Utility, Truth, and God:
Religion in the Thought of Jeremy Bentham

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I, Peter Lythe, hereby confirm that the work presented in this thesis is my own. Any errors of fact, omission, or interpretation are my responsibility alone. Where information has been derived from the work of other writers, I confirm that this has been acknowledged in the text. No part of the work has been or is being submitted for a degree or other award at University College London or at any other university or similar institution.

Abstract

The present thesis is the first comprehensive study of the writings of Jeremy Bentham on religion. It aims to develop a deeper understanding of the importance of Bentham's hitherto under-explored religious views to his utilitarian philosophy, and to afford a clearer insight into how these views were related to the historical and intellectual developments of the age in which he lived. The thesis challenges various scholarly claims about the philosophical basis and implications of his rejection of religion.

It is argued that Bentham's critique of religion, which is examined in the light of his fundamental commitment both to the principle of utility and to the value of truth, was directed at four main targets: organised religion, primarily in its 'Church-of-Englandist' form; natural religion; the supposedly revealed 'religion of Paul'—that is, Christianity as subverted by the doctrines of St Paul; and the supposedly revealed 'religion of Jesus'—that is, Christianity as founded upon the Gospel accounts of the acts and teachings of Jesus.

From his close scrutiny of the evidence, Bentham found that while the ecclesiastical establishment fostered and exploited religious belief in the pursuit of 'sinister interest', religion itself—both natural and revealed—kept morality shrouded in confusion, superstition, mischievous error, and fear, and made truth-claims that could not withstand the rigours of empirical and logical analysis.

Bentham concluded that religion led to the corruption of the human understanding and the inhibition of human progress—twin evils whose only remedy was the dissemination of knowledge. He wanted people to abandon religion, not as a result of legislative fiat or any other coercive means, but because they had been persuaded that the answers to the questions of what is good and what is true rested upon the more substantial grounds of a secular utilitarianism.

Impact Statement

Several of the insights presented in this thesis have been shared with academic audiences nationally, at *Reviving Bentham's Theory of Evidence: An Anglo-French Symposium*, University College London, in 2018; internationally, at the *Fifteenth Conference of the International Society for Utilitarian Studies*, Karlsruhe Institute of Technology, in 2018, and at the *Bentham et Saint Paul: La Critique Benthamienne de la Religion dans 'Not Paul, but Jesus'* colloquium, Sciences Po Paris, in 2019; and online, as part of the Bentham Project's 'Online Bentham Seminar' series, which ran in 2020. Revised and abridged versions of some of the material presented in Chapter I have been published as a journal article and book chapter, respectively,[1] while knowledge derived from the present research has been taught on the *Jeremy Bentham and the Utilitarian Tradition* module of the Master of Laws programme at University College London. It is anticipated that the thesis will generate further conference and seminar papers, scholarly discussions, and, in the longer term, a monograph. These and similar endeavours will enable the research findings to be disseminated as widely as possible—to students, academics, Bentham scholars, intellectual historians, and other researchers seeking a more complete understanding of Bentham's views on religion.

It is also anticipated that a number of non-academic audiences will benefit from the present thesis. Examples of these audiences include: first, members of the general public interested in the life and thought of Bentham himself; second, members of cultural and educational institutions with a special interest in moral philosophy, religion, the history of ideas, or any other pertinent field of enquiry; and, third, the global community of volunteers who contribute to *Transcribe Bentham*—the award-winning crowdsourced transcription initiative co-ordinated by the Bentham Project—by helping to create the resources used in preparation of the authoritative volumes of *The Collected Works of Jeremy Bentham*. The monthly online newsletter and social media channels of *Transcribe Bentham* will be used to publicise the present study.

The thesis will be made freely available through UCL Discovery, the open-access repository of the research publications of University College London.

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[1] See P. Lythe, 'Jeremy Bentham on Organised Religion', 19 *Journal of Bentham Studies* (2021), no. 1, 1–36; P. Lythe, 'Jeremy Bentham on Organised Religion', in J-P Cléro ed., *La Figure de Saint Paul dans les Œuvres de Bentham sur la Religion*, Bayonne, 2021, 53–73.

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Preface

Acknowledgements

I would like to thank sincerely my primary doctoral supervisor, Professor Philip Schofield, for his generosity of time, unfailingly wise advice, and critical reading of my thesis, and, of course, for sharing his unrivalled knowledge of the ideas and works of Jeremy Bentham. I am profoundly indebted to his expert guidance and supervision. I also wish to convey my special thanks to my secondary doctoral supervisor, Professor Prince Saprai, for his insightful comments and encouragement throughout.

I would like to extend my sincere gratitude to the Bentham Project for the many acts of kindness shown to me by its members. In particular, I want to acknowledge both Dr Tim Causer and Dr Chris Riley, whose good humour and ever-willing assistance made the undertaking of this research especially enjoyable. I am extremely grateful for all the help that I have received, and feel incredibly privileged to have had the opportunity to be part of the Bentham Project.

I wish to dedicate this thesis to my wife, Rachel, and to my parents, John and Pamela.

Form and Abbreviations

In the quotations taken from Bentham's writings, as well as those drawn from the writings of other authors, the spelling has not been modernised, nor, unless otherwise indicated, has the capitalisation or italicisation been altered.

Insertions in quotations have been rendered in square brackets. Omissions from quotations have been rendered as ellipses without square brackets.

The titles of works that Bentham published during his lifetime have been rendered in italics. The titles of works that remained unpublished at his death have been rendered in inverted commas.

Wherever possible, the editions of the works cited are either those that Bentham owned himself or those with which he is thought to have been familiar. Otherwise, first editions or modern critical editions have been preferred throughout.

For reasons of historical accuracy, Bentham's preference for using masculine singular possessive pronouns and determiners has been followed throughout.

The following abbreviations are used throughout the thesis and require elucidation:

UC	Bentham Papers in University College London Library. Roman numerals refer to the boxes in which the papers are located. Arabic numerals refer to the leaves within each box.
BL Add. MS(S)	Additional Manuscript(s) in the British Library, London.
CW	*The Collected Works of Jeremy Bentham*, London (1968–81), Oxford (1983–2020) & UCL Press (2022–present). For the editor(s) of each volume, please see the Bibliography below.
Correspondence	*The Correspondence of Jeremy Bentham*, 12 vols., London (1968–81) & Oxford (1983–2006). For the editor(s) of each volume, please see the Bibliography below.
Bowring	*The Works of Jeremy Bentham, Published under the Superintendence of His Literary Executor John Bowring*, 11 vols., Edinburgh, 1843.
AINR	*Analysis of the Influence of Natural Religion on the Temporal Happiness of Mankind. By Philip Beauchamp*, London, 1822.
IPML	*An Introduction to the Principles of Morals and Legislation* (*CW*), J.H. Burns & H.L.A. Hart eds., Oxford, 1970; reprinted 1996.
NPBJ	*Not Paul, but Jesus by Gamaliel Smith, Esq.*, London, 1823.

Grateful acknowledgement is made to all of the contributors to the standardised reference works and collections that have been relied upon throughout the thesis, particularly those of the *Cambridge Authorized Version of the Bible (King James Bible)*, the *Cambridge Book of Common Prayer*, the *Encyclopædia Britannica*, the *Oxford Dictionary of National Biography*, and the *Oxford English Dictionary*.[1]

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[1] The text of 'Form and Abbreviations' has been adapted with permission from C. Riley, 'Jeremy Bentham and the Utility of History', Ph.D. Thesis, University College London, 2018, 7–8.

Time may come—and perhaps is not widely distant—when the question [of] whether God be a distinct being or no other than an affection of that world of which he is considered as the creator and preserver—may be discussed with equal good humour and mutual forbearance.[1]

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[1] BL Add. MS 29,809, fo. 376 (15 July 1815).

Introduction

Overview

The present thesis deals with religion in the thought of Jeremy Bentham (1748–1832) from the perspective of intellectual history. For more than two centuries, Bentham's ideas have featured in discussions of subjects as diverse as ethics, law, jurisprudence, democratic and constitutional theory, educational reform, political economy, penology, and social administration. During most of this period, however, leading commentators have attached scant systematic relevance to Bentham's rejection of religion. In his still influential account of the development of utilitarianism, first published more than 150 years ago, Leslie Stephen alleged that a failure to pay sufficient attention to the 'moral part' of man's nature, as well as to unspecified 'historical considerations', rendered Bentham's attempt to emancipate morality from religion 'necessarily imperfect'. Although Stephen conceded that an 'adequate estimation of Bentham's achievements would take me far beyond the scope of … my knowledge',[1] his contemporary Ernest Albee also wrote of Bentham's 'non-theological treatment of Ethics' in similarly dismissive terms. He argued that Bentham had failed to improve upon the advances made in moral theory by David Hume, and claimed that Bentham's secular utilitarianism differed little in effect from the theological utilitarianism of William Paley.[2] Only recently has it been suggested that Bentham 'well understood the ramifications' of his critique of religion and religious belief for questions of morality,[3] and that far from being minor addenda to the Bentham canon, his writings on religion represent 'a significant shift' in the history of moral and political thought.[4] Whatever the validity of these claims, the significance of Bentham's religious writings to his own thought is a subject of still greater uncertainty. Indeed, since the vast majority of the relevant manuscripts remain unpublished and, until now, under-explored, the very content of this material is largely unknown[5]—a fact that does much to explain why the secondary literature on Bentham

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[1] L. Stephen, *History of English Thought in the Eighteenth Century*, 2 vols., New York, 1876, ii. 125–7.

[2] E. Albee, *A History of English Utilitarianism*, London, 1957, 166–9. For a discussion of Paley's theological utilitarianism, see 74–80 below.

[3] J.E. Crimmins, 'Bentham's Religious Radicalism Revisited: A Response to Schofield', 22 *History of Political Thought* (2001), no. 3, 494–500 at 494.

[4] P. Schofield, 'Political and Religious Radicalism in the Thought of Jeremy Bentham', 20 *History of Political Thought* (1999), no. 2, 272–91 at 272.

[5] The Bowring edition, which served as the standard collection of Bentham's writings from the mid-nineteenth century, was described on first publication as 'incomplete, incorrect, and ill arranged'. See M. Napier ed., 'Art. VIII. Memoirs of Jeremy Bentham … By John Bowring', in *The Edinburgh Review, or Critical Journal: for July, 1843....October, 1843*, vol. 77, no. 157, Edinburgh, 1843, 460–516 at 516.

and religion, insofar as it exists, contains conflicting and often unsatisfactory interpretations of his views.

The aim of the present thesis, therefore, is to produce the first comprehensive study of the writings of Bentham on religion in order, first, to provide a more complete account of his religious views; second, to develop a deeper understanding of the importance of these views to his utilitarian philosophy; and, third, to afford a clearer insight into how these views were related to the historical and intellectual developments of the age in which he lived. Pursuant to this aim, the thesis addresses two essential questions. First, why did Bentham reject religion? In answering this question, Bentham's ideas about religion will be examined in the light of two of his most fundamental philosophical commitments: his commitment to the principle of utility and his commitment to the value of truth. Second, how did Bentham perceive the relationship between the truth and utility of religion—did he regard the question of what he called the verity of religion as more or less important than, or of equal importance to, the question of the tendency of religion to promote or diminish human happiness—and what implications did his assessment of this relationship have for his thought? Many other facets of Bentham's attack on religion will be discussed as the thesis proceeds, and an attempt will be made to resolve some of the principal points of disagreement and confusion that appear in the literature.

Background

In 1985, Crimmins stated that 'for too long … Bentham's views on religion have been neglected, and in the process a significant aspect of his thought has been forgotten'.[1] Advocating an interpretation of Bentham's utilitarianism in which these views were located as an 'integral concern'—'on the one hand, intimately associated with the metaphysical, epistemological and psychological principles which gave shape to his system as a whole and, on the other hand, central to [the] development of his entirely secular view of society'—Crimmins undertook to close this conspicuous and regrettable lacuna in the academic literature in the hope of improving our understanding of the complex synthesis of ideas that comprised Bentham's philosophy.[2] However, his

Among the reasons for this assessment was the decision of John Bowring, a devout Unitarian, to exclude all of Bentham's texts on religion. The Bowring edition is in the process of being superseded by the authoritative *Collected Works* edition.

[1] J.E. Crimmins, 'Bentham's Religious Writings: A Bibliographic Chronology', *The Bentham Newsletter* (1985), no. 9, 21–33.

[2] J.E. Crimmins, *Secular Utilitarianism: Social Science and the Critique of Religion in the Thought of Jeremy Bentham*, New York, 1990, 1.

research—now more than thirty years old and still the most recent largescale study of Bentham's writings on religion[1]—has proven to be as controversial as it was incomplete. The several hundred folios of archive material upon which Crimmins based his investigation amount to a mere fraction of the approximately 3,000 folios that have since been readied for publication. As Schofield explains: 'We are only now beginning to appreciate the full extent of Bentham's religious views, in that we are in the midst of producing for the first time accurate transcripts of Bentham's voluminous manuscript writings on the subject.'[2] All of these writings, which form part of the Bentham Papers at University College London Library and the British Library, have been made available for the present study.

Many of the arguments that Crimmins made remain deeply problematic. The debates provoked by his enquiry, together with the oversights and misunderstandings that characterise much of the literature on Bentham and religion, define the academic context in which the present study is situated, as well as some of the issues that it is intended to resolve. Four of the most important points of contention are summarised below. The first two concern Bentham's theory of logic and language, which is discussed in greater detail in the following section,[3] and all involve a challenge to Crimmins' position posed by Schofield.

First, Crimmins implies that the views expressed by Bentham in his writings on religion were 'historically' and 'logically' the starting point for his thought. Dismissing this implication as 'untenable', Schofield argues that Bentham's philosophy did not stem from his views on religion; rather, these views derived from his ontology—that is, his ground-breaking theory of logic and language.[4] If logic was concerned with how the human mind organised the sense perceptions that it received from the physical world, then language, says Postema, was 'the indispensable expression or embodiment of human thought'—'the instrument with which we shape our conceptions of ourselves and the external world'.[5] For the present purposes, the crucial difference between Schofield and

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[1] D.B. McKown published a volume on Bentham and religion (*Behold the Antichrist: Bentham on Religion*, New York, 2004), but it is almost exclusively a work of theological criticism rather than intellectual history. Crimmins' research combines both approaches.

[2] P. Schofield, 'Jeremy Bentham: Prophet of Secularism', *The 80th Conway Memorial Lecture*, London, 2011, 2.

[3] See 20–5 below.

[4] Schofield, 'Political and Religious Radicalism', 274–6, 281–2.

[5] G.J. Postema, 'Facts, Fictions, and Law: Foundations of the Law of Evidence', in G.J. Postema ed., *Utility, Publicity, and Law: Essays on Bentham's Moral and Legal Philosophy*, Oxford, 2019, 202–20 at 211.

Crimmins is that, in the former's account, Bentham's theory of logic and language explained his views on religion, as it explained all aspects of human knowledge and action, whereas for the latter, it did no more than furnish Bentham with the 'tools of precision' necessary to sharpen his ideas both about the irrationality of religious belief and about the tendency of religion to stifle individual happiness and impede the socio-political reforms required to maximise general utility.[1]

Second, the claim that Bentham was an atheist is, for Crimmins, uncontroversial. Crimmins maintains that while Bentham was 'too cautious' to avow his atheism publicly, there could be no doubt that he was 'an atheist in substance'[2]—though, as Berman points out, the relevance of Bentham's failure to make a public declaration of atheism is not so obvious given that he made no such avowal in his extensive private correspondence.[3] Nevertheless, it was the very depth of Bentham's atheistic conviction, continues Crimmins, that explained the 'venom' of his attack on religion: '[Bentham] could not remain a passive unbeliever; his profound belief in a material world free from all spiritual content made him an active, not to say a zealous, atheist, committed to the promulgation of his beliefs.'[4] For Schofield, however, Bentham's theory of logic and language provided a rationale for uncognoscibility or unknowableness, not atheism.[5] No man had ever perceived God, therefore no man could claim to have knowledge of God. If God could be said to have existence, then he had to be classified as an 'inferential entity', while any man unconvinced of the reasonableness of the inference had no alternative but to regard God as a 'non-entity'. This distinction, in Schofield's view, did not conceal a commitment by Bentham to atheism. The premise of Bentham's argument was that all human knowledge was founded upon sense-experience. God might still have some sort of existence inaccessible to human perception, but such existence would make no sort of sense to human beings. Bentham's ontology and his epistemology thus 'provided the framework' by which knowledge of God, and religious knowledge in general, could be expounded. From this perspective, contends Schofield, Bentham concluded that not only was there no category of 'religious experience' that was ontologically distinct from any

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[1] Crimmins, 'Bentham's Religious Radicalism Revisited', 495–7.

[2] J.E. Crimmins, 'Bentham on Religion: Atheism and the Secular Society', 47 *Journal of the History of Ideas* (1986), no. 1, 95–110 at 98. Crimmins' view is endorsed by Allen: '[Bentham's] destructive criticisms of religious doctrine make it probable that he was an atheist, though too cautious to acknowledge this openly.' See C.J.W. Allen, 'Bentham and the Abolition of Incompetency from Defect of Religious Principle', 16 *Journal of Legal History* (1995), no. 2, 172–88 at 176.

[3] D. Berman, *A History of Atheism in Britain: From Hobbes to Russell*, London, 1988, 192.

[4] Crimmins, 'Bentham on Religion', 98–9.

[5] Although Schofield employed the phrase 'a rationale for atheism' in 'Political and Religious Radicalism', 280–1, he has since renounced this formulation as incorrect.

other category of experience, but the very notion of 'religious experience' was 'nonsensical'. In short, 'Bentham did not have a theology because, according to his theory of logic and language, there was none to be had'.[1] Crimmins' rejoinder is to suggest that Schofield's own argument entails that it was 'unreasonable' to subscribe to a belief in a God about whom nothing could be known.[2]

A third point of contention centres upon Crimmins' apparent claim that the religious radicalism of Bentham was a prerequisite for his political radicalism. This view is lent support by Clark, who locates the ideological origins of English political radicalism in religious heterodoxy, the target of which was the 'politico-theological' alliance of Parliament, Church, and King, as underpinned by Trinitarian Christianity. By the 1820s, he argues, the 'traditional ideals of social order' had been undermined by 'the intellectual challenge offered to [them] by the alternative ideals and practice of sectarianism and atheism, and the political articulation which they received'.[3] Clark associates Bentham with this challenge, though he also intimates that, in the early nineteenth century, it was dissent rather than atheism—Clark, like Crimmins, takes Bentham to have been an atheist—that 'guided the conduct of the majority of those who rejected the old order'.[4] Schofield disputes these claims, at least insofar as they pertain to Bentham. He insists that Bentham's views on religion, while undoubtedly forming an important component of his broader political theory—and his philosophic radicalism generally—did not in any sense ground it.[5] Instead, Bentham identified religion as one of several instruments used by members of the ruling class to promote their own interests at the expense of the interest of the wider community. For this reason, Koh submits that Bentham's writings on religion were 'by and large in service to his moral and political aims', which included 'separating religion from morality and legislation'.[6] More recently, Crimmins has refined, or else clarified, his position, advocating a perspective in which the rejection of religion was inherent to, rather than foundational of, Bentham's political theory.[7] The interaction

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[1] Schofield, 'Political and Religious Radicalism', 280–1.

[2] Crimmins, 'Bentham's Religious Radicalism Revisited', 499–500.

[3] J.C.D. Clark, *English Society 1688–1832: Ideology, Social Structure and Political Practice During the Ancien Regime*, Cambridge, 1985, 374–5.

[4] J.C.D. Clark, *English Society 1660–1832: Religion, Ideology and Politics During the Ancien Regime*, Cambridge, 2000, 495–6.

[5] Schofield, 'Political and Religious Radicalism', 281–8.

[6] T.Y. Koh, 'Bentham on Asceticism and Tyranny', 45 *History of European Ideas* (2019) no. 1, 1–14 at 3.

[7] Crimmins, 'Bentham's Religious Radicalism Revisited', 494–5.

between the religious and political radicalism of Bentham is brought into focus in Chapter I, which contains a close examination of his objection to the alliance of Church and state.[1]

Finally, Schofield and Crimmins also disagree on the question of what Bentham proposed to do about religious belief. Was it Bentham's intention 'to eliminate the notion of religion … from the mind' as a necessary precondition for the realisation of the perfect utilitarian society, as Crimmins recommends,[2] or, per Schofield, did Bentham advocate religious liberty and freedom of expression rather than 'enforced atheism'?[3] The answer to this question is discussed at length in Chapter I.[4]

It is clear from the present state of the literature that there is no consensus on the philosophical basis of Bentham's rejection of religion. There is uncertainty as to whether Bentham wanted religion to be extirpated as a source of psychological influence, or whether he considered the idea of the forced profession of unbelief to be as objectionable as compulsory faith. There is disagreement about the nature of the connection between his political and religious radicalism, and there is even doubt as to whether or not he was an atheist—and whether the question of his atheism is the right one to ask in the first place. With far more evidence available to reach authoritative conclusions, the present thesis will seek to eliminate these and other uncertainties, and contribute to a better understanding of the antagonistic relationship that Bentham recognised between religious belief on the one hand, and the most urgent questions of truth and morality on the other.

Bentham, in Rosen's assessment, combined 'a critical rationalism and empiricism with a conception of gradual reform which has influenced philosophy as well as practical politics throughout the nineteenth century and up to the present time'.[5] The present thesis will reveal how Bentham's writings on religion evinced that same combination of qualities, and, it is hoped, will encourage future scholarship by demonstrating that the influence of one of the most radical elements of his thought on our understanding of the history of utilitarianism, the transmission of the ideas of the philosophical Enlightenment, and the emergence of Biblical criticism—to name but three areas of enquiry—need no longer be stymied or distorted by the limited availability of his corpus.

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[1] See 28–64 below.

[2] Crimmins, *Secular Utilitarianism*, 15. A similar argument had previously been made by J. Steintrager, 'Language and Politics: Bentham on Religion', *The Bentham Newsletter*, (1980), no. 4, 4–20.

[3] Schofield, 'Political and Religious Radicalism', 288–90.

[4] See 53–6 below.

[5] *An Introduction to the Principles of Morals and Legislation* (*CW*), J.H. Burns & H.L.A. Hart eds., Oxford, 1970, p. xxxi, hereafter *IPML* (*CW*).

Key Terms

Before examining Bentham's ideas about the truth and moral value of religion, it is worth clarifying what Bentham meant by the term 'religion' and its derivatives. This will require a proper introduction to his ontology, and his theory of logic and language—subjects which have been treated extensively by Schofield, whose analysis is summarised below. First, however, it will be necessary to provide an overview of Bentham's fundamental standard of morality: the principle of utility.

The Principle of Utility

In Bentham's view, the conduct of all sentient creatures—all human beings—was motivated solely by the desire either to experience the sensation of pleasure or to avoid experiencing the sensation of pain. Motives for human action, in other words, consisted in a desire for pleasure and an aversion to pain.[1] When applied to human psychology, the words 'happiness' and 'unhappiness' (and their approximate synonyms) only had meaning if they could be explained in terms of their relationship to pleasure and pain: a man was happy insofar as he experienced a balance of pleasure over pain, unhappy insofar as he experienced a balance of pain over pleasure. Having asserted at the beginning of *An Introduction to the Principles of Morals and Legislation* (1789) that it was for pleasure and pain 'to determine what we shall do', which was a factual claim, Bentham added that it was for these sensations alone 'to point out what we ought to do'. This was a claim that pleasure and pain were not only foundational to human psychology, but also the basis of morality; they indicated what men ought to do no less than they determined what men would actually do. Again, for terms like 'good' and 'evil', 'right' and 'wrong', and 'moral' and 'immoral' to signify anything, they had to be related to the sensations of pleasure and pain. While 'good' consisted in pleasure and exemption from pain, 'bad' or 'evil' was pain and the absence or diminution of pleasure. Equally, an action was right if it produced a balance on the side of pleasure, wrong if it produced a balance on the side of pain.[2]

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[1] Bentham often referred to 'springs of action', which were 'so many sets of interests, desires and motives'—that is, pleasures and pains, or the ideas of pleasures and pains. To each kind of pleasure and pain belonged a corresponding 'interest', which insofar as it operated was called a 'desire', and insofar as its operation was capable of producing or preventing an action was called a 'motive'. See BL Add. MS 29,809, fo. 64 (17 February 1819).

[2] *An Introduction to the Principles of Morals and Legislation*, London, 1789. The authoritative edition is *IPML* (*CW*).

When a man concluded that he was likely to 'add to the sum total of his pleasures' or 'diminish the sum total his pains' by performing a particular action, he had, said Bentham, an 'interest' in performing this action. However, if his performing the action had the potential to affect the 'interest of the community'—that is, the sum of the interests of the individuals who comprised a particular population—then he had to take into account any pleasures or pains that might thereby accrue to the community. The right course for him to pursue, therefore, was to perform the action only if its tendency to increase the happiness of the community was greater than any tendency it had to decrease the same. Hence, the standard by which to measure whether his prospective action was the 'right and proper and universally desirable' action was not whether it augmented his own happiness, but whether it promoted '*the greatest happiness of the greatest number*'.[1] A man who recognised this standard of right or wrong, approving only of that conduct which appeared to him likely to increase the aggregate pleasure or diminish the aggregate pain of those whose interests were at stake, was a 'partisan' or adherent of the greatest happiness or greatest felicity principle—in other words, the principle of utility.[2]

Real and Fictitious Entities

For Bentham, the 'fundamental ontological question', explains Schofield, concerned 'the nature of the relationship between the human mind, and therefore human thought and communication, and the physical world'.[3] The question was: what exists—or, rather, what did human beings perceive to exist through their five senses? Bentham's answer was 'corporeal substances', meaning objects in the physical world.[4] Since language was the primary instrument of human thought and communication, the nature of language, especially the way that language was used to describe the physical world, needed to be understood. Bentham believed that language must have reference, whether directly or indirectly, to 'physical objects' in order to make sense. The basic unit of language was the proposition, which had to include, at a minimum, the name of a subject (the noun substantive), the name of a predicate or attribute, the name of a copula, and the name 'by which existence is brought to view'—that is, 'the existence of the relation between the

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[1] Ibid. 11–12n; *A Comment on the Commentaries and A Fragment on Government* (*CW*), J.H. Burns & H.L.A. Hart eds., Oxford, 1977, 393.

[2] *IPML* (*CW*), 13.

[3] P. Schofield, 'Jeremy Bentham, The Principle of Utility, and Legal Positivism', 56 *Current Legal Problems* (2003), no. 1, 1–39 at 12.

[4] UC cii. 15 (25 September 1814); P. Schofield, *Bentham: A Guide for the Perplexed*, London & New York, 2009, 50–3.

subject and the attribute'.[1] Confusion arose, however, because the noun substantive 'sometimes represented a physical object, sometimes a property of a physical object, and sometimes an abstraction'. Hence, the grammatical structure of discourse 'failed to indicate which of these classes of entities it did represent'. Within the context of a proposition, referring to a physical object (such as 'a stone') made just as much sense as referring to a property of a physical object (such as 'the ripeness' of fruit) or to an abstraction (such as 'a duty'). The way that language was used 'unavoidably obscured' the essential distinction between the two latter categories, which Bentham called 'names of fictitious entities',[2] and the former category, which he called 'names of real entities'.[3] The human mind was thus 'liable to be misled' by the very language that it was 'compelled to use in order to describe the physical world' because the names given to properties and abstractions were 'grammatically indistinguishable' from those given to the really existing substances—the real entities—of which they were predicated. Bentham was convinced, therefore, that a correct conception of language, and in particular of 'the relationship between language and human perception of the physical world', was the key to distinguishing 'truth' from 'error', and 'physical fact' from 'mental fancy'.[4]

By designating 'religion' as a fictitious entity, Bentham was not claiming that one or other religion was untrue, or that any proposition containing the word 'religion' was false. Rather, he was arguing that the name 'religion' denoted no real entity despite the fact that human discourse relied upon its being spoken of as though it did. In order to establish whether a proposition containing 'religion' (or any other fictitious entity) was true, it was necessary, first of all, to ascertain whether the terms in the proposition could be resolved into the names of real entities, in which case the proposition in question made sense:

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[1] Bowring, viii. 337.

[2] A fictitious entity was 'one of those sorts of objects which, in every language, must for the purposes of discourse be spoken of as existing—be spoken of in the same manner as those objects which really have existence, and to which existence is seriously meant to be ascribed, are spoken of … but without any such design as that of producing any such persuasion as that of their possessing each for itself any separate, or strictly speaking any real existence'. See UC cii. 24 (23 September 1814). The importance of the distinction that Bentham drew between a fictitious entity and 'a fiction' is emphasised by Schofield, who notes that much Bentham scholarship has been 'plagued' by the incorrect assumption that the former was an example of the latter. A fiction was 'a falsehood', whereas a fictitious entity was 'an abstract term'. See P. Schofield, 'Jeremy Bentham on Utility and Truth', 41 *History of European Ideas* (2015), 1125–42 at 1128. Schofield attributes the scholarly confusion to Ogden's 'unfortunate' choice of title for the presentation of Bentham's logic and language. See C.K. Ogden, *Bentham's Theory of Fictions*, London, 1932.

[3] A real entity was 'an entity to which, on the occasion and for the purpose of discourse, existence is really meant to be ascribed'. See Bowring, viii. 196.

[4] Schofield, 'Legal Positivism', 11–19; P. Schofield, *Utility and Democracy: The Political Thought of Jeremy Bentham*, Oxford, 2006, 1–32.

> To give to the word [religion] a determinate meaning—to bring to view the relation borne by this fictitious entity to real ones, it will be necessary to make up this word, together with other words, into a phrase: and thereupon to shew the equivalence (the equivalence is—not between word and word, but between phrase and phrase) as between the phrase in which this name of a fictitious entity is the principal word, and the phrase containing the name of some corresponding real entity.[1]

Bentham's method of exposition thus consisted of two complementary techniques designed to reveal the 'real source' of the fictitious entity in question. Bentham called the first, and logically prior, technique 'phraseoplerosis'. This referred to the forming or 'filling up' of the proposition that included the fictitious entity to be expounded.[2] As Schofield notes, phraseoplerosis was Bentham's response to the fact that discourse often contained ellipses that needed to be removed by the introduction of the absent words if the full sense of the proposition was to be conveyed.[3] This point is amplified by de Champs, who suggests that while Bentham recognised that even a single word could be presented as though it formed a complete sentence, such a word, in and of itself, was merely a fragment of a proposition—and, again, it was the proposition in its entirety that represented the basic 'unit of meaning'.[4] A man who shouted 'Fire!', for example, might have meant 'This building is burning', or 'I order you to discharge your weapon', or something else. In order to determine what he actually meant, one needed to know something of the context in which he spoke, his motives for speaking, his intended audience, and other relevant variables. Equipped with this information, one could furnish the words that would give full expression to the proposition.

When the proposition was complete, Bentham's second technique of 'paraphrasis' could be employed. As early as *A Fragment on Government* (1776), the idea of paraphrasis had reached a significant degree of maturity in Bentham's mind:

> A word may be said to be expounded by *paraphrasis*, when not that *word* alone is translated into other *words*, but some whole *sentence* of which it forms a part is translated into another *sentence*; the words of which latter are expressive of such ideas as are *simple*, or are more immediately resolvable into simple ones than those of the former…. This, in short, is the only method in which any abstract terms can, at the long run, be expounded to any instructive purpose: that is in terms calculated

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[1] BL Add. MS 29,809, fo. 9 (7 March 1819).
[2] Bowring, viii. 246.
[3] Schofield, *Utility and Democracy*, 23–5.
[4] E. de Champs, 'The Place of Jeremy Bentham's Theory of Fictions in Eighteenth-century Linguistic Thought', 2 *Journal of Bentham Studies* (1999), 1–28 at 24.

to raise *images* either of *substances* perceived, or of *emotions*;—sources, one or other of which every idea must be drawn from, to be a clear one.[1]

Paraphrasis was the translation of the newly 'filled up' proposition comprising the fictitious entity into a second proposition formed of words that denoted, or were at least more proximately related to, one or more real entities. The real entities were 'the *real source, efficient cause*, or *connecting principle*' of 'the import' of the name of the fictitious entity with which they were associated[2]—that is to say, the fictitious entity derived its meaning from the corresponding real entities (most usually a complex relationship of real entities).[3] According to Schramm, the aim of paraphrasis was to translate the 'figurative' proposition into a more 'literal' or 'real' unit of meaning—to provide, in Schofield's phrasing, 'an accurate method of connecting linguistic representation with physical reality'.[4]

Bentham demonstrated how paraphrastic exposition worked with reference to the fictitious entity 'obligation'. The 'real source' of 'obligation' was 'sensation … significative not merely of perception, but of perception considered as productive either of pain, of pleasure, or of both'. After using the technique of phraseoplerosis to place the word 'obligation' in the proposition 'an obligation is incumbent on a man', Bentham then employed the technique of paraphrasis:

> An obligation (viz. the obligation of conducting himself in a certain manner) is incumbent on a man (i.e. is spoken of as incumbent on a man) in so far as, in the event of his failing to conduct himself in that same manner, pain or loss of pleasure is considered as about to be experienced by him.[5]

Bentham showed that it made sense to speak of the name of a fictitious entity like 'obligation' because it was relatable to perceptible pleasures and pains (among other things).[6] Since 'obligation' had its real source in the physical world, the proposition

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[1] *Comment/Fragment* (*CW*), 495n.
[2] Bowring, viii. 246.
[3] See *Deontology, together with A Table of the Springs of Action and Article on Utilitarianism* (*CW*), A. Goldworth ed., Oxford, 1983, 74–9: 'The whole mass of language will, thus, be seen to be divisible into two parts, the real and the fictitious [and] it is in the real part that the fictitious will be found to have its necessary root.'
[4] J-M. Schramm, 'Jeremy Bentham's Imagination and the Ethics of Prose Style: Paraphrase, Substitution, Translation', in A. Julius, Malcolm Quinn, & P. Schofield eds., *Bentham and the Arts*, London, 2020, 115–39 at 123; P. Schofield, 'Introduction', *Bentham and the Arts*, 1–18 at 11; Bowring, viii. 246–8.
[5] UC ci. 221–4 (23 August 1814). Cited in Schofield, 'Legal Positivism', 25–6.
[6] Quinn notes that in the paraphrasis of 'normative abstractions', the preponderant real entities were always the sensations of pleasure and pain. See Michael Quinn, 'Fuller on Legal Fictions: A Benthamic Perspective', 4 *International Journal of Law in Context* (2013), 466–84.

containing it had meaning and might be true or false. However, a fictitious entity that had no connection to man's experience of physical reality such that it was incapable of being rendered meaningful through paraphrastic exposition was nothing more than a mere sound. In this case, the fictitious entity was, strictly speaking, a 'non-entity': an object that could never be 'present to any faculty of the human frame—to perception, memory, or imagination'.[1] The proposition to which the non-entity belonged made no sense, and there was no coherent way of ascribing truth or falsity to nonsense.[2]

For one who used 'religion' to describe the ceremonial or other practices associated with religious belief, the term might appear capable of paraphrastic exposition. For Bentham, however, 'religion' was synonymous with religious belief itself. Thus, a man was a believer in religion, or a 'religionist', insofar as he was persuaded of 'the existence of an invisible and superhuman being, by whom provision has been made of a system of rewards and punishments to be eventually administered to individuals of the human species—either in the present, or in a future, life, or in both'. Bentham sometimes referred to the persuasion by which a man was 'taught to expect pain or pleasure or both at the hands, and by the special interposition, of a God' as 'the religious principle'; more often, 'religion' had to suffice. The idea of God, meanwhile, was that of 'a being distinct from any being … of the existence of which immediate proof is conveyed to us by any of our senses, a being to the operation of which we ourselves, as well as all other beings, are considered as having been indebted for our existence'. From the non-existence—or, more precisely, from the non-perceptibility—of the superhuman, it followed that the name 'religion', as above understood, had no real source. Consequently, there was no way of eliminating the fictitious and replacing it with something meaningful or true. Given that paraphrastic exposition was incapable of translating what was a purely figurative term into any real unit of meaning, 'religion', according to Bentham's theory of logic and language, would appear to be a non-entity. Indeed, although public familiarity with 'religion' convinced him to employ it in his writings, Bentham was firmly of the view that the word ought properly to be discarded, 'for so far from distinct is the clearest idea that can be associated with it'.[3]

Bentham's answer to the aforementioned 'fundamental ontological question'—what did human beings perceive to exist? 'corporeal substances', or objects in the physical world—ought to be kept in mind, for if any objects outside the physical world were

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[1] UC cii. 11 (27 September 1814). Cited in Schofield, 'Legal Positivism', 16–17.
[2] Schofield, 'Utility and Truth', 1128.
[3] BL Add. MS 29,809, fos. 307 (29 December 1810), 10 (7 March 1819), 19 (6 February 1820).

incapable of being 'conveyed to us by any of our senses', they could not be known. Any proposition concerning that which could not be known was subject neither to verification nor falsification. Any such proposition, in other words, was nonsense.

Four Targets

Bentham directed his polemic against the truth and utility of religion at four principal targets: organised religion, natural religion, the religion of Paul, and the religion of Jesus. The four chapters into which the main body of the thesis is divided examine Bentham's assault on each target in turn. Although Bentham wrote about religion as early as the 1770s, and material on religion can be found throughout his entire canon, the chapter sequence broadly follows the chronological order in which he approached these targets in writings that began in earnest in 1811 and spanned a period of more than a decade.

Chapter I will discuss Bentham's critique of organised religion. It will begin by explaining the centrality of Bentham's notion of 'sinister interest' to his attack on the ecclesiastical establishment. Bentham argued that the priests and bishops of the Church of England were motivated by neither a devotion to God nor a dedication to the communities they purportedly served, but by the pursuit of worldly, as opposed to spiritual, rewards. The intellectual origins of his view that the ecclesiastical class sought to subordinate the population to its will in order to cultivate a passive acceptance of clerical authority will then be examined. Although the main focus of this analysis will be the clergy's efforts to instil habits of mendacity and insincerity into the population, the role of Bentham's university education in fomenting his hostility towards the established church will also be discussed. The final section will address Bentham's radical proposals to end the mischiefs done by organised religion to morality and good government. While the object of these reforms was not to eradicate religious belief, but to eliminate a religious institution that existed solely for the material benefit of its ruling members, Bentham was convinced that by breaking the clerical control of religion, people would be better able to decide for themselves whether or not their religious beliefs were consonant with the truth, and whether holding them was conducive to their personal happiness.

Chapter II will examine Bentham's repudiation of the claims made for the truth and utility of natural religion. On the question of utility, the argument advanced by Bentham was largely premised on his conviction that, in order to flourish, any human society needed definite rules of conduct supported by the enforcement of known or knowable sanctions. Natural religion entailed a belief in an all-powerful, supernatural, capricious,

and tyrannical entity who dispensed pleasures and pains in a future state of existence, but provided no 'directive rules of action' establishing the appropriate conduct to be followed in the present life. Much of the mischievousness that Bentham identified with this belief lay in his attitude towards the influence of the religious sanction, as contrasted with the purely human sanctions. On the question of truth, the chapter will address the inconsistencies and absurdities that characterised the natural religionist's ideas about God and a future life—ideas, argued Bentham, that were based upon a series of unreasonable suppositions rather than empirical evidence and *a posteriori* knowledge. A central theme of the chapter is that Bentham's rejection of natural religion was, in part, a response to the theological utilitarianism of Paley.

Chapter III will explore Bentham's attempt to undermine revealed religion by showing that the teachings of Paul contradicted those of Jesus. From his forensic examination of the Acts of the Apostles and the Epistles attributed to Paul, Bentham concluded that Paul had been a liar, a hypocrite, and a fraud whose enterprise was nothing more than one of personal ambition. Far from being in receipt of an apostolical commission from Jesus, Paul had calculated that he could secure to himself the money, power, and reputation that he craved by becoming the leader of the nascent church and preaching, in Jesus' name, a religion of his own invention. The chapter will explain why Bentham thought that the inculcation of abstract faith, or blind credulity, had been one of the fundamental tenets of Paul's teachings, while his account of the linguistic ambiguities, absurdities, falsehoods, and mere natural events that comprised Paul's 'miracles' will also be discussed. Bentham's argument that the asceticism propounded by Paul had led to a corruption of morality will then be examined. Of particular relevance will be Bentham's view that the condemnatory attitudes of his own time towards the gratification of the sexual appetite were grounded in Paulism. It will be shown that in attempting to persuade religionists to reject the fallacious truth-claims, nonsensical propositions, and pernicious doctrines of the self-appointed apostle, Bentham was driven, not by any concern for the integrity of the religion of Jesus, but by the desire to liberate his own society from the many evils rooted in the religion of Paul.

Chapter IV will elucidate Bentham's ideas about the truth and utility of the religion of Jesus. The first section will explain why Bentham thought that the doctrines attributed to Jesus in the four canonical Gospels either made no contribution to human happiness or else were sources of positive human misery. Special attention will be given to Bentham's dissection of the Sermon on the Mount and the reasons for his belief that it was neither

'desirable' nor even 'possible' that 'man's conduct should be shaped to it'. From the debasing of the intellectual faculties of the individual religionist to the inculcation of principles destructive of humanity *in toto*, Christianity was the fount of numerous mischiefs. Each will be discussed in turn. The second section will address the question of the truth of the religion of Jesus. It will be shown that, for Bentham, the alleged facts related by the Gospel writers, including that of the supernatural character or supernatural authority of Jesus, were destitute of all support from reliable evidence. The Gospel narratives exhibited marks of untrustworthiness in such 'prodigious abundance' that their falsity was 'always more probable than [their] verity'. If evidence so completely bereft of probative value was able to support any proposition, then it was that Jesus had been engaged in 'a scheme for acquiring *temporal dominion*'.[1] The section will also discuss the influence of David Hume on Bentham's exposition of the supposed miracles and prophecies of Jesus, and evaluate the significance of Bentham's response to two philosophical arguments for religious belief.

The present thesis will conclude that, in Bentham's view, religion kept morality enveloped in confusion, superstition, mischievous error, and fear, and made truth-claims that could no more withstand the scrutiny of reason and empirical enquiry than they could bear the weight of their own contradictions and absurdities. Religion led to the corruption of the human understanding and the inhibition of human progress—twin evils whose only remedy was the dissemination of knowledge. Bentham hoped that his attack on religion would persuade individuals that 'rational and useful morality' did not require for its foundation, justification, and enforcement the supposition of any supernatural entity, the acceptance of any propositions on unreliable or non-existent evidence, or the intermediation of a publicly funded clergy. Rather, morality ought to be governed by the principle of utility, whose dictates were revealed, not by a divine dispensation, but by the knowledge of human experience.

