavours to open up another and always succeeds: a new habit is easily formed.' 'Metaphysics', i.e. psychology is 'a science which, now for the first time, may be put to the test of experiment, like any other'.[1] Being an esperimental

1.IV.64;also I.436.

science, the 'inspection-house principle' can be applied to the training of children; then 'the genealogy of each observable idea might be traced through all its degrees with the utmost nicety, the parent stocks being all known and numbered.'[1] It is thus possible to control completely the environment of a child and, through this, the ideas entering into his mind and their relationships. The legislator is to exploit this educational possibility to identify the interest of the individual with that of the community.

The second answer, like the third, is on the rationalist lines. Man is a rational animal who calculates and pursues the line of maximum pleasure. The legislator is to set up a legal framework where things are so arranged that an individual, given his rationality and pleasure-pursuing nature, will engage only in those actions that are also in the general interest. What the legislator is called upon to do is this: (a) to decide what sorts of actions are socially useful and what harmful; (b) to see if the individuals left to themselves are likely to perform the former and abstain from the latter; (c) if not, to find out what temptations prevent them from doing the former and refraining from the latter; (d) and, finally, to attach such

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1. IV. 65.

consequences[1] to these actions as, by their nature and magnitude, will countervail these temptations and lead men to do and refrain from doing precisely those actions that the legislator has in mind. Like God, the legislator is invisible and is never openly instructing anyone, and yet he is omnipotent and is always making his will effective. As in the case of the associationist answer, here, too, he is educating his subjects, though without instructing them on the sorts of actions they are to do and the objects they are to find their proper pleasures and pains in. He is a supreme political tutor of invisible omnipresence. Now the success of this whole scheme depends, firstly, on individuals continuing to desire maximum pleasure and not succumbing to the seductions of wrong principles like asceticism, and, secondly, on their calculating things more or less exactly and scientifically. The legislator therefore has the

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1. They must generally be in terms of pain rather than of pleasure, and must take the form of punishment and not of reward. The reasons for this are many. The sensation of pain is more acute and effective than the corresponding one of pleasure. Secondly, there is more uniformity among men in the causes of their pain than in those of their pleasure: a thing may please one but may not please another. Finally, the only certain instrument of pleasure is money, which, however, is subject to the law of diminishing utility, and can be given to one man only by first taking it from another and thus causing pain to the latter.

obligation to ensure that all individuals are and remain rational and have their minds free of all prejudices. He can secure this by ensuring the general spread of education and enlightement and by creating a political framework where a man's exercise of his rationality does not prove frustrating as a result of his getting into continual conflicts with others; an individual must find it pleasant to be rational. Now this would mean that the ligislator himself must be perfectly rational as, otherwise, he will not know if his subjects are calculating properly. Further, he must have a full knowledge[1] of human nature or of what men are like and what motives act on them, of the general tendencies of moral and political actions, of moral 'truths' or correct moral principles, of the circumstances that affect the sensibility of the members of his community, etc.; he must thus possess the knowledge both of the general principles of man's nature and of the local conditions of his community.

Now ordinary mortals normally in charge of public affairs would hardly measure up to this demand. This, however, need not be a cause for despair, as a philosopher of Bentham's

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1. Truth concerns 'the constitution of things', and the knowledge of it is important for 'the success of every enterprise'; it is the only true foundation for any activity, and all others are 'false foundations'. X.146.

calibre[1] is available who possesses all the relevant knowledge, especially of the general kind, and who will embody it in a code which the legislator needs only to copy. Of course, the code will have to be altered and modified in some respects so as to suit national diversities in matters relating to 'the local situation, the climate, the bodily constitution, the manners, the local customs (and) the religion.'[2] But here, again, the law-giver himself, if he can 'wait the time', 'seek out' the relevant data about a specific community, and give a code that is ready for application and does not need to be modified: 'possessed of these data, all

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1. Bentham thinks he has 'pointed' out 'the truth' about man and society in his works (X.146). 'I felt the sensation of Archimedes when I committed the first rough and imperfect outline (of chrestomathia) to one side of a half-sheet of paper'. Ibid.,80. Chrestomathia is a complete 'chart of the field of thought and action'. Even a tentative and sketcy attempt as it gave him a 'sensation' of having found 'another earth' from where 'to move' the existing society. See also Principles. ch.I.para.13.

2. I.180.

places are alike'[1], since the data are relevant only at the level of applying the universal principles of human nature which themselves are true for all times and places and have 'universality and eternity'[2]. Once a code for any particular community is drafted in the light of its peculiariaties, it remains true and valid for all times so far as that community is concerned. This view finds a philosophical reflection in the interesting relationship that Bentham establishes between time and space. Time 'is nothing of itself'.[3] Whatever influences can be attributed to it are resoluble into those exercised by 'causes of a superior order', that is, by place, and whatever modifications 'are made requisite by time will be such and such only as are made requisite by place'.[4] 'To be capable of being spoken of, time itself must be, cannot but be, spoken of as a modification of space. Witness the prepositions in and at: ... in an hour - at 12 o'clock ... Witness again the common expressions - a short time, a long time, and space of time'. Space, of course, is a fictitious entity as it has no existence 'without some body placed in it, or considered as being capable of being placed on it'; but time is 'a still more fictitious

1. I. 181.

2. Ibid. 193.

3. Ibid. 189.

4. I. 189.

entity'.[1] Once therefore we identify space or the local diversities and draft laws accordingly, they are true for all 'time', since time itself is impotent and produces no effects whatever; space does, but then it has already been taken account of.

This is the kind of political knowledge required for setting up a political society and for rationally conducting its affairs. It will also help the legislator if he had all kinds of relevant statistics, which Bentham calls 'Noscenda', such as those about marriages, deaths, the number of houses, the number of offences committed, etc.. It would be desirable to have an institution of 'mercenary informers' to practise 'espionage', though he would like to call it 'inspection' since 'To the word espionage, a stigma is attached;'[2] it is to be concerned principally with the reporting of offenders and their offences. Rewards are 'the springs of action', and are to be freely employed when required by the principle of utility; there is nothing wrong, save on the misguided principle of sympathy and antipathy, in giving rewards to a man if government thinks he is likely to possess and pass on some useful information.[3] Further, in order to detect crimes easily every individual is to have a proper name which should belong to him alone and which should include

1. VIII. 200.

2. II. 222.

3. Ibid., 201.

his family name, a single forename and the place and date of birth; 'this compound denomination should be repeated in all legal affairs as this will improve methods of identification'. What is more, the family and the christian names are to be painted on the wrists of every man; this 'would be a new spring for morality, a new source of power for the laws, an almost infallible precaution against a multitude of offences ... Who are you? The answer to this important question would no longer be liable to evasion'[1]. Before ending, I cannot resist the temptation of quoting one really juicy bit of his fancy. Will not public opinion resent and resist all this? And what of liberty? Bentham is not unaware of these questions and has his answers ready. As to liberty, it must give place to the general happiness which does, after all, consist in catching offenders and preventing offences. Besides, liberty will, in fact, be increased, since we no longer need to imprison men as they are already held 'as it were by an invisible chain'[2], that is, by their visible nominal identity painted on their wrists. As to the public opinion, it can be changed 'by patiently guiding it with skill', and this is what 'political art' consists in. We can, for example, make such a painting of names a mark of

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1. I. 557.

2. Ibid.

beauty as in the case of the women of 'the islands of the South Sea', and one means of doing this is to begin 'with great examples', such as the nobility, and imprint their titles 'upon their foreheads'.

We shall now consider the third answer that Bentham gives to the question of the identification of interests. An individual's obligation is to pursue the general happiness; to do this is to be rational. What the legislator ought to do is to show him the rationality of the various actions that he wants him to do, to argue with him and convince him, and hope that he will come to do them of his own free will.[1] There is no attempt here to condition him or to so arrange his field of action that he chooses but only in name; there is instead a genuine attempt at persuading and convincing him and thereby achieving a rational harmony of interests. There is a dialogue between the citizen and the legislator where the latter gives his reasons for doing a thing and the former argues back and 'censures freely'[2] ; in fact, such a free criticism is made 'the duty' of the citizen. There is no monopoly or concentration of political rationality in the legislator as is the case in the first two answers. Governemnt does not 'possess in concentration all the national intelligence', and does not 'possess among themselves alone

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1. IV.539.; also ibid, 537.

2. I. 230.

all the general and local knowledge which the functions of governing require'.[1] To ensure that citizens act in a politically mature and rational manner, a plea for a programme of political education is made, and a number of concrete suggestions are made in that direction. No law, for example, is to be promulgated without the 'reasons' for it being given, these reasons consisting in the explanation of why the law is made, its advantages, etc.. Giving such reasons 'enlightens' people and makes them capable of forming their own judgments.[2] Further, government is to act as a vast information bureau and furnish its citizens with all kinds of information about itself and the society, so that they can plan and act knowledgeably: 'Best way of instruction is simply to publish facts'.[3] Through 'public instruction' government can also remove many impostures, frauds, and superstitions; it can also achieve this end by sending 'missionaries' into 'towns and country villages'. The proceedings of the legislature are to be given great publicity so that 'A habit of reasoning and discussion will penetrate all classes of society', and political discussions can begin to take place 'in clubs and inferior assemblies'. A codified body of law is justified on the ground that it will serve as 'a code of

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1. II. 312.