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[1] BL Add. MS 29,806, fos. 242, 366 (16–19 January 1814), 397 (7 August 1815); BL Add. MS 29,807, fos. 47 (17 July 1815), 97 (10 January 1816), 154 (3 March 1821).

I

Bentham on Organised Religion

<u>Introduction</u>

Church-of-Englandism and its Catechism Examined was printed in 1817 under the pseudonym 'An Oxford Graduate', and was published early the following year under Bentham's own name.[1] Its excoriation of the Church of England made a formidable contribution to Bentham's broader project to undermine the political, legal, and ecclesiastical establishment in England.[2] At the beginning of the 'Preface on Publication' to *Church-of-Englandism*, Bentham referred to *Plan of Parliamentary Reform* (1817)— his critique of the prevailing political system, and a declaration of his radical intent—in the character of a companion volume: 'In the Introduction to the work intituled *Plan of Parliamentary Reform*, &c., a sort of sketch was given of one of the two *natures*, of which our constitution, such as it is, is composed, viz. the *temporal* one. In the present work may be seen a portrait of the other nature, viz. the *spiritual* one.'[3] Whereas *Plan of Parliamentary Reform* contained Bentham's 'Catechism' of proposals to bring about 'democratic ascendancy' through electoral reform,[4] *Church-of-Englandism* denounced the Church's own Catechism—a doctrine learned by children before their confirmation— as an instrument for instilling habits of mendacity and insincerity in the public. In the clergy's demand for unquestioning acceptance of each clause of the Catechism, Bentham recognised a Church focused not upon moral or scholarly instruction, much less upon advancing the religion of Jesus, but upon building a 'nest and nursery of deliberate and lucrative falsehood' in order that parishioners would come to serve their priests with 'humble docility' and revere them as the very 'oracles of God'.[5]

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[1] Revised and abridged versions of some of the material presented in Chapter I have been published as a journal article and book chapter, respectively. See P. Lythe, 'Jeremy Bentham on Organised Religion', 19 *Journal of Bentham Studies* (2021), no. 1, 1–36; P. Lythe, 'Jeremy Bentham on Organised Religion', in J-P Cléro ed., *La Figure de Saint Paul dans les Œuvres de Bentham sur la Religion*, Bayonne, 2021, 53– 73.

[2] *Church-of-Englandism* (*CW*), p. xi.

[3] Ibid. 8. See also Bentham's letter of 14 January 1818 to his amanuensis, John Herbert Koe, in *The Correspondence of Jeremy Bentham* (*CW*), ix. S. Conway ed., Oxford, 1988, 145: 'Church cat. follows up the blow given in Plan Cat.: it goes to the destroying of the whole mass of that matter of corruption which while the Tories feed upon in possession, the Whigs feed upon … in expectancy.'

[4] *Plan of Parliamentary Reform in the Form of a Catechism … Shewing the Necessity of Radical, and the Inadequacy of Moderate, Reform*, London, 1817 (Bowring, iii. 433–557).

[5] *Church-of-Englandism* (*CW*), 109, 262, 272–3.

The immediate target of *Church-of-Englandism*, therefore, was the Church-sponsored education system that taught the Catechism, and in particular the schools of the National Society for Promoting the Education of the Poor in the Principles of the Established Church in England and Wales, which Bentham decried as a cynical means of recruiting and subjugating lay members. As well as functioning to conceal this practice from public scrutiny, the '*ultimate object*' of the National Society was to help preserve from reformation the abuses with which the ecclesiastical establishment was replete.[1] Not least among these abuses was the clergy's extraction of vast sums of money from the population, often in the absence of any meaningful service given in return. After closely examining this and other abuses in the extensive Appendices to *Church-of-Englandism*, Bentham set out proposals for the eventual dissolution of the ecclesiastical class and the disestablishment of the English Church as part of a radical programme of reform. Thus, if the Church's education system was the immediate target of *Church-of-Englandism*, the ultimate target was the Church of England itself.

Based upon a comprehensive survey of the relevant writings, which, in addition to *Church-of-Englandism*, include several manuscript folios of unpublished material,[2] the present chapter explains the reasons for, and the significance of, Bentham's attack on the established church. The aim is to give an account of his ideas about the Church of England so that they are understood not only as belonging to his constitutional reform agenda, but also as having contributed to the development of a separate strand in his thought, one in which religion—in this instance, organised religion—was the primary concern.

Section 1 will introduce Bentham's notion of 'sinister interest' and show why it was pivotal to his condemnation of the ecclesiastical establishment. His interpretation of the controversial events that led to the halting of a legal action will be used to illustrate how he perceived sinister interest to operate in practice. Originally omitted from *Church-of-Englandism* for reasons of brevity, Bentham's 1816 essay on the failed prosecution of a brewer has been published for the first time in the *Collected Works* edition.[3] The essay, which has gone unnoticed in the academic literature, delivers a penetrating attack on the character and conduct of the men whom Bentham held responsible for bringing the influence of the Church to bear upon the case in furtherance of their sinister interest.

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[1] Ibid. 109.

[2] Of particular importance is a draft of a work entitled 'Church-of-Englandism examined' written in 1812–13. Although it shares many themes with *Church-of-Englandism*, the two are separate works. See UC v. 94–316, vi. 1–209.

[3] See *Church-of-Englandism* (*CW*), 'The Andrewes Appendix', 537–75.

Section 2 will show why Bentham thought that the chain of complicity and obfuscation that bound the principal actors to the alliance of Church and state was forged in the pursuit of earthly rather than spiritual rewards. He reserved his sharpest invective in *Church-of-Englandism* for what he saw as an indolent, self-aggrandising priesthood, which, though it affected to mediate between humanity and the divine, devoted itself entirely to the temporal gods of money, power, ambition, and greed.

Section 3 will examine the intellectual origins of Bentham's view that the ecclesiastical class sought to subordinate the population to its will in order to maintain its privileged position within the monarcho-aristocratic regime. While the analysis will focus primarily upon the pernicious influence of the Catechism, as taught in the schools of the National Society, the importance of Bentham's university education to the formation of his 'unfavourable opinions' about the Church will also be discussed.

Finally, Section 4 will explain why Bentham believed that the most effective and morally justifiable remedy for the ills of organised religion in England lay in the '*Euthanasia*', or 'good death', of the established church.[1]

It will be concluded that Bentham's attack on organised religion, together with his proposals for the disestablishment of the Church of England, aimed not at extirpating religious belief from the minds of men, but at eliminating a religious institution that existed solely for the material benefit of its ruling members. Nevertheless, Bentham knew that by freeing religion from the grip of the ecclesiastical establishment, religious belief would become susceptible to the judgment of people acting in their own interests and deciding for themselves whether or not religion was true, and whether or not it was conducive to their personal happiness.

§1. Sinister Interest

§1.1. The Ruling Few

A critical development in Bentham's political thought, which included the established church within its purview, was the emergence of the notion of 'sinister interest'.[2] Bentham used the term to refer to the propensity of the ruling classes ('the ruling few') to advance their own happiness at the expense of the only '*right* and justifiable' end of

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[1] Ibid. 344–6. Bentham borrowed the word 'euthanasia' from Hume. See David Hume, 'Whether the British Government Inclines More to Absolute Monarchy, or to a Republic' (first published 1741), in *Essays, Moral, Political, and Literary*, E.F. Miller ed., rev. edn., Indianapolis, 1987, 47–53 at 53: 'Absolute monarchy … is the easiest death, the true *Euthanasia* of the BRITISH constitution.'
[2] For the history of sinister interest in Bentham's thought, see Schofield, *Utility and Democracy*, 109–36.

government: the greatest happiness of the greatest number of people ('the subject many').[1] Although the phrase 'sinister interest' appeared in Bentham's economic writings as early as 1794, the idea communicated by it existed in no more than an inchoate form at that time.[2] Schofield suggests that the development of sinister interest as a coherent notion may have been a product of the 'despair and disappointment', even the bitterness, that Bentham felt as the successive administrations of William Pitt and Henry Addington thwarted several of his proposals for reform, most notably the panopticon prison scheme.[3] In 1797, Bentham expressed deep frustration at what he perceived to be the influence of the aristocratic Grosvenor family in preventing the panopticon from being built near their Westminster home. He observed, with great regret, that sinister interest acting in opposition to the public interest in protecting society and reforming criminals had caused the claims of 'justice and utility' to be sacrificed to those of 'favour and connection'.[4] After spending six more years, as well as considerable personal wealth, trying to bring the panopticon to fruition, a despondent Bentham became convinced, as all hope of delivering the scheme disappeared, that the ruling few had no intention of promoting the greatest happiness of mankind whenever so doing would satisfy no interest of their own. The failure of panopticon, therefore, did much to persuade Bentham that, rather than being productive of good governance or facilitative of reforms, the British constitutional framework existed only to serve the sinister interest of the rulers who kept it in place.

Between 1803 and 1809, Bentham increasingly referred to sinister interest as he examined the law of judicial evidence and procedure—and, by extension, the workings of the legal establishment. The deficiencies that he identified with the English legal system, such as the willingness of courts to circumvent their own rules while justifying the practice on grounds that attested to the impropriety of those rules, were the result, not of 'primeval blindness and imbecility', as he had previously imagined, but of intentional and 'sharp-sighted artifice'. Whereas ordinary litigants demanded a legal system rooted in substantive law that delivered decisions with a minimum of '*delay*, *vexation*, and

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[1] *IPML* (*CW*), 14–15n.

[2] *Writings on Political Economy: Volume II* (*CW*), Michael Quinn ed., Oxford, 2019, 165–6. Bentham wrote of the 'sinister and partial interest' of government administrators and joint-stock companies. See also *Writings on the Poor Laws: Volume I* (*CW*), Michael Quinn ed., Oxford, 2001, 282–3, written in 1797, in which Bentham discussed powers to restrain the sinister interest of farming managers.

[3] Schofield, *Utility and Democracy*, 109–10. Bentham's use of the word 'sinister' was one of straightforward disapprobation: 'When *motive* is the name of the subject or the object marked for reprobation, *bad* is the adjunct most commonly … employed for that purpose: when *interest* is the name given to the subject or object, *sinister* is the only one of the two names that is given to the adjunct. Of sinister *motives* we hear sometimes: of bad interests never.' See UC civ. 346 (29 May 1811).

[4] UC cliii. 283 (*c*. 5 November 1797).

expense', it was in the sinister interest of legal professionals to support a system that delivered the maximum financial gains to themselves at the cost of the least effort on their part. As judges took enormous fees in place of regular wages, lawyers benefited financially from the artificially complex and deliberately protracted legal processes that litigants had no option but to navigate; those who could not afford to do so were denied access to the protections of the law. A central feature of this 'complicated system of *devices*, all tending to the same … sinister end' was that 'the most instructive and indispensable *sources* of evidence' were frequently excluded in favour of false or otherwise unreliable substitutes. Of English legal procedure, Bentham concluded: 'the *power* found itself in company with the *interest*, and consequently the *will*, to produce as bad a system as the people, with the legislature at their head, could … be brought, by the utmost stretch of artifice, to endure.'[1]

By the time that he was writing material for *The Elements of the Art of Packing* in early 1809, Bentham realised not only that the sinister interests of judges and lawyers were also shared by politicians, but that all such men collaborated and conspired in pursuit of their common sinister ends:[2]

> *Money*, *power*, *ease*, and *vengeance*, these, together with *reputation* … how well
> or how ill soever deserved, may be set down as indicative of the several interests
> by which, when acting in the direction of *sinister interests*, the conduct of public
> functionaries … is, in a more particular degree, liable to be warped.[3]

Elements itself was the result of Bentham's discovery that the political and legal establishments worked together to destroy the liberty of the press by systematising the practice of appointing (judge-directed) special juries in prosecutions for political libel. Bentham contended that government ministers and legal professionals, as well as the king, recognised that the free press posed a serious and ever-present threat to their corrupt dominion. Reiterating this assertion in an essay of 1820, he argued that '*the liberty of the press*, operates as a check upon the conduct of the ruling few; and, in that character, constitutes a controuling power, indispensably necessary to the maintenance of good

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[1] *Scotch Reform; Considered with Reference to the Plan, Proposed in the Late Parliament, for the Regulation of the Courts, and the Administration of Justice, in Scotland,* London, 1808 (Bowring, v. 1–53).

[2] *The Elements of the Art of Packing, as applied to Special Juries, particularly in Cases of Libel Law*, London, 1821 (Bowring, v. 61–186). The essay was first printed in 1810, at which time Sir Samuel Romilly warned Bentham that publication was likely to result in his prosecution by the Attorney-General. See *Correspondence* (*CW*), viii. 60–1.

[3] Bowring, v. 89.

government'.[1] By keeping the liberty of the press in a 'state of constant *annihilation*', the ruling few ensured that the interests of the privileged and the non-privileged remained fundamentally opposed.[2]

Before discussing Bentham's assessment of the ecclesiastical establishment, it is worth pausing to note the way in which Bentham supposed sinister interest to operate psychologically. Even though he considered it descriptively true to say that a man pursued his own interest unless ignorance or the dictates of sympathy and antipathy—that is, 'unfounded sentiments' or '*caprice*'—caused him to act against it,[3] Schofield explains that it did not follow that a man '*ought* on every occasion' to pursue his own interest; rather, in conformity with the principle of utility, he ought always to pursue that conduct which is 'most conducive to the aggregate interest of the community'.[4] That said, a man would only commit acts of a generally beneficent kind if his own interest motivated him to do so, whether for reasons of a '*social*' or '*self-regarding*' nature.[5] At a societal level, therefore, the proper, as opposed to the sinister, function of a legislator was to create the incentives necessary to ensure that an individual's interest aligned, or at least did not conflict, with the public interest, and to safeguard the public interest from the sinister interest of any individual or group of men. Bentham was of the opinion that members of a group pursued their sinister interest more determinedly than an individual pursued his own interest—sinister or otherwise—because public opinion, which operated to support the public interest, had the capacity to elicit a measure of shame from an individual sufficient to restrain disreputable behaviour.[6] Conversely, members of a group were more likely to ignore public opinion and heed the opinions of other group members. This, in turn, lent support to the group's prevailing sinister interest, the strength of which lay in the promise of the benefits to be derived from its advancement, as well as in the overall cohesion of the group.[7] In Bentham's judgment, the ruling few were no different from any other group of men with a sinister interest that conflicted with the interest of the

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[1] *On the Liberty of the Press, and Public Discussion and other Legal and Political Writings for Spain and Portugal* (*CW*), C. Pease-Watkin & P. Schofield, Oxford, 2012, 12–13.

[2] Bowring, v. 101, 117n; Schofield, *Utility and Democracy*, 136.

[3] *IPML* (*CW*), 15.

[4] Schofield, *Utility and Democracy*, 125–6.

[5] *IPML* (*CW*), 116.

[6] See *IPML* (*CW*), 47: 'The pains of an ill-name, are the pains that accompany the persuasion of a man's being obnoxious … to the ill-will of the world about him. These may likewise be called the pains of ill-repute, the pains of dishonour, or the pains of the moral sanction.' For a more detailed discussion of the moral sanction and the other 'human sanctions', see 82–4 below.

[7] M. James, 'Public Interest and Majority Rule in Bentham's Democratic Theory', 9 *Political Theory* (1986), no. 1, 49–64.

community, except that, crucially, only they had the power, knowledge, and political opportunity to realise their happiness at the expense of that of almost everyone else.[1]

By 1812, after concluding that sinister interest was pervasive among the ruling members of the legal and political classes, Bentham had turned his attention towards the ecclesiastical establishment. The culmination of his enquiry, *Church-of-Englandism*, was an uncompromising account of the sinister interest that, in his view, permeated the clergy as it permeated the other members of 'the *unseen* and invisible, but not less severely *felt*, corporation of the *ruling few*': the lawyers, judges, and politicians. Bentham thought the establishment of a body of men with the power to regulate and supervise religious belief had no purpose other than to afford the ruling few an additional means of promoting their sinister ends. As the coercive power of the state was employed to support the Church in this regard—by punishing dissenters, for example, or by levying the oppressive taxes that maintained the clergy in affluence—so the established church provided a vital security against the threat of reform. Thus, even before the state was required to employ physical force to suppress popular opposition to the ruling few, the clergy encouraged the public into submission so as to reduce the likelihood of such a challenge emerging in the first place; a key aspect of this enterprise, as will be seen, concerned the Church's role in public education. Bentham observed the close connection between ministers of state and ministers of the Church, and saw how the partiality that ordered their commitments functioned to the detriment of ordinary people. Indeed, a single legal proceeding captured in microcosm the disparity that he identified between the '*excellence*' of the Church of England 'so nobly proclaimed' and a reality in which injustice, partisanship, and abundant other evils followed from the alliance of Church and state.[2]

§1.2. The Case of John Abbott

In 1814, a prosecution by order of the Commissioners of Excise was brought against John Abbott, a brewer and local magistrate in Canterbury, for selling a poisonous beverage to the public and for practising a fraud upon the revenue. It was alleged that Abbott had introduced noxious additives to his porter in an effort to minimise the cost of using only the proper ingredients. His defence was that a neighbour, one George Blake, had fabricated the charges laid against him out of spite. Abbott also claimed to know very

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[1] J. Hamburger, *Intellectuals in Politics: John Stuart Mill and the Philosophic Radicals*, New Haven, 1965, 45.
[2] *Church-of-Englandism* (*CW*), 29–30, 285. Bentham referred to 'excellence' or the state of being 'excellent' throughout *Church-of-Englandism*. At the time, these words were often used to describe the Church by clergy and laity alike.

little about the brewing trade, despite his thirty years' experience in it, and that he trusted to the probity of his staff not to manufacture beer using substances prejudicial to human health.[1]

On 19 November 1814, Abbott sent a memorial to the Lords Commissioners of the Treasury appealing to their discretionary power to stay the proceedings. The memorial was referred to the Commissioners of Excise, who were instructed to prepare a report into the circumstances of the case. That report, delivered on 27 January 1815, rejected the notion that Blake had any connection with the prosecution and declared the defendant's professed ignorance of the acts alleged 'utterly impossible' to believe. Instead, the evidence established an 'indispensable duty' to proceed against Abbott in a cause 'so far delayed from an *ex parte* representation totally false and groundless'. The report concluded with a recommendation that Abbott, having committed 'one of the grossest and least pardonable offences', be shown no favourable regard. However, on 6 February 1815, Gerrard Andrewes, Dean of Canterbury and Rector of St James's, Piccadilly, wrote an urgent testimonial in Abbott's defence to Nicholas Vansittart, Chancellor of the Exchequer and, *ex officio*, one of the Lords Commissioners of the Treasury:

> Ever since I have known [Abbott], he has appeared to me so good a man, and so useful a magistrate, that I should be very sorry to have that usefulness diminished by his being brought forward to the public in a matter which concerns only ale-drinkers, and I fear has its source in malice…. I think it my duty to prevent evil; and to lessen the influence of a useful man, unnecessarily, is a great evil.[2]

On 25 February 1815, the Lords Commissioners of the Treasury ordered the case to be stayed on the ground of the malicious motives attributed to Blake and the prosecution.[3]

Bentham was contemptuous of the decision. First of all, it struck him as profoundly insincere for the tribunal to treat the prosecutor's motives, whatever they were, as necessarily fatal to the case given how routinely the penal law of the early nineteenth century looked to private purposes to actuate public legal proceedings. The Colouring of Porter Act of 1811,[4] which permitted informers to recover a share of the fines levied on a guilty party, afforded a pertinent example. As Bentham argued in 'Introductory View of the Rationale of Evidence', all that enmity or an economic interest should entail were

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[1] See 'Further Papers Relating to Excise Prosecutions; &c.', *Commons Sessional Papers* (1816) xviii. 65–74.

[2] Ibid.

[3] *Church-of-Englandism* (*CW*), 325n.

[4] 51 Geo. III, c. 87, §§16, 35.

these or other '*seducing* motives' to encourage a prosecutor's testimony to deviate from the 'line of truth' was more vigilant scrutiny on the part of the judge.[1] Rather than furnishing a reason to stay the case, the court needed only to summon Blake as a witness so that any detectable malice might be 'made to testify against him'. Bentham also pointed out that ruling on the basis of Blake's motives reduced the application of the law to absurdity, for if a prosecutor's animosity towards an accused were enough to nullify a legal action, the very act of prosecuting—an open expression of hostility—must itself be a cause of invalidity.[2]

Although he condemned the stated reasoning of the Lords Commissioners of the Treasury in this way, Bentham thought it a deliberate evasion—a *post hoc* justification designed to mask the real cause of Abbott's reprieve:

> Throughout the whole field of government, the interest of the ruling and influential few is in a state of diametrical opposition to the interest of the subject many: and it is on the operation of this sinister interest that the lot of the country and every man in it is on every occasion determined.[3]

Sinister interest had distorted the proceedings in the Abbott case. The insidious effect of 'so notorious a partiality' was to cause trustworthy evidence to be excluded from consideration and a poisoner to be kept insulated from the rule of law. Discrediting the motives of the prosecutor was 'nothing to the purpose'. It served merely as a pretext for the 'Guardian of the Revenue'—Bentham's sarcastic epithet for Vansittart, the man 'on whom alone in effect' the judgment depended—to interfere with a legal process in order to exercise 'favouritism' and extend the 'corrupt influence' of his friend, the Dean. The decision to absolve the brewer-magistrate was an exhibition of naked partisanship and nepotism: a sinister interest common to two senior members of the Church of England that prevailed over the interest of the whole community in seeing justice done.[4] Vansittart's only other concern was to protect Abbott's 'honourableness and beneficiality', qualities, Bentham argued, for which there was 'not a tittle of evidence' beyond the 'vague generalities got up for the purpose' by Andrewes.[5]

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[1] Bowring, vi. 1–187 at 154.

[2] *Church-of-Englandism* (*CW*), 326n, 548.

[3] Ibid. 573.

[4] Bentham defined the interest of the community as 'the sum of the interests of the several members who compose it'. See *IPML* (*CW*), 12.

[5] *Church-of-Englandism* (*CW*), 48, 546–61.

Aside from demonstrating how sinister interest operated among the 'Church-of-Englandist' ruling few, Bentham presented the Abbott case as an illustration of the specifically malignant influence of the ecclesiastical class on government. More precisely, he believed that the legal proceedings provided an 'instructive' example of the corrosive effect that Church-of-Englandism exerted on the 'moral disposition' of lay government officials. Immediately after describing Vansittart as a man of 'exemplary piety', Bentham added the qualification: 'Piety is in some breasts a cause of morality, in others a substitute to virtue, and an atonement made for the want of [it].' Insofar as government ministers and other public servants were guided in their decisions by piety, they acted according to sentiments irrelevant to, if not directly contradicting, the considerations that ought always to be paramount, such as objective truth-testing and respect for due process. For example, English judges, portrayed by Bentham since his earliest writings as men overburdened with 'ignorance', 'fickleness', and myriad 'prejudices', habitually allowed their religious sympathies and antipathies to outweigh any concern for the 'dictates of pure and native Justice'.[1] In a letter of February 1818 to William Smith, MP for Norwich, Bentham explained how the pious judge used the common law offence of blasphemy to 'grind to powder' those who rejected the Church of England: 'any thing and every thing, which it shall please the piety of this or that bench to call *christianity* will thereby be so [and] every thing that it shall please that same piety to call an offence against the said *christianity* will thereby be so.'[2] Bentham encountered a judiciary that, under the pretence of applying impartial substantive law, exercised its powers arbitrarily to thwart even the smallest challenge to the standing of the established church and the sinister interests of its custodians:

> The genealogy is in this wise: From *imaginary* grace, imaginary *mystery*, imaginary *sacrament*, come imaginary *blasphemy*, imaginary *sin*; from imaginary sin, comes *real antipathy*; and from men, in ruling and otherwise influential situations, *real oppression* and *real persecution*, on that one part; real suffering on the other:—for, by the imaginary sin, is produced, in the ruling breast, along with the antipathy, a pretence for gratifying it.[3]

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[1] *Comment/Fragment* (*CW*), 223–4.

[2] *Correspondence* (*CW*), ix. 168–77. Bentham asked Smith whether the Archbishop of Canterbury had approved the Doctrine of the Trinity Act of 1813 (53 Geo. III, c. 160). The legislation, which Smith had introduced, repealed provisions criminalising the expression of anti-Trinitarian views. Having decided to publish *Church-of-Englandism*, Bentham wrote to Smith because he wished to add the letters exchanged with the MP to the 'Preface on Publication' in the hope that they would afford him some protection against the possibility of his being prosecuted for libel.

[3] *Church-of-Englandism* (*CW*), 255.

Bentham did not think this genealogy an aberration—a regrettable deviation from the character and tendency of Church-of-Englandism understood in its purest, truest sense. Rather, the 'corrupt affection' common to members of the political, legal, and ecclesiastical establishments was one of the state religion's natural 'fruits'. A thin piety screened an otherwise inscrutable system of preference and preferment enjoyed by Vansittart, Andrewes, and others among the ruling few, whose '[*i*]*ll will towards men*' manifested itself in the 'oppression' and 'persecution' of the subject many. Bentham was unequivocal that religious favouritism degraded the 'condition of the country' more than most other forms of corruption. Taking bribery as an example, he asserted that the desire to avoid embarrassment by association generally discouraged the colleagues of a bribed official from endeavouring to shield that official from what Rosen calls the 'active and critical' censure of public opinion.[1] Instead, the official would be abandoned, 'as when stricken a deer is by the herd'. The alliance of Church and state, however, ensured that any attempt to expose the sinister and 'unpunishable' religious favouritism that explained decisions like that in Abbott's case would not so much bring about reform or redress as meet with more prevarication from those at the heart of government: 'Publish the corruption, you increase it: yet to conceal it would be still worse.'[2]

On this basis, Bentham also depicted Vansittart's manipulation of the Abbott proceedings as an attempt to escape 'humiliation': either the humiliation of being seen to consort with, and even to conspire to exonerate, a delinquent; or the humiliation that might accrue to the Chancellor of the Exchequer were he known to have punished a man vouched for by so esteemed a referee as Andrewes. In support of this claim, Bentham cited Abbott's memorial, which detailed the malicious intent alleged of the prosecution. Against Vansittart's stated reason for failing to publish the paper in defiance of an order of Parliament—namely, its irrelevance to the purpose of the enquiry—Bentham objected that it made the conduct of those who stayed the case in pretended reliance upon immaterial evidence all the more 'indefensible'.[3] The reality, he maintained, was that Vansittart was prepared to impugn the motives of a prosecutor in order to protect his and Andrewes' reputations for rectitude, yet wanted to keep the document carrying the imputation concealed from those who might come to suspect their politicians and priests of being guided by sinister interest rather than anything so prosaic as truth or justice:

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[1] F. Rosen, *Classical Utilitarianism from Hume to Mill*, London & New York, 2003, 92.
[2] *Church-of-Englandism* (*CW*), 255, 556–7, 567–74.
[3] Ibid. 555n, 563–7.

> A suppression of evidence has just been proved. But … let not any man be surprized. It has been proved at length that, upon the principles and in the practice of Church-of-Englandism, as often as the effect of evidence would be to bring to light malpractice on the part of its rulers, evidence ought to be suppressed.[1]

Bentham was inveighing against an obscurantism designed to keep the subject many in ignorance, while the ruling few furthered their sinister ends. Turning to the clergy of the Church of England in particular, the following section will discuss why Bentham believed those ends to be more profane in origin than either spiritual or divine.

§2. Temporal Reward

§2.1. Pay without Performance

Bentham attacked the cupidity of the ecclesiastical class by contrasting the acquisitiveness of Church of England clergymen with the restraint and moderation practised in other Protestant denominations. Against the admiration and respect yielded in the Church of Scotland as the '*natural*' rewards of meritorious public service, he set the '*factitious*' rewards reaped in the Church of England by any cleric who ingratiated himself with, or happened to be related to, a 'high-seated' patron and 'giver of good gifts'.[2] In the case of a bishop desirous of an extra 'mass of reward', the ingratiation often took the form of a speech or vote cast in Parliament that promoted the interests of the king, a minister of state, or some other present or prospective patron. Throughout *Church-of-Englandism*, Bentham made repeated reference to the Scottish Kirk in order to draw attention to an established church that discharged its duties without the need of bishops—or deans, canons, prebendaries, præcentors, archbishops, archdeacons, or any other of the clerical 'abominations' with which the Church of England abounded. Not only were many of these officials awarded enormous salaries, but they received their pay in the absence of any obligation to give 'profitable service' in return. Hence, while there could be no sharper criterion for distinguishing the English clergy from their Presbyterian counterparts than the riches and dignities some among them possessed, the gravamen of Bentham's complaint was that once '*expectancy*' had turned into '*possession*'—that is, once a Church of England minister had sought and secured a sinecure or other reliable income stream—all effort to deliver service ended. A hitherto '*seductive*' influence thus

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[1] Ibid. 564.

[2] Bentham was almost certainly echoing scripture and may have had in mind James 1: 17: 'Every good gift and every perfect gift is from above, and cometh down from the Father of lights.'

became a '*narcotic* and *sedative*' one: 'The hope of the reward is what the exertions had for their cause: the *cause* ceasing, so does the *effect*.'[1]

Bentham believed that this self-serving attitude lay behind several of the evils attendant upon the Church's system of allocating benefices, or livings, to its priests. In nineteenth-century usage, a benefice was an ecclesiastical office in which revenues and other valuable assets, including the private use of a rectory or vicarage, or one or more other Church-endowed properties, were bestowed upon the incumbent minister for life. Nominally, these benefits, or 'temporalities', were granted to the priest in exchange for his performing spiritual duties ('spiritualities') in the parish and as a retainer for their future performance; in reality, said Bentham, they all too often amounted to a lucrative sinecure conferred upon the cleric for 'not so much as the pretence of service'. This was especially true in the case of a priest who held two or more benefices simultaneously, a practice known as pluralism. Despite the fact that such a priest was resident in no more than one of the parishes concerned (since no man could be in two places at once), pluralism allowed him to obtain the temporalities associated with each office that he held. Sometimes a pluralist chose not to reside in any of his own parishes, electing instead to secure an additional benefice by doing administrative work on behalf of an ecclesiastical or lay master located elsewhere in the country. Insofar as any spiritual duties were performed in a parish in which the incumbent minister was regularly or permanently absent, those duties had to have been delegated to an assistant curate. Aside from the relatively modest remuneration provided to the curate, however, all revenues associated with the office would be retained by the beneficed clergyman.[2]

Bentham denounced the widespread pluralism, and its concomitant absenteeism, for enabling 'useless' parish priests to cultivate to their advantage a striking asymmetry in the relationship between their work and their pay. The main objects of his condemnation, however, were the 'equally useless' bishops and archbishops located at the top of the clerical hierarchy.[3] Bentham—who, as Rosen notes, had become 'thoroughly familiar' with the Bible in his early life and education[4]—remarked that the bishops violated two of the most 'peremptory and pointed' prohibitions delivered by Jesus to his Apostles, whom the bishops claimed to succeed: first, by their voracious accumulation of wealth; and,

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[1] *Church-of-Englandism* (*CW*), 384–5 & n, 401–7.
[2] Ibid. 285.
[3] Ibid. 346.
[4] *IPML* (*CW*), p. xxxi.

second, by their exercising almost unrestrained dominion over their fellow priests.[1] In support of this first assertion, Bentham reproduced a table published in *The Morning Chronicle* of 17 February 1813 detailing the incomes (exclusive of sinecures) of all English bishoprics. Several annual salaries exceeded £10,000, with Canterbury and Durham[2] worth £20,000 and £24,000, respectively.[3] Seeing no reason to regard even the least of these incomes as remotely insufficient in terms of the quantity and quality of the service it supposedly secured,[4] Bentham argued that levying money to fund extravagant episcopal salaries imposed a burden on the lay taxpayer 'without need or use'. One of Bentham's recurring criticisms in *Church-of-Englandism* was that, under the Church's system of 'unvarying and everlasting' formularies, all pay over and above that which engaged the services of a parish clerk, who might read the prescribed prayers, sermons, and liturgy as competently as any prelate, was incommensurate with the value of the work done, and therefore wholly gratuitous. Bentham also invited the senior clergy to justify the extortionate surplice fees that all priests collected for performing baptisms, marriages, burials, and the churching of women. These 'despotic' charges, which, once again, were paid directly to the incumbent of the parish even if the ceremony in question had been performed by an assistant curate, functioned to exclude poorer parishioners from the services upon which their family rights and, so they were told, their souls' salvation depended. Even if the particular surplice fee could be paid, it remained disproportionately oppressive to the least affluent in society, since all parishioners, rich or poor, were charged at the same rate.

More oppressive still were the compulsory taxes. Bentham considered every tax imposed to sustain episcopal and other ecclesiastical excesses 'a scandal to the age', but

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[1] *Church-of-Englandism* (*CW*), 475–6. Bentham cited Matthew 9: 16–28, Mark 9: 33–5, Luke 22: 24–6, and several other Biblical passages in which Jesus issued such prohibitions.

[2] Until his temporal authority was abolished by the Durham (County Palatine) Act of 1836 (6 & 7 Will. IV, c. 19), the Bishop of Durham exercised substantial secular powers as a virtually autonomous ruler of the County Palatine of Durham. The powers of the so-called 'prince-bishop', which included the right to levy taxes and collect revenue from mines, were conditional only upon his remaining loyal to the king.

[3] *Church-of-Englandism* (*CW*), 409–12. In his own, slightly later, attack on the excesses of the ecclesiastical class, John Wade argued that there was 'no just reason' why the bishops' official incomes should be 'so disproportionate to that of a lord of the Treasury, or Chancellor of the Exchequer'. In 1780, the annual salary of the Chancellor of the Exchequer was £5,398. It remained so until 1831, when it was reduced to the same £5,000 salary received by the First Lord of the Treasury. Wade also described the salaries of the judges of the common law courts as 'enormously too high', although, again, the £5,300–£5,500 paid to the puisne justices of the King's Bench and Common Pleas in 1829 was significantly less than many episcopal incomes. See John Wade, *The Black Book: An Exposition of Abuses in Church and State, Courts of Law, Municipal Corporations, and Public Companies*, 2nd edn., London, 1835, 59–60, 329, 500–1.

[4] The smallest salary, £900 *per annum*, belonged to the Bishop of Llandaff. Until the early twentieth century, all Welsh dioceses were part of the Church of England.

he believed tithes to be especially iniquitous. The tithe—an annual levy paid to the Church, traditionally in kind, on one-tenth of agricultural produce—succeeded in placing an unwarranted penalty upon '*the most profitable application of labour*'. The substantial revenues generated by this tax, which all farmers had to pay irrespective of their religious affiliations, also further incentivised bishops and ministers to spend more of their time absorbed in 'pleasures, or pursuits' rather than in the performance of their duties. In Bentham's estimation, scarcely any limits could be assigned to the mischief operating in diminution of happiness as money was taken from the industrious hands of the community—churchgoer and non-churchgoer alike—and put into the pockets of idlers 'so inappositely styled *reverend*'.[1]

Bentham's second assertion was that, contrary to the teachings of Jesus, the bishops exerted a tyranny over their priests by means of a 'separate and altogether useless' body of substantive law, with its own judicial establishment and forms of procedure. It was a dominion, however, that did not translate into the effective maintenance of ecclesiastical discipline. The bishops, said Bentham, were more interested in committing abuses of a similar kind to those of their subordinates—receiving pay without performing service, for example, or '*converting Cure of souls into Sinecure*' for personal profit—than doing anything either to prevent abuses or to punish the perpetrators of them. The system itself, which existed only so that the patronage of the judicial establishment could be held in the bishops' 'pre-eminently unfit hands', resulted in 'inefficiency', 'uncognoscibility', and 'palpably inexcusable' complication. Bentham contended that, in practice, the prospect of receiving ever greater amounts of pay was inducement enough for most priests to obey the commands of their rulers and lend support to the bishops' authority, neither of which had anything to do with providing service in the parish.[2]

Although the Church of Scotland also had a body of substantive law for maintaining clerical discipline, the enforcement of this law required no separate judicial establishment. Rather, a '*natural*' system of justice operated in the Kirk, with groups of clergymen, assisted by members of the laity, exercising 'what little discipline [needed] to be exercised by them, over one another, considered as *individuals*' in proceedings that commenced as soon as an abuse had been alleged. Litigation was required if the maintenance of discipline made it necessary 'to give effect to the *substantive* portion, or *main body*, of the law', yet so infrequent was the demand for litigation that it could be

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[1] *Church-of-Englandism* (*CW*), 285–6, 372, 382n, 411, 474–7, 488n.
[2] Ibid. 476; Schofield, *Utility and Democracy*, 193.

'justly concluded', reasoned Bentham, that ministers in Scotland rarely infringed the ordinances of the law. Under the Church of England's '*technical*' system, however, an official who suspected (or, indeed, knew) that an abuse had taken place seldom made an 'application for execution', meaning that the transgressions, for all it was possible to tell, may have been 'universal'. In the English Church, therefore, the 'forms' of discipline existed, but the 'substance' did not. In the non-established churches, which Bentham thought were superior even to the Church of Scotland, the opposite was true: there was 'no form, but nevertheless the *substance*: and this but the better, for being *without* the forms'. Discipline was maintained with 'perfect *simplicity*, and with no less perfect *efficiency*', not by the clergy or by the implementation of coercive laws, but by the laity 'in their character of voluntary contributors to the expense'. If a minister failed to perform his spiritual duties satisfactorily, or failed to perform them at all, then congregants could simply choose to attend a different place of worship and take their financial support with them. This had the same effect as a legal sanction, but lacked the 'maximization of delay, vexation, and expense' that the bishop-controlled English system 'took for its main, if not for its sole object'.[1]

§2.2. An Appeal to Ridicule

In Bentham's view, the Church of England priesthood had long rejected Jesus' saying, 'It is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God',[2] preferring instead to heed the maxim that the greater the quantity of pay attached to an office, the greater the qualitative value of the service rendered. Personal wealth, not performance of duty, was the measure of a clergy for whom, remarked Bentham, 'camels galloping through the eyes of needles have doubtless been a familiar spectacle'.[3]

Bentham frequently derided the acquisitiveness of the ecclesiastical class in this manner. His pithy explanation of the marked disparity between clerical salaries was that it seemed 'as if, upon being made an Archbishop, a man's stomach grew some hundred times as large as that of a Priest'.[4] Yet, despite its rhetorical force, Bentham knew that an appeal to ridicule had the potential to undermine rather than enhance the credibility of his argument. As the Reverend Walter M. Hatch, editor of the writings of the philosopher

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[1] *Church-of-Englandism* (*CW*), 415–27.
[2] Mark 10: 25.
[3] *Church-of-Englandism* (*CW*), 391n.
[4] Ibid. 285.

Anthony Ashley Cooper, third Earl of Shaftesbury, commented in a critical footnote to the first treatise of Shaftesbury's *Characteristicks of Men, Manners, Opinions, Times* (1711), ridicule often provided an outlet to 'passion and prejudice', and so might constitute 'an appeal to ignorance and sentiment rather than to knowledge and conviction'. Bentham's approach, however, was to combine humour with polemic in support, not in lieu, of his 'knowledge and conviction'.[1] Indeed, his willingness to use satire and wit to focus attention upon the venality of the ecclesiastical establishment gave expression to Shaftesbury's own belief that

> Truth, it is supposed, may bear all lights; and one of those principal lights, or natural mediums, by which things are to be viewed, in order to a thorough recognition, is ridicule itself, or that manner of proof by which we discern whatever is liable to just raillery in any subject.[2]

Bentham was familiar with Shaftesbury's views on the utility of employing ridicule in this way, concurring that, if the quality of the thing being interrogated was itself absurd or ridiculous, then 'no argument can be fairer: nor can there be in this case a fairer *test of truth*'.[3] After bemoaning the '*invincible* ignorance' of absentee priests, for instance, Bentham turned to ridicule to make the point that even a resident priest typically had scant knowledge of his parishioners and their needs:

> The drawing-room, the dining-room, the cellar, the stable, the dog-kennel, of the Lord or Squire—with the state of all these agreeable receptacles … the most perfect acquaintance may, without any over-weening confidence, be expected at the hands of the Resident Minister, where there is any…. But the *poor* inhabitants and their wants,—not altogether unhonoured are they, if to the man of God as many of their names are known, as of those of his Lordship's hounds.[4]

Bentham's use of ridicule was thus an attempt, first, to add emphasis to his critique of the true purposes of the ecclesiastical class rather than to proceed against the clergy *ad hominem*; and, second, to direct his disdain for that rank of men with the requisite 'intelligence' and 'refinement of judgment' that Hatch himself demanded in order that

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[1] Anthony Ashley Cooper, 'A Letter concerning Enthusiasm' (first published 1708), in *Characteristicks of Men, Manners, Opinions, Times* (first published 1711), W.M. Hatch ed., rev. edn., London, 1870, 1–70 at 39n.

[2] Anthony Ashley Cooper, 'Sensus Communis: An Essay on the Freedom of Wit and Humour' (first published 1709), in *Characteristicks*, 71–174 at 75–6.

[3] *Church-of-Englandism* (*CW*), 365–7. This section, like Cooper's work, discusses ridicule as a fair test of truth and contains numerous references to 'Sensus Communis'.

[4] *Church-of-Englandism* (*CW*), 363.

ridicule should assume a valid argumentative form.[1] As alluded to above, Bentham was grappling with the paradox that the greed and corruption he identified would not end unless and until the Church had been thoroughly discredited, even though disparaging the ecclesiastical establishment could threaten the very prospect of achieving reform.[2] An institution whose ruling members could invoke both God and the Crown was uniquely privileged to disguise, or else validate, its improprieties. Bentham's attitude was simply to reject the idea that the Church of England could claim these privileges, while denying others the freedom to ask the question posed by Shaftesbury: 'Is this not ridiculous?'[3]

Bentham argued that, in addition to the accumulation of wealth and power, chief among the sinister interests of the ecclesiastical establishment was a commitment to subordinating the public to its will. Alongside an examination of his reasons for making this claim, the following section will explain the alleged purposes of the practice. It will also analyse why the matter was of paramount importance both to the formation and to the force of Bentham's opposition to the established church.

§3. The Prostration of the Understanding and the Will

§3.1. Mendacity and Insincerity

Bentham had long been persuaded that the Church was an engine of mendacity. The germ of this idea can be traced back to 1764 when, as a sixteen-year-old, he was required to subscribe to the Thirty-nine Articles of the Church of England as a condition of his graduating from the University of Oxford. It was, to borrow from Schofield, 'an intellectual ordeal that never ceased to trouble him, and constituted a pivotal moment in the development of his views on organised religion'. Bentham bitterly resented the fact that the effect—if not, in his assessment, the sole purpose—of his having to attest to the truth of the statements of doctrine and discipline contained in the Articles was to undermine his own conviction that they conveyed either 'no meaning at all' or 'no meaning but one which [was] too plainly irreconcilable either to reason or to Scripture'. He thought, for example, that obliging people under Article VIII to recite and believe the creeds—three formulated statements of faith that were 'at war' with reason, with the Bible, and with each other—debarred individuals from the free exercise of their

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[1] Cooper, 'A Letter concerning Enthusiasm', 39n.

[2] J. Steintrager, 'Morality and Belief: The Origin and Purpose of Bentham's Writings on Religion', 6 *The Mill Newsletter* (1971), no. 2, 3–15.

[3] Cooper, 'Sensus Communis', 76.

judgments, thereby driving them into 'probable *error* and certain *insincerity*'.[1] Together with a number of students who shared his misgivings, Bentham approached a fellow of Queen's College, Oxford, whose job it was 'to remove all such scruples'. After Bentham had voiced their mutual 'distress', the group met with the 'cold' response that it was presumptuous for uninformed youths to set private judgments against a public one 'formed by some of the holiest, as well as best and wisest men that ever lived'.[2]

In the 'Preface' to *Church-of-Englandism*, Bentham claimed that, even before this incident, he had been deeply affected by the hostility that students at Oxford faced if they were adjudged to hold heterodox religious views. He said that witnessing five Methodist students being expelled for 'heresy' and the 'frequentation of *conventicles*' soon after he arrived at the university caused him to develop 'unfavourable opinions, and thence … unfavourable affections' towards the Church in which he had been raised and confirmed. The young Methodists had done no more, alleged Bentham, than study the Bible independently and put their own interpretation upon the Articles. By their expulsion, he declared, 'that affection which at its entrance had glowed with so sincere a fervor,—my reverence for the Church of England—her doctrine, her discipline, her Universities, her ordinances,—was expelled from my youthful breast'.[3] Nevertheless, not wishing to disappoint a devout father who had paid for his education, and who desired him to embark upon a legal career,[4] Bentham reluctantly subscribed to the Articles at his graduation: 'I signed:—but, by the view I found myself forced to take of the whole business, such an impression was made, as will never depart from me but with life.'[5]

Despite always lamenting a decision that he considered 'an act of intellectual dishonesty'[6]—he would describe writing *Church-of-Englandism* as 'an *expiation*'— Bentham reflected that his sense of shame eventually became almost lost in the indignation kindled by the thought of the still greater evil of his 'corrupters':

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[1] According to Article VIII, the Athanasian, Apostles', and Nicene Creeds were 'thoroughly to be received and believed'. Bentham thought the Church of Scotland 'wiser and honester' than to teach any of them. See *Church-of-Englandism* (*CW*), 213–14.

[2] *Church-of-Englandism* (*CW*), p. xii., 35–40, 211–22 & n, 306, 471–2.

[3] The incident in question most probably refers to the expulsion of six students 'for holding Methodistical tenets, and taking upon them to pray, read, and expound the scriptures, and sing hymns in a private house', reported in *The St James's Chronicle* of 17 March 1768. Bentham has misremembered the date of the incident. The expulsion hearing took place on 11 March 1768 at St Edmund Hall, by which time Bentham had left Oxford to take up residence at Lincoln's Inn.

[4] Bentham's father, Jeremiah Bentham (1712–92), was a successful attorney in the Court of Chancery and a committed member of the Church of England.

[5] *Church-of-Englandism* (*CW*), 34–6.

[6] Schofield, *Bentham: A Guide for the Perplexed*, 2.

> *Mendacity* and *insincerity*—in these I found … the sure and only sure effects … of a Church of England education of the first quality: these, sooner or later, I could not but see in the number, not only of its *effects*, but of its *objects*: of mendacity, a forced *act* or two: and the object of it the securing of an *habit* of insincerity throughout life.[1]

A speech delivered by William Howley, Bishop of London, later Archbishop of Canterbury, to his diocesan clergy in 1814 confirmed Bentham in his opinion, some fifty years after he had subscribed to the Articles, that it was a deliberate 'policy' of the ecclesiastical establishment to train the public in insincerity. Bentham fixed upon an especially evocative passage in Howley's address that characterised Unitarians as men who 'loving rather to question than learn, have approached the oracles of divine truth without that humble docility, the prostration of the understanding and will, which are indispensable to proficiency in Christian instruction'.[2] Bentham could conceive of no clearer statement that the 'avowed object' of Church of England doctrine, as enforced by what passed for Church discipline, was to maintain a tractable laity possessed of an unshakable sense of dependence upon the ecclesiastical class. Pursuing that object required the clergy to direct their efforts towards those who could be urged, by 'subscription and conformity', to 'throw off the yoke' of sincerity and place themselves under the dominion of their clerical instructors.[3] Bentham viewed Howley's sermon as an attempt to promote one of the most important means of executing that charge: the Catechism of the Church of England, as taught in the schools of the National Society.

Inaugurated on 16 October 1811, the National Society aimed to make the Church of England the cornerstone of national learning.[4] Adopting the monitorial method of teaching,[5] the declared purpose of the Church's education system was to impart 'knowledge and habits' to the children of the poor 'sufficient' to guide them through life without raising their aspirations beyond their 'proper stations'.[6] Steintrager is correct to

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[1] *Church-of-Englandism* (*CW*), 36.

[2] William Howley, *A Charge delivered to the Clergy of the Diocese of London, at the Primary Visitation of that Diocese, in the Year 1814*, London, 1814, 16.

[3] *Church-of-Englandism* (*CW*), 36–40 & n, 109, 112–13n, 297.

[4] The General Committee of the National Society was composed of fifty-two members: the Archbishops of Canterbury and York, the twenty-four bishops eligible to sit in the House of Lords, ten Lords Temporal or members of the Privy Council, and sixteen other appointees.

[5] The monitorial method required adult masters to teach a small group of older or more able pupils ('monitors') who, in turn, taught the remaining children.

[6] [National Society]. *First Annual Report of the National Society, for Promoting the Education of the Poor in the Principles of the Established Church*, London, 1812, 18; P. Silver & H. Silver, *The Education of the Poor: The History of a National School 1824–1974*, Abingdon & New York, 2007, 9.

point out that Bentham was 'convinced' that the Church had founded the National Society with the intention of undermining the efforts of Joseph Lancaster and other educational reformers, including Bentham himself, to establish their own systems of nonconformist or, in Bentham's case, non-sectarian schools.[1] Nevertheless, Bentham did not think this the Church's 'only' reason for instituting the National Society, as Steintrager claims.[2] According to Hole, what the promoters of the National Society really wanted from the Church's schools was 'to enforce social control effectively and so defend the constitution in the state' and 'to strengthen the Church of England against the Dissenting challenge and so defend the constitution in the church'.[3] Bentham would have agreed with this assessment, but his thesis went even further. He insisted that the true purpose of the National Society was, per Howley, to teach children that to question was a sin and to learn without questioning was a duty. The reason for this, said Bentham, was twofold.

First, stifling rather than stimulating curiosity rendered children susceptible to receiving their clerical instructors as infallible dispensers of divine truth, and to accepting each instructor's explanations without contradiction, however implausible or arbitrary they happened to be. Pupils were initiated in the art of 'lax interpretation'—of declaring the meaning of a discourse to be whatever it suited the private purposes of the priest to communicate. If, for example, a child was enjoined to renounce 'the Devil and all his works', a notion that Bentham decried as no less terrifying than obscure, then only the conviction or caprice of the cleric could determine what idea, if any, the words conveyed.[4] On this point, Bentham's position had not changed since writing *IPML*, in which he described how the teacher who neglected to appeal to the correct 'external standard'— namely, the principle of utility—when answering questions of right and wrong invariably prevailed upon students to accept his 'sentiment or opinion as a reason and that a sufficient one for itself'.[5] Even as early as the mid-1770s, Bentham had likened minds prepared for the 'tranquil reception' of nonsense to blank sheets of paper upon which any man who pressed hard enough could write whatever 'scrawls' and 'hieroglyphical chimeras' he pleased.[6] Bentham vilified the artificial 'moralist' as such a man—one who, being incapable of bringing people to his view through rational discourse, resorted to

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[1] For the teaching methods and curriculum that Bentham recommended for use in a new form of secondary day school, see *Chrestomathia* (*CW*), M.J. Smith & W.H. Burston eds., Oxford, 1993.
[2] J. Steintrager, *Bentham*, New York, 1977, 80.
[3] R. Hole, *Pulpits, Politics and Public Order in England 1760–1832*, Cambridge, 1989, 187–99.
[4] *Church-of-Englandism* (*CW*), 207–9, 254.
[5] *IPML* (*CW*), 25.
[6] UC xcvii. 48 (*c.* 1773).

sophistry, invention, and fear: 'Unable to convince, his aim has been to silence: unable to reason them into assent, he has tried to frighten them into submission.'[1] In the same way, the National Society enlisted the unknown and the unknowable to nurture mental serfdom. Furthermore, to teach a Catechism composed of doctrines that had nothing to do with the contents of the Bible, but were instead an invention of the past rulers of the Church, was, in Bentham's view, to instruct children to repudiate the religion of Jesus. Bentham related how this 'pretended *Exposition*', which was forced 'into all the scholars' mouths' until it had 'everlasting habitation' in their heads, indoctrinated the young with false, illogical, unintelligible, unverifiable, incredible, and, in many instances, undeniably man-made propositions. Each pupil, for example, was obliged to affirm the prescribed belief—a self-evident oxymoron—that a nebulous entity called the Holy Ghost conceived, in a virginal woman, the perfectly human, perfectly divine son of God: a man who would later die, descend into a domain of torment called hell (a claim with 'utter destituteness' of scriptural warrant), rise from the dead, and depart on a cloud for a second supernatural province called heaven. Making schoolboys abandon their critical faculties to swallow a dogma 'pregnant with … incongruities' and 'out of the reach of human comprehension' served only to reinforce clerical authority at the expense of the free and impartial exercise of private judgments. Hence, argued Bentham, it was not the '*dead* oracles' of the Holy Scriptures before which understandings and wills were expected to fall prostrate, but the '*living* oracles' of the Church of England priesthood:

> the avowed object of [Howley's] endeavours … is neither more nor less … than a system of slavery;—of intellectual, and thence, as a necessary consequence, of moral and corporeal slavery,—in which, his Lordship, and his Right Reverend Co-adjutors and Reverend Sub-adjutors, are to be tyrants and sub-tyrants.[2]

Bentham believed that while catechetical instruction corrupted the intellectual part of the mind so that each child (or, indeed, adult catechumen) became 'unable' or, by terror, 'unwilling' to discern the 'mischievousness of the dominion' exercised over him, it also debilitated the moral part of the mind so as to cause him to regard that mischief as an object of indifference.[3]

Bentham's second reason for thinking that the ecclesiastical establishment wished to cultivate habits of insincerity in the public followed directly from his first. In addition to

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[1] *Preparatory Principles* (*CW*), D.G. Long & P. Schofield eds., Oxford, 2016, 153.
[2] *Church-of-Englandism* (*CW*), 260.
[3] Ibid. 32, 67–8, 203, 211–22, 257–62, 472.

strengthening the clergy's powerful position in society, instilling a passive acceptance of clerical authority prevented people from acting as an effective check upon it. In other words, the 'fixing of adherents' and the 'purchase of converts' in a Church-sponsored education system helped to preserve the clergy's 'worldly and anti-Christian power', and all the profit attached to it, by protecting the Church of England from the threat of reform. Thus, the ruling few wanted to keep the subject many not only in a condition of permanent servility, but also, as a corollary, in one of utter blindness to the endemic corruption of Church and state. Howley's aim was for the clergy to subjugate the children of those among the poor who accepted 'compulsory proselytism' as the price to be paid for a National Society education, while the remainder—abandoned to a life of 'ignorance', 'wretchedness', and 'vice'—would never be in a position to pose a serious threat to their superiors.[1] In *The Book of Fallacies*, Bentham explained that it was in the sinister interest of men in authority that the understandings of those over whom they exercised dominion remained 'for ever in a state of the utmost imbecillity and depravation' as a security for the habits of obedience by which that dominion was constituted.[2] Accordingly, as Church doctrine kept notions of right and wrong, fact and supposition, and moral and religious duty always in 'the most perfect confusion', the layman was obliged to take for the measure of his obedience to the Church the pretended opinion—really the expression of the will, as governed by the sinister interest—of the clergy. This meant that while members of the ecclesiastical class were at liberty to determine the conduct that the laity ought to pursue on pain of 'eternal torment', that determination was safe from challenge because fealty to the Church depended upon the layman's 'blind and abject obsequiousness', not the good or ill intent of the priest.[3]

Elaborating this point in *'Swear not at all'* (1817), Bentham claimed that when such was the nature of the dominion aimed at, it was also expedient to keep the transgressions, howsoever defined and redefined, as 'universal and as continual as possible'. In this way, the layman, finding nothing but condemnation in his conscience, beheld his only prospect of 'deliverance' from eternal damnation in the authority of his 'spiritual guides'.[4]

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[1] Ibid. 92–3, 112–13n.

[2] *The Book of Fallacies* (*CW*), P. Schofield ed., Oxford, 2015, 372–3. Some of the material contained in this authoritative edition was previously published in French as *Tactique des assemblées législatives, suivie d'un traité des sophismes politiques*, 2 vols., É. Dumont ed., Geneva, 1816, ii. 1–267, and later, in English, as *The Book of Fallacies: from Unfinished Papers of Jeremy Bentham. By a Friend*, P. Bingham ed., London, 1824.

[3] *Fallacies* (*CW*), 220–2, 286, 372–3.

[4] *'Swear not at all': Containing an Exposure of the Needlessness and Mischievousness, as well as Antichristianity, of the Ceremony of an Oath*, London, 1817, 50–1.

Bentham likened the Church's need for multitudinous sins and sinners to that of a drug-dispensing apothecary profiteering from a plague: 'by a perpetual fever, a perpetual demand for opiates, such as the laboratory of the confessor is furnished with, may be kept up.'[1] Securing unreflective, undiscriminating respect for each holder of ecclesiastical office, independent of anything meritorious that the minister had done to earn it, ensured that public opinion remained unfailingly in thrall to the clergy. In consequence, 'none but a monster' could be seen to oppose so universally feted and 'excellent a being' as the Church of England: 'To every proposal [or] question having reform or improvement in view as to this part of the Official Establishment', the answer, said Bentham, was one and the same: 'You are an enemy to the Church.'[2] Instead, a public habituated to insincerity formed a reservoir of credulity that the opportunistic priest readily tapped.[3]

It is important to emphasise that Bentham thought that almost every aspect of the National Society had been devised to conceal from public scrutiny the abuses perpetrated by the Church through its schools. Even the National Society's annual reports were a fabrication.[4] These 'spurious, and purposely deceptious' documents were designed to help screen the education system from reproach by suggesting that there was a strong unanimity of purpose among the ecclesiastical class about the running of the schools. Echoing his criticisms of the Church's inadequate system of maintaining clerical discipline, Bentham alleged that the reports were purely a '*matter of form*' and contained nothing of actual substance. The '*Marks of authenticity*' common to proceedings of public bodies, such as the date, time, and place of meetings, a record of members present and voting, and the full names of any person officiating as secretary, had all been deliberately omitted from the documents. Bentham was firmly of the view that, in reality, everything done to establish and oversee the administration of the National Society had been the work of two or three senior clergymen, the 'principal portion' of which belonged to the 'irresistibly influential person behind the curtain', Charles Manners-Sutton, Archbishop of Canterbury. Each 'tissue of *imposture*' that the Archbishop had produced, or caused to be produced, was calculated to create just enough of an impression of probity and consensus that the 'conniving' bishops and priests of the National Society could 'enjoy

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[1] Ibid. See also *Preparatory Principles* (*CW*), 239. Bentham claimed that religionists have an interest against the advancement of morality 'as Quacks are interested against the progress of genuine physic'.
[2] *Fallacies* (*CW*), 268–72.
[3] *Church-of-Englandism* (*CW*), 297.
[4] See [National Society]. *First Annual Report ... Church*; [National Society]. *Second Annual Report ... Church*, London, 1814; [National Society]. *Third Annual Report ... Church*, London, 1815; [National Society]. *Fourth Annual Report ... Church*, London, 1816.

the benefit of the wickedness' of the education system 'without standing exposed to the disgrace so justly due to it'.[1]

§3.2. Bentham's Remedy

Ultimately, the aim of the critique that Bentham made of the National Society was to provide the exposure to that just disgrace, revealing to others one of the most nefarious examples of the sinister interest that he saw pervading the Church.[2] That said, he was conscious of the fact that the true value of uncovering the mischief would only be realised if the diagnosis was followed by a viable remedy: 'Of whatever wounds [the critique] may have happened to it to inflict, not one has ever been inflicted to any other end, than that which … the Surgeon has in view.' First, Bentham suggested that the National Society or, better still, Parliament should announce that the education system would no longer be '*exclusionary*' in character, but must 'throw open the seats and sources of instruction' to all children whose parents were willing to send them in. Non-Christians, as well as non-religionists, would be admitted to the schools, while people who wished to serve as schoolmasters would be able to do so without having to be members of the Church of England. Second, the only religious material on the curriculum would be the accounts of the parables, miracles, and discourses attributed to Jesus in the Gospels; the Catechism, together with all other formularies and commentaries, would be discarded. In making this recommendation, Bentham was not endorsing the Gospels, but attempting to place himself in the situation of the religionist, who ought, by his own lights, to esteem these works above the less authoritative doctrines of the Church.[3]

Bentham considered the third proposal to be the most important of his intended reforms. This measure would serve both to expedite the exclusion of insincerity and mendacity from the children of Church-of-Englandists, and to provide a means of enabling the children of heretics and unbelievers to receive the same level of schooling as the former. While schoolmasters were to be forbidden from compelling children to relinquish the *religion* of their parents, children would be allowed to think for themselves on questions of *belief*. As to any words put into a child's mouth, nothing was to be inferred, still less asserted, about what the child believed. If the belief was held by anyone, which was by no means certain, then it could only belong to those who administered the instruction 'under the name of *the Church* or *the Government*, or whatever other name

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[1] *Church-of-Englandism* (*CW*), 102–9, 168, 564n.
[2] Schofield, *Utility and Democracy*, 172–3.
[3] For Bentham's views on the teachings of Jesus, see 171–91 below.

may be regarded as more apposite'. Since only the child himself could know what he did or did not believe, no good reason existed for having an education system that made it a moral or religious duty for him to believe, or endeavour to believe, any claim at all related to religion, or to declare anything of the matter to anyone else. If the child believed a proposition of his own volition, then those in authority had what they wanted. If he did not believe, then under Bentham's reforms the child would no longer be made to say otherwise by an act of coercion that neither did nor could instil real belief, but rather inculcated 'the habit of *lying*'—a vice that was 'the pander to all other vices and to all crimes'. Extorting from one so young as to be 'altogether incapable of resistance' an assertion that he believed what he was told to believe planted and normalised falsehood. This was true when the subject was an act or discourse ascribed to Jesus. The example was all the worse, however, in the case of declarations of belief forcibly attached to the contradictory 'inferences' deduced from Jesus' acts and discourses by 'presumptuous and tyrannical' men 'preserved by their numbers from all sense of shame'.

Bentham's remedy amounted to a determination to rescue the public mind from the 'corruptive tyranny' that kept understandings and wills, purchased at the price of '*void promises*' and '*untrue assertions*', in a state of prostration. Once the 'poison' purposely mixed with it had been extracted, the proffered instruction, including the arts of reading and writing, which were 'useful beyond price', would be available to any child. The school system would therefore survive Bentham's reforms, but only after the 'toils' that ensnared the innocent had ceased and the 'mischief' done by Howley, Manners-Sutton, and the ruling few had been undone. This commitment to continuity would extend to the Church of England itself, but not indefinitely. The established church, said Bentham, was 'ripe for dissolution'. It was inefficient with respect to the ends at which it professed to aim, and all too efficient with respect to those at which it did aim, but, being sinister and pernicious, were never admitted. Nevertheless, although Bentham wanted rid of the ecclesiastical establishment, limiting the pain inseparable from so great a change was central to his proposed reforms, as the following section will explain.[1]

§4. The Euthanasia of the Church

§4.1. Introducing Reform

Since most people in England professed a belief in Christianity, Bentham knew that a majority of the population would suffer pain if their expectations of continuing in the

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[1] *Church-of-Englandism* (*CW*), 55, 333–47.

religion with which they were familiar were suddenly thwarted. On this basis alone, it is perhaps unsurprising that nowhere in his writings on the established church did Bentham recommend proscribing individual expressions of religious belief. Indeed, it is the lack of such a prohibition among his proposed reforms that casts doubt upon Crimmins' argument that Bentham aspired 'not only to reduce the influence of organized religion but ultimately … to eliminate the notion of religion itself from the mind'. This assertion follows from Crimmins' principal claim that Bentham regarded atheism as an essential precondition for the achievement of the ideal utilitarian society: 'The Utilitarian State must, in a sense, force its citizens to free themselves from those obstacles in the path of general happiness. The secular Utilitarian society is one, therefore, in which the State actively works to stamp out religion.'[1] In Bentham's perfect secularised world, says Crimmins, the 'first duty' of the legislator was 'to do all in his power to eliminate religious beliefs'.[2] This 'authoritarian' perspective is lent support by Burns, who contended that, in Bentham's opinion, social change was possible only if those with power could act like the 'enlightened despot' and be given 'an adequate interest in using that power in the cause of social improvement'.[3] As Schofield points out, however, the idea that Bentham wished to utilise the power of the legislator in order to compel people to adopt beliefs and practices calculated to be in their best interests has 'little, if any, direct textual evidence to support it'. It has been shown that a key strand of Bentham's criticism of the ecclesiastical establishment, and the ruling few more generally, was that they had an interest entirely inimical to that of the subject many. This, in Schofield's view, was the 'whole point' of Bentham's critique, such that he planned to make the rulers 'fully responsible to the people for the exercise of their power, not to see the people totally subservient to it'.[4] A programme of reform that would undermine the authority of the ecclesiastical establishment could not, with any degree of consistency, simultaneously endeavour to maintain society in a condition of real subjection to the ruling few.

Rosen offers a similarly 'liberal' interpretation of Bentham's approach, one which recognises that, for Bentham, the legislator would never have the requisite knowledge and resources at his disposal to be able to maximise individual well-being, but could provide for people's 'basic security so that they were able to maximize their own choice

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[1] Crimmins, *Secular Utilitarianism*, 15, 305.
[2] Crimmins, 'Bentham on Religion', 103–4.
[3] J.H. Burns, 'Utilitarianism and Reform: Social Theory and Social Change, 1750–1800', 1 *Utilitas: A Journal of Utilitarian Studies* (1989), no. 2, 211–25 at 220–1.
[4] Schofield, 'Political and Religious Radicalism', 274–6, 289–90.

of pleasures and to establish a way of life which brought them happiness'.[1] Bentham believed that each individual was the best judge of his own interests and that the duty of the legislator was—or ought to be—to afford the individual the amplest opportunities to pursue them. Bentham's attitude towards religious belief is examined in more detail in the chapters that follow, but it should be noted here that even though Bentham considered religious belief to be a serious impediment to an individual's capacity to identify what was conducive to personal happiness, he also thought that forcing people to profess or adhere to a system of non-belief was no different in principle from enforcing belief.[2] In other words, Bentham had no desire to replace an oppressive, established religion with state-sponsored atheism. More recently, Crimmins has revised his position to acknowledge that Bentham did not intend to allow the ruling few to retain any say on matters of religion, but sought instead 'to diminish significantly the moral and political influence of religious beliefs and institutions' in order that individuals might better recognise their own interests and pursue them with greater advantage.[3] If people were eventually to discard their religious beliefs and avoid the suffering produced by religion, then governmental coercion was not the answer. On the contrary, individuals needed to be free to enter into open conversation with one another about the truth and usefulness of their religious (and other) beliefs. The legislator's role was simply to create the conditions by which such activity could take place—for example, by allowing freedom of expression and guaranteeing a free press, both of which entailed a respect for religious liberty.[4]

If the above represented an overarching concern in Bentham's approach to organised religion (and to religious belief in general), then his immediate aim was to find a way of relieving the whole community—heretics, unbelievers, and Church-of-Englandists alike—of the abuses wrought upon it by the ecclesiastical establishment. Since foremost among these abuses was the compulsory payment of taxes to support the clergy—an act of coercion that inflicted substantial suffering upon a large proportion of the population— a programme of ecclesiastical reform grounded upon the principle of utility might seem certain to involve, among other measures, an immediate and severe reduction in priestly pay, if not an outright confiscation of Church assets, followed by an equitable

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[1] F. Rosen, *Bentham, Byron, and Greece: Constitutionalism, Nationalism, and Early Liberal Political Thought*, Oxford, 1992, 35–6.
[2] Schofield, 'Political and Religious Radicalism', 288–9.
[3] Crimmins, 'Bentham's Religious Radicalism Revisited', 497–8.
[4] Schofield, 'Political and Religious Radicalism', 289–90. Schofield cites P.J. Kelly, *Utilitarianism and Distributive Justice: Jeremy Bentham and the Civil Law*, Oxford, 1990, who argues that Bentham did not see any grounds for imposing religious doctrines, and would allow individuals to choose their own religious beliefs should they so wish.

redistribution of the excess. For Bentham, however, the painful sensation of disappointment that would be felt by any clergyman divested of his property and prosperity complicated the picture significantly. As with the subject many and their religious beliefs, priests had a fixed expectation of continuing in the wealth to which they had become accustomed, such that expropriating it without their consent would cause them to experience considerable pain. The challenge that Bentham faced, therefore, was to place the business of religious instruction and worship 'upon a footing as beneficial to the joint interests of piety, morality, and economy, as the nature of the case admits of' (the '*positive object*'), while producing 'as little disturbance as possible to established habits, expectations, and prepossessions' (the '*negative object*').[1]

§4.2. The Positive Object: Disestablishment

In *Church-of-Englandism*, Bentham argued that the way to achieve the positive object was by disestablishing the Church of England. However, it was in a later essay, 'Constitutional Code Rationale' (1822), written as part of a preliminary draft of a planned introduction to his Constitutional Code, that he fully expounded his view that the power of government should never be employed to establish any system of religious belief.

Bentham considered the establishment of religion to be an unmitigated evil. If any man already believed the truth of the religion, then applying reward or punishment to instil belief was needless; if any man did not already believe, then it was wicked to try to instil belief through the exercise of a coercive, burdensome power. The main pillar of Bentham's argument, however, was that a religious establishment corrupted morals and degraded the human intellect. Insofar as a man's profession of belief had been obtained through coercion, there was no way of knowing whether the 'act of judgment termed belief' had really been formed. If it had not—and, as has already been seen, Bentham thought 'coercing belief' a contradiction in terms—then what had been procured was a false and insincere declaration of belief comparable 'in point of title to credence' to the dishonest testimony of a hired witness and 'wanting nothing but the ceremony called an oath to be subornation of perjury'.[2]

Bentham explained that the 'remunerative' power of the state was applied to the purpose of supporting a religious establishment in one or both of two ways: first, the 'direct mode', which involved giving money to an individual upon his professing the

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[1] *Church-of-Englandism* (*CW*), 344–6, 483.
[2] *First Principles preparatory to Constitutional Code* (*CW*), P. Schofield ed., Oxford, 1989, 325–32; UC v. 259 (21 March 1813).

belief in question (or signing a declaration to that effect); and, second, the 'indirect mode', which involved hiring men—priests, teachers—to attempt to cause the belief to be professed by others.[1] Bentham stated:

> If the direct mode of procuring profession of belief is bad, this indirect mode is much worse. In the direct mode, the only part of the mental frame vitiated and corrupted is the moral part: in this indirect mode, the moral part is much more thoroughly vitiated and corrupted, and the intellectual part is vitiated likewise.[2]

In the indirect mode, continued Bentham, priests were occupied in a perpetual endeavour to deceive, and to cause others—for example, the children in the National Society's schools—to declare the truth of something that they themselves did not believe. Bentham claimed that although a priest degraded his 'moral frame' when proclaiming to be true that which he believed to be false, he would often try to believe the purported truth in order to rid himself of this confused and potentially troubling state of mind. In so doing, he diverted his attention away from all considerations tending to cause the belief to be regarded as false and applied it to all those tending to cause the belief to be regarded as true. Bentham called this the 'self-deceptive process'.[3] What the priest in question inculcated was not sincere belief, but a habit of 'partiality' and 'wilful blindness' that perverted his 'intellectual frame' and produced 'a propensity to embrace falshood and error in preference to truth, whatsoever be the subject'.

Having made that initial claim, Bentham was then able to introduce his more important charge. Mirroring the priests' own efforts in the Church's education system, the ruling few fostered and exploited the compromised psychology of the clergy, as well as the individual clergyman's hope of securing patronage, to induce priests to do their will. Maximisation of profit was the sole reason for the existence of a priesthood, asserted Bentham, and although priests had the 'immediate use' of the immense power and money of which that profit was comprised, the 'continually received use' belonged to the secular rulers. A system in and by which priests' moral and intellectual faculties were habitually debased provided a 'virtual assurance' that the men whose power maintained the establishment of that system viewed the religion at its centre as untrue. Moreover, if the usefulness of the religion depended upon its being believed to be true, then why, asked Bentham, did the rulers give so compelling a warrant that, in their eyes, it was false?

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[1] *First Principles* (*CW*), 325–6.
[2] Ibid. 326.
[3] In his attack on the legal establishment, Bentham used the term '*disintellectualization*' to describe a similar process. See Bowring, v. 510–13.

Returning to the analogy of the hired witness, he explained that the 'probative force' of the hirer's belief in the truth of his suit was necessarily weaker than the 'disprobative force' of the circumstantial evidence of unbelief that the very fact of the hiring afforded: 'In no case in which it is a man's interest that the truth, on whatever side it be, should be embraced does he take this method for causing discovery to be made of it, and the belief of it, when discovered, entertained.' Bentham also noted that if a system of hiring false witnesses at court were to be established by law, then the wrongful side would need only to possess the power, knowledge, and financial means to secure an insurmountable advantage. He was convinced that the ruling few saw no 'truth' in the beliefs that Church of England priests inculcated—nor, as to the inculcation, any 'use' beyond the power and money that they themselves derived from it. Indeed, Bentham insisted that, with respect to the subject many, it was 'no real object' of the established church that anything useful should be realised at all. If it were, then the ecclesiastical establishment would try to ensure that priests performed the allegedly beneficial service, not least by mandating a direct relationship between work and pay.[1]

As demonstrated above, Bentham rarely refused the opportunity to use the Biblical tenets of the religion of Jesus against a Church that he believed had either forgotten or forsaken them. Even though his attack on organised religion was, of course, utilitarian in origin, Bentham placed utilitarianism and scripture in joint opposition to Church-of-Englandism when illustrating the conflict between the precepts of Jesus and the notion of religious establishment. This allowed him to claim that establishing a system of opinions on the subject of religion was no less an affront to the greatest happiness of the greatest number than it was to the will of Jesus. Nowhere in scripture did Jesus direct that the religion he was delivering ought to be established; nowhere did Jesus demand that money be given to those who said that they believed his teachings, or who taught others to believe them; and nowhere did Jesus call for punishment to be applied to those who failed to attest to their belief in his teachings. In fact, observed Bentham, the reverse was true. Jesus was described as having abhorred the 'corruptive effect of opulence' and as having denounced those who put their trust in earthly riches.[2] Although he would dismantle the established church, Bentham sought to demonstrate that it was the '[w]allowers in wealth and luxury' masquerading as preachers of Christian doctrine who had already done so much to put the religion of Jesus to an end:[3]

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[1] *First Principles* (*CW*), 327–30.
[2] See Mark 10: 24.
[3] *First Principles* (*CW*), 325–32.

Accordingly in no instance has a system in regard to Religion been ever established but for the purpose as well as with the effect of its being made an instrument of intimidation, corruption and delusion, for the support of depredation and oppression, in the hands of the government.[1]

§4.3. The Negative Object: Managing Expectations

Bentham's negative object was to produce proposals that would bring about what he called the '*Euthanasia*', or 'good death', of the established church—that is, the separation of Church and state, and the extirpation of the ecclesiastical establishment, while attempting to ensure that no individual would be any the worse for the change. The negative object, in other words, involved specifying how the positive object might be attained in the least painful, and therefore most morally justifiable, way possible. On this basis, the non-disappointment principle, the 'immediate descendant' of the principle of utility, operated to guide Bentham's reforms.[2]

Presented in a rudimentary shape in *Plan of Parliamentary Reform* as the *uti possidetis* ('as you possess') principle,[3] the non-disappointment principle required that the suffering of people directly affected by the reforms be kept to a minimum.[4] In *Church-of-Englandism*, Bentham stated that on the death or removal from office of an archbishop or bishop, the dwellings of the respective province or episcopal see were to be sold at auction, with the money raised going into a 'Church Reform Fund' to be administered for the public good; the same would apply to the holdings of any dean, canon, prebendary, præcentor, or 'any other such Sinecurist'.[5] Conformity with the non-disappointment principle, however, required that a proportion of the sale monies be distributed to clergymen vacating the properties in order to compensate for their loss and, where applicable, their frustrated expectations of continuing in possession.[6] When calculating a suitable rate of compensation, account would be taken of the '*pretium affectionis*' or 'value of affection' that the priest placed upon the property, as well as the market value

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[1] Ibid. 331.

[2] *Church-of-Englandism* (*CW*), 483, 587–9. Bentham discussed the 'disappointment-preventing principle' in his review of James Humphreys, *Observations on the Actual State of the English Laws of Real Property, with the Outlines of a Code*, London, 1826, later published in Bowring, v. 387–416.

[3] See Bowring, iii. 441–8. Bentham also commented upon the evils of defeating fixed expectations without compensation in both 'Supply—New Species Proposed' and '*Projet* of a Constitutional Code for France', in *Rights, Representation, and Reform* (*CW*), 202–3, 214–18.

[4] Bentham knew that this would also have the practical advantage of reducing the threat of opposition to his reforms.

[5] *Church-of-Englandism* (*CW*), 485–6.

[6] *Official Aptitude Maximized; Expense Minimized* (*CW*), P. Schofield ed., Oxford, 1993, 342.

of the patronage in the case of a patron of a benefice. Any clergyman could at any time choose to sell all or part of the property on condition that he accepted a government annuity for life purchased from the dividends of the sale.

The non-disappointment principle would also underpin the process of abolishing tithes, which, as before, would cease only upon the death or removal from office of the incumbent priest. Tithes were to be replaced by a land tax, one subject to regular reassessment and, in the event of alleged excess, appeal from the occupant, landlord, lessee, or other interested party to a jury sitting at the quarter sessions. Again, a government annuity would compensate for the removal of the tithe where the patronage of the parish belonged to an individual, with an additional payment to be made if the patron had been 'breeding up for the Church' a son of not less than fourteen years of age. Where the patronage belonged to the Crown, however, no allowance would be made to the patron: 'By this means that vast mass of the matter of wealth, operating in the hands of the Chancellor, in the shape of matter of corruption, would be sunk, and the Constitution relieved from the pressure of it.'[1] The reform would give effect to Bentham's long-held desire, first expressed four decades earlier, to see tithes abolished and 'converted into an equivalent but less burthensome provision' so that 'the hand of exaction may no longer nip improvement in the bud' and 'the pastor and his flock may feed in peace'.[2] Only with the emergence of the idea of sinister interest did that desire change in one important respect. By the time that Bentham started drafting his intended Constitutional Code in April 1822, his concern was less with pastors feeding in peace than with overcoming the opposition of every 'tithe-fed priest' to the abolition of a tax that enabled indolent clergymen to subsist upon the products of the industry of others.[3]

Perhaps the most conspicuous of Bentham's reforms was a proposal to dissolve the distinction between the clergy and the laity—indeed, to dissolve what it meant to be a clergyman altogether—but to do so incrementally so as not to disrupt the clergy's settled expectations. Bentham recommended that no new priest be appointed upon the death or removal from office of the incumbent minister. Instead, local vestry committees composed of parish ratepayers would appoint a lay parish clerk or other competent lay congregant—even a local schoolboy—to administer the liturgy, which, noted Bentham, entailed no more than reciting set forms of address. Prescribed declarations of belief were

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[1] *Church-of-Englandism* (*CW*), 348, 485–8. The Lord Chancellor enjoyed the right of appointing clergy to Crown livings worth less than £20 *per annum*. See Blackstone, *Commentaries*, ii. 47.
[2] *Comment/Fragment* (*CW*), 315.
[3] Bowring, ix. 102.

to cease and, in place of 'home-made' sermons, a selection of discourses made by 'hands of acknowledged competency' and containing only 'useful instruction' (or, at least, instruction 'as little pernicious as possible') would be compiled into a standardised '*Collection or Book of Homily Sermons*'. Otherwise, Bentham proposed to leave the doctrine and liturgy of the Church of England largely 'untouched'—'left', he said, 'to all those by whom it is approved … to make the most of it'. He commented somewhat pointedly that it was inconsistent with sincerity, so too liberty and parishioners' prevailing expectations, to effect immediate change in this field. Nevertheless, buildings that were once the monopoly of the established church were to be made available 'to any person or persons at pleasure for the purpose of divine worship, according to any form of the religion of Jesus'.[1] Whatever access to God the religionist believed himself to have, that access would no longer be mediated by priests. Although Yelle greatly overstates his case in claiming that Bentham saw this reform as 'an extension of the religious Reformation'—Bentham was no radical Protestant—he is less hyperbolic in noting that just as Protestantism had relieved the Roman Catholic Church of its role as sole 'custodian, messenger, and interpreter of God's word', so Bentham wished to oust the English successor to the Church of Rome.[2] The essential difference, which Yelle fails to identify, is that Bentham had no intention of replacing the Church of England with another religion, or with any other form of metaphysical speculation.

While Crimmins is right, at least descriptively, to say that the remit of existing ministers was to be 'reduced' to performing acts of beneficence in the parish, the likely response of Bentham to such an observation would have been to point out that, under his reforms, most priests' workloads would be increased.[3] Bentham did in fact argue that in order for a cleric to be of use to parishioners in this way, the '*anti-pastoral ignorance*' common to Church of England clergymen had to be eliminated: first, by abolishing the widespread practice of ministerial non-residence in the parish, thus curing the ills of pluralism and absenteeism; and, second, by ensuring that all priests were issued with what Bentham termed '*Pastoral Statistics*'—a 'stock of information' about the population of the parish and the material circumstances of the parishioners.[4] Each priest was to be

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[1] *Church-of-Englandism* (*CW*), 346, 353, 484–92.

[2] R.A. Yelle, 'Bentham's Fictions: Canon and Idolatry in the Genealogy of Law', 17 *Yale Journal of Law and the Humanities* (2005), no. 2, 151–79.

[3] Crimmins, *Secular Utilitarianism*, 193–4.

[4] *Church-of-Englandism* (*CW*), 360–3. The practice of the English Church again compared unfavourably with that of the Kirk, as Sir John Sinclair, first Baronet of Ulbster, had already obtained similar information from the ministers of the 895 parishes of the Church of Scotland. See John Sinclair, *The*

permitted to retain all pecuniary interests, powers, and dignities, whether held in possession or fixed expectation, until his death or dismissal from office, whereupon the ministerial pay would lapse into the Church Reform Fund. The lay parish clerk was to be paid, either from the poor rates or from the parish, half as much again as he received prior to the reforms.[1] Bentham regarded this additional sum of money as sufficient to secure the clerk's performance of the quondam minister's part of the service. The vestry committees would be allowed to appoint 'a Minister ordained upon the present footing' instead of a parish clerk, but only on condition that he relied entirely upon voluntary donations for his pay. Existing bishops and archbishops, whose power and prestige Bentham intended eventually to eradicate, were to perform only those functions directly relevant to their offices. Each prelate would receive a salary from the Church Reform Fund commensurate with the service given rather than the '*factitious dignity*' of his office. Although the Crown would retain the power to make episcopal appointments, no new bishop—to be styled a 'Vice-Bishop'—would be able to claim a seat in the House of Lords as of right. The expectations of existing bishops to remain members of the upper chamber would, however, be protected. As Crimmins summarises, the end that Bentham had in view was the 'elimination of the bishops' legislative power', though one might add that this was a necessary, if not in itself a sufficient, means of achieving Bentham's more pressing aims of defeating clericalism and frustrating the operation of sinister interest.[2] Bentham's reforms were also designed to ensure that, for as long as Christianity persisted in England, religious worship would possess the joint attributes of 'efficiency, simplicity, and frugality', with any payments made to those who performed religious duties correlating as closely as possible with the quantity and quality of the work done.[3]

In some of his earliest writings, dating from 1774–5, Bentham noted that, in England, 'the clergy are scorpions which sting us'.[4] More than four decades later, Bentham's hostility towards the clergy did not prevent him from recommending that the Church of England priesthood be stripped of its power, place, and exorbitant wealth as gradually and as painlessly as possible:

Statistical Account of Scotland. Drawn up from the Communications of the Ministers of the Different Parishes, 21 vols., Edinburgh, 1791–9. Cited in Schofield, *Utility and Democracy*, 183.

[1] The poor rate was a tax on the occupiers of property in each parish to fund poor relief.

[2] Crimmins, *Secular Utilitarianism*, 194–5.

[3] *Church-of-Englandism* (*CW*), 347, 475, 484–5.

[4] Bowring, x. 74. Crimmins uses the same quote in support of his claim that anticlericalism emerged as an early strand in Bentham's thought. See Crimmins, *Secular Utilitarianism*, 182.

On this plan, whatsoever unavoidable evil, in the shape of immediate suffering, is liable to result from *change*, is reduced to its *minimum*.

On this same plan, the provocation to resistance is, in like manner, *minimized*: and by this means, probability of success is so far *maximized*.[1]

Conclusion

Bentham's attack on organised religion was an attack on the Church-of-Englandist ruling few, and in particular the bishops and archbishops of the ecclesiastical establishment. Bentham maintained that senior clergy fostered and exploited religious belief, and the hopes and fears associated with popular religiosity, in the pursuit of sinister interest. They extorted enormous sums of money from the population, instituted a fraudulent education system that subjugated the children committed to their charge, and took advantage of the alliance of Church and state in order to advance and protect their worldly power and riches. Deliberately expressing his purpose in the language of scripture, Bentham intended to bring 'death to so many of the sins of the *ruling few*' and 'salvation to the welfare of the *subject multitude*'. In more precise terms, the object of his programme of reform was to clear away the 'great mischiefs' done by organised religion to morality and to good government: to morality, by eliminating a venal clergy that, in 'open contempt' of the supposed ordinances of God, subordinated, deceived, and plundered its congregation instead of ministering to it as servants; and to good government, by eradicating a source of corrupt and corruptive influence from society.