2. I. 575 f. See also vol. I. 159 f.

3. Theory of Legislation, translated by C.M.Atkinson, Vol. II, Ch. LXI. See also Works II. 311f; I. 575f.

instructions, moral and intellectual together', applying itself to the intellectual faculty and calling it into 'continual exercise', and not merely to the will 'operating upon it by means of 'the irresistible force of a superior will'. Such a code is to give both the reasons for and the reasons against each proposal, and is intended to ensure the 'rule' of 'reason' in every walk of social and political life. What is most important, the government can direct 'the compilation of political morality, analogous to the body of the laws, and similarly arranged in one general code, and also several codes treating of special topics'. Such a code, to be compiled by 'the wise men' or the illustrious minds of the age' or the great teachers of truth and of virtue'[1], will advise the citizens in 'forming a judgment' on the various questions arising in politics and morals'. In short, there is a certain degree of dialogue between the citizen and the government, and an independent exercise of rationality on both sides; there is also a common criterion of rationality, by which both alike are bound and which both are equally equipped to operate with.

Of these three answers, it is the second one on which Bentham largely relies. The first one leaves no room for rationality and calculation on the part of the individual

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1. Theory of Legislation, Loc. cit., p. 298-9.

citizen; the third one tends to underemphasize his natural self-preference, as it requires that, if he is convinced a law of his government is rational, that is, that it promotes general happiness, he must obey it, and for no other reason than that it is rational. The second answer, on the other hand, accommodates both the rationality and the self-preference of the individual.

But, it will be contended, the government itself consists of such self-preferring individuals; how then can we be sure that it will set up such a framework and in general pursue the happiness of the community? This brings us to the second aspect of the problem of the identification of interests. The solution lies in 'a third principle' - the 'means prescribing, or junction-of-interests-prescribing principle' that will bring 'what is into accordance with what ought to be.' Any 'situation of the individual' that creates 'any incompatibility' 'between the happiness of the greatest number and the happiness of any lesser number' is a sinister interest, and deviates a government from its proper end by making it its interest to pursue narrow and limited ends. When a sinister interest is destroyed the only interest a man will have would simply 'consist in the share he has in the universal interest', and he will naturally pursue only the latter. There are two ways of destroying it - 'direct mode' and 'indirect mode'; the former consists in

'overpowering the force of whatsoever body of interest may be acting on him ... by a stronger counterinterest;' the latter in 'divesting him of the power of performing the same act.' Only the former is appropriate as the question of checking a sinister interest arises only when an individual is already invested with power. Now there are two normal ways of providing a counterinterest, punishment and reward. But both these in their usual forms are inapplicable here: who will punish him who wields sovereignty? and what more can you give him who has all he needs? Several answers generally suggested are equally unsatisfactory. The separation of powers will not do, as the parts of government may clash and a sovereign authority becomes necessary to resolve this conflict, and thus the problem of checking it will remain. The idea of checks and balances is also useless, since all the organs of the government may have a vested interest in the misuse of power and may therefore connive at each other's 'wickedness'. On more or less similar grounds, annual elections, constitutional limitation of power, etc. are ruled out. Since interest is the only principle of motion in man, it is only by 'counterinterest' that motion can be checked and diverted in a different direction. Bentham calls this the theory of 'counterforce'; a 'counterinterest' acts on the 'will of the rulers and 'opposes' the 'force' of a sinister interest. As the main

interest of any government is to remain in power, the only and the most effective check on it is the withdrawal of its power; the idea that it depends on people's good will for its power which can be taken away if they are not satisfied will keep it loyal to the pursuit of the general interest, and thus its interest will be identified with that of the community. This answer broadly corresponds to the second answer discussed earlier in connection with the first aspect of the problem of the identification of interests. Bentham also throws up suggestions corresponding to the third answer there and they are broadly that a government is to consist of men who have a sense of duty and who will pursue general happiness even in the absence of these checks and 'junction of interests'; but these suggestions are not developed. As for his first answer to the earlier question it has no counterpart here, since who is to educationally so condition the rulers that they will find pleasure in nothing save general happiness? Not that this is impossible; a philosopher as Socrates says in The Republic, or a Legislator could initially set up a framework within which both the rulers and the ruled could be appropriately conditioned; but this, evidently, has an 'aristocratic' bias and Bentham has nothing to do with it.