The truth or falsity of Christian theology was a lesser, though by no means absent, concern in Bentham's criticism of organised religion. However, the 'good death' that Bentham proposed held dominion, not over Christianity itself, but over what he figuratively called the Church of England's '*vital* part'—her 'gold' heart—worshipped by members of the ecclesiastical establishment, who, in turn, enjoined people to prostrate their understandings and wills 'at her feet':[2]

> The life then of this Excellent person [the Church] being in her gold,—taking away her gold, you take away her life…. Here then is *Euthanasia*. No spasm: no convulsion: a death which no man will feel:—a death for which all men will be the better, and scarce a man the worse.[3]

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[1] *Church-of-Englandism* (*CW*), 349.
[2] Ibid. 293, 345, 427, 476, 491–2.
[3] Ibid. 492.

Bentham's reforms would permit the liturgical service of the Church of England to endure for as long as parishioners willed it—meaning for as long as they were prepared to fund it voluntarily. Although *Church-of-Englandism* contained no proposals to prohibit religion, Bentham thought that by liberating religious belief from the coercive control of a self-serving class of men, the subject many would become free to act in their own best interests. Individuals could then decide for themselves whether or not continuing in the religion of Jesus—or, indeed, any religion—would tend to increase their personal happiness or diminish it.

In the first stage of his assault on religion, Bentham had attacked the self-appointed and corrupt custodians of religious belief. While this attack had included a withering critique of the particular version of religious belief advanced by the established church, it had not given full expression to his concern for the truth and utility of religious belief in general. This concern would become central to the next stage of his assault, in which he argued that belief in the claims of natural religion was detrimental to human happiness.

Bentham on Natural Religion

Introduction

In late 1821, Bentham sent four large parcels of his manuscripts to George Grote, the political radical, atheist, and later renowned historian of Greece, whom Bentham had met through David Ricardo and James Mill in 1819.[1] Except for a single fragment dating from 1807,[2] Bentham wrote the papers, of which there were more than 1,500, between 1811 and 1821,[3] arranging them under the headings of 'Jug. Util.' ('Util.' being a contraction of 'utility') and 'Jug. True'.[4] 'Jug.' was an abbreviation of 'Juggernaut', a word that Bentham and others in his circle, including both Mill and Grote, used as a conveniently inscrutable synonym for 'religion'. The allusion was to the enormous idol-bearing 'Car of Juggernaut' under whose wheels fanatical devotees reputedly sacrificed themselves as the vehicle was drawn through the streets of Puri, eastern India, during the annual Hindu festival of *Ratha Yatra* ('Chariot Festival'); the situation was analogous, thought Bentham, to the way in which religion crushed those who came under its influence.[5] Bentham's main objects in writing the 'Juggernaut' manuscripts were, in 'Jug. Util.', to determine whether or not religious belief was conducive to the promotion of happiness in the present life, and, in 'Jug. True', to examine the claim that religion was true. While Bentham divided his investigation into these two parts, he divided each part in turn according to which branch of religion—natural or revealed—was under focus. Hence, Bentham's overarching strategy, as he would later explain in a letter to the economist Jean-Baptiste Say, had two strands: the first, which is the subject of the present chapter, was to undermine the arguments for, or presumption in favour of, the utility and truth of natural religion; the second, which is the subject of Chapter IV, was to do the same in

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[1] Harriet Grote, *The Personal Life of George Grote. Compiled from Family Documents, Private Memoranda, and Original Letters to and from Various Friends*, 2nd edn., London, 1873, 20–5.

[2] Bentham made only one observation in the fragment: that while much had been said about the truth of religion, the question concerning its utility to the present life had 'never yet been placed in a full and satisfactory point of view'. See BL Add. MS 29,809, fo. 313 (10 July 1807).

[3] Bentham bequeathed the manuscripts to Grote's wife, Harriet. They now form part of the Grote Papers at the British Library (BL Add. MSS 29,806–809).

[4] Bentham occasionally preferred 'usefulness' to 'utility', and 'verity' to 'true' or 'truth'.

[5] There were several contemporary reports of the Juggernaut with which Bentham may have been familiar. See, for example, Alexander Hamilton, *A New Account of the East Indies*, 2nd edn., London, 1744, 387–8: 'some old Zealots, as [the Juggernaut] passes through the Street, fall flat on the Ground, to have the Honour, to be crushed to Pieces by the Coach Wheels.'

respect of revealed religion in general, and the religion of Jesus in particular. Bentham had conveyed the 'Juggernaut' papers with the intention that Grote should arrange and publish a work that focused primarily upon natural religion—'showing its inefficiency to useful purposes, and then its efficiency to mischievous purposes for want of *sufficiently apparent verity*'—with revealed religion, in which the religionist could take temporary 'refuge', to be dealt with in a later book.[1] The publication might be comprised, said Bentham, in a single small volume.

A work appeared in 1822 entitled *Analysis of the Influence of Natural Religion, on the Temporal Happiness of Mankind*.[2] It was printed by Richard Carlile, then working from Dorchester jail, where his imprisonment for blasphemy and seditious libel kept him safe from further prosecution, and published under the pseudonym 'Philip Beauchamp'.[3] Ostensibly, the work was the result of the above commission, with Grote editing the volume from a number of the 'Jug. Util.' manuscripts. There is, however, a longstanding debate in the scholarly literature over the extent to which authorship of *AINR* is properly attributable to Bentham. Both Stephen and Berman take the view that, although the book was inspired by Bentham's arguments, it was largely the work of Grote.[4] Fuller, who conducted a 'preliminary comparison' of *AINR* and the manuscripts, agrees. She suggests that the elderly, reformist Bentham and the young, rebellious Grote 'had different agenda, and produced different texts', and that it is 'misleading' to regard the former as the author of the published work.[5] In contrast, Clarke contends that, far from adding anything material of his own, 'Grote conscientiously reproduced Bentham's arguments'.[6] Finding merit in both positions, Crimmins attempts to split the difference, though he sides with Clarke on the key question of substance: 'Grote did have to put a large number of the manuscripts aside and it is his style rather than Bentham's in which the work is penned, but it is from Bentham's manuscripts that the substance of the work is drawn.'[7]

The views of Clarke and Crimmins would not have been shared by Bentham himself. In the aforementioned letter to Say, he claimed never to have 'written, preached, read or

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[1] *Correspondence* (*CW*), x. 454; *Correspondence* (*CW*), xi. 277.
[2] *Analysis of the Influence of Natural Religion, on the Temporal Happiness of Mankind. By Philip Beauchamp*, London, 1822, hereafter *AINR*.
[3] The reason for the choice of pseudonym is unknown.
[4] L. Stephen, *The English Utilitarians*, 3 vols., repr. edn., London, 2005, i. 316; Berman, *A History of Atheism in Britain*, 191–2.
[5] C. Fuller, 'Bentham, Mill, Grote, and *An Analysis of the Influence of Natural Religion on the Temporal Happiness of Mankind*', 10 *Journal of Bentham Studies* (2008), 1–15.
[6] M.L. Clarke, *George Grote: A Biography*, London, 1962, 30–1.
[7] Crimmins, *Secular Utilitarianism*, 208–10.

heard so much as a single page' of *AINR*, which had been published without his knowledge. From what he had been told of the book by an unnamed friend,[1] Bentham said that, stylistically, *AINR* had been 'got up in a form considerably different' from what he would have given to it, with a 'mode of writing' that was all Grote's own, while substantively, Grote had drawn from only 'a comparatively small part' of the manuscripts. Bentham's disavowal of the work was explicit: 'if it is not so good as I should have made it, I should be sorry for my own sake it should be regarded as mine: if better … I could not without uneasiness, think of being, howsoever unintentionally the cause of his being robbed of the honor of it.'[2] Whether or not scholars have given sufficient weight to Bentham's protestations, or had sufficient knowledge of them, the main reason that the authorial status of *AINR* has remained controversial for so long is that none of the 'Juggernaut' writings have ever been published in their original form. Even then, Fuller argues that a close comparison of 'two such disparate texts' as 'Jug. Util.' and *AINR* would be a task fraught with so many difficulties of 'method, scale, and purpose' that it would be 'imprudent', if not 'impossible', to undertake.[3] The task would no doubt be time-consuming, but it would not be impossible, particularly given the increasing sophistication of modern automated text analysis techniques. For the present purposes, however, it is unnecessary. Since the aim of the current study is to develop a deeper understanding of Bentham's views on the truth and utility of religion—in this instance, natural religion—arguments about the authenticity of *AINR* lose their significance when set against the findings of a complete survey of the primary source material.[4] The present chapter is the result of such a survey. As its substantive content is based solely upon the ideas contained in the original manuscript writings, *AINR* can safely be ignored.

Section 1 will focus upon the question of the utility of natural religion. It will be argued that Bentham thought that natural religion failed to augment the greatest happiness of the greatest number in the present life principally because it failed to provide either any 'directive rules of action' capable of promoting human happiness or any sanctions to existing directive rules that were so capable. On the contrary, when set against the purely human sanctions and the directive rules they marked out, the superhuman or religious

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[1] Fuller believes this friend to have been James Mill. See Fuller, 'Bentham, Mill, Grote', 1–15 at 9.
[2] *Correspondence* (*CW*), xi. 275–7.
[3] Fuller, 'Bentham, Mill, Grote', 1–15.
[4] That transcripts of this material have now been produced is thanks to the work of Schofield and Fuller herself.

sanction tended overwhelmingly to be destructive of happiness.[1] It will be seen that a key tactic of Bentham was to show the religionist what conclusions must logically follow from his (the religionist's) own beliefs and assumptions. Bentham's position, it will be suggested, was a response to the 'theological utilitarianism' of William Paley.

Section 2 will focus upon the question of the truth of natural religion. It will examine what Bentham saw as the unreasonable suppositions that underpinned, the absurdities that arose from, and the inconsistencies that characterised the natural religionist's notions of God and an afterlife.

It will be concluded that, in Bentham's view, natural religion was neither consistent with utilitarianism nor capable of establishing a defensible claim to truth. It had nothing to do with any such thing as 'the divine goodness' or 'the divine will', and much to do with the power of the human imagination.

§1. Defining and Defending Natural Religion

§1.1. Natural and Revealed Religion

Religion was either 'Natural' or 'Revealed'.[2] The devotee of revealed religion believed that a superhuman being (God), or some man or men authorised by, or in communication with, the superhuman being, had established 'a rule of action', coupled with 'a system of eventual rewards and punishments' aimed at securing observance to that rule. These had been delivered 'once upon a time' in and by 'a determinate body of discourse' that remained 'perceptible' and (somewhat) 'intelligible' to contemporary eyes. To the revealed religionist, this discourse was '*direct*' evidence: direct evidence of the rule of action, and direct evidence of the sanctions associated with it.[3] The devotee of natural religion also believed that a system of eventual rewards and punishments operated to secure observance to the rule of action. For him, however, the rule was not prescribed by direct evidence, but left to be inferred from '*circumstantial*' evidence. Bentham commented that, attached 'in fact, but though not of necessity' to the natural religionist's

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[1] Bentham used the terms 'superhuman sanction' and 'religious sanction' interchangeably. The latter will be preferred throughout.

[2] For Bentham's definitions of 'religion', 'religious belief', and 'religionist', see 20–5 above.

[3] Strictly, there were two classes of revealed religion, though when Bentham used the term he was almost invariably referring to the first alone. This first class was comprised of religions that had a determinate human author, such as Jesus, Moses, or Mahomet, whose alleged 'acts or sayings' had support in direct evidence, however unreliable that evidence might be. The religions of the second class, such as those of Woden, Bramah, or ancient Egypt, had no determinate human author. Destitute of all support in both direct and circumstantial evidence, they amounted to 'a tissue of imaginations', said Bentham, that was 'little worth mentioning or thinking of'. See BL Add. MS 29,809, fos. 15–17 (12 March 1821).

belief that observance of the rule of action was pleasing, and non-observance displeasing, to the superhuman being, was the belief that the conduct to be observed was that which was most conducive to 'the greatest happiness of the greatest number'.[1]

A revealed religionist could share a belief in natural religion, but, if he did, he viewed the circumstantial evidence upon which the natural religionist's belief rested as a matter of 'secondary, if of any, importance' compared with the direct evidence. Beyond this observation, however, the precise nature of the 'entanglement' of natural religion and revealed religion that Bentham perceived is difficult to discern at first glance. Writing in August 1821, he claimed that revealed religion had 'grown' out of natural religion, with 'Establishments' having grown in turn out of revealed religion. The harms of revealed religion generally, and of organised religion specifically, were both ultimately attributable to natural religion, the chief mischievousness of which lay in its 'serving as a foundation for supposed revealed religion and leading to the construction of it'. Despite the apparent unambiguousness of these assertions, Bentham said far more between 1819 and 1821 to suggest that he thought natural religion was derived from revealed religion, and not *vice versa*. While the adjunct 'natural' conveyed the impression that natural religion appeared first, with revealed religion appended to it at a later date (as with a 'graft' on a 'fruit tree'), the real order of events, remarked Bentham, had been precisely the reverse. Natural religion had been formed only by 'abstraction' from revealed religion, which was itself a refinement of polytheism.

Bentham gave a brief account of the relevant history. In the first place, he said, had come the pagan system, most notably the Greek, with its 'anarchical mob of Gods, all quarrelling with one another, as well as mixing with mankind, engaged in hostilities with which any decided subordination was inconsistent'. The initial abstraction made to this 'anarchical aristocracy' had substituted a limited monarchy, with all of the Gods except one put under subjection to that single superior God. The second abstraction had discarded the subordinates. This was done in order to simplify the idea, enabling 'much confusion and embarrassment' to be avoided. By a third abstraction had come the two sorts of religion in question: first, revealed religion, which was 'adapted to the minds of, and still embraced by, the unthinking and undiscerning many'; then, natural religion, which was 'invented by abstraction made from the alledged Revealed, invented and occasionally preached by the thinking and discriminating' few:

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[1] BL Add. MS 29,809, fos. 307 (29 December 1810), 10–11 (7 March 1819).

Thus, then, came the one God: and thus it is that alledged Natural was formed out of alledged Revealed…. The one God resolved upon, what remained was to cloath him with attributes: and about this, as was natural, there was no small quantity of dispute.[1]

Bentham was stating that both the God of natural religion and the God of revealed religion were created by man, and not the other way around. The God 'made' by the natural religionist was 'a something in man's clothing' and, as such, was 'composed of the cruelty of the wolf, with the weakness and folly of the sheep'. The 'portrait' of the God of revealed religion was also, by necessity, drawn from man—man at his most 'self-regarding' and in his most powerful guise: 'a tyrant seated on a Throne'. Bentham used the main body of 'Jug. Util.' to test the validity of the proposition that a belief in the existence of this almighty being and his system of eventual rewards and punishments— that is, a belief in religion—was conducive to the happiness of the present life. It was a claim, he said, whose truth had been 'almost universally assumed', with 'expressions of abhorrence as towards gainsayers' supplied in place of proof. Before proceeding with his examination, however, Bentham challenged two further assumptions to which he thought the prospective reader of his work may have already fallen prey. Both related to what he described as that 'most important' distinction between the present and a future life.[2]

§1.2. Two Assumptions

The first assumption, which took the form of an objection to both the premise and the point of Bentham's investigation, was that the utility of natural religion to the present life was a matter of only marginal, if any, significance. Even if it were proved that religion was detrimental to present happiness, the incentives for religionists to observe the precepts of religion during their fleeting time on earth would remain sufficient given the infinite intensity and duration of either the rewards or the punishments that awaited them after death. While Bentham accepted the theoretical validity of this objection, he believed that the assumption upon which it rested failed to reflect practical reality. The arguments made in 'Jug. Util.' would indeed seem irrelevant to men who deemed the present life nothing and a future life everything[3]—to those, that is, who denied that the physical world, as experienced by the human mind in the present life, was the sole domain of all

[1] BL Add. MS 29,809, fo. 14 (12 March 1821).
[2] BL Add. MS 29,807, fo. 127 (9 February 1821); BL Add. MS 29,809, fos. 12 (7 March 1821), 13–14 (12 March 1821), 3 (6 August 1821), 2 (17 August 1821).
[3] BL Add. MS 29,807, fo. 140 (11 February 1821). Bentham quoted Paul as one such man: 'If in this life only we have hope … we are of all men most miserable.' See 1 Corinthians 15: 9.

that was known and knowable. When it came to the question of who actually lived according to these beliefs, however, Bentham was convinced that, aside from the most zealous fanatics,[1] the men whose motives for action did not consist in a desire for pleasure and an aversion to pain in the here and now numbered approximately zero.

The second issue that Bentham addressed partly negated the first. It concerned the men who, in his view, were responsible for helping to foster the general assumption that religion was in fact conducive to happiness in the present life. Developing the arguments that he had introduced in *Church-of-Englandism*, Bentham contended that the ruling few had taken 'command' of religion for their own 'personal' and 'exclusively determining purposes'—that is, in the pursuit of their sinister interest—while giving the 'pretence' that society could not exist without religion (except, perhaps, in 'a most miserable' state), and that this circumstance grounded a right and duty of theirs to take charge of 'the condition' of the subject many on matters of religion with a view to the subjects' happiness, not merely in the present life (the 'temporal interest'), but also in the hereafter (the 'eternal interest'). Bentham examined the validity of this claim by taking it at face value and pursuing its implications. What he found was a succession of inconsistencies and contradictions.

In relation to the 'eternal interest' alone, Bentham noted that if governing the opinions of every other man were the religious duty of any one man, then so it would be of every other. Each man would need to employ all the power that he could to this most critical of purposes, irrespective of whatever 'mass of misery' it produced in the present life. The result would be 'a war of all against all', or at least a war of all sincere believers against everyone else (including themselves). Furthermore, it could not be proved that a man was divested of the right to use, or exempted from the duty of employing, physical force in order to save others from infinite torment by the mere accident of his not holding political power during a period of time—a human lifespan—that was 'less than a drop of water to the ocean' compared with eternity. Yet, even if it were settled that political power was required, the right and duty would operate to oblige men simply to seek or seize such power. Pushing the consequences of this argument further, Bentham asked: if a duty of obedience to the lawful ruling powers meant that a man was considered exempt from the paramount religious duty, did the exemption still apply if the rulers either exceeded their lawful power or were usurped of it?[2] The question, he thought, admitted of no satisfactory

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[1] For a discussion of the religious adherents of asceticism, see 153–6 below.
[2] BL Add. MS 29,807, fos. 127–30 (9 February 1821).

answer. While it was incoherent, therefore, to say that the supposed religious right and duty were vested in the ruling few to the exclusion of everyone else, any exercise of the power in question would cause society, not to flourish or even to function, but to collapse. Since the reality was that the right and duty were neither vested in all men nor exercised as described, Bentham was demonstrating as conclusively as possible that there was no reason to think that they existed at all.

If the intention in *Church-of-Englandism* had been, in part, to expose the self-interested motives that explained the actions of the ruling few, particularly those rulers who held ecclesiastical office, then here Bentham was trying to show that the reasoning upon which they relied to justify their control of religion was untenable on its own terms. That said, he adopted a slightly different approach when seeking to undermine their second—and, in his view, more widely accepted—justification: that it was 'incumbent' on the rulers 'to take charge of the opinions of their subjects in relation to religion, and … employ the influence of punishment or … reward in the endeavour to keep them in the right path' in order to provide 'for the interests of the present life'. In this instance, therefore, the 'plea' of the ruling few for the right to supervise the 'eternal interest' of the subject many was founded upon a professed concern for their 'temporal interest'. The argument was that by controlling religion, the virtuous and wise rulers saved their subjects from the 'ignorance', 'folly', and 'wickedness' to which they were otherwise prone. Bentham's initial response was to remind his reader that 'the pilot' was composed of the same material as 'the crew'. There was no reason, in other words, to think the rulers any less capable of 'depravity' than their subjects when what was true of human psychology with respect to any one man or set of men was also true, *ceteris paribus*, with respect to any other. Hence, the underlying assumption of the argument—that the 'interference' of the rulers was necessarily productive of 'temporal good' or preventive of 'temporal evil'—was false. The main application of Bentham's reasoning, however, was to the two questions that he said arose from the rulers' argument. The first was: did the ruling few use their influence to produce more good than would be produced if religion operated without their influence? Although his answer to this question had been expressed most fully in *Church-of-Englandism*, Bentham reiterated his view that the intervention of the ruling few in matters of religion was 'evil' insofar as it functioned to 'substract from the happiness' and 'give encrease to the unhappiness' of mankind. Since he also believed that the sole purpose of the rulers' endeavours was to use religion to advance their own sinister interest at the expense of the universal interest, Bentham regarded this 'evil' not so much as a possibility of the rulers' interference as the inevitable product of it.

The reader would find the answer to Bentham's second question—was it in the nature of religion for it to be more beneficent than, or even as beneficent as, it was maleficent?—in the main body of 'Jug. Util.' As the reader went on, however, Bentham wanted him to keep in mind the following: if, on the one hand, the influence of religion was incapable by its own nature of producing a balance on the side of happiness in this life, then it was incapable of producing such a balance by the interference of 'temporal functionaries'; if, on the other hand, the influence of religion was more likely by its own nature to produce a balance on the side of unhappiness in the present life, then the interference of such functionaries could not fail to add to the sum of unhappiness. Bentham's point was that, in either eventuality, the subject many had no reason to tolerate the interference of the ruling few in matters of religion.[1] It was a point that Bentham would make repeatedly throughout his investigation.

Among 'civilised nations', and in England in particular, most 'thinking men', said Bentham, expressed the view that religious belief was beneficial to human happiness. His remark identified the claim that required investigation—namely, that religion was conducive to the obtainment of pleasure or the avoidance of pain, or both, in the present life—and indicated who he thought were its main proponents. Bentham was convinced that many of these 'thinking men' (though, as will be seen, not all) believed that religion, whether in its natural or revealed guise, had 'no truth in it'.[2] For them, maintaining the notion of the verity of religion was 'a sort of fraud' regarded as not merely 'excusable', but 'justifiable', and even 'necessary', in 'the best interests of society'. It followed, however, that if Bentham's enquiry were to find that religious belief was not in fact useful, but 'in a preponderant degree mischievous', then the interests of society would be better served if a demonstrably false and harmful claim were no longer treated as an unassailable truth. What this would mean in practice would largely depend, not only upon how the proponents of the claim responded to such a finding, but also upon which proponents Bentham was talking about. This was because his use of the term 'thinking men' pertained to two sets of individuals. The first, of course, comprised the ruling few. Bentham's position in respect of what a government of 'adequately enlightened' rulers actuated by 'a sincere and predominant desire' to contribute to the greatest happiness of mankind should do in the event that religious belief was shown to be harmful was unequivocal: 'to leave it to itself and its own native influence—not to employ, either in

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[1] BL Add. MS 29,807, fos. 136–7 (11 February 1821).
[2] Bentham levelled a similar charge against the ecclesiastical establishment. See 57–9 above.

the shape of punishment or in the shape of reward, the power of government in support of it'.[1] Thus, any demonstration of the disutility of religion would only strengthen the case for disestablishment that Bentham had set out in *Church-of-Englandism*.

More pertinent to the specific question of belief in natural religion were the ideas of a second group of 'thinking men'—ideas that, taken together, formed a major target of Bentham's investigation. If belief in natural religion brought about a diminution in human happiness or was itself a positive source of human misery, then it would be paradoxical and perverse to make natural religion the basis of the principle of utility. Yet this exercise in self-contradiction was exactly what Bentham thought had been attempted by the advocates of so-called 'theological utilitarianism'. The origin of this term is disputed. Crimmins is probably correct in asserting that it was coined by the historian William Lecky to refer to the moral philosophy of a group of natural theologians and Christian apologists, including John Brown, John Gay, Edmund Law, Joseph Priestly, Abraham Tucker, Daniel Waterland, and, of greatest significance to Bentham and his critique of natural religion, William Paley.[2] Less convincing is O'Flaherty's argument that the term originated with Leslie Stephen, whose work came after that of Lecky, and whose idea, alleges O'Flaherty, was to disparage Paley's contribution to moral philosophy by pointing out that 'this was *theological* as opposed to *scientific* utilitarianism, a crude predecessor of the nineteenth-century theory'.[3] What is certain, however, is that 'Jug. Util.' stood as a rebuttal of the system of utilitarianism, underpinned by natural religion, that Paley propounded. It will therefore be useful to note the salient points of Paley's moral thought in order to contextualise and make better sense of Bentham's argument.

§1.3. William Paley and Theological Utilitarianism

Although comparatively little-read today, Paley was highly influential in his own time. One of his earliest and most important works, *The Principles of Moral and Political Philosophy* (1785), was taught at the universities of Oxford and Cambridge, and remained the subject of lectures at the latter until well into the nineteenth century. The volume— described by O'Flaherty as 'the culmination of a process begun by Tucker of turning

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[1] BL Add. MS 29,809, fos. 352, 354 (20 April 1819), 374 (1 May 1819).

[2] J.E. Crimmins, 'John Brown and the Theological Tradition of Utilitarian Ethics', 4 *History of Political Thought* (1983), no. 3, 523–50; W.E.H. Lecky, *History of European Morals from Augustus to Charlemagne*, 2 vols., London, 1869.

[3] N. O'Flaherty, *Utilitarianism in the Age of Enlightenment: The Moral and Political Thought of William Paley*, Cambridge, 2019, 1–2; Stephen, *History of English Thought*, ii. 121–8.

utility into a system of practical ethics'[1]—was frequently reprinted during this period, garnering what Heydt describes as 'the compliments of institutional endorsement and critical attack'.[2] Recalling one of his chief objections to the education system of the Church of England, Bentham wrote that *Principles* was specifically designed for the students tutored by Paley at Christ's College, Cambridge—students whose eyes were 'not strong enough, nor was it his desire that they should be strong enough, to endure true lights in such a field'. Paley's refusal to sign the Feathers Tavern Petition of 1772, which had called for the abolition of subscription to the Thirty-nine Articles, only reinforced Bentham's perception of Paley, by then a Church of England priest, as yet another clerical educator committed to the 'subornation of insincerity' from his students.[3]

What Paley had demonstrated in *Principles*, in Bentham's view, was that he was in error in his treatment of the principle of utility. In a letter of 1822 to Étienne Dumont, his translator and editor, Bentham acknowledged his indebtedness to Hume for the idea of the principle of utility,[4] before alleging that Paley had borrowed the idea from him (Bentham). Neither case, however, was one of straightforward appropriation. According to Bentham, the key difference between himself and Hume was that Hume had used the principle 'to *account* for that which *is*, I to shew what *ought to be*'.[5] Paley had also used it in this second sense, and this initial point of similarity between his moral theory and that of Bentham was not the last. As Schofield explains, both men equated moral good with pleasure and moral evil with pain; both regarded human happiness as a balance of pleasure over pain; and both considered general human happiness to be the criterion of virtue.[6] The fundamental difference between Bentham and Paley, as the former argued in a marginal summary for *A Table of the Springs of Action* (1817), was that instead of indicating the relationship borne by the principle of utility to the ideas associated with the

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[1] O'Flaherty, *Utilitarianism in the Age of Enlightenment*, 79–81.

[2] C. Heydt, 'Utilitarianism before Bentham', in B. Eggleston & D.E. Miller ed., *The Cambridge Companion to Utilitarianism*, Cambridge, 2014, 16–37 at 25.

[3] *Deontology* (*CW*), 328 & n. Despite showing initial sympathy for the cause, Paley claimed that he 'could not afford to keep a conscience' and withheld his support. See also 45–53 above.

[4] See David Hume, 'Why Utility Pleases', in *An Enquiry concerning the Principles of Morals*, T.L. Beauchamp ed., Oxford, 1998, 33–46.

[5] *Correspondence* (*CW*), xi. 148–50. Rosen points out that Paley could have taken 'a more active, normative principle' from either Beccaria or Helvétius rather than from Bentham. See Rosen, *Classical Utilitarianism*, 133. Similarly, Schofield suggests that Paley 'had not plagiarized Bentham's ideas', and that the origins of his moral and political philosophy were rooted in Hume, Locke, Tucker, and others. See P. Schofield, 'A Comparison of the Moral Theories of William Paley and Jeremy Bentham', 11 *Journal of Bentham Studies* (1987), 4–22 at 7.

[6] Schofield, 'A Comparison', 7. The similarity between the ethical doctrines of Paley and Bentham prompted Stephen to quip that 'Bentham is Paley *minus* a belief in hell-fire'. See Stephen, *History of English Thought*, ii. 106.

words pleasure and pain, Paley had 'spontaneously' qualified the principle by 'the will of God'.[1] By taking this as his starting point—by claiming that the dictates of utility were discernible through, or derivable from, the divine will—Paley treated utility and the will of God as one and the same.[2] Thus, for Paley, unlike Bentham, virtue equated to '*the doing good to mankind, in obedience to the will of God, and for the sake of everlasting happiness*'. By this 'single stroke', notes Le Mahieu, Paley encompassed the 'subject' ('the good of mankind'), the 'rule' ('the will of God), and the 'motive' ('everlasting happiness') of 'the moral life'. The 'demands of self-interest' coincided with the general 'needs of society' because, by practising virtue, a man unselfishly contributed to the common good even as he selfishly attempted to secure for himself eternal happiness in the life to come.[3] Since virtue found its reward in the pleasures of heaven, and vice its punishment in the misery of hell, moral obligation in Paley's system of theological utilitarianism was enforced by the religious sanction.[4] If, then, the expectation of future rewards and punishments furnished the motive to practise virtue, and the will of God furnished the rule to be obeyed, the question arises: how did one, or how could one, ascertain the will of God? While the revealed religionist found his answer in what Bentham called 'a tissue of *ipse-dixits* from holy texts'—that is, by consulting the direct evidence of the Bible—the natural religionist looked elsewhere.[5]

In *Principles*, as well as in his *Natural Theology* of 1802, Paley tried 'to show that the works of nature were not only evidence of, but also a reflection of, the divine will, and from this draw conclusions as to the nature of man and the obligations laid upon him'.[6] Perhaps his most notable contribution in this regard was the watchmaker analogy, a teleological argument for the existence of God. Paley began his argument by inviting the reader to imagine that a man finds a pocket watch on the ground. Contemplating the provenance of the watch, the man could not fail to be convinced from the arrangement and operation of its parts that there must have existed, at some time and place, an

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[1] *Deontology* (*CW*), 52–3. Bentham later reiterated the accusation, arguing that Paley had deliberately failed 'to attach any such clear and precise import' to the principle of utility because it had not suited his purpose to do so. See *Official Aptitude Maximized; Expense Minimized* (*CW*), 351.

[2] Bentham's friend, George Wilson, wrote to Bentham in 1786, informing him that Paley's philosophy was 'founded entirely on utility, or, as he chooses to call it, the will of God'. See *Correspondence* (*CW*), iii. 489–93.

[3] William Paley, *The Principles of Moral and Political Philosophy*, 2 vols., repr. edn., London, 1788, i. 41; D.L. Le Mahieu, 'Foreword', in William Paley, *The Principles of Moral and Political Philosophy*, Indianapolis, 2002, pp. xi–xxviii.

[4] Schofield, 'A Comparison', 4–22. For Bentham's definition of the religious sanction, see 82 below.

[5] *Deontology* (*CW*), 53.

[6] Schofield, *Utility and Democracy*, 188.

'artificer' who had made the watch for the very purpose that it in fact answered—who had 'comprehended its construction', 'understood its mechanism', and 'designed its use'. The man had neither seen the watch being made nor understood its functional complexity, but these facts gave him no reason to doubt that it was the product of intelligence—and an intelligent design, so the reasoning went, implied an intelligent designer. Thinking this conclusion 'invincible', Paley applied the analogy to the physical world. He stated that every 'indication of contrivance', every 'manifestation of design', that existed in the watch also existed in 'the works of nature'. The only difference was that the 'complexity, subtlety, and curiosity of the mechanism' were incalculably greater in the contrivances of 'nature' than they were in those of 'art'. Just as the construction of the watch implied the existence of an intelligent constructor of the watch, so the contrivances in the works of nature implied the existence of a contriver of such works.[1]

Observation of the natural world afforded proof, not only of the existence of a creator deity, but also of the nature of his character—a character that Paley termed 'the *divine goodness*'. Proof of the divine goodness rested upon two propositions. The first was that 'in a vast plurality of instances in which contrivance is perceived, the design of the contrivance is *beneficial*'. From the hinges in the wings of an earwig to the filaments of a hummingbird's feathers, one found attention bestowed upon the smallest parts of even the most insignificant animals. There were 'no signs of diminution of care by multiplicity of objects, or of distraction of thought by variety'. On the contrary, surmised Paley, the extreme conscientiousness with which the Almighty had designed countless numbers of minor organisms only attested to the still greater care that he must have had, and did have, for mankind. Moreover, the world that Paley observed was overwhelmingly a 'happy' one: 'The air, the earth, the water, teem with delighted existence. In a spring noon, or a summer evening, on whatever side I turn my eyes, myriads of happy beings crowd upon my view.' Such joy cannot have materialised by randomness or chance, but must have been willed by a benevolent God. Paley's claim was not that joy manifested everywhere and in everything at all times, but that the 'average of sensations' in all animal life was overwhelmingly in favour of happiness. In the human species in particular, in respect of which Paley's claim, as he himself admitted, may have seemed at its most precarious, 'the prepollency of good over evil', of 'health' and 'ease' over 'pain and distress', was demonstrated by 'the very notice which calamities excite'. The eager questions of the

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[1] William Paley, *Natural Theology: or, Evidences of the Existence and Attributes of the Deity, Collected from the Appearances of Nature*, London, 1802, 1–52.

sick, the fretful conversations provoked by misfortune, only made sense if, in the common course of things, happiness was 'the rule' and misery was 'the exception'. Although men gave praise to God for honours, riches, and preferments, as if these advantages represented the exceptional moments of happiness in life, this was only because human beings tended to take the 'common benefits of our nature' for granted. Few men were moved to express profound gratitude for their being able to eat or sleep, or to use their senses and limbs in the ordinary manner, because men courted 'distinction'. Yet it was in the things that were so common as to be of no distinction that 'the amplitude of the divine benignity' was perceived. Paley also observed that where misery was concerned, the sources of it afforded no 'proofs of intention':[1]

> Contrivance proves design; and the predominant tendency of the contrivance indicates the disposition of the designer. The world abounds with contrivances; and all the contrivances which we are acquainted with, are directed to beneficial purposes. Evil no doubt exists; but is never, that we can perceive, the object of contrivance.[2]

Whereas manmade instruments of torture, for example, were unquestionably designed to inflict pain, teeth were unquestionably designed to eat rather than to ache. The fact that teeth did occasionally ache was incidental to, not the object of, the contrivance.[3]

The second proposition was that 'the Deity has superadded *pleasure* to animal sensations, beyond what was necessary for any other purpose, or when the purpose, so far as it was necessary, might have been effected by the operation of pain'. Using the example of food, upon which the survival of all animal life depended, Paley noted that even though the pain of hunger was sufficient to compel any creature to seek sustenance, God had added the unnecessary pleasure of taste to the operation of eating. This pleasure depended not only upon animals having been equipped with a sense of taste, but also upon 'a felicitous adaptation' of the organ of taste to the object tasted. No accident could account for this. Whether the sense was constituted to suit the objects, or *vice versa*, 'the effect evinces, on the part of the Author of nature, a studious benevolence'. Similar observations could be made with respect to the other senses, each of which Paley regarded

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[1] Ibid. 488–99, 577–9. Having identified venomous and predatory animals as two cases that might seem most like exceptions to this rule, Paley gave several reasons—from the anaesthetic (rather than painful) effect of a poisonous sting to the quick death occasioned by an act of brutish 'violence' (as opposed to the enduring misery of incurable 'diseases' and mortal 'decay')—for why the anatomy and behaviour of such animals were evidence of God's design, but not of ultimate evil. See 502–16.
[2] Paley, *Principles*, i. 67.
[3] Ibid. 67–8.

as 'specific gifts' that ministered 'not only to preservation, but to pleasure'. If God had wished mankind to be miserable, then his purpose would have been achieved either by forming the senses 'to be as many sores and pains to us, as they are now instruments of gratification and enjoyment', or by 'placing us amidst objects so ill suited to our perceptions, as to have continually offended us, instead of ministering to our refreshment and delight'. The Deity might have made every sight 'loathsome', every touch 'a sting', every smell 'a stench', and every sound 'a discord', but he had done no such thing. Man's capacity for pleasure was indicative of God's specific intention to deliver a happy life distinct from his general intention to provide the means of existence.[1]

For Paley, therefore, the observable truth of the two propositions in question revealed a God of '*infinite* benevolence'. Yet it was also observable that, far from being gifted infinite pleasure, man had been equipped with the power to inflict misery upon his fellow creatures. Paley's response was to point out that this capacity testified to man's character as a '*free agent*'. If man were suddenly deprived of his free agency, which by definition was susceptible to abuse, then his nature would be subverted and his 'moral character' destroyed. The fact that human beings did not live in a perpetual state of happiness (or, indeed, misery)—the fact that God had made men free agents with the ability to cause and experience both pleasure and pain—suggested to Paley that man existed in the present world in 'a state of moral probation'. Such a state, he explained, was

> a condition calculated for the production, exercise, and improvement, of moral qualities, with a view to a future state, in which, these qualities … may, by a new and more favouring constitution of things, receive their reward, or become their own…. The degree of beneficence, of benevolent intention, and of power, exercised in the construction of sensitive beings, goes strongly in favour, not only of a creative, but of a continuing care, that is, of a ruling Providence.[2]

Man had been equipped with free agency and placed upon earth in order to acquire, exercise, and display his moral qualities. While the man who proved himself virtuous to God would be rewarded with the 'ultimate' and 'most permanent' happiness of heaven, the man who proved himself vitious would suffer the eternal torments of hell.[3] The measure of earthly conduct was its conformity to the will of God. Although man could discern the will of God in the 'express declarations' of scripture, Paley believed that

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[1] Ibid. 66; Paley, *Natural Theology*, 488, 517–18.
[2] Paley, *Natural Theology*, 563.
[3] Ibid. 527, 546–8, 561–8.

God's 'designs and disposition' were equally discoverable in the circumstantial evidence afforded by 'his works, or, as we usually call it, the light of nature'. A man could make that discovery in respect of any action simply by enquiring into its tendency 'to promote or diminish the general happiness'. Since God willed the happiness of his creatures, an action was morally right insofar as it was consistent with the will of God, or, which came to the same thing, was promotive of the general happiness. The obligation of any moral rule of action was constituted solely by its utility.[1]

Paley's view, therefore, was that whether eternal pleasure or eternal pain awaited a man in the hereafter depended upon his obedience to the rules of action in the present life, and that accepting the truth of this proposition—that holding this belief—tended to increase the aggregate happiness of the community. Bentham rejected this view of the world. It will be seen that his enquiry found that the God posited by natural religion had no power to will human happiness, and that belief in the above proposition was conducive not to the greatest happiness of mankind, but to the production of positive human misery.

§2. The Utility of Natural Religion

§2.1. The Conditions for Happiness

Bentham's argument started with the premise that if natural religion was contributory to human happiness, then it must be so either by giving '*direction*' to human conduct or by giving no such direction. In the first place, if natural religion contributed to aggregate happiness without giving direction to human conduct, then it did so by contributing only to the 'expectation of happiness'—that is, to a man's expectation that happiness would result to him, either in this life or in a future life, irrespective of his conduct. If the quantity of expected happiness exceeded that of unhappiness in the man's mind, then natural religion was contributory to his happiness on the whole, even as it gave no direction to his conduct; on the opposite supposition, it was detrimental to his happiness on the whole. From this, it followed that if the number of men for whom natural religion contributed to happiness exceeded the number of men for whom it was detrimental, then natural religion, so conceived, was a net contributor to happiness in the aggregate. Bentham hereupon simply pointed out that natural religion was not so conceived. He found no evidence to support the claim that any natural religionist expected to receive happiness altogether independent of his conduct. Some natural religionists did expect to receive a 'mass' of happiness that was partly independent of their conduct, but they also expected to be able

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[1] Paley, *Principles*, i. 62–70.

to increase it through their conduct. These were men, said Bentham, for whom there was 'a heaven, and no hell'.

Alternatively, and in agreement with Paley's system, if natural religion contributed to aggregate human happiness by giving direction to human conduct, then there were only two ways in which it could do so: by furnishing a 'directive rule', or by furnishing '*inducements*' for the observance of a directive rule, whether supplied by natural religion itself or originating from some other source. A directive rule, explained Bentham, was 'a rule pointing out for human conduct a path, by keeping to which throughout, happiness will be enjoyed in greater quantity than by proceeding, either constantly or occasionally, on any other path'. While the course of action that produced more happiness than any other was 'the *right path*', every other line of conduct was 'a wrong *path*'. An 'inducement' was 'the eventual expectation of some pleasure or of exemption from some pain'. An inducement to a course of action, therefore, was the eventual expectation of either enjoying some pleasure in the event of proceeding in that course of action or suffering some pain in the event of not proceeding in it. The inducement to proceed in a wrong path—to take a course of action opposite to that indicated by the directive rule—was a '*temptation*', along which path any step was a '*misdeed*'. The inducement to proceed in the right path was a '*sanction*'.[1]

Bentham described how the type of sanction varied according to both 'the nature of the inducement' and 'the nature of the *source*' from which the sanction flowed. As to the former, the sanction was 'remuneratory'—or a reward—where the inducement of pleasure or exemption from pain was 'consequent upon the proceeding in the course prescribed by the correspondent directive rule'. Conversely, the sanction was 'punitory'—or a punishment—where the inducement of pain or loss of pleasure was 'consequent upon the proceeding in a course opposite to that prescribed by the correspondent directive rule'. Bentham was adamant that a directive rule without a sanction could have no effect upon human action. It would be, he said, like a fingerpost pointing to a place towards which no traveller had any desire to go. If, however, a sanction had no correspondent directive rule, then the application made of the sanction served to mark out such a rule. Bentham lent clarity to this idea by means of a simple example. He said that striking a dog whenever it mounted its master's seat (a sanction of the punitory kind) and giving it a cushion from which it was never dismissed (a sanction of the remuneratory kind) delineated two distinct directive rules: one that directed the dog not

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[1] BL Add. MS 29,807, fos. 23–8 (18 November 1821).

to occupy the seat and another that directed it to occupy the cushion. Whether the existence of any correspondent directive rule was prescribed or 'supposed' (as it was, in effect, with the dog), the tendency of the sanction was always 'to produce conformity to the course marked out by the directive rule'.[1]

The nature of the source of a sanction, whether punishment or reward, was either 'human' or 'superhuman'. Human sanctions were those 'springs of action' that tended to produce 'effects of a nature conducive to human happiness'.[2] They occurred 'independently of all expectation of pleasure or pain, absolute or eventual, at the hands of … a superhuman being'. More will be said below on the operation of the human sanctions, but the critical point to note here is that they required no supposition for their influence. By contrast, the religious sanction, defined by Bentham as an inducement constituted by 'the expectation of eventual pleasure or exemption from pain—eventual pain or loss of pleasure—at the hands of an Almighty Being invisible to human eyes', was created by a supposition about both the existence and the nature of God.[3]

Having set out at the beginning of his argument the conditions that would need to be true for natural religion to be contributory to human happiness, Bentham used the second part of his argument to contend that none of these conditions were met.