There are also two subsidiary modes of checking the government. The first is 'full publicity' which, in brief, means that everything a government officer does must be known to the public. This is secured in a number of ways. Every

officer is to have a board in front of his desk stating the hours during which he is expected to be there, the nature of his duties and powers, etc.; any member of the public can walk in, and complain if he is absent when he is not supposed to be, or is refusing to do a job he is supposed to do, etc.. Bentham discusses all this at some length, but we shall not go into it. What is of philosophical interest here is a certain view of political space underlying it. Law is 'to cover' every aspect of political life; else, a 'room' is left for different men to set up some fictitious law that happens to be to their advantage. Lawyers, party-leaders, government officials and others need 'void spaces', as 'every such void space in the body of the law is subservient' to their sinister manipulation. Hence, every part of political life must be 'actually covered' by or receive a 'covering' of law. By leaving no part of it 'bare' we leave no 'room for arbitrariness and corruption 'to stand', and thus deprive them of any locus in the political space. When this is done, all that the people need to have the knowledge of is how and by what any given area of political life is 'covered', so that they can detect immediately any attempt to 'cover' it 'wrongly'. The second method of checking the government is the 'maximisation of appropriate official aptitude' on its part.[1] Of this aptitude, there

1. II. 272.

are three 'branches' and these are to be secured: 'moral aptitude' or 'disposition to contribute on all occasions and in all ways to the greatest happiness of thegreatest number', 'intellectual aptitude' or possessing requisite knowledge, and 'active aptitude' or regular attendance, punctuality, etc..[1] Bentham has some interesting ideas about the best ways of securing these, but, again, we shall not go into them.

If the removability is the ultimate 'counterforce' to the government's self-preference, it follows that it will pursue the happiness only of those who have the power to remove it. Since the happiness of each is equally important, we must give each an equal share in removing it. This argument for universal franchise springs from his individualistic theory of equality. Besides, political equality here has a foundation in nature. The only 'masters' that men, in the final analysis, have are pleasure and pain; they alone are 'sovereign'. The sovereign in the political society must be subordinated to them and can not be allowed to set up a rival sovereignty. Now, since all men alike feel pleasure and pain, they are equal qua subjects of nature; nature thus treats them equally, and so also must the sovereign. The assumption of more or less equal natural capacity for happiness will further reinforce this point.

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1. For a fuller discussion, see IX. 60.

Bentham also advances other minor arguments, one of which goes particularly well with the hedonistic theory of equality and has the same character as that of the argument for economic equalisation; it is that, since power, like wealth, is an instrument of felicity, the nearer to equality the share of each is, the greater is likely to be the total quantity of happiness.[1]

His case for universal franchise, it may be observed, is not based on the considerations of political knowledge, but on those of the mechanism of political control. He does not say that because every man alone knows his interest, he must have a chance to communicate this private knowledge to the government through voting, free speech, debates and discussions, etc.. Bentham's whole enterprise of the science of pleasure is intended to enable the government to know individuals' interests, and thus to dispense with the necessity of relying on communications from individual citizens. Of course, as the science of pleasure is not exact it does not give complete knowledge; but the knowledge it gives is certainly adequate for the purposes of government. The problem of political knowledge is thus already solved. The problem that worries him and for which he has to find an answer occurs at the institutional level, and arises from the need to ensure the removability of the rulers. Nearly the whole of his

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1. 11. 271; 111. 230.

discussion of democracy is undertaken from precisely this standpoint: people are to be educated so that they can check the government better; public discussion is to take place with precisely this end in view; this is also precisely how free speech, free press, and nearly all the practices and institutions connected with democracy are defended. But lying at the basis of this argument is the assumption that each individual knows and pursues his real interest, since, otherwise, he might elect wrong men, criticise and dismiss them for wrong reasons, and make wrong demands on them. The difficulty arises from the fact that he might calculate wrongly, or be a victim of 'illusions' and 'superstitions', or simply may not know what actions will lead to what consequences. Besides, in all ill-organized society he might get involved in clashes with others even when he is acting rationally, and might find rational behaviour very frustrating. We thus need both rational men and a rational political enviroment. We have seen that Bentham's manner of providing for both is to depend on the government; but can we be sure that any government will do this, as it knows fully well that all this is intended to prevent it from pursuing its own 'sinister interest'? There is no hope of a good government unless there are rational people, but there can not be rational people unless there is a good government in the first instance. This question is different from the

one concerning the identification of the interests of the government and the people. Even when they are formally identified through election, removability and uninhibited criticism, people may not make proper use of these instrumentalities, and the government may not be interested in educating them. What is to be done then? The problem lies at the level of understanding and not at that of will, since, once an individual knows where his real interest lies, he will necessarily pursue it. Bentham's way out of this vicious circle is, like that of many others, to bring in a philosopher whose precise role will vary according to the context in which he has to operate. Philosophers alone have the knowledge of moral and political 'truths', and are the only persons able to penetrate through the clouds of 'fictions' and 'illusions' to the 'reality' underlying them. If a new society has just been set up, a philosopher will provide a code of laws and persuade people to accept it. If a society is already a going concern, he will provide such a code, and prescribe a manner of realising it that will not unduly disturb the established arrangements. He will then try to persuade the people, mainly through books written by himself and his disciples, to accept the code and to implement it in the manner prescribed. He will also undertake a detailed examination of the existing institutions and the measures that the government may pass from time to time, and bring the results of it to the knowledge of the public. In