§2.2. Sanctions and Directive Rules

§2.2.1. *The Human Sanctions and the Religious Sanction*

> *Useful* a system of Religion can not be, except in virtue of a directive rule, or a sanction, or both: a directive rule for the direction of conduct, or a sanction to furnish inducement for the observance of a directive rule. To be incapable of furnishing either the one or the other will be shewn to be the essential property of Natural Religion considered apart from Revealed.[4]

Natural religion did not, and could not, provide any directive rule for the direction of human conduct. The truth of this statement was rendered 'clearer and more perspicuous' to Bentham as he examined the difference between the operation of the human sanctions and that of the religious sanction afforded by natural religion. A human sanction was able

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[1] BL Add. MS 29,807, fos. 27–8 (18 November 1821); BL Add. MS 29,809, fos. 99, 280 (29 April 1819).
[2] For an explanation of the phrase 'springs of action', see 19n above.
[3] BL Add. MS 29,807, fos. 27–9 (18 November 1821); BL Add. MS 29,809, fos. 64 (17 February 1819), 41–6 (16 March 1821).
[4] BL Add. MS 29,807, fo. 149 (14 October 1821).

to mark out a directive rule because its application was testified in the instance of each man by his own 'experience' of it, his 'observation' of it in the case of another, or both. Bentham was inconsistent in his enumeration of the human sanctions at different points in 'Jug. Util.', but he identified six in total: the political sanction (including its legal and administrative branches), which consisted of the rewards and punishments created and applied by the power of government; the pathological sanction (including the physical and psychological sanctions—that is, the pleasure and pain of the body and mind), which was 'self-applying' in the instance of all men; the somewhat ambiguous retributive sanction, which Fuller summarises as the 'fear of pain or hope of reward in the form of retribution';[1] the moral or popular sanction, which was constituted by the bestowing or withholding of 'good offices or services' by a body of 'unassignable individuals' (such as the general public); and the sympathetic and antipathetic sanctions, which engaged men either by the force of sympathy to perform actions regarded as subservient to the happiness of others, or by the force of antipathy to perform actions 'affording a gratification to [the actor's] own dissocial and self-regarding affections'.[2] The legal branch of the political sanction afforded directive rules either by the authority of really existing statute law or by 'the imaginary' common law. Although the common law itself furnished no rule by authority of government, official accounts of the course taken by judges—their opinions, reasons, and orders—gave a man the means to make out ('at his peril') a directive rule for himself. With the other human sanctions, the rule, or the materials out of which the rule could be formed, were furnished by a man's experience and observation. With the religious sanction, however, the situation was 'directly opposite'. Since no man in the present life had ever experienced or observed the pleasures and pains expected of the religious sanction, no directive rule was ever marked out by any supposed application of it.[3]

This was not to say that the natural religionist did not endeavour to identify a directive rule, and to rely upon the religious sanction for its enforcement. It was just that

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[1] C. Fuller, 'Utility of Religion a subject little as yet examined', 6 *Revue d'Études Benthamiennes* (2010), 1–37. Postema states that the retributive sanction, which he describes as the 'prospect or experience' of 'the immediate, uncalculated retaliation for evil done to another', played only a minor role in Bentham's scheme. See G.J. Postema, 'Human Psychology, Individual and Social', in Postema, *Utility, Publicity, and Law*, 26–55 at 37–8.

[2] *Deontology* (*CW*), 277–8. In contrast to the moral sanction, the sympathetic and antipathetic sanctions were imposed by 'assignable', or specific, individuals. While the former would operate when a man inflicted pain on one who had harmed his friend, the latter would operate when a man inflicted pain on one who had benefited his enemy. See P. Schofield, 'The Epicurean Universe of Jeremy Bentham: Taste, Beauty and Reality', *Bentham and the Arts*, 21–45 at 39.

[3] BL Add. MS 29,809, fos. 64–5 (17 February 1819), 66 (23 February 1819), 76–80, 82 (10 May 1819).

he did this, argued Bentham, by framing to himself 'a conception of the sort of consolidated directive rule which, according to the observation made by him of the application made by the several human sanctions in the case in question, those sanctions taken together appear to him to furnish'. Using the vice of 'drunkenness' to illustrate his point, Bentham explained that it was against the force of the temptation to experience the (initially) pleasurable sensation of drinking alcohol that the legal branch of the political sanction had to contend and cause men to overcome—for instance, by punishing drunks for breaches of the peace. This inducement was supported by the other human sanctions. The restraint that they afforded lay in a man's experience or observation of, for example, the popular opprobrium directed towards drunks (the moral sanction), the deleterious effects of excessive alcohol consumption (the pathological sanction), the acts of violence visited upon drunks (the retributive sanction), or the obstruction to 'advancement in life' suffered by drunks (the administrative branch of the political sanction). 'Abstain from getting drunk', declared Bentham, was a directive rule prescribed by the human sanctions, and if by means of his drunkenness a man was put in stocks, despised, rendered unhealthy, beaten, or excluded from office, then 'so he is seen to be'. Perceiving this agreement between the human sanctions, the natural religionist framed to himself the proposition that drunkenness was bad practice. He then reasoned that since men were punished in a future life for giving in to bad practices, they would be punished for giving in to drunkenness. What the natural religionist regarded as bad practices were simply those actions by which 'more pain is produced than prevented, or pleasure prevented than produced'. He sought out, in other words, the line of conduct that was most conducive to the sum of human happiness, then supposed it to be the one that God prescribed. This supposition, however, furnished him with no information. Pursuing his own happiness on the basis of the only tools available to him—experience and observation—was what the natural religionist would have done (and what, in fact, he did do) had no such supposition been made. Thus, throughout the whole of his course, observed Bentham, the natural religionist had 'the question to beg' as he went.[1]

§2.2.2. The Inefficiency of the Religious Sanction

Bentham's central argument was that the 'utter absence of any directive rule, in connection with those expectations of reward and punishment of which any sanctionative force that can be attributed to [the rule] must be composed', made natural religion inefficient to useful purposes. He knew, however, that the natural religionist would want

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[1] BL Add. MS 29,809, fos. 67, 88, 228 (16–18 February 1819), 96 (February 1819), 78 (10 May 1819).

to object to the notion that the religious sanction made no addition to the force of the human sanctions by claiming that it produced good and prevented evil with greater efficiency than any other sanction for two main reasons: first, the absolute certainty of detection, from which the absolute certainty of punishment was inferred; and, second, the infinite intensity and duration—that is, the infinite magnitude—of the punishment. Since the force of the human sanctions was as nothing compared with the supposed force of the religious sanction, 'thus it is that religion is regarded as the necessary bind, without which human society could not at any time in any place be kept together'. Bentham's response to this objection was to assert that one could only judge the efficiency of the religious sanction as a support to morality by examining the qualities that it did and did not possess, and considering 'in what direction and degree the efficiency of pleasure and pain, acting in the character of reward and punishment' was influenced by these same qualities.[1]

Bentham began that examination by addressing the extent to which the religious sanction worked to restrain men from the commission of evil in circumstances where an individual's expectation was that God's punishment for the prospective evil act would be experienced in the present life. He referred to the object of this expectation as 'a particular providence'—that is, a special act of power that violated the ordinary laws of nature and was designed to produce 'good or evil, happiness or unhappiness'. The expectation, in his view, was largely notional. It was 'so rare and upon the whole so faint', and its capacity to exercise influence on the human mind by way of restraint so limited, that in effect it amounted to nothing. Bentham's intuition when calculating overall utility was to attribute more weight to a single lot of pain than to an equivalent lot of pleasure because, all other things being equal, the variable of intensity was greater in the former. Although this intuition did nothing to modify Bentham's opinion of the ineffectuality of the expectation of divine retribution on earth, it did reinforce his view that the expectation of receiving supernatural reward in the present life, either as an instrument of restraint or as an incentive to cause men to do good, was weaker still. The bounds of pleasure were already narrow, but where pleasure was administered by someone other than the man who was the subject of it rather than according to the subject's own lights, the extreme narrowness of its application was 'too notorious and but too incontestable'.[2] There was no reason to suppose, therefore, that the idea, much less the expectation, of receiving

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[1] BL Add. MS 29,807, fos. 32 (28 August 1811), 161 (27 February 1821); BL Add. MS 29,809, fos. 240–1 (6 March 1819).

[2] BL Add. MS 29,809, fos. 308 (29 December 1810), 103–5, 129 (22–3 August 1811), 241 (6 March 1819).

supernatural reward in the present life operated with sufficient force to cause a man to do or refrain from doing anything.

Bentham also regarded the expectation of supernatural punishment after death as an inefficient means of countering man's temptation to do mischief, though for different reasons. In arguing for this position, he was careful to emphasise two related points: that any restraining effect produced by this notion came not from the punishment itself, but from the 'eventual expectation' of it; and that the effectiveness of the expectation as a restraint, whether 'well-grounded' or 'perfectly groundless', was proportioned to the strength with which it was held. From the truth of these statements, it followed, Bentham reasoned, that the only way that the religious sanction could be conducive to the greatest happiness of mankind was, paradoxically, if God inflicted no supernatural punishment at all. In the present life, a man expected punishment to be inflicted if there was an act—for example, the imposition of a sentence of imprisonment—whose existence was either confirmed by the testimony of his own senses or suggested to him by the testimony of other people. The strength of the expectation was proportioned to the regularity with which the punishment was inflicted in cases of proven wrongdoing. With punishment in a future life, however, Bentham noted that the expectation might be maintained just as effectively without the act as with it. Since no man in the present life had any experience of *post-mortem* punishment, or any means by which to observe it, the actual infliction of punishment could serve no useful purpose. The pain would do nothing to restrain evil, either in the instant case (as a form of 'incapacitation') or in any potential future cases (as a form of 'deterrent by example'), nor could it have a reformative effect upon the wrongdoer. 'Suppose any such punishment really provided', said Bentham, 'it is therefore so much misery provided to no rational end, and expended in pure waste'.[1]

The fact that any man entertained an expectation of punishment in a future life independent of revelation required explanation. Bentham started by making three statements: first, the only attribute that the natural religionist could ascribe to God that was capable of yielding 'a disposition to inflict punishment for the purpose of preventing unhappiness' was 'benevolence'; second, a disposition to inflict pain upon sentient creatures for any purpose other than either the prevention of greater pain or the production

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[1] BL Add. MS 29,809, fos. 112–13 (23 August 1811), 260 (3 May 1819). See also Bentham's discussion of punishment in *IPML*, 178–9: 'It is only the idea of the punishment (or, in other words, the *apparent* punishment) that really acts upon the mind; the punishment itself (the *real* punishment) acts not any farther than as giving rise to that idea. It is the apparent punishment, therefore, that does all the service, I mean in the way of example, which is the principal object. It is the real punishment that does all the mischief.'

of more than an equivalent quantity of pleasure was inconsistent with benevolence; and, third, in order to compensate for the almost total 'deficiency' of the religious sanction in the articles of propinquity and certainty, the natural religionist attributed a greater value—an infinite value—to its magnitude.[1] Taken together, said Bentham, these statements were a contradiction in terms. They described a benevolent God who was disposed to produce more pain in preference to less—a God who was benevolent and malevolent at the same time. If the natural religionist claimed that the intention of God was not really to inflict a quantity of additional pain, but only to produce the expectation of his doing so (which Bentham had admitted would be a sufficient restraint), then this would only go to show that the supreme being lacked certain of his other supposed qualities, such as 'veracity' and 'faithfulness to engagements'. It would not be enough to assert that the means of veracity might occasionally give way to the end of benevolence because, by seeing through the 'deception', Bentham showed that the means would be insufficient—and with the deception exposed, the expectation of punishment after death was destroyed.[2]

Another 'incurable incongruity' with which natural religion was afflicted, contended Bentham, resulted from its ascribing a will to God, and claiming the characteristics of omnipotence, omniscience, and omnibenevolence for God. Nothing within human 'experience and observation' was ever called 'a will' without having been produced by the ideas of 'pleasure and pain'—specifically, 'the desire of retaining present or obtaining future pleasure, or of terminating present or avoiding future pain'. For God to have a will, therefore, he must either regard himself as insufficiently provided with pleasure, or be in fear or danger of losing what pleasure he had; or he must either be in pain or afraid of being in pain, or be labouring under pain in one shape, while being in fear or danger of labouring under pain in another shape. None of these alternatives described the character of the God that the natural religionist propounded. Furthermore, the only way that any 'superior' will-possessing being could seek to obtain compliance from an 'inferior' will-possessing being was 'by communicating to the understanding of the inferior a conception of the act which it is the will of the superior that he would perform'. Failure in that enterprise would mean that the inferior had no 'inducement' to maintain the course of conduct that the superior willed him to maintain. For an all-wise being to desire the end without employing the necessary means—that is, without issuing a directive rule—despite having the power to do so, was characteristic, not of 'the perfection of wisdom',

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[1] For the '*elements* or *dimensions* of *value* in a pleasure or a pain', see *IPML*, 38–41 & n.

[2] BL Add. MS 29,807, fo. 161 (27 February 1821); BL Add. MS 29,809, fos. 114–23 (23–4 August 1811), 242 (6 March 1819), 209 (21 February 1821).

nor even of ordinary wisdom, but of the 'extreme of folly'. An unavoidable consequence of not knowing God's will (assuming that God had a will) was that man 'must be continually thwarting it'. The idea that the will of God was capable of being thwarted was itself an offence to reason, but still more absurd was the notion that God was never prompted by the habitual frustration of his will either to adapt the means to the ends or to relent in the infliction of punishment in the forlorn attempt to give effect to his desire. Thus, the punishment meted out in a future life for non-conformity to God's 'never declared will' was the apotheosis of 'oppression and injustice'. Pain was produced to an 'unfathomable extent', and all without use: such again was God's wisdom; such was his benevolence. If God's failure to communicate his will was due to inability rather than reluctance, then far from being all-powerful, God was severely deficient in power. The incapacity of man to establish the directive rule for himself was matched by the incapacity of God to furnish human beings with a description of the course that they ought to follow in the present life. Bentham asked the natural religionist: 'If, then, he has neither wisdom, nor benevolence, nor power, comparable to that which is continually seen in man, what and where is then your God?'[1]

If the largest share of all the good effects produced by all the sanctions acting together belonged to the force of the religious sanction, then it ought to be the case, argued Bentham, that the 'stronger and more extensive' the impression made by this force upon men's minds, the more 'peaceful and social' would be the state of society. Bentham's case, however, was that the opposite was true. In remote antiquity, the impression made by the religious sanction was at its most 'intense' and 'universal', yet society was at its least social. A 'general and acute sensibility' to the terrors of the religious sanction did nothing to limit the 'cruel and anti-social stile of conduct' that was then observed in almost all situations, and upon all scales—'domestic' and 'international'. Although Bentham expressed confidence that, as 'learning' advances, 'religious terrors grow less and less prevalent' and 'manners soften and grow less and less ferocious and anti-social', he also suggested that the fear produced by the contemplation of the religious sanction deceived the judgment and caused men to consider it a 'matter of duty and merit' to present an 'overcharged picture' of its force. This, in turn, tended to cause its actual influence and efficiency to be overrated.[2]

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[1] BL Add. MS 29,809, fos. 138–41, 281 (27–9 April 1819).
[2] BL Add. MS 29,807, fo. 32 (28 August 1811); BL Add. MS 29,809, fos. 261 (24 July 1816), 235 (19 February 1819), 239 (17 April 1819).

<u>*§2.2.3. Oaths*</u>

The negligible influence of the religious sanction as an effective support to morality was laid bare in the few situations in which it acted in isolation of the human sanctions. Seldom was this demonstrated more flagrantly, in Bentham's view, than in the case of oaths, and in particular university oaths, the habitual transgressing of which demonstrated that the 'psychological power' of the religious sanction operated with scarcely any force at all.[1] An oath, said Bentham, was

> a ceremony composed of words and gestures, by means of which the Almighty is engaged eventually to inflict on the taker of the oath, or *swearer* as he is called, punishment, in quantity and quality, liquidated, or more commonly unliquidated, in the event of his doing something, which he … engages not to do, or omitting to do something which he in like manner engages to do.[2]

The purported effect of an oath ceremony was thus an exercise of power over two beings: man (the swearer), 'on whom, by means of the eventual punishment in question, the effect of a law, whether prohibitive or compulsive, is produced, or supposed or endeavoured to be produced'; and God, 'who, in the event in question, is supposed or endeavoured to be engaged to inflict such punishment'. As the swearer '*promised*' to do or forbear from doing something, so an '*obligation*' was deemed to be imposed upon him. This meant that it was the oath ceremony itself that supposedly gave the obligation its 'binding force'—a force, declared Bentham, that was 'derived from the religious sanction'. Conduct, whether positive or negative, that breached this obligation was '*perjury*'.[3]

Bentham's argument against oaths had two main strands: first, that oaths involved the unjustified and unjustifiable presumption that God would punish oath-breakers; and, second, that oaths were inefficient to good purposes, and only too efficient to bad ones.[4] The presumption that God would exercise power over man by punishing those who broke their oaths entailed the almost paradoxical supposition, described by Bentham as 'an absurdity', that power was exercised by man over God. By presuming to be able to invoke the power of God, man ('the despot') appointed himself 'legislator and judge', with God

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[1] BL Add. MS 29,807, fo. 33 (28 August 1811).

[2] *'Swear not at All'*, 1. The title of Bentham's polemic against oaths was borrowed from Jesus' injunction in Matthew 5: 34–5: 'but I say unto you, Swear not at all; neither by heaven; for it is God's throne: nor by the earth; for it is his footstool: neither by Jerusalem; for it is the city of the great King.'

[3] *'Swear not at All'*, 1–3.

[4] Although Crimmins identifies two further lines of argument, one concerning the unreliability of oath-sworn testimony, the other concerning oaths as 'a bulwark against innovation and a support to misrule', both are treated as part of the second strand identified here. See Crimmins, *Secular Utilitarianism*, 130.

('his slave') serving as 'sheriff and executioner'. Bentham noted that if ever a man went unpunished for breaking his oath, then either the effect of the oath ceremony was nil—and if it amounted to nothing in any one case, then why should it amount to something in any other?—or God was 'a negligent servant indeed, but still a servant'. A claim that oath-breakers were punished, however, was a claim that the supreme being was not in fact supreme, but subject to a power produced by 'mere ceremony'. Since no man was able to observe the oath's 'scene' of influence, this self-contradictory claim was also unfalsifiable, and therefore meaningless, and appeared to Bentham to rest upon grounds that testified less to the power of either God or oaths than to the power of the human imagination. The defective logic entailed by the presumptions underpinning oaths also gave rise to two further absurdities, one '*simple*', the other '*complex*'. The simple absurdity was that if punishment for mendacity was adequate, then there was no need for additional punishment for the profanation of an oath ceremony; if such punishment was inadequate, then, again, God was incapable of exercising his justice 'unless and until man gives him leave'. The complex absurdity arose when two swearers engaged to produce 'two opposite and altogether incompatible effects'. In these circumstances, either no effect was produced upon the Almighty, in which case further doubt was cast upon the notion that ordinary human utterances were able to exert supernatural force,[1] or God was compelled to lend supreme power to the production of a still more extravagant absurdity.[2]

Such imponderables would hardly have mattered to Bentham had he considered the oath to be an instrument that promoted the greatest happiness, but the truth, in his view, was otherwise. In the fields of law and judicature, for example, oaths of testimony granted a '*mendacity-licence*' to judges, whose reason for requiring the oath in some instances and not others hinged upon whether it was more conducive to their sinister interest to prohibit mendacious testimony, which might keep hearings short and workloads light, or to permit it because of the opportunity this created to impose more financial penalties and collect more fees. As testimonial oaths weakened the efficiency of the law by lending weight to the false testimony of anyone willing to lie under oath,[3] so they also afforded improper grounds—namely, the refusal to disobey a 'precise' ordinance of Jesus—for

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[1] For Bentham's scepticism about 'evanescent sounds' working supernatural effects, see 140 below.

[2] *'Swear not at All'*, 3–6.

[3] Likewise, a king 'with religion on his lips and wickedness in his heart' could use an oath as a licence to do whatever he wanted. In making this claim, Bentham appeared to have in mind George III's invocation of the coronation oath as a ground for refusing to sanction a measure of Catholic emancipation. See *'Swear not at All'*, 6–7, 40–8.

preventing non-Church-of-Englandists from giving honest testimony.[1] Bentham reflected that one effect of excluding testimony on this basis was to license all crimes committed upon, or in the presence of, Quakers, who steadfastly refused to take oaths in fidelity to Jesus' command. The jury oath, meanwhile, was 'an empty form' devoid of all influence. It promoted 'habitual mendacity', as evidenced by its profanation in all cases requiring the 'pretended unanimity' of jury verdicts, and proved an inadequate security against dishonesty[2]—a point that Bentham enlarged upon, by way of example, in *Rationale of Judicial Evidence* (1827):

> Many and notorious are the occasions on which, in violation of their oaths, a set of jurymen,—for the purpose of screening a criminal from a degree of punishment to which the legislature has declared its intention of devoting him,—ascribe to a mass of stolen property a value inferior in any proportion to that which, to the knowledge of everybody, is the real one; and this under the eyes and direction of a never-opposing, frequently applauding, or even advising judge.[3]

Bentham alleged that whenever the observance of an oath caused 'pure mischief', the defenders of oaths would claim that the oath in question had the 'form and appearance' of an oath, but not the binding force, such that men ought not to charge the evils of a 'null and void' instrument to a 'true and genuine' one. He regarded this argument, which said nothing about the mischievous effects themselves, as a tacit admission that oaths were not really binding upon God. He also considered the claim of 'null and void' to be both casuistic, since the swearer presumably thought that the oath was binding when he made it, and inconsistent, since it was from the oath ceremony alone that the binding force was supposedly derived. More pertinent to the present discussion, however, was Bentham's argument that, insofar as any real effect, good or bad, was produced 'in appearance' by an oath ceremony, '*punishment*' or '*shame*', or both, 'may be seen at the back of it'.[4] In his essay on torture, written 1778–80, Bentham described how a divided jury would be 'shut up without meat, drink, fire or candle' until it reached a conclusion. As Crimmins notes, the prospect of starvation tended to dissolve any qualms that the jurors had about keeping to their oaths and delivering honest verdicts.[5] Similarly, the security against

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[1] If Jesus had intended to exempt judicial testimony from his command, reasoned Bentham, then he would not have issued so 'comprehensive' an injunction as 'Swear not at all' (see 89n above).

[2] *'Swear not at All'*, 8, 18, 26–35 & n.

[3] Bowring, vi. 331.

[4] *'Swear not at All'*, 8–11, 34.

[5] W.L. Twining & P.E. Twining, 'Bentham on Torture', in 24 *Northern Ireland Legal Quarterly*, (1973), no. 3, 305–56 at 319; Crimmins, *Secular Utilitarianism*, 132–3.

'deceptious incorrectness and incompleteness' in the House of Commons was not the parliamentary oath, but punishment, via an order for commitment for contempt, or shame, which took place 'of itself'. Thus, even though the aforementioned oaths appealed directly to the religious sanction, the main cause of their observance was either the legal branch of the political sanction or the moral sanction. A true test of the efficiency of the 'fear of punishment at the hand of the Almighty' to moral purposes required an examination of an oath whose binding force was traceable to the religious sanction alone.[1]

Bentham began that examination by explaining that the oath taken by all students upon admission to the University of Oxford, 'that chief nursery of Church of England piety', consisted of a promise to observe 'the statutes, privileges, and customs of the University'—'present and future, cognoscible and uncognoscible'. The crux of his argument was that 'to every member without exception', these ordinances were 'objects of continual, notorious, and open violation'. Every member routinely violated them himself and saw them being routinely violated by everyone else. The point was not that the direct consequences of these violations happened to be harmful—Bentham thought that most ordinances were 'completely useless'[2]—but that the inefficiency of the oath ceremony as a guarantee of fidelity was 'incontestable'. The university oath had no influence because it had no 'extraneous force'—no human sanction—to support it. The fear of shame or punishment as an '*improbity-restraining*' force in general, and as a '*mendacity-restraining*' force in particular, did not apply at Oxford because no oath-breaker was ever punished or shamed, or seen to be so. In the absence of any human sanctions, the religious sanction failed 'to keep men's lips pure from transgression'. For Bentham, therefore, the oath could be abandoned 'without reluctance'.[3]

The reason that the oath had not been abandoned, in Bentham's view, was that it contributed to 'the grand object of objects': preserving the alliance of Church and state, and with it 'the ease of so many high seated persons, spiritual and temporal, sacred and profane'. It did this in two ways. First, the intention of the 'reverend persons' with the power to abolish oaths was to render the subornation of perjury 'habitual and universal'—that is, to ensure that every student was made 'to prostitute his conscience, and enter

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[1] *'Swear not at All'*, 15–16, 32–3.
[2] Among the ordinances were prohibitions on walking about at leisure in the city or its suburbs, on being present at the assizes or sessions, and on playing ball games in the courts or gardens of the townspeople. In a letter of November 1779 to his brother Samuel, Bentham referred to the 'absurdity and tyranny' of an oath that was almost impossible to observe. See *Correspondence* (*CW*), ii. 319.
[3] *'Swear not at All'*, 11–16, 34.

himself into perjury' as the price of admission to the university.[1] Bentham gave his most complete explanation of this practice in *Church-of-Englandism* as part of his attack on the education system of the Church.[2] That argument need not be recapitulated here except to reiterate its central charge: that while the 'theoretical principle' of a Church education was to instil 'orthodox *piety*', '*virtue*', and '*knowledge*', the 'practical object' was to keep the minds of the subject many in a state of 'perpetual *dependence*' upon the clergy:[3]

> Lest the conduct of these possessors of power should experience any inconvenient check in the opinions of the persons subject to it, matters [are] so ordered, that all notions of duty, moral as well as religious … are to be resolved into one much more simple obligation: the imagined *obligation* … of submitting … to the *opinion*, real or pretended, and thence to the *will* of these the ruling and domineering few.[4]

Bentham asserted that the '*power*' of any ruler was composed of the '*obedience*' of those subject to the ruler's authority. The strictness of the obedience was in proportion to the need that each subject conceived himself to have of the beneficial exercise of that authority. In this way, the self-attested sinfulness of 'the penitent' (the subject) was in proportion to the magnitude of his demand for absolution, while the power of 'the confessor' (the ruler) was in proportion to the penitent's sins. It was in the confessor's interest, therefore, to ensure that, in the eyes of the penitent, these sins were as numerous as possible. One way of satisfying that interest was to operate a system that both necessitated and generated, even as it nominally prohibited, 'a constant and universal habit of perjury'. By keeping subjects in a state of perpetual sin, the system of oaths kept subjects in a state of perpetual dependence upon the authority of their spiritual rulers as their only hope of 'deliverance from the wrath to come'.[5]

The second aspect of the oath's contribution to 'the grand object of objects' involved what Bentham saw as a 'fundamental principle of ecclesiastical polity'—namely, that the Church of England was 'infallible'. Unlike papal infallibility, which the Roman Catholic Church openly avowed, the infallibility of the English Church was assumed in practice.[6]

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[1] Ibid. 13–14 & n, 68. Bentham was quoting Vicesimus Knox, the essayist, schoolmaster, and, most appositely, Church of England priest. See Vicesimus Knox, *Liberal Education, or a Practical Treatise on the Methods of acquiring Useful and Polite Learning*, 2 vols., 10th edn., London, 1789, ii. 120–1.

[2] See 45–53 above.

[3] *'Swear not at All'*, 50.

[4] Ibid.

[5] Ibid. 50–2. Bentham was adopting the language of scripture and may have had in mind 1 Thessalonians 1: 10: 'and to wait for his Son from heaven, whom he raised from the dead, *even* Jesus, which delivered us from the wrath to come.'

[6] *'Swear not at All'*, 48–50.

Crimmins maintains that because the Church regarded the prospect of '*innovation*', by which Bentham meant 'change' or 'reform',[1] as an attempt to remove it from its 'happy position as the chief ally of secular government', the pressure to abolish university oaths was resisted in order 'to prevent unruly elements from entering its ranks'.[2] More important to Bentham, however, was his belief that the Church could not abolish the oath without conceding the falsity of its teachings about oaths, and thereby negating any claim that it had to infallibility. Schwartzberg notes that the capacity of subjects to check sinister interest depended upon their being able to recognise the fallibility of their authorities.[3] If men came to regard the Church as fallible, then ecclesiastical authority would be undermined. Preserving the oath meant preserving this authority and with it the ability of the clergy to exploit the subject many in furtherance of their sinister interest. Thus, 'the horror of innovation', said Bentham, was really 'the holy love of abuse'.[4]

The close connection that Bentham recognised between the question of the utility of natural religion and that of its truth will have been noted already, for it was from the '*non-apparency* of verity' in some of the claims of natural religion, even if their actual truth was supposed, that their '*non-usefulness*' ultimately arose. Hence, the root cause of the 'utter impotence' of the religious sanction was man's inability to confirm the truth of its existence through experience and observation.[5] Nevertheless, there were occasions in 'Juggernaut' when Bentham addressed the question of truth more directly. Each instance constituted an attempt to reveal the inconsistencies, absurdities, or logical impossibilities to which, he argued, the truth-claims of natural religion inexorably led. These claims, as the following section will explain, consisted in inferences and suppositions rather than propositions allegedly delivered by revelation, since natural religion did not, and by definition could not, adduce any direct evidence to support them.

§3. The Truth of Natural Religion

§3.1. The Nature of God

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[1] In *The Book of Fallacies*, Bentham suggested that the word 'innovation' had 'gradually and secretly' acquired a pejorative sense that conveyed the idea, not of change merely, but of '*bad* change', and of 'bad motives' on the part of reformists. Consequently, an opponent of reform needed only to cry 'innovation!' in order 'to bring to his aid all those whose sinister interest [was] connected with his own', and to engage them to discredit and defeat the change in question. See *Fallacies* (*CW*), 83–91, 318–19.
[2] *'Swear not at All'*, 43; Crimmins, *Secular Utilitarianism*, 137.
[3] M. Schwartzberg, 'Jeremy Bentham on Fallibility and Infallibility', 68 *Journal of the History of Ideas* (2007), no. 4, 563–85 at 572.
[4] *'Swear not at All'*, 97.
[5] BL Add. MS 29,807, fo. 149 (14 October 1821).

Paley had claimed that a supreme being was necessary to account for all the good that he perceived in the world. Taking this as his premise, Bentham reasoned that the supposition of an equally 'unknown author' was no less required to account for all the perceptible evil in the world. The supposition that there were two authors, one for the good and one for the evil, yielded the 'Manichean principle',[1] which, being thought a heresy, had no place in natural religion. Instead, the natural religionist supposed that there was one infinitely powerful and infinitely benevolent author for good, but no such author for sin. Bentham remarked that if any one thing could exist without an author, then 'by the same rule and with as much reason' could anything else. He also pointed out that because the qualities of omnipotence and omnibenevolence were inconsistent with evil, the natural religionist effectively gave up on part of the supposition of supreme power in order to retain that of supreme benevolence. He did this by claiming that God would exclude all evil if he could, but since 'the nature of things' would not admit it, a 'quantity of evil' (and God's benevolence) remained. Bentham responded to this position by making two observations. Both were framed as questions that appealed to the source of the natural religionist's knowledge. First, how was it known that the inclination of God was to produce good alone rather than evil, and that, if the result depended upon him, only good would exist? Second, how was it known that it was by 'this still more obscure and inexplicable power' called 'the nature of things' that the power of God was limited, even as his benevolence continued unbounded? It will be remembered that, in Paley's account, 'the nature of things' consisted of, or at least included, man's free will, but Bentham rejected this as a satisfactory solution to the problem of the authorship or existence of evil *per se* given what natural religion also supposed about God's power, benevolence, and will. He noted, for instance, that God could not be understood as consistently desiring either good or evil since, if he were consistent, omnipotence would entail the fulfilment of the appropriate desire.[2] Bentham's view was that the least incoherent route open to, and duly taken by, the natural religionist for solving the problem of evil while retaining his core suppositions was to maintain that 'in the whole sensitive world taken together the good predominates'. There was, however, no 'tolerably adequate proof' in support of this claim, and it was 'physically impossible' that one should ever be found.[3]

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[1] Manicheanism was a dualistic religion founded in Babylon in the third century by the prophet Mani. It postulated a perpetual struggle in the universe between the forces of good and evil.
[2] Schofield, *Utility and Democracy*, 189–90.
[3] BL Add. MS 29,809, fos. 143–4 (5 March 1819), 395 (*c*. 26 April 1819).

For Bentham, the origin of all these suppositions was psychological. The anxiety to provide an appropriate author for the production of good, while attributing the production of evil to 'the nature of things', whatever that might be, had its cause in the passions of 'fear and hope'—and 'mostly fear'. In asserting as much, and in the argument that followed, Bentham again dissolved the difference between the claims made for the truth of natural religion and those made for its utility. He explained that, in supposing God to be a thinking being, man supposed God to be of the same nature as himself. The only way that man could try to understand the superhuman being was in terms that humans understood, so the only qualities that man could ascribe to God were human qualities. This constraint led to contradiction. God was deemed to possess the most desirable attributes that man could imagine—that is, of which man had experience—each 'in as high a degree of perfection' as the limits of the human mind would permit, but he was also conceived to be an 'irascible' being, ready to inflict evil upon anyone who provoked him. An attribution of malevolence was typically interpreted as an act of provocation by human beings, so to God was attributed 'malevolence in no degree, benevolence in every possible degree'. This attribution, however, was made in words alone. The attribute actually ascribed to God 'in thought and in truth' was malevolence: not infinite malevolence, but such malevolence as was liable to be 'brought into action' and 'made productive of maleficence by any the slightest cause'. On the one hand, then, fear drew man into the inconsistency of supposing a benevolent being who inflicted evil, but not a malevolent one who bestowed some good; on the other hand, hope drew man to conceive of 'a state of being in which the good shall predominate: and to this end, for his God, he figures to himself a state of affections in which the desire to do good predominates':[1]

> In the only life of which we have experience, the proportion of evil to good being so large—so inconsistent with the supposition of an almighty being whose wish is that there should be no such thing as evil, the only refuge is in the supposition of a life of which we have no experience. In this never-experienced life, [all is] pure good, without any admixture of evil: and this life is to be infinite.[2]

This supposition brought Bentham to his next point. If God had the omnipotence and omnibenevolence to create a course of existence of pure and everlasting good, except for 'a minute part just at the commencement' (the present life), then why did he not remove the exception, 'always remembering that it is of the exception alone that we have any

[1] BL Add. MS 29,809, fos. 145–6 (5 March 1819).
[2] BL Add. MS 29,809, fo. 147 (5 March 1819).

thing like proof, none at all of the rule'? Bentham's reason for asking this question was that it allowed him to object to the anticipated reply of the natural religionist—namely, that God 'may do, if he pleases'.[1] Such a statement could only be true if man supposed the thing that God pleased to do in the first place. This was to beg the question. One of Bentham's major problems with natural religion was that it continually assumed the very thing in dispute. Natural religion tended to begin with an alleged decision of God or an alleged fact, and only then looked for the proofs by which it 'predetermined' that the alleged decision or alleged fact was justified. Bentham perceived this corrupt manner of reasoning to be embedded in Paley's assertion that the present life was 'a state of moral probation' in which men had to prove themselves worthy if they were to enjoy eternal happiness.[2] Proofs for this assertion were sought only after the truth of both the existence and the nature of the future life had already been assumed. The conclusion did not follow the evidence, so much as the evidence, or whatever supposition passed for the evidence, followed the conclusion.[3]

Bentham found the same circularity of assumptions underpinning one of the core beliefs of natural religion: that the evidence of creation implied a creator, and that without a creator, no things could have been created because there was 'no power adequate to the creating of them'. If the world could not exist without a creator, he asked, then why should the creator not be subject to the same constraint? Did it not require still more power to create the being powerful enough to create all things? If he could exist of himself, then why not them? Natural religion provided no answers to these questions. It did not escape Bentham's notice that the supposition of a creator required an 'anterior supposition': the existence of a being when no object other than this being existed. Again, the natural religionist did not elaborate upon this supposition—for example, by stating whether God endured in a 'state of solitude' and, if so, why and for how long—because it did not answer his purpose to do so. Piling suppositions upon suppositions would only further burden the already strained coherence of his position. Moreover, Bentham thought that the premises were 'infinitely too few' to allow one to move from the supposition that each object had a beginning to the conclusion that so must the whole. In order to form an adequate ground for this conclusion, man would need to have 'cognizance of a number

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[1] In a similar vein, Bentham also cited the natural religionist's defence that 'God's ways' were inscrutable: 'They are scrutable for the purposes of telling us what, according to you [the natural religionist], they are: they are unscrutable for the purposes of our shewing that you can have no sufficient ground for supposing them to be what you say they are.' See BL Add. MS 29,809, fo. 284 (1 May 1819).
[2] See 79–80 above.
[3] BL Add. MS 29,809, fos. 147–8 (5 March 1819), 394 (26 April 1819).

of worlds', each created at some fixed point of time by the same author or other authors, and no one world created otherwise. This would lend credence to the conclusion, but even then only as a matter of probability. The alternative, said Bentham, was to suppose that the world was never created and had existed forever as man perceived it: 'What we see is a succession of events and stages of things taking place one after another: such being the case at this time, why not at any other and at every other time?' No man, to the best of human knowledge, had been a percipient witness to the beginning of the world, therefore the supposition that the world had an absolute beginning was no more probable—no more 'conformable to that of which we have experience'—than the supposition that it did not.[1]

§3.2. 'The Natural Improbability of Life after Death'
Bentham maintained that, in the expectation of punishment and reward in a future life, all proponents of religion, whether natural or revealed, presupposed the reality of that future life. What he sought to demonstrate, however, was that there was no 'sufficient or reasonable ground for regarding any such future state of existence as certain or even as probable' without revelation.[2]

For Bentham, 'the absence of apparent verity' in the idea of 'the future existence of the same man after death in a state susceptible of reward and punishment' followed from 'the absence of all evidence' in favour of two 'indispensable conditions': first, that human beings were capable of existing 'without prejudice to their identity in a state of which the least imaginable difference from their own would be sufficient to render each future man more different from his present self than, in his present state, any one man is from any other'; and, second, that there existed a supernatural being endowed with 'the power and the will' to place human beings in this self-contradictory state. The response of the natural religionist to these conditions was to claim one of two things: either that men had 'natural immortality'—that is, 'the distinctness of the mind or soul from the body, coupled with its existence, without prejudice to its identity, in a future state without any body conjoined to it'; or that men had 'natural mortality', meaning that God created a new individual upon the death of the old one, but extended the 'line of sensations and recollections' from the first to the second. Neither response, thought Bentham, was satisfactory.[3]

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[1] BL Add. MS 29,809, fos. 151–3 (5 March 1819).
[2] BL Add. MS 29,809, fo. 154 (15 July 1815).
[3] BL Add. MS 29,807, fos. 151–2 (2 March 1821).

On the possibility of natural immortality, Bentham first addressed the natural religionist's supposition that the 'mind' or 'soul' was immortal.[1] The mind, he said, was a fictitious entity—the name given to 'a combination of pleasures, pains, and indifferent sensations', which were real entities, together with corresponding 'wants, desires, and propensities', which were fictitious entities. Natural religion offered no explanation for how an unbodied or disembodied mind could hope to supply, gratify, or give way to these 'bodily or body-sprung' wants and propensities. With no means of fulfilling, still less forming, a desire, the 'pure mind' could not indulge or propose to itself any pleasures, nor embark upon any pursuits (not that there could be any object to pursue). Bentham thought it nonsensical to consider the supposed future mode of being as a continuation of the present mode when both modes were 'so compleatly different' in every respect:[2]

> A mind without any body, or mind without a body altogether different from the former, in what sense—with what degree of truth—can they be said to be the same person—the same being—with the body endowed with mind, or that compound of mind and body, which each man feels himself to be?[3]

This argument depended, of course, upon a materialist understanding of the relationship between the mind and the body, though Bentham would have wanted to say that at least men had ample evidence of the validity of materialism in their sense experience of the physical world. By contrast, the assumption that an immortal mind existed in separation from the body—indeed, in separation from anything recognisable as physical reality—was grounded upon no evidence whatsoever.

Bentham also noted that to suppose the natural immortality of the mind was to make two further suppositions: first, that there existed a substance separate from that of the body and capable of existing without the body; and, second, that this substance, unlike that of the body, was 'imperishable'. The fact that there were two sorts of matter—sensitive and insensitive—was verified by observation and experience, but 'a sensitive something' that was not composed of matter existed only as an 'arbitrary assumption'. The evidence of experience had given man no reason to suppose that, within his being, there existed two beings of 'a totally different and incommensurable nature', one with sensation, another without. The 'immediate seat' of sensation, as well as of thought, was the brain. While the 'symptoms' of these faculties were readily perceptible in any living

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[1] Bentham tended to use the terms 'mind' and 'soul' interchangeably. Unless the context dictates otherwise, 'mind' will be preferred throughout.
[2] BL Add. MS 29,809, fo. 156 (15 July 1815).
[3] BL Add. MS 29,809, fo. 160 (20 July 1815).

man, no traces of either had ever been perceived in one who was dead. Furthermore, the 'particles of matter' that had contributed to the functioning of a man's brain in life became united to other animated bodies after his death by 'a course of putrefaction, followed by absorption and thence vegetation'. Bentham asked: 'If in a state at one time of separation from the body, at another time of union with body, mind or soul exist, to what bodies at the second meeting shall the particle which has entered into the composition of so many successive compounds be finally conjoined?' Natural religion had no answer to this question. The plain fact was that death ended the only mode of being of which any man had experience. Since the mind could not exist separately from the body in the same condition as it could with it, the very notion of its doing so was 'a contradiction in terms': the mind with the body, and the mind without it, could not be 'the same individual being'—they could not be 'a being of the same *sort*'. Ideas were the *sine qua non* of the mind; to speak of a mind without ideas was to speak nonsense.[1] All ideas were derived from sense—that is, from quantities of matter presented to the sensory parts of the body. Without another body, therefore, the mind could not come to possess any ideas, such that even speaking of 'ideas' in respect of a mind that endured in a state of separation from the body made no sense. The natural religionist who supposed that the disembodied mind inherited all ideas from the corporeal self was able to escape this incoherence, but only at the expense of introducing fresh absurdity, for there appeared to be nothing that the future self could do with such ideas or be any the better for them. Thus, remarked Bentham, it would be of no more use to Raphael to inherit his ideas of painting, or to Handel to inherit his ideas of music, than it would be to a seller of oranges to inherit his ideas of fruit.[2]

In continuing to examine the implications of natural immortality, Bentham granted the supposition that the disembodied mind was identical with 'the whole man' of which it formed a part in the present life. He did so, however, only so that he could confront the natural religionist with the unanswerable—and, for that reason, instructive—questions to which the supposition gave rise. Collectively, they served to delineate one of the major problems that Bentham identified with the idea of a future existence—that of the nature of personal identity. Man passed through various 'states' in life, from infancy to old age, from health to debility: to which of these states was the mind to be identical after death? If a man had been in a state of 'comparative insensibility' at the time of his death, then was this the mental state to be copied or continued? What if he had been born into such a

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[1] An analogy might be drawn to the notion that there could be any such thing as a fire without flames, and *vice versa*.
[2] BL Add. MS 29,809, fos. 155 (15 July 1815), 165–70, 172 (18–22 October 1817).

state, or some 'supervening casualty' had brought it about? Was an 'ideot man' from birth compelled to have an 'ideot mind' in his 'posthumous and sacred self', one formed of ideas derived exclusively from impressions received in the present life? If so, then what could be the worth of this future life? If not, then where was the man's identity—his 'recollections, judgments, traces of reasoning, desires and propensities'? The same could be said of a child who had died in infancy. Bentham's point was that if a man could take no impressions or ideas of pleasure with him into the future life, then his identity was obliterated. If he could take them, then his second mind was furnished with nothing but 'stale and no longer applicable' ideas (whether of art, music, orange-selling, or anything else), none of which could afford pleasure, and to which no new ideas could be added. Any improvement in the future state of an individual meant change, and any change meant a loss of identity. This, in Bentham's view, was not a difficulty for natural religion to overcome, but a problem that was 'plainly and absolutely insolvable'.[1]

The supposition that God produced a 'new body' in the future life as a receptacle for the 'old mind' only compounded this problem. As before, Bentham's argument focused upon the necessary—and, in his mind, unsatisfactory—consequences of the supposition. To what sort of new body was the mind of a baby, or even a foetus, to belong in the future life? Was a blind man condemned for eternity to have eyes that could not see? If his blindness was taken away in the second life, then so too was his identity, as was any notion of his retaining his original mind. A new 'body' meant new 'material'. From where, exactly, did the requisite particles of matter come? In the same vein, Bentham observed that if the mind was in any sense or form identical to the one that, in conjunction with the old body, had occupied a determinate quantity of space on earth, then it must continue to occupy a determinate quantity of space and have a determinate quantity of matter for its limit. Yet natural religion failed to specify where in the universe one might find this space in which human minds existed in a state of separation from human bodies, or where one might perceive the 'perpetual swarm' of 'self-subsisting' minds as they travelled from the earth to the second domain. While Bentham rejected the physics of these 'ungrounded suppositions' as not even 'primâ facie plausible', he also thought that there was no way to justify, much less make sense of, the moral claim that the new body ought to be rewarded or punished for actions done in and by another body 'so compleatly different from it'. On what basis could one say that this newly created body ought to be subjected to punishment (assuming all the while that it had been equipped with the ability

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[1] BL Add. MS 29,809, fos. 156–7 (15 July 1815), 186 (25 February 1819).

to feel pain)? To what good end was this punishment directed?[1] Whatever rhetorical power Bentham's questions possessed stemmed primarily from the inability of natural religion to answer them.

Bentham noted that the gift of immortality was seldom regarded as extending beyond human beings. This was despite the fact, as he saw it, that certain animals, such as apes, elephants, horses, and dogs, had superior 'intellectual faculties' to new-born humans, who had no power to sustain themselves, no idea of adapting means to ends, and no way of entertaining the fear of punishment or the hope of reward. Intelligence varied so greatly both between and within different species that there was no place to draw a line of distinction between mortality and immortality on its basis. No such line could separate human animals from non-human animals, or one species of non-human animal from another species of non-human animal, or—since the intellectual faculties tended to decline during life—one individual of a species, including the human species, from another. For Bentham, these were not trivial points of minor detail, but serious and substantive objections. His aim was to direct attention to the natural religionist's rationale or justification (or lack thereof) for claiming to know, not only the truth of the existence of a future life and the form that it took, but also a criterion for entry into it. The natural religionist ought to be able to account for his supposition that a separate being—'an immortal soul'—was necessary to 'keep in exercise' the inferior faculties of the young or mentally infirm 'biped', for whom heaven and hell would be provided, and unnecessary to do the same in respect of the relatively 'superior and better furnished mind' of the mature 'quadruped'. If the possession of a soul was reserved for some animals, including human beings, then where in 'the scale of brutal talent' did the faculty stop? It was one thing to claim that a soul belonged to every human animal (but no animal of any other species), and that the faculty of sensation was capable of existing separately from the body in the human species alone; it was quite another to do so without supplying the grounds upon which these attributes were denied to all other creatures.[2]

Immortality had been ascribed to human beings alone, Bentham argued, because it enabled man to be rendered 'subject in idea' to, and infused with the fear of, future punishment. It was the power of 'human fear' and 'human fraud' that gave both the immortal mind or soul and the God of natural religion their 'imaginary existence'. While fear was the beginning of these objects—'*Primis in orbe Deos fecit timor*', said Bentham,

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[1] BL Add. MS 29,809, fos. 169–70 (20 October 1817), 171 (27 October 1817), 187 (25 February 1819).
[2] BL Add. MS 29,809, fos. 158, 160 (19–20 July 1815), 384 (24 February 1819).

quoting the Roman poet Statius: 'By fear were the Gods created'[1]—fraud was an instrument of human ambition. The ultimate object of human ambition was political power, and political power was the means by which almost all other instruments of 'gratification' and 'desire' became attainable. The means by which man was able to secure political power, therefore, were greatly 'coveted'. By itself, the religious sanction was of no use to this or any other purpose, unattached as it was to any directive rule of action. This defect was overcome, however, by any man who had the power and the ingenuity—that is, the 'state-craft' or the priestcraft—to cause a belief in the existence of eternal punishment and eternal reward to be produced, and who attached to that sanction whatever directive rule suited his purposes. Thus, Bentham noted, by way of analogy, that whenever the ruler of Otaheiti (now Tahiti) wished to execute a man for obstructing the royal will, he always 'discovered' that the Gods wanted a sacrifice, and that it was the 'author of the trouble' whom they wanted sacrificed.[2]

Conclusion

Natural religion contradicted itself. It represented the 'imagined divine law as the fount of wisdom', but any wisdom that it apparently manifested was really manifested by the human sanctions, as verified by experience and observation. While the pains of eternal punishment were placed at such a distance as to be too slight to have any adequate effect as a means of 'salutary restraint in the shape of deterrative punishment', they were not so weak as to be incapable of filling a man's life with 'habitual and useless terror and misery' in 'the shape of the pain of apprehension'. Whereas Paley believed that the fear of punishment and the hope of reward in a future life enforced moral obligation, Bentham had sought to show that the religious sanction was an unreliable support to morality because the punishments and rewards upon which its operation depended were inaccessible to sense experience.[3] The source of the expectations produced by the religious sanction was not sense, but 'imagination'—a faculty of the human mind that was prone to misrepresentation and exaggeration. The connection between the will of any

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[1] Bentham mistakenly attributed the quotation to Lucretius, but it comes from Statius' *Thebaid*, III. See Statius, *Thebaid*, 2 vols., D.R. Shackleton Bailey ed. & trans., Harvard, 2003, i. 196–9.

[2] BL Add. MS 29,809, fos. 180–1 (24 February 1819), 348 (25 April 1819), 168 (19 October 1817).

[3] This point is different to the one made by Quinn, who argues that the operation of the religious sanction occurred 'outside the realm of sense experience'. The religious sanction did operate in the present world, albeit ineffectually and at the expense of human happiness, to the extent that men believed in the future life posited by natural religion. It was the dispensation of the ultimate rewards and punishments that purportedly took place elsewhere. See Michael Quinn, 'Which comes first, Bentham's chicken of utility, or his egg of truth?', 14 *Journal of Bentham Studies* (2012), 1–46 at 45.

'perceptible superior' and the fate of any 'perceptible inferior' was a matter of 'continual experience', but with natural religion, there was no perceptible superior (God),[1] and no change ever seen in the condition of the perceptible inferior (man) in consequence of any 'supposed infraction' of any 'supposed directive rule'. Everything in natural religion was 'mere surmise, altogether destitute of all grounds derived from experience'. For establishing that an invisible superhuman being was responsible for a directive rule of action sufficient to keep man's conduct in conformity to that rule, and for ascertaining that the same being provided a system of eventual rewards and punishments for the purpose of enforcing it, the only 'instrument' that the natural religionist had to work with was 'inference'.[2]

While the natural religionist had no standard of reference to apply, the revealed religionist did have such a standard in the form of an allegedly revealed body of written discourse—namely, the Bible, and in particular the books of the New Testament—that comprised, among other things, lines of conduct, punishments, and rewards. In the next stage of his assault on religion, Bentham would challenge the claims made for the truth and utility of that discourse. As the following chapter will explain, however, the first part of this challenge was directed not at the acts and sayings of Jesus, but at those of Paul.

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[1] For the sake of clarity, Bentham was not, in this instance, arguing that no superior entity existed, only that nothing could be known about such an entity, even if it did exist.

[2] BL Add. MS 29,807, fo. 38 (16 February 1814); BL Add. MS 29,809, fos. 88, 292 (16 February 1819), 280 (29 April 1819), 79 (10 May 1819), 214 (22 January 1820).

III

Bentham on Revealed Religion: the Religion of Paul

Introduction

Bentham's main object in *Church-of-Englandism* had been not to condemn personal religiosity, but to confront the way in which the ruling few, supported by an established clergy, had exploited religion in the promotion of their sinister interest. Similarly, while his writings on natural religion had showed what it might mean to believe in the existence of a God whose nature had to be inferred from the characteristics of the physical world, Bentham had been concerned less with the inherent truth or falsity of that belief than with the implications for human happiness of so believing.[1] In his polemic against the acts and teachings of St Paul, he continued to criticise the pernicious consequences of religious belief, but also attempted to discredit some of the scriptural foundations upon which that belief ultimately rested. Thus, 'Not Paul, but Jesus' represented a significant advancement in Bentham's strategy to undermine religion in general, and to subvert the authority of revealed religion in particular, in that his evaluation of an important part of the Biblical canon in terms of its utility was allied to an explicit challenge to the idea that it proclaimed the truth. That challenge comprised two fundamental assertions: first, that the religion masquerading as Christianity was not truly and substantively Christian in that it did not correspond to the religion which, according to the authors of the Gospels, had been revealed to mankind by Jesus; and, second, that the claims of this substitute Christianity were largely, and designedly, untrue. Bentham's thesis was that authentic Christianity had been deliberately perverted by the false doctrines of the man who in the years immediately following Jesus' death had sought to establish himself as the leader of the burgeoning Christian movement. In short, the ostensible religion of Jesus—the religion that went by the name of Christianity—was really the religion of Paul. In setting out his strategy, Bentham noted that just as Protestantism had rejected 'the whole tribe' of Catholic miracles of a later date than those reported by the Fathers of the Church,[2] so the author and clergyman Conyers Middleton had cleared the religion of Jesus of the 'heap of pernicious rubbish, with which it had been incumbered and defiled' by those

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[1] Schofield, *Utility and Democracy*, 192.

[2] UC clxi. 90 (22 October 1817). The Fathers of the Church, such as Tertullian, Origen, and St Augustine, were scholars and theologians who, in the period between the end of the Apostolic age (*c.* 100) and the Second Council of Nicaea in 787, helped to establish the doctrinal foundations of Christianity.

same Fathers.[1] Yet 'one thorn' had still to be 'plucked out of the side of this much injured religion'. Having argued for the disentanglement of the state and religion so as to render religious belief solely a matter of individual judgment, and having outlined some of the negative consequences for individuals who exercised that judgment in favour of religious belief, the next phase of Bentham's offensive against religion was to sweep away the harmful and dishonest teachings of Paul so that only the religion of Jesus, properly conceived, would be left—left to religionists to do with as they pleased, and left to Bentham to take as his final target.[2]

Bentham composed the material for 'Not Paul, but Jesus' between 1816 and 1823, with by far the greater part being written in the autumn and winter of 1817–18. Despite his intention to publish the work in three volumes, only the first volume, which appeared under the pseudonym 'Gamaliel Smith', was published in his lifetime.[3] The second and third volumes remain unpublished, although a preliminary version of the latter has been made available online.[4] Drawing upon all of these writings, the present chapter examines Bentham's almost line-by-line analyses of the Acts of the Apostles and the Epistles of St Paul in order explain his reasons for disputing both the verity and the utility of Pauline Christianity.

Focusing in particular upon the accounts of Paul's conversion, Section 1 will show why Bentham's forensic testing of the truth of these major parts of New Testament scripture led him to conclude that Paul had been a liar, a hypocrite, and a fraud whose enterprise was nothing more than one of personal ambition. Far from being in receipt of a special commission from Jesus, as the 'self-constituted apostle' and self-attested interpreter of God's will maintained, Paul had calculated that by becoming the leader of the followers of Jesus he could obtain the wealth, power, and reputation that he craved.[5] It will also be argued that Bentham's denunciation of Paul for having exploited the

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[1] See Conyers Middleton, *A Free Inquiry into the Miraculous Powers, which are supposed to have subsisted in the Christian Church, from the Earliest Ages through several successive Centuries*, London, 1749.

[2] *Not Paul, but Jesus by Gamaliel Smith, Esq.*, London, 1823, pp. iii–vii, hereafter *NPBJ*.

[3] The choice of pseudonym was not accidental. Bentham was alluding to the distinguished Jewish scholar, Gamaliel the Elder, also known as Rabban Gamaliel (rabban, meaning 'teacher'), mentioned in Acts 22: 3 as having instructed Paul in the Mosaic law, and in Acts 5: 34–9 as having called for the release of the Apostles after they were arrested and brought before the Sanhedrin. Bentham may have thought Gamaliel Smith an appropriate pseudonym for one who intended to 'teach' the truth about Paul.

[4] 'Not Paul, But Jesus. Vol. III. Doctrine', London, 2013. This preliminary version, available at <https://discovery.ucl.ac.uk/id/eprint/1392179/3/npbj.pdf> [Accessed: 14 April 2019], will eventually be superseded by an authoritative edition of the complete 'Not Paul, but Jesus' writings, published as part of the *Collected Works*.

[5] *NPBJ*, 194–9.

religion of Jesus in pursuit of sinister interest served as an analogue for, and an amplification of, his attack on the Church of England clergy. Indeed, Bentham's radical critique of this most influential figure of early Christianity reflected several aspects of his attack on organised religion and raised subversive questions about the theological legitimacy of a Church canon not limited to the teachings of the reputed son of God. These matters will be discussed, where relevant, throughout the present chapter.

Section 2 will contend that, according to Bentham, it had been Paul's strategy to preach a religion—one of his own invention, but bearing Jesus' name—that was ungrounded in evidence so that his followers might develop 'a proneness to believe extraordinary things' simply because he declared them to be true. The visions, trances, exorcisms, healings, and other events of a supposedly miraculous kind to which Paul had frequent recourse were, in Bentham's view, an assortment of barely concealed fabrications, intentional ambiguities, palpable absurdities, and occurrences for which no shortage of natural, as opposed to supernatural, explanations could be found. It will be shown that Bentham considered the inculcation of 'faith in the abstract', or blind credulity, an essential component of the teachings of a man who had known that to procure an acceptance of deception was 'to deliver men's minds bound into the hands of interested and prædatory impostors'. An analysis will also be made of the 'deluge of nonsense'—the 'abuse of words',[1] the 'irrelevant argumentation', and the multiple other deficiencies of logic and language—that permeated Pauline scripture in order to show why Bentham thought it formed not an obstacle, but an efficient, and even a necessary, aid to people's accepting the religion of Paul.[2]

Section 3 will examine Bentham's estimation of the consequences for personal happiness of his proposition that the teachings of Paul had not merely supplemented the religion of Jesus, but had superseded it. Paul's usurpation of the Gospels had brought about, first, the corruption of Christianity, because his system of doctrine contradicted that of Jesus; and, second, the corruption of morality, because his doctrines, for reasons that will be explained, were characterised by a hatred of pleasure. The contrast between the asceticism—the antithesis of utilitarianism—that Paul had introduced into Christianity and aspects of the Epicurean lifestyle endorsed, not to say pursued, by Jesus, is pertinent to the question of why Bentham wished to pit Paulism against Christianity. Central to the discussion of this conflict will be Bentham's belief that insofar as any

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[1] The phrase 'abuse of words' is most likely borrowed from John Locke, *An Essay concerning Humane Understanding*, London, 1690, 240–51.

[2] UC clxi. 34, 37 (1 August 1816), 25, 40 (8 September 1817), 146–7, 149 (13 September 1817).

elements of the Christian religion were productive of good—that is, were in conformity with the principle of utility—they belonged to some of the secular parts of Jesus' teachings, and that most of the mischief produced by Christianity originated with Paul. Thus, Bentham intended not only to bring to light the inconsistencies of scripture, but also to demonstrate that many of the beliefs and practices of the religionists of his own time were irreconcilable with the teachings of Jesus. Of special relevance will be his assertion that the condemnatory attitudes of his day towards the gratification of the sexual appetite, most notably in respect of male homosexual acts and sexual intercourse outside marriage, were grounded in the ascetic teachings of Paul. It will be shown that Bentham regarded sexual morality as one of the domains in which 'a critical battle would need to be fought' if public life was to be released from the grip of religion.[1]

It will be concluded that in attempting to persuade religionists to reject the fraudulent truth-claims, nonsensical propositions, and mischievous doctrines of the 'self-constituted apostle', Bentham was driven, not by any concern for the integrity of the religion of Jesus, but by the desire to liberate his own society from the manifold evils that were rooted in the religion of Paul.

§1. Paul's Enterprise

§1.1. Paul's Outward Conversion

From being an 'unbelieving, cruel, and destructive persecutor' of the disciples of the departed Jesus to becoming their 'most zealous supporter and coadjutor', the '*outward conversion*' of Paul—a Roman citizen, Pharisaic Jew, and tent-maker by trade from Tarsus in Cilicia (part of modern Turkey)—to the religion of Jesus was, for Bentham, 'satisfactorily attested' in the historical record. The historicity of this event, therefore, was not in dispute. That Paul's conversion had for its cause any 'supernatural intercourse' with the Almighty, or any belief in the supernatural character of Jesus, was a position whose 'erroneousness' appeared to Bentham more and more indisputable the more he examined the circumstances of the case. Hence, one of Bentham's main objects in writing 'Not Paul, but Jesus' was to argue for, and to reveal the consequences of, the truth of the proposition that although Paul may have outwardly converted to the religion of Jesus, he had experienced no corresponding 'inward conversion'. Bentham intended to demonstrate, first, that Paul had received no supernatural commission from Jesus for the delivery of a new body of doctrine—one never revealed to, and as a result never imparted

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[1] Schofield, 'Prophet of Secularism', 2.

by, the Apostles—to supplement the religion taught by Jesus; and, second, that Paul had neither believed in the divinity of Jesus nor thought Jesus authorised by a supernatural commission from God. From these two premises, Bentham concluded that any doctrinal precept that had no authority for its support other than that which could be found in the writings of Paul belonged exclusively to Paul and could no more justly be regarded as forming a part of the religion of Jesus than could any doctrine issued at any point in history by anyone other than Jesus. Bentham hoped that if Paul could be shown to have added his own teachings to those of the supposed son of God, then religionists would come to recognise the former as an interloper and an antagonist who had set himself '*above*' and '*against*' the religion of Jesus. The same religionists would then have to answer for themselves the question implicit in Bentham's discourse, but which its title made plain, namely—to which, if any, of the two religions do you wish to adhere, the religion of Paul or the religion of Jesus?[1]

Before examining the doctrines promulgated by Paul, including the way in which they were intended to serve his enterprise, Bentham set out to distinguish the true nature of that enterprise from the 'pretended' purpose ascribed to it in the New Testament. He interrogated the history of the early Christian church as related by the anonymous author of the Acts—an 'adherent and travelling companion' of Paul, to whom Bentham referred, sometimes with scepticism, at other times with derision, as 'the historian'[2]—as well as the canonical Epistles attributed to Paul.[3] In neither source, he said, could anything short of 'the most complete partiality' in Paul's favour reasonably be anticipated.[4] At a time when Biblical criticism was 'virtually unknown' in England,[5] Bentham scrutinised these scriptural writings with the same rigour, and upon the same principles, as he did any profane history in which occurrences 'wearing a supernatural appearance' were interspersed among irrefutably natural events.[6] It is important to note, therefore, that when

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[1] *NPBJ*, p. xvi, 1–5n.

[2] Ibid. 2, 103–4. 'Historiographer' and 'panegyrist' were among Bentham's other names for the author of the Acts, but for the sake of consistency 'historian' will be used throughout.

[3] UC cxxxix. 345 (18 January 1818). Bentham argued that the generally accepted notion that Luke was the author of the Acts was destitute of all 'sufficient support'. There were, he said, irreconcilable differences between the Acts and the Gospel of Luke in their accounts of several events, including the death of Judas Iscariot and the ascension of Jesus. Bentham observed that although Luke and the Acts may have been equally false, both cannot have been true. See UC clxi. 127 (17 March 1818).

[4] UC cxxxix. 283 (October 1817).

[5] Schofield, 'Prophet of Secularism', 4–5. Schofield contrasts the situation with that in Germany, where Biblical criticism had already begun to make 'some headway'.

[6] *NPBJ*, p. xiii. By way of example, Bentham cited Tacitus' great chronicle of Rome. See Tacitus, *Histories*, 2 vols., J. Henderson ed., C.H. Moore trans., Harvard, 1925–31; Tacitus, *Annals*, 3 vols., J. Henderson ed., J. Jackson trans., Harvard, 1931–7.

testing the truth of a Biblical narrative, Bentham did not depart from the evidential standards that governed his investigations of other historical texts. Consequently, he did not proceed on the basis that the Acts or the Epistles were a 'mere falsity' from beginning to end, but neither did he give his unqualified assent to the claims made in each work. Rather, Bentham's critical approach was to accept every verse of scripture untainted by 'the colour of the marvellous' as *prima facie* true unless the evidence adduced tended to suggest otherwise. In other words, his enquiry, supported as it was by an appeal to 'universal experience', was guided by one general assumption: that in accordance with the 'sort and degree' of evidence available, credence may 'without inconsistency or impropriety' be given insofar as the truth of the contents seemed probable, and withheld insofar as it seemed improbable:[1]

> Time after time, we shall find a veil of the marvellous spread over the simple truth: and on each occasion, it will be the business of this commentary to remove this veil, and, so far as the matter affords the means, present each fact in its genuine and proper colours.[2]

Bentham was attempting to understand the actions of the men recorded in scripture, as well as the events with which these men were concerned, by interpreting the textual evidence in a manner consistent with 'observed principles of human behaviour' and the 'regularities of the natural world'.[3] It followed that Bentham considered Paul and all other Biblical actors to have been 'actuated by human interests, human desires, [and] human motives'.[4] By extracting the evidence for his evaluation of Paul's enterprise and the truth-claims associated with it from the very narratives in dispute, Bentham was posing a direct challenge to the authority, authenticity, and credibility of a major part of scripture.

Bentham's dissection of the conversion story upon which Paul had founded his enterprise typified the exhaustive, uncompromising character of that evaluation. All information about the alleged 'radical occurrence' on Paul's journey to Damascus from Jerusalem, where he had secured the authority of the High Priest and Elders to arrest Christian converts for apostasy and blasphemy, was contained in the Acts. That work, said Bentham, presented the reader with three separate and discordant accounts of the matter: one delivered by the historian ('the historian's account'), and two introduced by

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[1] *NPBJ*, 338–9.
[2] UC cxxxix. 446 (27 June 1823).
[3] Schofield, 'Prophet of Secularism', 4–5.
[4] UC cxxxix. 219 (10 September 1817).

the historian as having been delivered by Paul.[1] Bentham submitted that the incongruities between Paul's '*supposed unstudied or unpremeditated account*', given to a 'mixed multitude' while pleading for his life in Jerusalem, and his later '*supposed studied or premediated account*', made before a 'regularly constituted judicatory', were probably the result of Paul's having adapted the narrative to suit his purposes in view of the particular situation and audience at hand. It seemed certain, however, that only 'deceptious design' could have caused the historian—who, having neglected to reconcile his own account with either of those purportedly given by Paul, also failed by implication to reconcile at least two of the three accounts with the facts—to issue a trio of conflicting reports on so remarkable an episode as that of his master's conference with the Creator of the Universe. From the few occasions in which the dimension of time was acknowledged in the Acts,[2] Bentham calculated that all three 'mutually contradictory' accounts had been framed at an interval of around thirty years after the conversion was supposed to have taken place—a circumstance, he contended, that presented 'a claim to notice'. Since the historian had entered into the company of the 'self-denominated Apostle' no earlier than the year 59, he had not been a 'percipient witness' to the conversion, and so could not have had at his command any direct evidence for the foundation of his report. Instead, he must have trusted to the truth, even a truth subsequently revised and restated, of whatever Paul had chosen to tell him of the event some three decades after its alleged occurrence. Other than that channel of communication, Bentham noted that the only source of the historian's conception of anything upon which he reported from this 'period of *rumour*' (as opposed to his 'period of *observation*' as a member of Paul's retinue) was a collection of vague statements attributed to 'we know not whom, at we know not what times, on we know not what occasion'. The 'tokens of carelessness' afforded by the omission of so many details essential to a work of a historical nature—the writer's name and the grounds of his joining Paul, for example, or the date and time of key events—cast doubt upon the 'genuineness of the narrative', while revealing the 'slenderness of the author's qualification for the task thus executed by him'. The historian's low station in the 'scale of trustworthiness' further detracted from the weak probative force that operated to support a conversion narrative which, by the extraordinary nature of the case and the temptation that it presented for 'entire fiction or misrepresentation', the historian must have known would generate

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[1] See Acts 9: 1–9, 12: 3–11, 26: 9–20.

[2] *NPBJ*, p. xiii. Bentham commented that a 'cloud of uncertainty' hung over the duration of the period covered by the Acts—that is, from Paul's outward conversion to two years after his arrival in Rome—but twenty-eight or thirty years appeared to be the best estimate.

'doubt or controversy' in all but the least sceptical of minds. Bentham was also keen to stress that the New Testament provided scant circumstantial evidence to corroborate the truth of the narrative. Not once had Paul alluded to the details of his conversion, much less asserted that it had been brought about through 'the instrumentality of visions', in any of the numerous letters that he sent to at least eight different sets of disciples, or, if the historian was to be believed, in any of his personal conferences with the Apostles. While the Epistles contained 'repetitions … in abundance' of that 'most mysterious and uninstructive' word '*revelation*', none said anything about the manner of the alleged revelation or the matter allegedly revealed.[1]

Bentham observed that in no more than two of twelve particulars, those of time and place, did the three conversion narratives agree; all else was 'disconformity', 'deficiency', and overt 'contradiction'. Furthermore, from the information contained in each account, he saw no reason to suppose that a divine infringement or suspension of the laws of nature had been the necessary cause of any of these particulars. Bentham pointed out, for instance, that there was no 'effectual demand' for a miracle to explain the blinding light mentioned in Paul's later account because at the time (noon) and place (the desert) indicated, the 'ordinary course of nature' rarely failed to produce a brilliant light—that of the midday sun—capable of removing the power of vision from any eye directed towards it. If 'the Lord', meaning the incorporeal Jesus, had generated an additional means of rendering Paul 'stone-blind', then it was an 'inexcusable' deficiency to omit this detail from the historian's account; if the Lord had done no such thing, then Paul's later account appeared to have been embroidered with mention of the light in order to create the false impression that something marvellous had occurred. This, in Bentham's judgment, was among several aspects of the conversion narrative that changed from one account to the next as Paul's circumstances, and the impression that he wished to convey, changed likewise. Despite the fact, for example, that neither of the first two accounts referred to the language adopted by God, the historian afforded Herod Agrippa, the Judean king to whom the historian's account was 'more particularly addressed', the 'gratification' of discovering that the Lord had elected to speak in Hebrew rather than in the Greek of Paul or in the Aramaic of the corporeal Jesus. (At the same time, the historian did not disclose from what experience Paul had acquired such familiarity with the Almighty's voice as to enable him to know immediately who was speaking.) To disregard the historian's account in favour of the unstudied account attributed to Paul, however, was to learn that nothing

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[1] *NPBJ*, 1–11, 64.

distinguished 'the hero' from his companions, since in this report alone the whole of Paul's entourage were said to have seen and heard everything of the Lord's miraculous intervention. Bentham questioned why it was that, on an occasion 'so interesting to all', by none of these men was 'so much as a word [said] or a question put'; his purposely ironic answer was that only a 'correspondent cluster' of secondary miracles could have caused the 'assemblage of tongues' to stay permanently silent about an event unparalleled in human history. Bentham also lamented the fact that none of the companions had been named in the three accounts of Paul's conversion, even though identifying the percipient witnesses to such an incredible occurrence would have been 'of no small use … for the giving to this story a little more substance'. Only if there had in fact been no witnesses did it make sense for the author to avoid using names indicative of 'really existing and well-known persons', for whereas the inclusion of an indeterminate mass of companions lent support to the idea that 'memory and not imagination' had been the source of the story, ensuring that no individual witnesses were, or could be, identified protected the narrative from exposure to refutation.

As to the Lord's method of commanding Paul, a 'disastrous difference' existed between the accounts. Bentham contended that because a vision story was 'so common an article' at that time, a foundation as 'indeterminate and aerial' as Paul's vision would have been in danger of proving too weak 'to support the structure designed to be reared upon it'. Paul and his nameless historian had therefore contrived to give 'additional breadth' to the basis of Paul's 'pretensions' by furnishing the reader with two reports ('and, room being thus given for discordancy,—discordancy, as of course, enters') of a second vision aimed at reinforcing the first. On the occasion of the original vision, the Lord, it was claimed, had told Paul that he was to receive certain commands. For no reason given, however, nor for any 'substantial reason' that Bentham could imagine, this communication was 'put off'. Instead, the Lord had abrogated the laws of nature for a second time to appear in a vision to one Ananias in order to instruct him to visit Paul at a house somewhere in Damascus (neither the address nor its owner were precisely stated), restore Paul's eyesight with a touch of his hand, and relay the divine commands to his patient. Bentham thought this a most improbable chain of events:[1]

> The Almighty *having* minded to communicate something to a man, and yet not
> communicating to that man any part of it, but communicating the whole of it to

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[1] Ibid. 8–22, 33–43, 55–63.

another! What a proceeding *this* to attribute to the Almighty, and upon such evidence![1]

That Ananias had so little confidence in the Lord's instructions that he answered them with an immediate objection; that Ananias had claimed to have already 'heard' (how?) from '*many men*' (who?) of Paul's new and secret mission to Damascus; that the Lord had chosen not to impart any commands directly, but wished Paul to receive them 'second-hand' from a 'perfect stranger'; that contrary to all 'natural' methods of curing blindness, including the surgical removal of '*humours*' (which incurred no 'expence in the article of miracles'), a portion of hitherto unmentioned matter resembling scales had been made to fall from Paul eyes; that some twenty-seven years after the 'supernatural intercourse' between the Lord and Ananias, a man not party to the exchange had esteemed himself qualified to transcribe the entire conversation: these and myriad other circumstances of the subordinate vision story could not fail, Bentham asserted, to produce 'swarms of questions' in any inquiring mind.

The most consequential of these questions in Bentham's mind concerned the supposed divine commands themselves, which had taken the form of two promises. The first was a 'direct' promise to reveal to Paul the 'sufferings' that he would endure while preaching the religion of Jesus. Bentham remarked that if the Lord had never made this 'worse than useless' promise, which could have no other effect than to cause the promisee to suffer from constant anticipation of the predestined sufferings, then 'regret for the failure need not be very great'. He was in no doubt that the real and 'obvious' object of this aspect of the narrative was to give 'exaltation' to the idea of Paul's merits before the reader encountered evidence of the abundant 'enjoyments' in Paul's life. The second command was an 'indirect' promise to the effect that the Lord intended to make Paul a 'vessel' to bear the name of Jesus before the Jews and the Gentiles.[2] As the Gospel history showed, however, this function had already been 'borne to the people at large' without the need for any 'special and supernatural commission'.[3] Supplementary to this promise were listed four '*purposes*' for which the Almighty, via Ananias, had specifically chosen Paul. First, Paul was to know God's will, yet, said Bentham, there was no indication that the Lord had disclosed any revelation to him; second, Paul was to see the Lord, yet in his vision 'no Jesus did Paul see'; third, Paul was to hear the Lord, yet everyone in Paul's train had heard the Lord; and, fourth, Paul was to be a witness of everything he had seen

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[1] Ibid. 45.
[2] See Acts 9: 15.
[3] The example cited by Bentham was Luke 9: 49–50.

and heard—that is, to be a witness of 'that which was nothing, and that which amounted to nothing'. Taken together, Bentham's critical responses to these four purposes constituted one principal objection: that while it was Paul's design to have religionists believe that he had been charged with the dissemination of new religious doctrine—and however successfully that design was met in Paul's lifetime, Bentham thought it near fully realised with respect to the Church-of-Englandists of his own day—in the historian's account, as well as in Paul's studied account, God had imparted to Paul no new gospel whatsoever. Moreover, Bentham argued that, in consideration of the 'several distinguishable circumstances' by which these two accounts differed, neither the historian nor Paul could reasonably be credited with having believed a word of what was written. In addition to the many points of divergence considered above was the decision to dispense with all mention of Ananias in Paul's studied account, and to rework the narrative so that Paul received the entire communication, such as it was, directly from the Lord. That account in particular, noted Bentham, which Christians had for centuries regarded, supported, and acted upon as if it were from first to last 'a great body of truth', exhibited all the character of 'a fable', invented for no other reason than to promote the purpose for which Paul's interaction with the Almighty had supposedly taken place:

> On such evidence would any Judge fine a man a shilling? Would he give effect to a claim to that amount? Yet such is the evidence, on the belief of which the difference between happiness and misery, both in intensity as well as duration, infinite, we are told, depends![1]

Since no instructions had been forthcoming from the Lord in any account of Paul's conversion, the doctrine that Paul had gone on to preach was 'of his own making' and, as will be seen, 'of his own using': contrary to that of the Apostles, and therefore contrary to that of Jesus. An outward conversion story, said Bentham, was all that Paul had needed to give effect to his intentions. Yet his transformation from chief persecutor to leader of the early Church had required 'no miracle'—had required 'nothing but what belonged to the ordinary course of things'.[2]

§1.2. Paul's Motives

In scrutinising every aspect of the conversion narrative, and indeed every verse of the Acts, Bentham brought to light the assumptions, inconsistencies, contradictions, and

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[1] *NPBJ*, 50.
[2] Ibid. 26–50, 63.

omissions which, in his view, severely impaired the value of the work as a historical record of people and events in first-century Palestine and its environs. That said, Bentham was less concerned with the utility of the Acts as a work of history than he was with the utilitarian implications for contemporary religionists of their uncritically accepting the claims made in that work by the historian—and made for that work by the Church. Although Bentham showed that much of what was presented as true in the Acts was in all probability false, his assault on the integrity of the Acts was no more, and no less, than a key part of his case against the integrity and influence of Paul. Furthermore, while Bentham relied upon the evidence of the Acts to undermine the claims grounded in that work, he knew that the real strength of his case would rest upon his making a positive statement of Paul's true enterprise rather than upon his negating Paul's pretended purposes alone. Bentham's object, therefore, was not narrowly iconoclastic in the sense that it did not amount to a straightforward appeal to religionists to discard a venerated but substantively empty text. Rather, Bentham was inviting religionists to discard their received opinions about the people and events described in the Acts, and discern for themselves—albeit with the words of 'Not Paul, but Jesus' fresh in their minds—what that same written evidence, properly construed, revealed. What it revealed to Bentham was that Paul had found ample cause to formulate a plan, namely

> to become a declared convert to the religion of Jesus, for the purpose of setting himself at the head of it; and, by means of the expertness he had acquired in the use of the Greek language, to preach, in the name of Jesus, that sort of religion, by the preaching of which, an empire over the minds of his converts, and, by that means, the power and opulence to which he aspired, might, with the fairest prospect of success, be aimed at.[1]

According to the author of the Acts, the number of Jerusalem converts to the religion of Jesus had reached more than three thousand by the time of Paul's outward conversion. More pertinently, the aggregate of the property belonging to these individuals had been placed into a common fund. Seven 'Trustees'—a word, said Bentham, 'unaptly' rendered in English as 'Deacons'—had managed that fund at the behest of the real power-holders and rulers of the nascent church, the Apostles.[2] One of the main advantages that Bentham saw in this arrangement was that it enabled the property of the rich to be employed in the

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[1] Ibid. 73.
[2] UC cxxxix. 356–7 (16 January 1816), 386 (1 February 1818). Bentham noted that one of the trustees, Stephen, had been put to death with Paul's approval for blaspheming the Jewish Temple.

purchase of 'proselytes and adherents' from among the poor.[1] During the period in which he had, in the historian's words, been 'breathing out threatenings and slaughter against the disciples of the Lord',[2] Paul had witnessed the 'flourishing condition' of the new religion, and could not have failed to gain 'a considerable insight' into the state of its followers' worldly affairs. Bentham maintained, for example, that knowledge must have reached Paul's 'alert and busy mind' of the offer made by the reputed sorcerer Simon Magus to purchase from the Apostles a share in the government of the church.[3] In Magus, Paul had been able to observe a man who was prepared to exchange a 'profitable source of subsistence' for the possibility of securing a more lucrative arrangement under the Apostles. The main object of Magus' speculation, claimed Bentham, had been the acquisition of the right to confer the Holy Ghost. Magus had noticed that whenever the Apostles exercised this power, whatever that meant, 'profit was made, and therefore was to be made'.[4] Although the Apostles rejected Magus' proposal, the evidence that it afforded of the commercial value of Christianity had undoubtedly engaged Paul's attention, and presented to his 'avidity and ambition' a fertile 'ground of speculation— an inviting field of enterprize'.

Similarly, Paul had interpreted the 'catastrophe' of Ananias and Sapphira as proof that a 'source of profit' lay open to anyone who could obtain a share in the burgeoning religion.[5] According to the historian, Ananias and his wife were Christian converts who, having sold their possessions and donated the proceeds to the common fund, died shortly after Peter, the putative leader of the Apostles, had rebuked them for secretly keeping some of the sale monies for themselves. No symptoms or immediate causes of death were reported; no intimation was given of who witnessed or related the details of the couple's joint demise: the story, said Bentham, stood in that 'thick darkness' which was 'so risible' to the 'modern eye'. For the present purposes, however, it was not the incident itself, but the way in which the alleged facts must have appeared to Paul, if communicated to him in the manner suggested by the historian, that Bentham thought deserving of comment. True or not, the impression created in Paul's mind had been that by natural, and therefore

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[1] UC cxxxix. 358 (17 January 1816), 332 (31 August 1817). Bentham cited Acts 4: 31–7 as evidence that the mass of property and wealth in this 'community of goods' was considerable.

[2] See Acts 9: 1.

[3] See Acts 8: 9–24. Simony, the act of buying or selling ecclesiastical preferment, is named after Magus.

[4] UC cxxxix. 363–5 (15 August 1817). Bentham remarked that, in the language of the Church of England, the 'harvest' thereby reaped by the 'Commissioners of the Board of Apostles' amounted to 'profit by *surplice fees*'.