this way political education and enlightenment will spread and will lead in the first instance to a demand by the people for the change of the existing institutions, and, eventually, to the enthronement of the principle of utility in every sphere of life.[1] At one stage he had hoped for an alliance between wisdom and power, and had believed that a philosopher could communicate his knowledge of the 'moral and political' 'truths' to the rulers who would immediately act on them. He later came to doubt this. He had expected that the 'knowledge of truth' was enough to inspire men to act on it; but instead, he found 'universal antipathy' to his plans, and was confused as to why this should be so. 'Sixty years had rolled over my head before I had attained to anything like a clear perception of the

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1. The best society Bentham would hope for is one where, among other things, the crimes are absent, each class of men knows its duties, and where there are complete security and the fullest development of commerce. Anything beyond this is 'chimerical' and 'imaginary', since men will always have 'unequal gifts of nature and of fortune', 'will always purchase pleasures only by pains', will always have unsatisfiable desires, etc.. This, of course, applies only to the area of life that comes within the scope of legislation. About non-legislative areas such as poetry, art and music, 'The limits of perfectibility are not so easily assigned', though it is probable that the sources of novelty will be exhausted'. I. 194.

cause'; 'Now, for many years past, all inconsistencies, all surprises have vanished. A clue to the interior of the labyrinth has been found; it is the principle of self-preference'.[1] This means the philosophers are no longer to appeal to the rulers and to try to win them over, but are instead to concentrate their attention on the people and to seek to educate them about the truths of moral and political life. If, however, there is a ruler who shows signs of enlightenment and concern for the happiness of his subjects, they should be ready to help him. At no stage, however, did Bentham want philosophers to become rulers themselves; 'those who frame laws 'are to be different from 'those who touch them with a sceptre'.[2]

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1. X. 80.

2. Principles, Ch. XVI, Para. 40, Footnote.

Conclusion

Political activity is an activity that takes place among men. Gods do not need to undertake it either themselves or in their dealings with men; animals, on the other hand, may need to, but cannot undertake it. A political philosopher engaged in philosophising about it is thus bound to say something about man, that is, his nature[1], his capacities, certain inescapable features of his existence, etc., and about the sort of relationship that can subsist among men; he would argue that, given a certain view of man, men can enter only in a certain sort of relationship with each other, and only in a certain way. Now equality and inequality are one such sort of relationship, and a political philosopher is therefore likely to say something about them; what he will say and how he will understand them will, of course, depend on what he takes the real nature of man to be. I have advisedly used the term 'likely' since it is not necessary that he must

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1. Some philosophers, like Arendt and Sartre, do not think man has a nature, and would instead use the idea of condition; man's humanness in their view can only be defined in terms of certain conditions of his existence, and not of any properties believed to be inherent in his nature. Some others, like those who emphasize the idea of the Great Chain of Being, would instead talk of the 'status' of man. I include all these and other similar approaches under the general expression, 'a view regarding the real nature of man'.

make observations on equality and inequality. He may, for example, understand political activity in terms of love which, in a very important sense, is an alternative to equality. Equality presupposes a certain space separating two individuals and a certain distance between them, since, otherwise, there are not two individuals between whom a relationship of equality can be affirmed or denied. Love, on the other hand, strives to transcend this separateness in a unitary fusion where the two persons achieve a unity and thus cease to be two. It could, of course, be argued that even here one can detect an element of equality, though not of the same kind as in the case of political equality or equality before law, etc.. It may also be contended that love is introduced not so much to explain political activity as to recommend that it be replaced by something else. It is not necessary to press this point, and I will simply be content to say that every political philosopher is likely to make some observations on equality, and that every major figure in the past has in fact done so.

However, though he will have some ideas on equality, he is not, by that very token, a philosopher of equality. His philsosophical reflection may not take its bearing from the puzzle created by the idea of equality, nor may he be looking at other ideas from the standpoint of equality and in terms of their relation to it; in short, his view of equality may not

be the unifying pronciple of his system. He may, further, not be interested in the detailed examination of equality and in seeing how it differs from other cognate ideas, like similarity, uniformity, equity, fraternity, solidarity, and justice. He may, again, not be interested in examining how the idea of equality arises in different contexts such as the judicial, the legislative and the administrative, and, more widely, in art, mathematics, economic life, etc., and in asking if these are different ideas of equality or are simply different forms that the same idea of equality takes according to the logic of the context in which it appears. To undertake an elaborate inquiry of some such kind and to coordinate one's views into a well-knit system is, in my view, to offer a philosophy of equality. It is, of course, possible and obligatory for a commentator interested in the idea of equality to construct such a philosophy out of the writings of any person; but this evidently is a construction for and from him, and does not turn the writer concerned into a philosopher of equality, as the basic orientation of his philosophy remains different. Besides, any such construction is bound to remain inadequate, since many questions, relevant to the full analysis of equality, will simply remain unanswered.