[5] There is nothing to suggest that this is the same Ananias who appeared in Paul's conversion story. See Acts 5: 1–11.

criminal, means, the power of life and death was being exercised over people who tried to retain a small proportion of the property that they had otherwise sacrificed.[1] Here were religionists so 'tractable' that at the command of one man (Peter) they were not only prepared to relinquish all they had to his disposal, but also considered their fellow religionists justly dealt with if they paid the ultimate price for holding anything back. Recalling his criticisms of Bishop Howley and the ecclesiastical establishment, Bentham was certain that Paul must have reflected that, by a man of his enterprise and talent for coercion, the same religionists might be further 'subdued and reduced to slavery—body, mind and goods' and 'pillaged to the uttermost farthing'.[2] The former scourge of the new religion had aspired to become its leader and direct a situation in which worldly profit to an amount far exceeding that of tent-making came 'naturally attached'.[3]

Paul's 'real design', as he himself admitted in the 'plainest and most express terms',[4] had been to plant 'a Gospel of his own, as, and for, and instead of, the Gospel of Jesus': a gospel preached for his own benefit and, for fear of its being opposed by the Apostles, kept 'studiously concealed from those confidential servants and real associates of Jesus'.[5] This design, however, was nevertheless subordinate to the principal object that Paul had in view. Bentham attempted to elucidate this point by distinguishing between the primary and secondary motives that, in his judgment, had guided Paul's actions. First, there were the self-regarding motives by which Paul's outward conversion had been produced (the 'motives for conversion'). Next, there were the self-regarding motives by which the doctrines devised or adopted and taught by Paul had been produced (the 'motives for his doctrines'). Whereas Paul's scheme of temporal dominion and worldly profit had been the object of the initial set of motives, his doctrines had been adapted to the delivery of this principal design, and for which purpose alone they existed.[6] Even from Epistles that would be exposed to the 'utmost degree of publicity' and given the 'fairest colours' imaginable, as well as from documents as 'partial and favourable' as those of the Acts, it was 'manifest', argued Bentham, that Paul's prime motive for conversion was ambition— specifically, the ambition to obtain 'affluence', the ambition to acquire 'patronage valuable in a pecuniary point of view', and the ambition to amass 'that power which is

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[1] UC cxxxix. 464 (14 October 1817). Bentham noted that this was a power that, by all accounts, Jesus had never exercised. He also thought the deaths of Ananias and Sapphira were most probably natural events 'improved for the occasion' into supernatural ones.
[2] UC cxxxix. 367–74 (19 January 1816). See 45–53 above.
[3] UC cxxxix. 332 (31 August 1817); *NPBJ*, 66–7.
[4] Bentham cited Galatians 1: 9, 11–12, 2: 2.
[5] *NPBJ*, 40–1.
[6] For a discussion of Paul's doctrines, see 156–65 below.

possessed in so far as homage is received or punishment inflicted'. The chief object of his ambition, and the most efficient means of realising his goals, had been to become what Bentham called the 'President of the Christian Commonwealth'—meaning the supreme ruler, and supreme depredator, of the new church. Bentham conceded that he could not prove that any improper use had been made of all the 'good things of this wicked world' that Paul had requested, received, and so often enjoyed,[1] but that was never his claim. What the scriptures provided, first and foremost, was proof 'in abundance' of the 'strenuousness' and 'extremeness' of Paul's endeavours to pursue these ends, and his entirely material reasons for having done so.[2]

§1.3. A Spiritual Monarch

Bentham was careful to explain why Paul had not returned to Jerusalem immediately after his outward conversion. To the High Priest, the Elders, and the other ruling members of the city, he had proved himself a 'trust-breaker' and a 'traitor to their cause'; to the Jerusalem Christians, he was a murderer with 'the blood of the innocent still reeking on his hands'. Recognising that he would have found no one in the seat of the 'spiritual empire' prepared to listen to his vision and conversion story, much less tolerate it, Paul had identified Damascus as a place better suited to his purposes at that time. He had reached this conclusion, in Bentham's assessment, for three main reasons. First, Paul had realised that in Damascus, a city already home to significant numbers of converts, he would be able to learn about Christianity with no one to 'abhor his person', 'contradict his assertions', or burden him with the 'reproach of inconsistency'. There, and in Arabia more generally, he had found the ideal environment in which to serve his 'novitiate'— that is, to familiarise himself with the twin arts of 'preaching and spiritual rule'.[3] If the vision story really was the 'mere fable' that on the weight of the evidence it appeared to be, then Paul's second and most immediate object in journeying to Damascus had been, not to arrest converts to the religion of Jesus, but to 'place at his disposal' the lot of the Christians who lived there. Paul had secured the authority of the ruling powers at Jerusalem in order to gain power over the converts, and thereby to obtain from them whatever assistance he deemed necessary for the 'ulterior prosecution of his schemes'. Examining the consequences of these suppositions in the light of what was known about

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[1] An allusion to the 'Catechism of the Church of England', *Book of Common Prayer*.
[2] UC cxxxix. 343–5 (18 January 1818); *NPBJ*, 156–7.
[3] *NPBJ*, 74–5, 117–18. According to the Epistles (Bentham cited Galatians 2: 1–2), Paul had initially applied his labours to the Gentiles, but according to the Acts, the first recipients of his attention had been the Jews.

Paul's former way of life and connections, as well as his subsequent progress, Bentham claimed that Paul had assured the Damascene Christians that if they provided that assistance—meaning primarily money—then not only would he spare them their lives, but he would join with them in their religion and do everything in his power to promote Christianity among the heathen. In these circumstances, reasoned Bentham, the converts could hardly have refused his offer; their security concerns with respect to Paul, together with the sacred interests of their new religion, compelled them to accept. Paul's means of subsistence in Damascus, therefore, had been the purses of those whom it had been in his commission to destroy. The third reason that Paul had gone to Damascus followed from his calculation that time spent in his 'school of probation', ostensibly in the common cause of Christianity, would help to establish 'confidence' in his person. In particular, he had surmised that as the 'enmity', 'distrust', and 'exasperation' produced by his persecutions diminished, so the 'curiosity' of the Apostles would become 'less eager'. With these assumptions in mind, Paul had eventually returned to Jerusalem—either some three years after leaving Damascus (the Epistles) or directly from that city (the Acts)—and, with his principal design in view, presented himself as a friend and ally to the rulers of the church. While it was impossible to prove conclusively that the common fund had been the chief object of Paul's 'concupiscence', the scriptural evidence was sufficient to convince Bentham that, from his 'place of quarantine' in the second city of the Christian world, Paul had never stopped looking to the first.[1]

Notwithstanding the need to keep his plans a secret, Paul had known that he could not afford to proceed without the approval of the Apostles, still less promote himself as their adversary, if he was to accomplish his principal design. His plan of 'worldly ambition' had therefore needed some form of 'countenance' from the Apostles, and it had needed the name of Jesus. For Paul to operate in Jerusalem without the Apostles' support, and without thereby availing himself of Jesus' name, would have been 'downright madness'. It would have also been 'plainly hopeless' for him to have approached the Apostles with no better recommendation than his 'slender' vision story. Consequently, Paul had deemed it necessary to enter into a 'sort of *treaty* … forming at least in appearance, a sort of junction' with the chosen companions of Jesus. Assuming to himself 'without modification or apology' the title of '*an Apostle*', Paul had approached the Twelve with the offer of a compact. He had brought with him the influential disciple Barnabas 'to make him endurable', a commission 'to make him respected', and a gift of

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[1] *NPBJ*, 72–4, 84–9, 130, 200.

money 'to make him welcome'. If Paul had also given an account of his conversion at that time, then the fact that the Apostles initially rejected his offer showed that the story 'obtained no credit at their hands'. Indeed, Bentham noted that from the moment Paul first made mention of his conversion until the time of his delivery under guard to Rome approximately twenty-six years later, the Apostles and their adherents at Jerusalem never accepted the truth of the supernatural and revelatory commission that Paul had claimed for himself. After the Apostles had resisted his overtures for a second time, Paul eventually agreed a '*partition treaty*' with Peter at some indeterminate time and place (the details were omitted from the Epistles; the entire event was omitted from the Acts) on a third visit to Jerusalem. Bentham maintained that the contracting parties had fundamentally opposing, though equally strong, motivations for entering into the agreement. The Apostles, for their part, and assuming 'any thing like sincerity and consistency' on the part of Paul, had wished to gain security for themselves and the rest of their fraternity against persecution. Paul, meanwhile, had wanted to receive the endorsement of the Apostles and with it that measure of public credit and presumed authenticity that he considered imperative to the success of his scheme. The terms of the partition had been, in Bentham's phrasing, 'Paul to the Gentiles, Peter and his associates to the Jews'. The settlement, in other words, had provided that while the Apostles would retain their influence over the Hebrew-speaking Jewish world—meaning Jerusalem and its immediate surrounds—Paul would confine his proselytising exertions to the world of the Gentiles—meaning, in effect, anywhere else that he pleased. It was Bentham's view that Peter, having recognised the ambition that had brought the 'declared convert and self-constituted Apostle' to the city, had wanted to keep Paul out of Jerusalem.[1]

Like that of Simon Magus, Paul's ordinary form of employment had generated considerable worldly profit. For this reason, Bentham asserted that there had been no necessary conflict between Paul's 'temporal' work and any adjacent or alternative 'spiritual' occupation that he may have wished to pursue. What Bentham noticed, however, was that whenever and wherever Paul had 'a subsistence' in view, he (Paul) realised that only the spiritual occupation afforded him the means by which to obtain it:

> from the hospitality demanded and received: from the power of punishing exercised, from the profitable patronage enjoyed, from the expensive homage

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[1] Ibid. 73, 91, 106–7, 123–7, 199–204.

received … all of them actually obtained by Paul from preaching and epistle-writing: none of them obtainable by *tent-making*.[1]

Thus, having succeeded in dividing the leadership of the emerging Christian world with the Apostles, Paul had been 'not backward' in his efforts to derive profit from it. According to his own letter to the Galatians, for example, Paul had disclosed that in return for their ceding to him the 'market of the heathen world', the Apostles had required him to uphold the duty of '*remembering the poor*'—that is, admitting to the poor a share of the common profits.[2] That Paul had done no such thing appeared to Bentham to be almost beyond dispute. The evidence of scripture suggested that Paul had instead set about procuring for himself a 'splendid' situation, living in 'expensive stile' for years at a time. In all of his travels, whether by land or sea, he had made progress with 'royal splendour' and a 'magnificent Official Establishment' of assistants, secretaries, domestics, physicians, lawyers, envoys, and other attendants of seemingly unlimited number. Erastus of Corinth, a chamberlain of high civic status, had served as one of Paul's aides, while at least seven other men, including Timothy, Titus, and Tychicus, had formed an inner circle of confidential servants. Paul had on occasions referred to the absence of part of his retinue as 'a sort of hardship and sacrifice', even as other subjects, such as Hymenaeus and Alexander, had been 'delivered by his own hand unto Satan' for being 'deficient in the article of loyalty'.[3] Whether or not Paul had paid all of the men on his extensive 'civil list' made no material difference to Bentham since it had made no material difference to the worldly value of Paul's circumstances: either he had been in the receipt of 'so much *money*' as to enable him to make regular disbursements to his courtiers; or he had received from them 'so much valuable or expensive *service*'. All the evidence, said Bentham, including the report that Felix, the Roman procurator of Judea, had pursued Paul with 'persevering solicitude' for what must have been a considerable sum of money,[4] indicated that the subsistence enjoyed by Paul had been a most 'lucrative' one.[5]

Bentham found evidence of the truth of Paul's designs in the organisational structure that Paul had favoured, no less than in the grandeur and grandiosity of his situation. In commenting upon this structure, Bentham took the opportunity to direct this part of his attack towards the ecclesiastical establishment of his day. At Jerusalem, the Apostles'

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[1] UC cxxxix. 346 (18 January 1818).
[2] See Galatians 2: 10.
[3] See 1 Thessalonians 3: 1–10.
[4] See Acts 24: 26.
[5] UC cxxxix. 333 (31 August 1817), 375–6 (3 September 1817), 345–7, 349 (18–21 January 1818), 404, 415–16 (7–8 February 1818).

election of Matthias to replace Judas Iscariot, as well as their appointment of the seven trustees to manage the common fund, had demonstrated that the constitution of the new church was 'a democracy, guided rather than governed by an aristocracy', founded upon the 'superior force' of the connection between its 'ministers' (the Apostles) and 'the departed monarch' (Jesus).[1] The Apostles had shown, therefore, that if any form of government had been, if not explicitly recommended, then tacitly accepted by Jesus—if any form of government could be said to have had 'divine right' for its support—then it was that of representative democracy through universal suffrage. For Paul, however, the only 'legitimate' form of church government had been that of absolute monarchy, with himself installed as the monarch. It has already been seen how readily Bentham was prepared to utilise the tenets of the religion of Jesus, not only to reveal how the religion bearing that name had abandoned such tenets, but also to lend support, where applicable, to his own utilitarian ideas. In this vein, Schofield notes how Bentham, by lauding the early political organisation of Christianity as a representative democracy, was in effect issuing a defence of many of the proposals that he was developing for his constitutional code. More pertinent to the present discussion is Schofield's observation that Bentham's association of monarchical government with Paul and representative democracy with Jesus was an attempt to undermine the Christian rationale for the alliance of Church and state in England by showing that it had support neither in the teachings and practice of Jesus, nor in the ministry of the Apostles, but had originated solely with Paul.[2] Hence, for as long as the religion of Jesus had operated as a free and non-established church with a 'democratical' rather than monarchical constitution—one by which the legislative power belonged to the Apostles, the executive power belonged to the elected trustees, the constitutive authority belonged to the whole community of religionists, and no man was appointed to any post by 'a King Herod'—Bentham was satisfied that 'all was good government, all was equality, all was harmony'. Although he was unable to say precisely when this 'felicitous' state of affairs had come to an end, Bentham remarked of the early Church that at some time in the fourth century 'despotism took possession of it, and made an instrument of it'. Becoming established, the nominal religion of Jesus became predominantly Pauline in structure and 'preponderantly noxious' in consequence: 'For, where *established* is the adjunct to it, what does *religion* mean? what but depredation, corruption, oppression, hypocrisy … these four: with delusion, in all its forms and trappings, for support'. Just as Bentham perceived the ecclesiastical establishment to

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[1] UC cxxxix. 348 (18 January 1818).
[2] Schofield, *Utility and Democracy*, 197–8.

exemplify these traits in the way that it consolidated its temporal dominion through the public inculcation of insincerity, so he recognised, as the following section will explain, that insincerity had been the hallmark of Paul's approach to making himself a 'spiritual monarch' on earth.[1]

§2. Paul's Methods

§2.1. A Commitment to Insincerity

> All things to all men—I am all things to all men—never did the wit of man invent
> a more convenient adage.[2]

Foremost among the worst aspects of Paul's character, thought Bentham, had been a profound insincerity. Like the priests and bishops of the Church of England, Paul had no 'distinctness' of manner or 'consistency' in the way of argument, but nor, said Bentham, had he any interest in developing either quality. While his own 'declared estimation' of the matter had been that the ability to be 'all things to all men' was a source of merit to be paid for with praise, and in money, Paul had discovered that, from the 'most trifling peccadillo' to the 'most destructive villainy', there was no more efficient 'cloak to wickedness' than insincerity. When seeking 'to gain' the Gentiles, for instance, Paul had appeared before his prospective converts as a Gentile and denied to them the obligatoriness of the Mosaic law; that he might also gain the Jews, in breach of the terms of the partition treaty, he had emphasised to his Jewish audience the mandatory nature of this same law. Even though he had denounced Peter for 'compelling the Gentiles to live as do the Jews', Paul had seldom failed to do likewise whenever the '*need*'—meaning always the opportunity to enrich himself—arose.[3] As to the separate 'courses of dealing' that he pursued with the Gentiles and the Jews, Paul had ensured that his chief servants were, in Bentham's euphemistic formulation, 'differently equipped'—that is, 'Titus with a foreskin on: Timothy bereft of it'. On Paul's 'forcible' circumcision of Timothy, an operation designed to 'qualify' a favourite disciple to preach before the Jews, Bentham remarked with decided understatement that if this was not compelling Timothy to live as do the Jews, 'it seems not easy to say what else could be'.[4] Paul had performed the surgery

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[1] *NPBJ*, 217–18, 371n, 391–2.

[2] UC clxi. 69 (3 February 1818). Bentham was referring to 1 Corinthians 9: 22. He claimed that the translators had deliberately tempered the true Greek—'*I have become*' or '*I am become* (γεγονα) all things to all men'—because it had seemed 'a little alarming—a little too strong'.

[3] See 1 Corinthians 9: 19–22, Galatians 2: 11–14.

[4] See Acts 16: 1–3.

despite his open and vehement condemnation of the 'utter inutility and consequent pure mischievousness' of Jewish works in general, and his derivation of profit from situations in which he had been able to exempt his converts from this 'unpleasant' observance in particular. Accordingly, as Paul had deprived Timothy of the 'characteristic cuticle' in view of one set of circumstances, so in view of another had Titus been left 'unmutilated'.[1]

One intervention that Paul had made with respect to Titus was to furnish his servant with the maxim, 'to the pure all things are pure'.[2] In advancing the 'atrocious proposition' that a man was justified in committing any act he pleased as long as he self-certified as pure, Paul had given to Titus—as he had given to the future rulers of the church who would embrace his teachings—a mandate to practise insincerity.[3] While Bentham had already found 'direct proofs' of Paul's insincerity in the 'separate improbability' and 'joint inconsistency' of the accounts of Paul's conversion story, he also submitted in evidence the mendacious techniques that Paul had used to further his claims to apostleship, and thereby give to his 'scheme of personal ambition' the greatest prospect of success.[4] Paul's method, fluid as it was, had been to draw from two different, but closely related, sources of insincerity. The first was the 'mass of miracles' that he had allegedly performed or else benefited from, each of which appeared to Bentham to have had invention rather than powers supernaturally conferred by God for its cause.[5] The second comprised the 'forms of intellectual weakness' and 'inaptitude of style'—in a word, the 'nonsense'—that Paul had deliberately and repeatedly employed to his advantage in his letters.[6] By focusing his critique of Paul's character always upon the means by which Paul had advanced his worldly enterprise, Bentham intended to reveal the fraud of Paul's ministry and further undermine the claims to credence made for both the Epistles and the only work in which Paul's supposed miracles were reported, the Acts. Bentham wanted to expose Paul's disingenuousness, but more than that, he wanted to demonstrate how, from Paul's point of view, a commitment to insincerity had been not a limitation, but the great strength of his method. It will be seen that Bentham's approach also allowed him to bring into sharper focus the connection that he identified between the exertions of Paul and those of Paul's successors in the ecclesiastical establishment.

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[1] UC cxxxix. 515 (21 September 1817); UC clxi. 69–75 (3 February 1818).
[2] See Titus 1: 15.
[3] UC clxi. 76 (22 February 1818).
[4] *NPBJ*, pp. vii–viii.
[5] UC cxxxix. 291 (1 November 1817).
[6] UC clxi. 25 (8 September 1817).

§2.2. Paul's Miracles

§2.2.1. Quasi-Miracles

Before he proceeded to assess the miracles attributed to Paul, Bentham attempted to give to the word 'miracle' a comprehensible meaning. A miracle, he said, was any occurrence which, supposing it correctly reported, was regarded by the reporting author as miraculous in its nature.[1] It is worth noting that this apparently circular definition did not explicitly signify an occurrence that was miraculous as a matter of fact, but only one that seemed miraculous as a matter of subjective human perception. This was an inescapable consequence of Bentham's materialist worldview and his twofold assumption that, first, the physical world existed; and, second, man's sense experience was the only way in which any information could be obtained about it. In fact, the assumption is more precisely stated when simplified—that is, that man perceived the physical world to exist. While the reporting author's perceptions might be faulty, or the information required to understand those perceptions lacking, or the particular source of information deceptive, the consequences of accepting the evidence of sense were, as Quinn states, 'incomparably better than those of rejecting it', because no matter how unreliable the sensory evidence was, it remained the only kind of evidence available.[2] From Bentham's materialist perspective, the very notion of a supernatural intervention in the natural world was incoherent. Attributing a supernatural cause to an event in the natural world, which was the only world that anyone did or could know anything about, was a contradiction in terms, for if something happened in the natural world, it could only have happened naturally by definition—and man's ineluctable reliance upon the evidence of sense to ground all claims of knowledge meant that no man had the means to assert otherwise.

Bentham's idea of a real miracle, therefore, did not so much betray an acknowledgment that miracles actually or necessarily existed in the world, as allow for the fact that in the presence or absence of certain conditions, certain occurrences appeared miraculous to certain people. That said, the main reason that Bentham issued the definition was so that he could contrast a 'real miracle' with two other phenomena: the 'false miracle' and the 'quasi-miracle'. A false miracle was an occurrence which, without imputing any dishonesty to the reporting author, could not be deemed miraculous. It was a natural event that relied entirely upon natural causes for its explanation; the author was

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[1] For the alternative definition of 'miracle' given by Bentham in his critique of the supposed miracles of Jesus, see 194–200 below.

[2] Michael Quinn, 'Which comes first?', 8.

simply mistaken in attributing the miraculous to the mundane. More significant was Bentham's notion of a quasi-miracle. As with a false miracle, a quasi-miracle was a non-miraculous event, but here the reporting author contrived to give the occurrence the appearance of a miracle, even though he did not think it miraculous. It was a miracle 'made out of a way of speaking' by means of one or more ambiguous expressions used in the description of it. Bentham referred to any word or phrase to which 'so convenient a species of ambiguity adheres' as a '*double-entendre*' of the 'spiritual' (as opposed to the more conventional 'carnal') kind. The originator of these double-entendres—the 'deceiver'—could be someone who had related the quasi-miracle to the reporting author, but it was more 'natural', argued Bentham, to suppose that the author himself had applied the requisite 'false gloss'. The more frequently that quasi-miracles appeared in a given narrative, and the more plainly that the false gloss put upon them seemed 'conducive' to some common end, the stronger the ground for thinking them the work of 'artifice' rather than inadvertence.[1] Bentham's thesis was that this ground had presented itself in the Acts:

> In the manufacture of spiritual double-entendres, so exquisite a proficient as the historian here in question will hardly be found elsewhere: though it were too much to stile him the inventor of the art, scarce will any one be found who has made a more copious, a more dextrous or as yet a more successful use of it.[2]

Bentham considered the manufacture of quasi-miracles to have been the historian's response to the inherent flaw in the false miracle. Although Bentham thought that an occurrence falsely reported as miraculous needed to be 'notorious' in its nature if it was to support a religion (be it a 'false religion' or a 'spurious edition of a true one'), he also believed that the more notorious the miraculous occurrence seemed, and the more details that were given about it, the greater the likelihood of the falsity being detected. The 'characteristic property' of a quasi-miracle, however, was that its falsity could not be exposed to detection because the discourse used to describe the occurrence possessed not one, but two senses. Crucially, these senses represented the occurrence as miraculous and non-miraculous at the same time—or, rather, as alternately miraculous and non-miraculous, as the historian required. The more the miraculous first sense was accepted as true, the more 'fully and effectually' the historian's purpose had been served. In the event that any man did not accept the occurrence as miraculous, however, that same occurrence remained capable of being understood according to the non-miraculous

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[1] UC clxi. 93–4, 97, 111 (14–23 October 1817).
[2] UC clxi. 111 (14 October 1817).

second sense embedded in the discourse. If, for example, a reader failed to accept the idea of a miraculous vision, then instead of imputing falsity to the text and 'credulity', if not 'mendacity', to the historian, he received the occurrence as a natural event: a dream, perhaps, or a figment of the imagination. While the vision lost its '*probative* force' when divested of its miraculous character in this way, the historian's reputation for 'probity' remained intact. According to Bentham's understanding of human psychology, any man who knew that he could achieve his purpose in either of two ways always chose the 'most favourable' alternative—or, in the negative, the 'least expensive' alternative for 'purchasing' the intended object.[1] In the present case, the expense to be avoided was a reputation for improbity. Hence, if the historian could cause his readership to believe that a miracle had been wrought by using a few words to place a supernatural gloss upon a natural occurrence, then it seemed reasonable to Bentham to conclude that this course of action would have been preferred to the reputationally hazardous and linguistically arduous option of trying to invent a miracle whose falsity was impossible to discern.

The reader of the Acts was told, for instance, that Paul had been 'bound in the spirit' to go to Jerusalem, while on another occasion it was 'through the Spirit' that Paul had refrained from travelling to the city.[2] Rather than stating 'plainly and simply' that Paul had or had not gone to Jerusalem and giving reasons why, the historian employed the 'useful' word '*spirit*' without saying anything about whether it referred to a supernatural entity or merely Paul's prevailing mood. Bentham observed that at 'so small a price' the historian created a '*verbal*' miracle that, in minds suitably disposed, was 'welcome to improve' into a real miracle.[3] The form, as well as the function, of this quasi-miracle was similar to that of the 'vision asserted by implication'. This was Bentham's name for an intimation 'more or less obscure' of an uncontextualised exchange between Paul and the Almighty, as suggested by certain phrases attributed to Paul, such as 'the Lord commanded me' or 'the Lord comforted me'. The historian's object in reporting that Paul had seen 'the Spirit' at Mysia, which 'suffered' him not to enter the region of Bithynia, was nothing more than to furnish Paul with an ostensibly supernatural reason for not setting foot in a place that he had no natural desire to visit.[4] 'It would be of little use', said Bentham, 'to collect all the passages in which visions of this complection may be to be found': all employed the same 'commodious phrases'; all wore the same 'character of

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[1] UC clxi. 95, 98, 101, 105 (22–3 October 1817), 89 (5 November 1817).
[2] See Acts 20: 22, 21: 4.
[3] *NPBJ*, 213–15.
[4] See Acts 16: 7.

convenience'. He remarked that Paul had lived under the 'happy incapacity' of being able to do any wrong on account of the guardianship afforded him by implied or indirect visions—that is, by the variety of phrases 'put under his command' by the historian.[1] Whereas a vision directly-stated (discussed below) had the disadvantage of calling attention to a fact whose existence an 'inquisitive mind' might find reason to doubt, an indirectly-stated vision bore no such weakness because the supernatural element had only been insinuated. If the reader accepted that Paul had held a conversation with the Almighty, then this was a miracle to swell the 'catalogue of evidences' in favour of Paul's claims; if he thought the words a manner of speaking about an ordinary event, then this was an 'effusion of piety' deserving of praise: no 'better bargain', declared Bentham, could ever be made.[2] All through the Acts, Bentham saw the most ordinary occurrences 'metamorphosed' into miracles by the operation of a 'loose word or two'. Whereas Paul, by his own account, had one day embraced a sleeping youth called Eutychus, the historian reported that the youth had been 'taken up dead' by Paul, who then reassured his disciples that 'life is in him'. Whether from 'indolence' or 'archness', the historian had sketched an outline for the imagination of the reader to fill—and so it was, said Bentham, that Paul had been able to acquire the reputation of raising a man from the dead and make 'so brilliant an addition to the catalogue of his miracles'.[3]

Another type of quasi-miracle to which Bentham drew attention was the '*miracle unparticularized or unindividualized*', whose usefulness to the historian, and therefore to Paul, lay in its being completely 'detection-proof'. An unparticularized miracle was an occurrence that the author of the Acts attempted to designate as miraculous without specifying any circumstances capable of directing the reader to the 'really existing objects' of time, place, people, and things. In the absence of these details, the occurrence could not of itself appear false (unless by reason of its own 'intrinsic extravagance'), nor could it be shown to be false. Unparticularized miracles never appeared in isolation, but arrived in 'sets or multitudes' of indeterminate quantity under some such 'expletive phrase' as 'signs and wonders'. Again, the great advantage of employing this sort of expression, thought Bentham, was that it left the number, shape, colour, and duration of the miraculous occurrences always to the imagination, and thence to the gratification, of the reader:

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[1] UC cxxxix. 308 (18 September 1817). Bentham noted how the same was also true of monarchs with respect to the word '*prerogative*'.
[2] UC clxi. 112–15 (18 September 1817).
[3] *NPBJ*, 325–7. See Acts 20: 7–12.

to him whose organs are sufficiently prepared for the swallowing of every thing presented to him in the form of a miracle, these are miracles: to him whose swallow is not capacious enough to pass a miracle unless it be particularized, it is nothing more than, in the spiritual career, a progress so rapid as to be wonderful.[1]

Using the metaphor of a gardener liberally scattering his seeds, Bentham observed that among the various kinds of 'rhetorical flower' strewn throughout the Acts, 'signs and wonders' spring up 'at every turn'. This, and phrases like it—Paul's '*special* miracles' was another—appeared without any embellishment or explanation, so that in case of 'falsity *in toto*' or 'incorrectness in circumstance' there was nothing of substance to refute. If linguistic allusions such as these counted as proof, reasoned Bentham, then there existed no form of 'imposture' to which proofs could ever be wanting.[2] In that regard, he noted how the ecclesiastical establishment, and the ruling few more generally, followed the historian's example and made abundant use of quasi-miracles, largely for the purpose, in their case, of reaping 'the praise of piety'.[3] Although quasi-miracles adorned the 'whole tissue of the discourse', Bentham alleged that they were in 'constant exercise' in the Church of England, filling the Catechism and other 'literary works' of the Church.[4] Whatever wrongs were done in human life, the clergy invoked a supernatural being called Satan 'to bear the shame of it'; whatever good, God, in one or other of his persons, was invited 'to claim the merit and the glory of it'. Yet, Bentham argued, nothing real was ever lost or gained by this 'spiritual traffic', except insofar as any word of praise that a priest offered up to the Almighty reliably fell back upon the clergyman with 'the conjunct merits and glories of piety and humility close cleaving to it'. Bentham reflected that with a piety so 'cheaply earned', the Church-of-Englandist ruling few arrogated to themselves the authority to censure as impious any 'miscreant'—a reference, no doubt, to himself— who attempted to place that spiritual traffic in its 'simple and proper light'.[5] Thus, like the historian, the clergy employed quasi-miracles without 'shame' or 'measure' so that, like Paul, they could amass in any quantity 'evidence of the most unpregnable quality' in support of their religion and the opinions they expressed in its name:

To say *the Lord comforted me* cost no more words than … I was in good spirits: the Lord commanded me than, I took a resolution to do so and so: and so on without end. And thus it is, that at so easy a price as that of keeping in a state of present

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[1] UC clxi. 104–5 (23 October 1817).
[2] *NPBJ*, 315–17. See Acts 19: 1–12.
[3] For a discussion of piety as a substitute for virtue, see 36–9 above.
[4] UC clxi. 111 (14 October 1817).
[5] UC clxi. 105–6 (23 October 1817).

torment some hundreds or thousands of sheepish souls, any and every shepherd of such souls may—yea even by himself—be comforted.[1]

Bentham thought that not only was the language of the Acts in a 'most convenient degree well-adapted' to the fabrication of quasi-miracles, but an 'extraordinary facility' had been given to the 'spread of the deception' by the English translation of the Bible, as interpreted and enforced by the clergy of the English Church. Whereas the text in its original form presented a 'sort of option' between a quasi-miracle's miraculous and non-miraculous sense, the Authorized King James Version often permitted none but the miraculous connotation. Religionists were enjoined to take 'angel' always in a miraculous sense, for instance, despite the term being a mistranslation of the Greek for '*messenger*'. In Bentham's assessment, the historian's description of the angel who visited the centurion Cornelius as 'a man … in bright clothing' betrayed the true import of the word.[2]

There was one example that Bentham found especially problematic. Fixing upon the word 'prophecy', as well as its conjugates, the verb 'to prophesy' and the substantive 'prophet', he not only criticised the treatment of this word by the Church, but also undermined one of the most fundamental truth-claims made for scripture. Bentham argued that, in the word 'prophecy', there existed a 'source of illusion which pervades the whole system of technical religion, and by which the conceptive and judicial faculties of mankind have in a most deplorable degree been distorted and debilitated'. That illusion lay in the ambiguity of a term which, in its original Greek rendering, carried two separate imports.[3] In its most extensive sense, explained Bentham, 'to prophesy' meant nothing more than 'to *speak out*'—that is, 'to *discourse*, whether in the way of speech or writing, in an *open manner*' to one or more people. Only in its second, narrower sense did it mean 'to predict' or 'to foretell'. A man, therefore, might 'prophesy' by referring to an event either that was yet to happen, as in the second sense, or that was supposed to have already happened, as fell within the scope of the first sense. Departing from the Acts, Bentham cited the Gospel example of the captors who taunted Jesus: 'Prophesy, who is it that smote thee', which was a demand that Jesus identify who *had done*, not *would do*, the act in question.[4] The problem, as Bentham saw it, was that in the English translation of the Bible, 'prophesy' was used 'promiscuously' in both of its senses, without any care taken to distinguish the one from the other. This problem was then compounded by a Church

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[1] UC clxi. 112–15 (18 September 1817).
[2] UC cxxxix. 467 (14 October 1817); UC clxi. 96 (23 October 1817). See Acts 10: 1–30.
[3] The word was 'προφητεύω'.
[4] See Luke 22: 64.

of England clergy that tended to adopt only the narrow sense, irrespective of the import originally intended. The 'plain truth', argued Bentham, was that all through the Bible the real meaning of 'prophet' (as in the person who did the prophesying) corresponded to what was meant by the modern word 'Statesman'. Statesmen discoursed not only on past and present, but also on future events. When proposing or contesting a particular measure, for instance, a statesman spoke about the possible consequences of that measure, such that he inevitably made a prediction. In this sense, all modern statesmen—or, for that matter, newspaper journalists and pamphleteers—were no less 'prophets' than were the authors of the works distinguished as '*prophecies*' in the Bible.[1] The distinction that Bentham wanted to make, however, was that whereas the discourses of even the most ordinary modern writer contained 'specific' and 'tangible' particulars, the works of the Jewish prophets contained nothing of 'determinate import' or to which the 'appellation of reasoning' could sensibly be applied: 'Lamentation, vituperation, with or without prediction—all of them floating in the air, scarce in any of them any thing by which … deliberate information—true or false, good or bad, is conveyed.' Bentham noted that on the confounding of the two senses of the word 'prophecy' in the Authorized Version, clergymen and religious commentators interpreted numerous scriptural propositions as predictions, regardless of whether or not they referred to future events. An assumption was then made that the 'predictions' had emanated in a 'supernatural, unexplained and inexplicable manner' from God himself, while the pretended predictor was 'dignified' with the epithet 'prophet' simply because at some 'remote and indeterminate' time his discourse had been admitted into the 'miscellany' known as the Bible. The 'purely mechanical' connection between an ordinary proposition assumed to be a prediction and the assumption that the prediction had a divinely inspired author had for centuries been considered 'beyond dispute'.[2]

Although Bentham did not locate the cause of the etymological confusion between the more and less extensive meanings of 'prophecy' in Paul, he did claim that the equally ambiguous question of what it could mean to prophesy (in the second sense of the word) had been exploited by Paul for reasons 'purely worldly'. Paul had issued a number of prophecies of his own, all of which had been completely falsified. In the Epistles, for

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[1] On this basis, Schofield argues that Bentham himself may be understood as a prophet—a 'prophet of secularism'—that is, one who 'spoke out' as an advocate of the view that theology should have no influence on morals and legislation. See Schofield, 'Prophet of Secularism', 1–2.

[2] UC clxi. 44–6 (9 September 1817), 77–85 (9 March 1818).

example, he had foretold that the world would end in the lifetime of a person then living.[1] The 'soothsayer' had known that this prediction carried no risk, only the prospect of reward, because while the prophecy was virtually impossible for anyone to disprove or prove unfulfilled (and Paul had been sufficiently 'adroit' not to specify a date), he could pursue his own purposes in the meantime. Paul's 'ingenious game' had been to bring 'futurity' closer in the minds of his audience—to excite the hopes and fears of heaven and hell in order to engineer a sense of dependence upon him as the man who possessed, or who could obtain, knowledge of how to avoid eternal damnation. The intended effect had been to cause confusion: those whose past misconduct dominated their minds experienced 'terror and self-mortification' and 'confabulation without end'; those who felt certain of the 'all-sufficiency of faith', and thus the irrelevance of morality, gained the confidence to engage in 'mischievous self-indulgence': in both cases, existing labour ceased and discipleship followed. Working instead under Paul's command, each disciple had been permitted to make as much profit as he liked, since the greater the surplus that he produced, the greater the tribute that he paid to Paul. Bentham acknowledged that, had this been the extent of the arrangement, the interests of Paul and his disciples would have broadly agreed. His firm view, however, was that because Paul had kept men's minds in 'constant ferment', the 'allied passions' of hope and fear compelled the disciples to make ever larger, and ever more personally detrimental, contributions to their perceived 'spiritual master'. The reality, therefore, was that Paul's interest had acted in a direction wholly opposite to that of his followers.[2]

In this instance, Paul had used the ambiguous and psychologically distressing nature of the prophecy itself rather than the ambiguity of the word 'prophecy' to cause men to form and pursue interests that aligned with his own sinister interest. More generally, however, Bentham was convinced that many of the quasi-miracles crafted on behalf of Paul had subsequently been translated into ostensible real miracles, and that in some cases the mistranslation had occurred despite there being no evidence to suggest that the historian meant to give the relevant words a supernatural connotation. The result was that no matter how false and inauthentic the original Acts was, both as a historical record and as a statement of the religion of Jesus, its falsehoods were compounded, and its language rendered still less authentic, in the very work that the religionists of Bentham's day revered as authoritative sacred scripture. Thus, while Bentham condemned the

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[1] See 1 Thessalonians 5: 1–11. Bentham commented that, as a mode of communication, letters were convenient to Paul's purpose, since he would have faced questions had he made the prediction in person.
[2] UC clxi. 44–6 (9 September 1817), 77–85 (9 March 1818); *NPBJ*, 282–90.

manipulations of clerical interpretation for greatly distorting the meaning attributed to the text, it was a text that, from the outset, was severely flawed in its composition. In short, the clergy were in the habit of misinterpreting the words of a mistranslated work that was replete with falsities and misrepresentations.

§2.2.2. Miracles Directly-Stated and the Rule of Greatest Probability

Despite the best efforts of the ecclesiastical establishment, there was no longer any reason, in Bentham's opinion, for religionists to accept without discrimination all that was presented to them as miraculous in the Acts. Although it was 'natural' at a time of 'ignorance and credulity' for men to regard an occurrence as miraculous whenever an author had endeavoured 'to produce that persuasion' for which reports of miracles were regularly employed, it was 'absurd' at a time of 'widely diffused knowledge' for any man to think the same.[1] It is important to note that Bentham was not saying that a miracle asserted without corroborating evidence had ever presented a 'reasonable title to credence', only that the extensive credence that some miracle stories had obtained in the past was the product, not of anything 'wonderful', but of the 'known state of minds' at the time. Analogous to 'distance in the field of time' was 'distance in the field of place'. Bentham speculated that if the claims of the historian had emerged in his own day, then although they might 'pass muster' in 'Hindostan', where truth was accorded to the religion of Bramah on the basis of fantastical miracles still more 'particularized' than those of the Acts,[2] no man with any 'tolerable education or reading or experienced knowledge of the world' would afford them any credibility.[3] Indeed, Bentham was adamant that if the sort of miracles alleged in the Acts were reported as having had place in 'the present century', then, by their 'disconformity to the manifest state of things, and the whole course of nature', all men—those among 'the most ignorant populace' not excepted—would think them 'too absurd and flagrantly incredible' to warrant a moment's notice. Why then, he asked, should anyone deem a miracle more credible when it was reported as having happened in 'this same world of ours' at some earlier point in time?[4]

If a rule existed that a religion was considered proven whenever a man claimed that he had witnessed a miracle, then any man with the slightest reputation for 'veracity and discernment' could invent whatever system of religion that he liked or cause any false

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[1] UC clxi. 91 (22 October 1817); *NPBJ*, 334.

[2] Bentham had read James Forbes, *Oriental Memoirs: Selected and Abridged from a Series of Familiar Letters, Written during Seventeen Years Residence in India: Vol. II.*, 4 vols., London, 1813.

[3] UC cxxxix. 330 (*c.* 1817); UC clxi. 131–2 (27 January 1816).

[4] *NPBJ*, 307–8.

religion to be 'made true'. Bentham argued that by the historian's repeated allusions to the miraculous, particularly his favourite 'species' of miracle the 'vision',[1] the Acts had effectively brought this rule into force. Although Paul had rested his 'pretensions' upon the Damascene vision alone, he had also 'tacitly', yet 'effectually', turned to his account whatever 'directly-stated' miracles the historian could collect for his support.[2] Bentham counted no fewer than twelve of these miracles in the Acts. Each involved a manifestation of Almighty power exercised through, or for the apparent benefit of, Paul. If taken all together, said Bentham, then a man who lacked the 'accurate conception of the probative form of evidence, to which maturer ages have given birth' might consider these miracles proof of Paul's alleged commission from God. If considered separately, however, then it was no more possible to ignore the deficiencies common to each miracle than it was to view the man to whom God had supposedly imparted 'extraordinary powers' as anything other than an 'impostor' intent on giving support to a 'lucrative' system of deception. There was no contradiction for Bentham between these two statements and his noting that nowhere in the Epistles had Paul actually claimed to have received the power of working miracles, nor had he or his historian expressed as much in the Acts. Since Paul had wanted to avoid the scrutiny that such an unequivocal claim would bring, he had been content to allow all directly-stated miracles to happen to him ('*On* him, yes; *by* him, no'), and all other miracles to be created for him out of quasi-miraculous language. While Bentham granted that there was no evidence to suggest that the twelve occurrences had been without 'foundation in fact', that was beside the point. Examining them in turn, his concern was not with the actuality of each occurrence, but with its probable cause and the probable purpose for which it had been recorded.[3]

In one directly-stated miracle, 'the angel of God' had allegedly appeared before Paul during the night to reassure him that he and his crew (Paul had been aboard a ship bound for Italy) had nothing to fear from the storm in which they were engulfed because God needed him to meet with Caesar.[4] The reader, said Bentham, was confronted with two possibilities: either a supernatural creature, which nobody on the small deckless vessel

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[1] Although he treated a vision as a type of miracle, Bentham also noted that, as with miracles and quasi-miracles, there were visions and quasi-visions, the latter being a 'shadow of a shade'.
[2] UC clxi. 98–101 (22–3 October 1817).
[3] *NPBJ*, 298–304.
[4] UC cxxxix. 311 (18 September 1817). On these words of reassurance, Bentham commented: 'Behold what a rare thing it is to be a favourite. But for Paul, God would have taken away the lives of ever so many of them: but for the pleasure of paying a compliment to Paul, he alters their destiny and suffers them to live.' See Acts 27: 18–25.

had seen or heard except Paul, had been sent by the Almighty on an 'errand';[1] or the story was evidence that where there had been a purpose in view, lying was 'not among the obstacles' capable of stopping Paul from accomplishing it.[2] Material to Bentham's assessment of these possibilities was the likely reaction of those who would have originally heard the story. The Sadducees, for example, were represented in the Acts as having disbelieved in angels as a superior class of 'real personages' who participated in human affairs. Instead, the reader was given to understand that they had regarded angels as fabulous entities and either the intended instruments or results of deception or mere figures of speech. This was so, noted Bentham, even though encounters with angels appeared to have been something of a banality at the time, since the reader met with angels and spirits 'at every turn' in the Acts, as well as in those parts of the Mosaic history that the Sadducees most revered. Thus, the reader again had to decide for himself what was more plausible: that angels had constituted a 'considerable … portion of the population' of first-century Palestine, but remained 'invisible' to members of one of the region's most prominent Jewish sects; or that the Sadducees had thought their own sacred scriptures littered with arrant nonsense; or that the sea angel had been introduced for the benefit of the Pharisees in Paul's audience, and that Paul had chosen to exploit a point of theological division between the Sadducees and the (far more numerous) Pharisees in order to gain the devotion, and thence the money, of the latter.[3] Thinking this third explanation the more probable one, Bentham identified two aspects to the deception that he believed Paul had sought to perpetrate with the vision, which applied, *mutatis mutandis*, to the other directly-stated miracles in the Acts. The first was the original report of the vision that Paul had allegedly given to his adherents on the ship (Bentham noted that the tempest had not been so violent as to stop Paul from making his speech or to prevent his crew from hearing it). Paul's immediate object had been to lift the spirits of his crew by reinforcing the notion of his being in close communion with, and in the favour of, the Almighty. The second was the account of the episode given by Paul's historian, which had the same substantive purpose as the original report, but with a different audience—namely, his prospective readership—in view.