Between having some ideas on equality and a full-fledged philosophical reflection on equality there is one other

level, that is, theoretical at which a reflection on equality may take place, yielding a theory of equality. In the case of the former, we do not expect an elaborate inquiry of the kind delineated earlier. What we can expect to find and do find is either of these two things: we may be presented with a certain broad and tentative view of what equality is, a set of practical implications drawn from it, and some suggestions as to the best way of achieving them in society; or, we may be presented with a 'scientific' sociological account where some correlations are established between the intensity or the character of the demand for equality and the economic or religious or any other variety of background of those making the demand, and some general observations are made about the conditions under which the demand for equality arises, the consequences of it on the social and the economic life, etc..

Thus, from the standpoint of equality, we can look at a political thinker in three ways: he may have some ideas on equality, or a theory of equality, or a philosophy of equality. In each case, a commentator will have different criteria of evaluation, and will make different kinds of demands.

Now we have argued that a philosophy of equality implies a certain view as to the real nature of man to which various ideas on equality are related. But, it may be asked, what precisely does it mean to say anything about the 'real' nature of man? When a philosopher says that men are really such and such or that this is what is real about them, he is not describing them, nor is he prescribing anything or issuing any injunctions about what they ought to do. What he seems to do is to interpret human experience and activities, and show what underlies them all that explains them and makes them intelligible.[1] Description, recommendation and interpretation are thus three logically distinct activities, though in practice they are generally combined, and give rise to three distinct sorts of statements; that is, descriptive, recommendatory and interpretative. Their differences are generally symbolised in the copula employed: the first is in terms of 'is', the second of 'ought', and the third of 'must.' A metaphysical statement is generally in terms of 'must,' and uses or implies the term 'reality' or 'in reality', as in 'man must really be like this or that for his actions to be meaningful or intelligible, 'This

1. i.e. he is making metaphysical observations about man.

is what man really is and this is how he must be responded to', etc.. Similarly, the statements a philosopher makes about equality are not empirical descriptions of men, nor are they recommendations that we ought to practise equality; they are statements about what he takes to be the real nature or condition of man, and the manner in which equality is related to it. He might, for example, say that the real nature of man is to suffer and that this is what ultimately explains human experience; as this is true of all men qua men he will emphasize their ultimate equality and anchor it in the nature of man. He may, on the other hand, reject such a reflection on the 'nature' of man as essentialistic,and argue that the only thing human about man is the conditions of his existence, such as that he is born without choice, that he is a distinct and identifiable individual who remains responsible for whatever he does, and that he is sentenced to live his life among other men whose reality he cannot brush aside. In these, all men are equal, and thus equality is ontologically anchored in the human condition. Similarly, a philosopher may establish the metaphysical impossibility of equality, and this he can,again,do in a number of ways. The universe, he might say, is hierarchically organized, and so ultimately are human relationships; any attempt at establishing equality violates

the real nature of man and the universe and is bound to fail as the latter with its irresistible reality will soon reassert itself. This is broadly what St. Augustine is saying.[1] Or he might say that the real nature of man is to be God-like, to the Absolute, and that it thus necessarily involves the negation of others.[2] Or he might say that the real nature of man or the reality underlying human efforts and striving is the discovery of his identity and that man's identity can be achieved only in terms of his vertical distance from others.

In these and many other ways a philosopher might go on to the establish that equality is metaphysically impossible; that is, given the sorts of beings that men are and given certain inescapable features of their existence, they can never realise equality in practice. And, if this is the nature of reality, it is only rational to acknowledge it and guide one's actions by it; it is simply foolish, or 'absurd' as most philosophers call it, to deny it and base our actions on the

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1. See, particularly, his discussion of 'Order', Ch. XIII, Book XIX, 'The City of God'.

2. See, e.g., an interesting interpretation of Hegel by R.Tucker in 'Philosophy and Myth in Karl Marx', C.U.P., 1961.

hope that it can be brushed aside. Not that one can draw concrete proposals from it for specific contexts, but only that it marks out the area of ultimate possibilities and sets one's expectations in a proper perspective; it may, as Kant said, suggest to us what ultimately we can hope for. We have not implied that a metaphysician is beyond criticism and that one can only either accept or reject his system. Nor is it implied that empirical facts about men do not enter into the way we criticise him. He offers an interpretation of human experience, and stands or falls by the satisfactoriness of it. One can advance certain experiences or facts about man, and ask him to interpret and explain them. If he cannot, certain limitations of his assumptions or categories are brought out. Facts about human beings thus can be invoked in criticising him. However, they cannot directly 'prove' or 'disprove' him, but can only point out the limitations of his assumptions or of his categories in terms of which he claims to understand and explain human experience.

In the light of these general observations, we may examine the three political thinkers we have studied. All the three are agreed about the meaning of 'Equality'; it is used to mean what Aristotle would call arithmetical equality; it does not mean proportion as it does for him. To treat two men equally is to treat them exactly alike; any difference in treatment is inequality. Regarding their manner of justifying equality, they differ. Paine justifies it in terms of the equality of origin, and Godwin in terms of the community of man's real nature. In the case of Bentham, there are two distinct views: in one, each individual is a unit, has a numerical value of one and, as such, is equal to every one else; in the other, the primary concern is with the greatest happiness, and equality is desirable as,and to the extent that,it maximises happiness. As to what men are to be equal in, their views again differ. For Paine, the only significant equality is the equality in natural rights; for Godwin, it is the development of understanding and leading the life of virtue in which men are to be equal; for Bentham it is the equality of happiness that really matters. The reason why each should have considered a certain kind of equality most important has already been suggested. Each has a certain view of man, of what he takes to be man's real nature in the absence of which his life is

just not human; as a corollary, equality in any other respect is not 'real' but "formal", or is of relatively less importance. For Paine, man is a rational creature capable of "imitating" God from whom he derives his existence; as such, his real nature is fulfilled through living a life of independent judgment and pursuing his interests. For Godwin, too, man is essentially a rational being, though he understands reason very differently from Paine. As a rational creature, man must act on the knowledge of Truth or of things as they are. The first and the most important requirement of his nature is that he should obtain this knowledge, that is, improve his understanding. Further, since all men share the same nature every man must practise benevolence. Living the life of knowledge and virtue is thus a truly human life, and all men equally must live it and be helped to live it. Bentham, on the other hand, is struck by the fact that man is essentially a suffering being, a being who feels pleasure and pain, and whose real nature is to pursue the one and avoid the other; a balance of pleasure over pain is happiness, and it is this that all men qua men are continually seeking and cannot but do as long as they remain men. As such, the only real equality that must be established among them is that of happiness; equality of any other kind, if unconnected with their pursuit

of happiness, will simply not have any meaning and relevance for them.

Because each of them emphasizes equality of a specific sort each differs in what he considers desirable as a means to it; but they are agreed about certain other things which they all think lead to or away from it. The clergy, the lawyers, the landlords, and the kings come under their common criticism, though for different reasons. Paine will get rid of them on the ground that they are obstacles to the full realisation of man's natural rights; Godwin on the ground that they impede man's continual perfectibility; and Bentham on the ground that they make it impossible to achieve the maximum happiness of the community. They are all agreed in making a powerful plea for simplicity in every aspect of social life, especially the political, though again they do so for different reasons. Paine bases his plea on man's obligation to emulate the simplicity of the structure of the universe; Godwin on the epistemological ground that it enables men to see things as they are; and Bentham on the ground that it denies corruption a locus in the political space, and enables citizens to detect it whenever it occurs and thereby to control the rulers and identify their interests with their own. All are agreed that representative government is most compatible

with equality. Godwin, of course, disapproves of all governments, not excepting this one; yet, of all he sees some merit only in this one. Paine, on the other hand, is most enthusiastic about it, and has the feeling that his age has discovered, for the first time in human history, a form of government that is most enduring and that solves all problems hitherto raised in connection with equality. It had generally been argued against any attempt to give all men a share in political power that masses are uneducated and can not be trusted and that, therefore, we need and must continue to have an aristocracy to run the affairs of the community. This problem is now solved 'once and for all', since representative government combines the advantages both of aristocracy and democracy. This enthusiasm is shared by Bentham, James Mill, John Stuart Mill, and many of their contemporaries and successors. Godwin, when he does see some merit in it, justifies it on the ground that it provides the wise a locus from where to spread their message and improve their society. Bentham justifies it mainly on the ground that it alone can identify the interests of the government with those of its people.

Closely connected with this is their common emphasis on leadership, though this idea arises differently and takes different forms in each of them. For Paine, society needs

wisdom for the conduct of its affairs, and this not all men have. He does not go into this question, and, as we have seen, it is difficult to know what precisely he has in mind, particularly when the political knowledge that he considers important for governing a community is something that all are considered able to acquire. For Godwin, the need for leadership is largely epistemological: a society must be based on the knowledge of political truths the investigation of which is undertaken only be a few. All, however, can grasp it when it is communicated to them, thus making leadership only a transitional necessity. As for Bentham, there is the initial need of a law-giver who must be an exceptional man; the subsequent running of political society is a fairly tame affair, since, once the mechanism is set up, its parts can generally be depended upon to regulate each other.

Finally, the philosophies of all the three are anthropocentric. Not only that man is the only concern of man and the measure of all things human, but also that he is in some sense the centre of the universe. For Paine, God is important as the source of equality and natural rights, but can be dispensed with once these are secured. Godwin has no interest in speculations about Him, as human affairs need no such transcendental basis. For Bentham, too, the

ultimate source of all authority and the most permanent foundation of political society lies within man; that is to say, in pleasure and pain; God, if He is to be brought in at all, and religion are useful only as providing further sanctions for morality and law. As for the natural world, it exists only to gratify man and provide him calm joy and relaxation. This attitude is extended to animals as well; but, as we have seen, no serious argument is advanced why equality should be confined to men only and not be extended to animals as well, except in the case of Godwin who, with his establishment of the primacy of reason over the simple feelings of pleasure and pain, could more easily deal with this question.

Because their standpoints are different, the degree of importance they assign to different sorts of equality also varies. Paine's interest is mainly in legal and political equality; that is, in each being left equally free and protected to pursue his 'comforts and happiness' and in each having a right to vote. As to economic equality, he wants all men to be made certain payments at different stages of their life; but beyond this he would leave the economic framework undisturbed. Godwin is more egalitarian. Unlike Paine, his main concern is moral equality, as it is man's

moral being that strikes him as most essentially human; here, he believes, not considering for the present the gradually creeping disilusionment during the later stage of his life, all are equally capable of leading the full moral life and attaining the highest human excellence. He is also against all social inequalities. The whole institution of law, being against man's nature, is to go, and legal equality is thus pointless. The institution of government is to meet the same fate, and thus political equality, too, has no point. As to economic equality, he hopes for an eventual equality of earnings; the recognition of moral equality will ensure it because it will alter a man's attitude to property, and he will then come to regard it solely as a social trust. For Bentham, it is equality of happiness, and not just an equal opportunity to be happy, that is important. Happiness for him depends on three things - Security (of person, property, condition, etc.), subsistence and abundance or money. The first two are to be secured to all in an 'absolutely' equal degree; as to the third, he takes two different positions represented by his two different theories of equality. His general position is to equalise wealth whenever this can be shown to lead to the general happiness of the community, and he expressly states that his main concern

is not to achieve equality but to reduce inequalities. For him, it is equality that must justify itself; for Godwin, on the other hand, the initial assumption is in favour of equality.

The political standpoint from which each examines equality is also different; that is to say, when they consider political equality, they look at it from different angles. Paine looks at it as a constitutionalist and is concerned to see how man's natural equality can be enshrined in the very structure of the political community. Godwin's standpoint is that of a moralist and he is concerned to see how every man can live a full moral life and how other men, qua moral beings, can assist him. Bentham approaches equality from the standpoint of a legislator; his concern is not with equality of happiness in general but rather with how a legislator can contribute to its achievement. Both Paine and Bentham are thus still within the political realm, while Godwin seems to operate from outside it. This is revealed in certain preoccupations common only to the former two, especially the question of the equality of generations. If all men are equal, those living now are the equals of those already dead, and those yet unborn are the equals of those living now. This leads to the view that each generation has equal authority with every other and is equally capable of disposing of its destiny and thus is not bound by the commit-

ments, institutional and otherwise, of its predecessors. This could lead to a break in the history of a community every so many years when a new generation comes to have political control. This raises certain theoretical problems that Paine resolves through the idea of the common commitment of all generations to 'the principle of Republic', and Bentham through their similar commitment to the principle of utility. In none of these three does the idea of community arise, and equality, of men or of generations, obtains among rather isolated and not closely connected units. For both Paine and Bentham, community is merely an aggregate of individuals: for Godwin, too, social life is 'a luxury' and each can carry on his pursuit of Truth in isolation. There is no community among different generations either. Not surprisingly, the ideas of 'sovereign' individuals and 'sovereign' generations loom very large, and equality is between these sovereign, and thus necessarily isolated, units.

As to the level of analysis, none of the three has anything like a <u>philosophy</u> of equality to offer, though, as a commentator, I have tried to construct one for each of them. As this sort of reconstruction can be done even about the manifesto of a political party, it is not enough to turn

the thinkers involved into philosophers of equality; besides, even after such a philosophy has been reconstructed many important questions remain unanswered. None, however, ideologises about equality, though there are elements of it in Godwin. The general level of reflection is largely theoretical, and what we have in each case is a theory of equality. Not one of then analyses the meaning of equality and seriously distinguishes equality from other ideas with which it has been often confused. What each does is to start off with a certain generally accepted view of equality and to spell out its implications and the mode of achieving them in practice. In the case of Bentham, there is even an elaborate attempt at discovering the axioms of 'mental pathology' and showing scientifically what consequences equality will have, when it is desirable and in what degree and respect; he is the only one to try to develop a science of equality.

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