Alerting his own readership to the inadequacy of the historian's accounts of directly-stated miracles, even when evaluated on their own terms, Bentham made the following

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[1] Bentham remarked that no vision seemed ever to make an appearance without the degree of privacy afforded by a '*tête-à-tête*'. See *NPBJ*, 313–14.

[2] *NPBJ*, 327–8.

[3] UC clxi. 122–3 (18 December 1817). Bentham referred to Paul's affirmation of Pharisaic beliefs before the Sanhedrin as another example of this approach. See Acts 23: 6–9.

observation about the credence that ought reasonably to be given to these accounts. There was, he said, an 'immensely wide' difference between the probative force of a miracle that a man had witnessed himself and one that a man knew nothing about except for what he had read in the work of a centuries-dead author who had failed to explain anything of the 'unintelligible or ambiguous' material that comprised his reports. Irrespective of how persuasive a witness to a supposed miracle had found the supposed miracle-worker's claim to be in receipt of a special commission from God, no 'equal conviction' could be afforded to a written statement of that miracle or the claims associated with it. This was especially true in circumstances where no 'elucidation' could be obtained from the author of the statement, or where the author appeared, from all else that was known of him, to belong to that 'class of beings' called 'liars'. Bentham argued by way of a hypothetical personal example that even if he were told of a wonder in a letter from an acquaintance in whom he had complete confidence, if all possibility of elucidation had been excluded (on account, perhaps, of the letter writer's death), then he would be unable to give any credence to the claim. Bentham's resolute scepticism on this point was grounded in his empiricism and the supreme value that he placed upon sense experience as the basis of man's knowledge of the world. On the one hand, he declared, the sort of fact asserted would be 'inconsistent with every thing I have ever seen or heard of the established course of nature'; on the other hand, even if the acquaintance had been no liar, every human being is, at one time or another, on some material point or other, 'deficient in correctness'. The fact that Bentham thought all men occasionally mistaken in their observations, judgments, recollections, and beliefs was uncontroversial, but the first part of his reasoning requires further comment. The extraordinary images impressed upon Bentham's imagination by a nameless and seemingly untrustworthy historian, whose death prevented him from attempting to justify his claims, could not balance in the 'scale of probative force' the collection of impressions and ideas that Bentham himself had derived from his own sense perceptions. He therefore saw no reason to endeavour to explain these images using any method other than the one that was universally accepted in all fields of human thought and action, except that of religion. This 'common sense' method entailed the adoption of that 'mode of accounting' which seemed 'most probable' and 'most conformable to the ordinary course of nature', as determined by a man's own experience and observation. As has been seen, Bentham alluded to the features of this method throughout 'Not Paul, but Jesus', but it was in the context of his discussion of

Paul's directly-stated miracles that he referred to it as the '*rule of greatest probability*'.[1] Despite the universality of application that Bentham claimed for this rule, he restated its terms so as to render them more pertinent to religion:

> Whatever effect may with probability be referred to and accounted for by natural causes, for the accounting of it, forbear to have recourse to any cause of a supernatural cast—to any cause by the existence of which in that character, if admitted, the effect, in the event or state of things, would be referred to the class of miraculous ones.[2]

When describing Paul's visions, for instance, the historian occasionally inserted the word '*trance*' into the narrative. From his reading of the Acts, Bentham concluded that a trance—or '*fit*' in 'more ordinary language'—was a 'mode of being' or 'state of mind' in which a man might experience a vision. Bentham noticed that whenever the moment had been 'requisite or proper' for Paul to have a vision, and Paul also happened to have been alone, the historian found little use for the 'ceremony' of a trance, but when the vision had occurred in the presence of others, a trance typically formed part of the spectacle. During Paul's imprisonment in a Jerusalem castle, for example, Jesus had allegedly appeared before Paul—at night, when Paul was alone—in a vision.[3] Since the ostensible object of this directly-stated miracle—namely, to raise the morale of Paul's adherents ahead of their leader's trial—was realised in the relating of the vision story rather than in the instance of the vision itself, Paul had 'no need of any preparatory *trance*'. Yet with another of his visions of Jesus, the ostensible object of which was to attribute the cause of his decision to leave Jerusalem to divine intervention, the urgency of the situation had afforded Paul no time to seek solitude or await the cover of night for the miracle to take place.[4] After finding no more 'favourable or appropriate' location than the Temple, Paul had fallen prostrate and into a trance inside that 'awe-encompassed receptacle of piety' and duly had his reason-giving vision. That trances had accompanied some, but not others, of Paul's visions seemed to Bentham a matter more of convenience than of necessity. On his reading of the evidence, the most probable and natural explanation for the discrepancy was that Paul had simply realised that the 'best way' for him to obtain credence for his visions was to fall 'flat upon [his] face' in a trance, then remain in that

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[1] UC clxi. 86–8, 124–6 (5–7 November 1817).
[2] UC clxi. 126 (7 November 1817).
[3] See Acts 23: 10–11.
[4] See Acts 22: 17–21.

pious state long enough to see whatever visions he required. In the absence of any witnesses, however, Paul had refrained from these theatrics.[1]

The subversive wit that pervades Bentham's enquiry does little to dispel the impression that Bentham considered much of the Acts to be a work of fiction. It bears repeating, however, that in view of the perceived utility cost to religionists of their blindly accepting the claims made for the events of scripture by the rulers of the Church, his primary concern in questioning the probable true cause of a reported event was more with the consequences for general utility—and religious belief—of religionists doing the same than with whether the event had any basis in fact at all. Bentham gave concrete expression to this concern in his argument that the claims to truth made for the other directly-stated miracles of Paul could no more survive application of the rule of greatest probability than could those made for Paul's visions. However, after setting out what he thought was the most probable explanation of each directly-stated miracle, Bentham did not, strictly speaking, apply the rule himself, but left it to his prospective reader—the contemporary religionist—to do so. Bentham, in other words, provided his readership with a natural explanation of the supposedly supernatural event, even as he wanted people to think and decide for themselves what the probable true cause of the event had been. By juxtaposing his proffered natural explanation with the miraculous explanation put forward by the Church, Bentham forced the reader to confront the relative reasonableness and comprehensibility of an account that made no reference to the interposition of divine agency. Indeed, the very fact that the reader was being presented with an alternative to orthodox interpretations of scripture was confrontational and radical in itself.

On Paul's invocation of the 'hand of the Lord' to blind the sorcerer Elymas, for example, the reader, said Bentham, was faced with two possibilities: either the 'author of nature' had sanctioned a suspension of the universal laws of nature to no other 'assignable end' than the conversion of the Roman official who witnessed the event; or Elymas, who shared an 'indissoluble bond of connexion and channel of intercourse' with his fellow Jew, not to say fellow impostor, Paul, had 'kept his eyes shut'.[2] Similarly, on Paul's curing of the cripple at Lystra, a story in which no names, times, or specific places were mentioned, Bentham pointed out that in an age 'so fertile in imposture', the occasion had only needed a vagrant to act a part for a few pence. Bentham's main complaint was that it was all too easy for the historian to employ the word 'cripple', but all too impossible,

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[1] UC cxxxix. 307 (*c.* 1817), 311 (18 September 1817); UC clxi. 117 (18 September 1817), 102 (23 October 1817).
[2] See Acts 13: 6–12.

in an evidential sense, for any reader to 'contradict the falsity, and thus naturalize the miracle'.[1] This asymmetry between the bare assertions that religionists were meant to take as proof of miraculous agency and the lack of direct evidence sufficient to refute them was reflected in the 'loose and uncircumstantial' narrative of the unnamed man whom Paul, at some unstated time and place, had supposedly cured of a fever.[2] While Bentham noted that it was far from inconceivable that the fever had departed of its own accord, the historian presented it as incontrovertible that God had gone to the effort of channelling a miracle through Paul for the treatment of a common human ailment.[3] With all of these examples, Bentham was asking his reader the same essential question: why accept a supernatural explanation of phenomena that supposedly occurred in the natural, material world when, with far greater probability of truth, a natural, material explanation was available?

On Paul's casting out of a spirit from an anonymous woman in the name of Jesus, Bentham questioned why the historian, having taken the trouble to identify the entity as a 'he-spirit', provided no further details about the shape, substance, or provenance of the being, nor disclosed any other potentially 'instructive' information about the event.[4] It is worthy of note that while discussing this story, Bentham ruminated on the nature of possession—not in respect of spirit possession, but in relation to the words of exorcism used by Paul. Bentham suggested that among the superstitions of that age, there was a notion that certain spoken words—'mere evanescent sounds' or 'the air of the atmosphere' when made to 'vibrate' in a man's throat—possessed a 'property' that could work supernatural effects in 'endless abundance and variety'. Sometimes the wonder was wrought by the words themselves, no matter who had said them; in other instances, a particular individual had to acquire the appropriate power before giving 'passage through his lips' to the correct combinations of sounds. While ostensibly referring to Paul and the beliefs of an ancient time, Bentham would have known that this critique applied with equal force to the clergymen of his own time and the spiritual powers they purported to exercise by uttering certain words when performing baptisms, consecrating bread and wine, and discharging—to the extent that they did discharge—their other sacramental and liturgical duties.

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[1] See Acts 14: 8–11.
[2] See Acts 28: 7–10.
[3] *NPBJ*, 302–5, 331–4.
[4] See Acts 16: 16–18.

Bentham's contempt for the historian was never less disguised than when the disparity between the miraculous 'flavour' given to a story and the natural explanation that Bentham thought it warranted was especially marked. The alleged miracle at Philippi, by which Paul had escaped from prison after an earthquake caused his shackles to loosen, was one such instance.[1] Bentham found no necessary connection between the earthquake and Paul's liberation. The only logical conclusion to draw from the evidence, in his view, was that Paul had been set free by wholly natural means, perhaps as a result of his employing the 'facility and promptitude' of his mind to cause the jailor to believe that God had sent the earthquake for keeping 'so holy a person' incarcerated (and whether Paul had tried to correct 'so convenient an error in geology', said Bentham, was 'left to be imagined'). In any event, an earthquake had struck, and Paul had been 'not such a novice' as to let the opportunity that it created pass 'unimproved'. Having told the historian of what happened, colouring his narrative with 'no want of the marvellous', the result was an account in the Acts of an 'ingenious' earthquake that, with 'nicety of touch', had performed 'the office of a picklock'. It had done so, remarked Bentham, despite the fact that earthquakes were no more able to let feet out of stocks or release hands from handcuffs than 'make watches'.[2]

The strength of the rule of greatest probability, from Bentham's perspective, lay both in its simplicity and in its scope. The rule gave Bentham a set of clear criteria against which to test the plausibility of Paul's directly-stated miracles, while providing him with a theoretical framework within which to describe the likely natural causes of these events. By 'natural causes' were meant the material actions that generated each event, but also, more fundamentally, the material interests of Paul that served to motivate and explain his actions. Even when applied to the language of scripture rather than to the particular narrative, the rule of greatest probability allowed Bentham to sweep away 'at one stroke' all of the quasi-miracles exhibited in the Acts. The effect may be seen in Bentham's treatment of the account of the martyrdom of Stephen, the trustee of the Apostles who was stoned to death. Bentham maintained that unless the reader was 'determined to have a miracle at any rate', he would find in that account a 'figure of rhetoric' that the historian had 'sublimated into a vision'. According to the narrative, Stephen had looked up and, as 'the heavens opened', he saw 'the glory' and 'the right hand' of God.[3] Notwithstanding

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[1] See Acts 16: 19–40.

[2] *NPBJ*, 302–12, 331–4.

[3] See Acts 7: 54–60. If the miracles directly ascribed to Paul had been designed to gain credence for his claim to apostleship, then insofar as the historian ascribed miracles to any other man 'acting and preaching in the name of Jesus', the purpose, argued Bentham, had been to gain credence for the system

the fact that the historian could not have obtained any first-hand information about an episode whose main protagonist died at the scene, Bentham thought that the more natural, and hence the more probable, supposition was not that Stephen had glimpsed inside 'the abode of the omnipresent God', but that he had seen 'a receptacle always ready open, never requiring the exertion of any supernatural power to open it'—namely, the sky. It was not implausible, Bentham conceded, that 'under an Eastern sun' and in the 'excitation of enthusiasm, stimulated by momentary agony', Stephen might have imagined, or at least used language suggestive of, a marvellous sight. Had the author of the Acts 'contented himself' with that interpretation, the bounds of 'credibility'—and, with them, the rule of greatest probability—would not have been transgressed. Yet, concluded Bentham, by attaching his own 'certificate of the truth' to what was at most an illusion, the historian added another score to the 'numerous and continually recurring marks of untrustworthiness' that characterised his work.[1]

§2.2.3. Content and Character

The use of miracle stories was the most conspicuous example of the sacrifice that Paul had made of his sincerity in the pursuit of self-interest, but it was not the only example that Bentham brought to view. He also detected 'marks of insincerity' in the mass of circumstantial evidence that Paul had manufactured, 'partly by a mode of statement contrived to produce misconception, partly by downright falshood', in his first letter to his disciples at Corinth. In this instance, Paul's motive, said Bentham, had been to lend greater support to the truth of Jesus' resurrection, and thereby to his own title to Apostleship.[2] Whereas Luke, and even the historian, claimed that the risen Jesus had appeared only to a select number of Apostles and their associates,[3] the 'audacity' of Paul 'disdained to confine itself' within such narrow limits. Five hundred—a figure 'much more surely probative than any between a dozen and a score'—was the perfectly 'round' and unfeasibly 'vast' number of men who, according to Paul, had all at once and on several occasions seen the reanimated Jesus. While the Jesus of Luke's account had made only two posthumous appearances, both in a single day, Paul alleged that Jesus had appeared on five other occasions, the last being to himself.[4] By making this final claim,

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of religion that Paul had 'found himself under a necessity of taking as and for a basis of that dominion which he was erecting for himself'.

[1] UC cxxxix. 477 (14 October 1817); UC clxi. 119, 121 (19–20 September 1817), 86, 125 (5–7 November 1817).
[2] See 1 Corinthians.
[3] See Luke 24: 9, Acts 10: 39–42.
[4] See Luke 24: 1–53, 1 Corinthians 15: 1–8.

Paul had given to Jesus a character 'rather more substantial' than that of the vision or disembodied voice detailed in the Acts, which contained no mention of Paul's ever having seen Jesus. Bentham also noted that Paul had avoided stating directly when either he or the 'real apostles' had seen Jesus—events which, from all else that was recorded of the resurrection, could only have occurred in close succession. Having confessed to the Corinthians that he had been a scourge of the early Church, Paul had realised that the falsity would have been 'too much', the self-contradiction 'too bare-faced', had he declared himself to have been one of its most distinguished members at the same time.[1]

The more Bentham examined the Epistles, the greater his distrust of Paul's sincerity grew. In contrast to the resurrection story, however, that distrust was aroused less by the content of Paul's writings than by their 'peculiar' character. The Epistles, in Bentham's view, were the 'top and pinnacle of nonsense'. Indeed, nonsense, or 'discourse altogether without meaning', was one of four forms of 'intellectual weakness' that Bentham believed Paul had purposely employed to his advantage when writing his letters. Since Bentham provided only a brief analysis of the three other forms of intellectual weakness—'irrelevant argumentation', 'reference to irrelevant discourses in the character of authorities', and 'desultoriness'—they will be considered together as part of his more extensive appraisal of Paul's use of nonsense.[2]

§2.3. Paul's Nonsense

§2.3.1. The Meaning of Nonsense

That appraisal began with Bentham's assertion that if an author was honest, his intention was to be understood by those whom he addressed. Only to the extent that he realised this intention could any good come from his discourse. An author who failed to make himself understood was either unwilling or unable to do so. If he was unwilling, then he was an impostor, whose true aim was to 'deceive' rather than to instruct or convey accurate information; if he was unable, then either the subject matter was too difficult for him, or there was some infirmity in his mind (a weakness of the 'communicative faculty') or in the minds of those whom he addressed (a weakness of the *conceptive* faculty'). In both cases, employing means ill-suited to producing the effect of being understood was inconsistent with wisdom and, if the end was beneficent, inimical to 'the general well-being of mankind'. Furthermore, if the author knew that the means were unsuitable, then

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[1] UC cxxxix. 292–5 (1–2 November 1817).
[2] UC cxxxix. 296 (30 October 1817); UC clxi. 34 (1 August 1816), 25–6 (8 September 1817).

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his employment of them was incompatible with 'ordinary benevolence'. Insofar as the author failed of being understood, two forms of 'positive evil', each with a 'magnitude' proportional to the importance of the subject matter in question, could result. The first was the 'sense of uneasiness' produced by the futility of the addressee's efforts to understand the discourse. The second was the evil that was likely to stem from the 'false conception' yielded by those efforts. Bentham also contended that any attempt to justify or explain the cause of the author's failure to make himself understood was an admission of the very ambiguity or obscurity alleged, and therefore of the mischief which the 'imperfections in discourse' were liable to produce.[1] In consideration of all these points, Bentham proposed that where the subject matter was one of 'relative difficulty', and where a majority of the intended addressees knew little about it, an honest author ought, first, to focus upon those parts of the subject matter that were easiest to understand; second, to avoid those parts that afforded no 'practical result' (so that men did not waste their time and effort on that which was 'useless'); and, third, to express himself in as '*clear*, *correct* and *compleat*' a manner as possible. Bentham's view was that it had been the deliberate policy and practice of Paul to breach these rules, which 'common honesty and common sense' prescribed:[2]

> By no one was the course of simplicity and truth more studiously avoided: never was discourse more darkened and encumbered by rhetorical figures of speech [or] more loaded with ambitious and meretricious ornaments: on every occasion, to dazzle and confound was manifestly his aim and study: to inform and instruct rarely, indeed if ever.[3]

Paul's Epistles, alleged Bentham, were a tissue of 'paradoxes' and 'palpable absurdities'. In no other work could one find such an 'enormous and perpetually recurring abuse of words'; such 'plump and wanton and close-situated and ostentatious self-contradictions'; such a 'cloud of tautologies and paralogisms'; in short, such 'stark nonsense'. Bentham used the term 'nonsense' as a '*generic* appellative' to describe an assemblage of words in which 'no proposition conveying any determinate import applicable to the subject in hand, and clear or capable of being made clear of obscurity, can be made out'. In place of simple, comprehensible sentences grounded in truth, Paul had filled his letters with 'figurative trash'. Bentham's chief complaint was that this 'trash' had passed, not merely

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[1] Bentham summarised this point with the aphorism, 'all *explanation* is *substitution*'.
[2] UC clxi. 27–9 (9–11 January 1816), 32–4 (1 August 1816).
[3] UC clxi. 34 (1 August 1816).

for common sense, but for matter superior to common sense, which religious ministers and commentators had converted into 'a foundation for an elaborate body of doctrine'.[1]

When judging the 'aptitude of style' in any ancient discourse, the proper 'object of reference' or 'standard of comparison', argued Bentham, belonged to the 'state of things'—the state of the 'nature of man' included—as it existed in the present. By this he meant that whatever would be considered 'unapt' in terms of the trustworthiness or linguistic fitness of a discourse composed in the modern day was similarly unapt in a discourse written in the past. When assessing that aptitude, the reader needed only to ask himself whether, in the light of how well- or ill-adapted the ancient statement or narrative was to the 'known' and 'indisputable' purposes of language, the discourse would have any 'just title to credence' if it had been delivered in the present. If it would not, then the fact of its having been delivered at an earlier time, even if at that time it had obtained credence, did nothing to confer such a title. It followed that any passages in Paul's Epistles that a reader would think nonsensical if they had been written in the modern age were no less nonsensical for having been written more than a thousand years before.[2]

Bentham also saw no reason to presume that revelation had been the proximate cause of Paul's discourses. When even the least educated of men could speak 'plain sense' without miraculous assistance, the idea that the generation of nonsense was a special preserve of the divine struck him as highly improbable (and, he added, there was enough nonsense in the world to be satisfied that no supernatural interference was required to produce still more of it).[3] Although any author might accidentally introduce errors into a discourse, perhaps through 'carelessness' or 'confusion', that explanation could not apply to speech or writings produced under the guidance of omniscience.[4] Even if the Epistles only began to appear unintelligible several centuries after they were written—a view that Bentham himself rejected—it was rather more consistent with 'received notions' of God's attributes to suppose that Paul's claims to supernatural assistance had been 'pretended' than that the Almighty was either so impotent or so inept as to be 'unable' or 'unwilling' to accomplish his purposes, make himself understood, or dictate anything better than nonsense. That said, Bentham also noted that, in practice, religionists often gave scant weight to the attributes that they claimed for God. He found it perverse, for instance, that

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[1] UC cxxxix. 296 (30 October 1817); *NPBJ*, 279n; UC clxi. 34–7 (1 August 1816), 26 (8 September 1817), 48 (18 January 1818).
[2] UC clxi. 20 (20 September 1817).
[3] UC clxi. 34–7 (1 August 1816).
[4] UC cxxxix. 297 (2 November 1817). Bentham noted that Paul had delivered his discourses only after giving them the 'fullest consideration' for many years.

while obscurity in discourse was universally considered incompatible with human 'ability and probity', religionists accepted the most abject obscurity as the product of 'Almighty power in conjunction with infinite wisdom'. Bentham's own position was that nothing was more 'suitable and favourable' to improbity in the field of religion than deliberate obscurity. Just as physical obscurity was the safeguard of the robber, so verbal obscurity, he explained, was the natural 'refuge' of the '*false prophet*'. Instead of exposing himself to detection through the use of clear language, the false prophet hazarded whatever appeared to him conducive to his dishonest ends. The 'conclusive' presumption, in Bentham's view, was that responsibility for the verbal obscurity that constituted the Epistles belonged to the false prophet Paul, and to him alone.[1]

§2.3.2. Faith, Hope, and Self-Contradictory Propositions

Bentham declared that to exhibit all of the nonsense in the Epistles—nonsense that had 'overwhelmed' the fields of religion and morality—would be to transcribe almost the entirety of Paul's works. He believed, however, that of all the scriptural 'evidences' by which falsity could be detected or absurdity proved, none were more nonsensical, or more harmful, than the 'self-contradictory proposition'. This was a statement comprised of two opposite propositions so expressed that if one were true, the other must be false. It was an assertion, in other words, that contained a denial of the selfsame assertion 'in the same breath'. Bentham excerpted fourteen passages of 'rambling nonsense' from Paul's letter to the Romans. In these passages, Paul had claimed that God did such things as grant men eyes and ears that they should neither see nor hear, and cause men not to believe in order that he might show them mercy for disbelieving.[2] Paul had written about grace that was not grace, work that was not work, and being 'carnally minded' as a state synonymous both with living according to human nature and with death itself.[3] Bentham observed that the self-contradictory quality of several key Christian doctrines—the 'compositeness of the uncompounded Godhead' (Trinitarianism) being one; the claim that one and the same object was eaten and not eaten at the same time (transubstantiation) being another[4]—

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[1] UC clxi. 30–1, 48–9 (11–18 January 1818).

[2] See Romans 11: 8, 11: 32.

[3] See Romans 8: 1–18, 11: 6–8.

[4] The doctrine of the Trinity was formally ratified by the Fathers of the Church at the First Council of Constantinople in 381. The Catholic doctrine of transubstantiation, which teaches that the bread and wine of the Eucharist are changed into the substance, though not the appearance, of the body and blood of Jesus, was affirmed at the Fourth Council of the Lateran in 1215, and declared dogma at the Council of Trent in 1551.

owed more to the example set by Paul than they did to anything reported as having been said by Jesus.[1]

Why, one might ask, did Paul produce self-contradictory propositions—if he had a specific object in view, how could generating contradictory nonsense help him to achieve it? Bentham's answer to this question followed from the premises that real instruction applied to the judicial faculty, and that conveying real instruction required nothing less than an entire proposition. The problem, as Bentham saw it, was that Paul's business had been, not with 'the reason', but with 'the passions' of hope and, especially, fear. Paul had recognised that he could set these passions to work simply by making use of certain evocative yet abstract words and phrases. If, for instance, mention of '*hell*' and '*heaven*' excited the 'agony of fear' and the 'ecstasy of hope', with '*eternity*' exciting both, then it was irrelevant that these words, which neither referred nor were referable to any really existing objects in the physical world, belonged to a sentence that conveyed no actual meaning. Paul had predicated many of his self-contradictory propositions on these and other kinds of opposite qualities—life and death, truth and falsity, wisdom and folly, peace and enmity, exultation and depression, righteousness and unrighteousness— because they required no 'groundwork' to be laid in 'solid sense'; 'drenched' in nonsense, Bentham remarked, such words rose above the 'deluge'. As self-contradiction followed self-contradiction, and as the negation or conflation of whatever meanings, if any, Paul's salient terms possessed caused more uncertainty and with it more fear, the reader became accustomed 'to behold mystery in absurdity' and 'to conclude wisdom at the bottom of it'. Bentham's view was that Paul's use of loaded words and the self-contradictory propositions he formed from them had contributed greatly to the production in men's minds of a most 'intense' and, consequently, a most 'impatient and irritable' persuasion or 'belief'.[2]

Bentham argued that faith, properly conceived, was belief founded upon 'an evidence-based assessment of probabilities'.[3] He did not, therefore, repudiate faith as such, but advanced a debunking exposition of the term that stood in contrast to the kind of faith that had been promoted by Paul. The 'quantity' of faith, in Bentham's sense of the word, was equal to the 'intensity' of belief, as measured by probability theory or 'the

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[1] UC cxxxix. 296 (30 October 1817), 111 (1818); UC clxi. 37 (1 August 1816), 38 (29 August 1817), 137 (8 September 1817).
[2] UC cxxxix. 290 (1 November 1817); UC clxi. 38 (29 August 1817), 137 (8 September 1817), 51 (18 January 1818).
[3] Schofield, 'Prophet of Secularism', 8.

doctrine of chances'[1]—that is, the number of chances in favour of the existence of the event or state of things alleged set against the number of chances suggestive of its non-existence in the estimation of the man whose belief was in question. Thus, belief, in Bentham's framing, was an 'act of the judgment'. Whereas belief asserted upon good or adequate grounds was the result, as well as the proof, of the 'soundness of the judgment', belief asserted upon inadequate grounds (as in the case of Paul's directly-asserted miracles) was the result of the weakness of the judgment—a weakness that became absolute where the grounds for belief were absent altogether. The weaker or 'more prostrate' the believer, the 'fitter and more likely' he was to be made an 'instrument of evil', both to himself and to others, at the hands of impostors, especially those impostors who took religion for the field of their operations.[2] As Schofield points out, Bentham regarded the influence of the will on the judgment as beneficial insofar as it 'impartially directed attention towards all the considerations relevant to a particular issue', but where attention was directed towards considerations on one side of the question alone, as it typically was in matters of religion, the influence was pernicious.[3] Bentham's view, then, was that the inculcation of belief upon improper, insufficient, or non-existent evidence—the very definition of the sort of faith that had been promoted by Paul—led to the corruption of the judgment by the will. The strength of a man's faith, so understood, was proportional to the strength of the command exercised by his will over his judgment. The sole measure of the degree to which that control operated was the absurdity of the man's belief—and, for Bentham, nothing was more absurd than a self-contradictory proposition: 'This, therefore, is the point to which, on the part of the believer in the merit of faith, all exertions—all efforts—tend.' Self-contradictory propositions still acted upon the judgment as ostensible 'evidence', but it was upon the affections and the passions that they operated by 'sympathy'. Only in this way could the requisite 'intensity of persuasion' be produced in minds to which Paul's language was otherwise 'unintelligible'.[4]

Bentham did not mean 'unintelligible' in the way that a complex matter of science might appear to a layman, but rather, he said, as a foreign language was to one who cannot read it. Hence, to the anticipated objection of the contemporary religionist that Paul had exhibited, not nonsense or absurdity masquerading as eloquence, but simply ideas that were hard to understand, Bentham contended that such a claim implied that the subject

[1] The phrase came from the title of Abraham de Moivre's influential textbook on probability theory, *The Doctrine of Chances*, London, 1718.
[2] UC clxi. 150 (13 September 1817).
[3] Schofield, 'Prophet of Secularism', 9.
[4] UC clxi. 38 (29 August 1817), 137 (8 September 1817), 181–6 (25–6 October 1817).

matter was at least capable of being understood in the first place. The property of Paul's discourses that had 'tormented and confounded' the minds of multitudes of 'unhappy religionists' was not the difficulty, but the incapacity of their being understood. The only sensible question that a man could ask when examining a passage from the Epistles was, 'what determinate ideas were in the mind of Paul associated to these same words?', to which Bentham's response was, 'neither this nor that, but none at all'.[1]

Bentham's allusion to belief in 'the merit of faith' reflected his conviction that Paul's strategy to undermine the 'unbiased operation' of the judgment had also involved investing faith with merit, to the effect that the more faith a man had, the more meritorious he was deemed to be. Certainly, Bentham would have thought it absurd enough had merit been ascribed to something so intuitive as the holding of beliefs grounded in appropriate evidence, but he considered it utterly perverse that Paul had made it a matter of merit for men to believe in spite of the appropriate evidence, or, better still (for Paul), without it. For Bentham, judging against or in the absence of evidence, so far from being deserving of merit, was a demonstration of the utmost foolishness.[2]

While Bentham maintained that, on the Pauline notion of faith, the less likely the event or state of things alleged, the greater the faith in believing the allegation to be true, he also noted that the object of the believer's faith necessarily shifted away from that which was alleged towards the man who alleged it:

> Faith in the abstract—abstraction made of the adequacy of the grounds on which it is built—is neither more nor less than credulity: in so far, then, as by hopes or fears, by exhortations which are but invitations, [and by] commands with threatenings and promises in the back-ground, a man can be engaged to nourish in himself a disposition to credulity—to take extraordinary things upon trust upon the mere word of him by whom they are delivered, although a stranger—the general object— this part of the object—is accomplished.[3]

By employing self-contradictory propositions to arouse men's most intense hopes and fears, Paul had sought to instil 'credulity' in his followers, so that as they placed absolute faith in him, he could exact absolute obedience from them. Specifically, Paul's object had been to cultivate an uncritical acceptance of the persuasion that the doctrines he preached expressed the will of God. Instrumental to this process had been his tireless promotion of

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[1] UC clxi. 39 (8 September 1817), 50 (18 January 1818).
[2] UC clxi. 181–6 (25–6 October 1817).
[3] UC clxi. 147, 149 (13 September 1817).

what Bentham called 'cacodæmonism'—the portrayal of the Almighty as a being of the most terrific and unfathomable kind. As the force of Paul's influence over his followers had depended upon the degree of God's formidableness, so his ability to exert that influence to his material benefit had depended upon his capacity to keep the minds of his followers in a state of constant agitation by ensuring that, for them (but not for him), the divine distributor of the posthumous rewards and punishments remained completely incomprehensible. Although an unfathomable being would dispense the ultimate pleasures and pains that excited men's hopes and fears, Paul had positioned himself as the interpreter of that being's will. If men were to avoid the punishments and enjoy the rewards, they simply needed to do what he told them.[1]

Bentham's case, therefore, was that self-contradictory and other nonsensical propositions were, by their nature, not 'obstructive', but highly 'conducive' to the production of the effect intended—namely, the inculcation of credulity. Whereas the concern of Bentham's aforementioned 'honest author' was to be understood, the quality of 'nonsensicalness' had mattered to Paul in that it was precisely to the extent to which his words made no discernible sense that his object could be achieved. Paul's use of nonsense not only helped to instil credulity, both in his own followers and in religionists of later ages, but the 'nonsensicality' of his propositions also 'effectually protected' the requisite persuasion against all danger of being 'shaken', much less 'removed'. Had his discourses been free of nonsense, the weakness of any one argument would have been vulnerable to refutation. Yet, because nonsense was an essential property of Paul's writings, his arguments were made 'refutation proof' in that although no true conceptions could be attached to his words, no erroneous conceptions could be shown to be attached to them either, and no unintelligible propositions could be proven false. Hence, the nonsensicalness of Paul's Epistles helped to generate an intensity of belief that the selfsame nonsense also helped to preserve.[2]

§2.3.3. Mind over Matter

Premised on his conviction that the 'nature of things', including the 'nature of man', was neither as correctly nor as extensively known in the past as it was in the modern age, Bentham claimed that the less that was understood about the world at an earlier point in history, the more likely it was that a statement or narrative with no 'just title to credence' would actually obtain credence at that time. In remote antiquity, things were presented to

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[1] UC clxi. 143–4, 155–9 (23 August 1817), 151–2 (12 September 1817).
[2] UC clxi. 40, 137–9 (8–13 September 1817).

the minds of men—minds ignorant of the discoveries that would come to explain much of what appeared to them incomprehensible about the world—as having existence which, if alleged in the modern day, would be dismissed as incredible. A significant strand to Bentham's argument, however, was that, paradoxically, the more remote the antiquity, and the less accurate and complete the accounts of the age in question, the more extraordinary were the alleged historical facts that found credence in modern times.[1] Put simply, the greater the absurdity of the proposition, the greater the ease with which contemporary religionists would receive it—and the greater the obstinacy with which they would defend it—as the truth. In trying to resolve this apparent incongruity of the human mind, Bentham reiterated his view that the firmest belief that religion produced was proportioned, not to the reasonableness, but to the unreasonableness of a proposition, as well as to the intensity of the preacher's apparent conviction of its truth. That belief was maintained by the nonsensicality of the proposition and reinforced by the persuasion of the 'meritoriousness of faith'.[2] Bentham, however, was also keen to stress one other contributing factor. When the ground for judging the credibility of 'the events and states of things related as having place in [ancient] times' was so insubstantial, a certain mental faculty was 'called in' to supply the 'deficiencies' under which the judgment laboured. Recalling his commentary on quasi-miracles, Bentham stated that the work that could only be done correctly by the 'instructive faculty' was executed instead by its 'delusive substitute', which created images so vivid that they left an indelible impression of their truth upon the mind. This substitute faculty was the imagination.[3]

§2.3.4. *From Nonsense to Salvation*

Bentham noted that even the modes of argumentation by which Paul had delivered his indeterminate ideas were almost invariably specious. The correct forms of argumentation appeared throughout the Epistles, but the substance of proper argument did not. These correct forms were, first, those by which 'as between object and object signified, indication is given of the relation between cause and effect, say *forms of causality*'; and, second, those by which 'indication is given of the relation in respect of import as between sign and sign, say forms of *illation* or *inference*'. Paul had used the proper indicators of causality—the conjunctions '*for*', '*because*', '*since*', '*as*', and '*therefore*'—but had made inferences and drawn conclusions that did not follow from the premises. The reader was informed, for example, that Abraham had been saved by his faith without having been

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[1] For a discussion of a similar argument presented by Hume, see 193–4 below.
[2] UC clxi. 137 (8 September 1817), 181–6 (25–6 October 1817).
[3] UC clxi. 21–2 (13 September 1817); Schofield, 'Prophet of Secularism', 9.

circumcised, '*therefore*' so might anyone else.[1] Arguments like this were fallacious: bald assertions and *non sequiturs* presented as logic. Paul had also employed the 'mode of demonstration *ex auctoritate*'—the argument from authority—in a 'most commodious' fashion. This was another fallacy in which an authority was cited as proof of the argument with no other evidence given in support. As Bentham pointed out, the fallacy allowed any one thing to be demonstrated as conclusively as any other. An author could open any book and read on until he found something which, if predicated on the subject that he had in mind, no matter the actual subject of which it was predicated, would suit his purpose. The author needed only then to 'strip' the predicate of its proper subject and set it down upon his own subject, where it would fit 'as well as if it were originally made for it'.[2] Bentham referred to an example in Paul's letter to the Romans in which the sinfulness of the Jews and Gentiles was 'proved' by a passage taken from the Psalms.[3]

Bentham concluded that the main purpose of Paul's nonsensical arguments, including his fallacious appeals to authority, had been to satisfy all concerned that

> so long as they paid obedience to such mandates as he, making use of the name of Jesus, should deliver, turning a deaf ear to every thing that on the subjects in question should be said by or on the part of all other persons—and to the Apostles and their disciples in particular—they neither need nor ought to pay any regard to the Mosaic law: and for designating in a concise and pointed manner the state of mind by which such obedience was ensured, *faith* was the term appropriated by him.[4]

From the first to the last of the Epistles, said Bentham, this object had never been out of Paul's sight. The faith in question, however, had been not to God, but to Paul himself. Paul had emphasised in his writings that through the 'bargain' God had made with Moses, the Almighty had offered men, not the promise of 'absolute salvation', but a small chance of attaining salvation at the high price of doing certain things called '*works*'. By 'works', Paul had meant the rites and ceremonies of the Mosaic law, not the good acts by which the word had come to be interpreted in the Christian tradition. To perform enough of these 'burthensome' works was an 'extremely precarious' matter, not least because the quantity of works sufficient to attain salvation was unknown. It followed, reasoned Bentham, that it would have been better for the man who fell short of the requisite quantity of works to

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[1] See Romans 4: 1–25.
[2] UC cxxxix. 114 (30 October 1817); UC clxi. 25, 42 (8–9 September 1817).
[3] See Romans 3: 9–18.
[4] UC clxi. 53 (11 February 1818).

have done none of them since, having paid so much of the price, he was 'precipitated into the seat of infinitely excruciating and everlasting torment' regardless. Paul's offer, however, had been to say to his actual and prospective disciples that the Almighty was now operating through him—a 'specially commissioned emissary' of Jesus, and the interpreter of God's will—in order 'to give to all who will accept of it not a mere chance of salvation, but an absolute certainty of it' on so easy a condition as that of simply believing all that he had to say and of doing whatever he told them to do.[1]

The success that Paul had enjoyed in his life was due 'to the energy, seconded by the nonsensicalness, of his discourses', and these qualities had maintained his influence through the ages. They had helped to deliver what Bentham called Paul's final 'triumph'—that of 'having supplanted, on pretence of supporting, the religion of Jesus'.[2] If the original doctrines of Christianity had been superseded, however, then one must ask: what had taken their place? In answering this question, the following section will show that Bentham's condemnation of the false doctrines of Paul was born out of his concern, not for the integrity of the religion of Jesus, but for the maximisation of human happiness. Indeed, Bentham realised that if religionists were to accept his argument and disavow Paul's teachings, then Christianity would become weaker even as it became less harmful—less harmful, because the religion would be rid of doctrines that, in Bentham's opinion, promoted unhappiness; weaker, because a religionist who accepted that some of the New Testament was false would be less likely to accept unquestioningly the truth of the rest. It will be seen, therefore, that the grounds of Bentham's antipathy towards Paul's doctrines was not that their guiding principle was antithetical to the precepts of Jesus so much as it was antithetical to the principle of utility.

§3. Paul's Asceticism

§3.1. The Principle of Asceticism

Paul had promoted the principle of asceticism. Bentham used the term 'asceticism' to describe any system or article of doctrine by which men were engaged either 'to forego pleasure in any shape for any other cause than the procurement of still greater pleasure … or the avoidance of pain to an amount more than equivalent', or else 'to subject themselves [to] pain for any other cause than the avoidance of still greater pain, or the

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[1] UC clxi. 160 (August 1817), 145–6 (11 September 1817), 53–4 (11 February 1818).
[2] UC clxi. 139 (13 September 1817).

procurement of pleasure to an amount more than equivalent'.[1] The principle of asceticism, therefore, was the inverse of the principle of utility.[2] The advocate of the principle of asceticism approved of those actions according to the tendency which he conceived them to have to diminish the happiness or increase the unhappiness of the parties whose interests were in question. While the principle of utility was capable of being consistently pursued, the principle of asceticism was not. Bentham suggested that if but one tenth of the world's inhabitants pursued the principle of asceticism with any degree of consistency, then 'in a day's time they will have turned [earth] into a hell'. Nevertheless, he also observed that asceticism had been practised by two distinct 'classes of men'.

The first was a 'set of moralists', by which Bentham meant the Stoics. He regarded Stoicism, the philosophical school founded by Zeno of Citium in the third century BC, as a strain or incarnation of asceticism. Its ancient adherents—most notably the Roman statesman Lucius Annæus Seneca, Epictetus of Greece, and the Roman emperor Marcus Aurelius—claimed that the path to '*eudaimonía*' (often translated as 'flourishing' or 'wellbeing') was virtue. Virtue alone was the end of life, and the only good in life; pleasure and pain, neither of which could be virtuous, were viewed with indifference. Bentham contended, however, that the Stoics' real source of motivation was 'philosophic pride', which served as 'an instrument to ambition and a ladder to power'. The Stoic sought to convey the impression that, unlike the 'earthly and sordid' texture of the minds of other men, whose primary object of pursuit was pleasure, his mind was 'celestial and pure': 'Differing from them thus, I exalt myself above them, and in that awful respect which the exaltation thus obtained has for its fruit, I find an indemnity for whatsoever I renounce of vulgar pleasure.'[3] The philosophic pride of the Stoic was itself sustained by something else: 'hope'—hope of 'honour and reputation at the hands of men'; hope, in other words, of pleasure.

The men in Bentham's second category carried their asceticism further than the Stoics. These were the religionists. Whereas the Stoic philosophers reprobated pleasure, religionists often went so far as 'to make it a matter of merit and of duty to court pain'; whereas the Stoics were indifferent towards pain, religionists thought pain a positive good. Bentham noted that the term 'asceticism', which derived from a Greek word meaning 'exercise' ('ἄσκησις'), was sometimes applied to monks ('ascetics'), whose practices, or 'Exercises', included various 'contrivances' for self-torment. He argued that

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[1] UC clxi. 217–8 (30 December 1817).
[2] For an explanation of the principle of utility, see 19–20 above.
[3] UC clxi. 305 (5 January 1818).

the monks' purpose in abstaining from sensual pleasures was to ingratiate themselves with the Almighty and secure for themselves unlimited happiness in the life to come. This they hoped to achieve by proving to God—a being of supposedly infinite benevolence—that they were prepared to make themselves as miserable as possible in the here and now. Outside of monastic orders, religionists were captured by an emotion even more powerful than hope: 'fear'—fear of the 'invisible future'; fear of posthumous punishment 'at the hands of a splenetic and revengeful Deity'. Like that of the Stoics, the asceticism of religionists collapsed into contradiction in that their preparedness to endure pain in their short life on earth was inseparable from their desire to reap the supreme pleasures or avoid the ultimate pains of eternity. Almost fifty years before he examined the root cause and ruinous consequences of religionists' adherence to the principle of asceticism, Bentham declared in *IPML* that from religion flowed 'the doctrines from which the sentiments of the bulk of mankind have all along received a tincture of the principle'. While men of education received some of this 'tincture' from the philosophical branch of asceticism, the mass of the population received theirs almost exclusively from the religious branch, which was more suited to intellects 'undilated by knowledge' and men whose condition in life left them 'continually open to the attacks of fear'.[1]

Thus, although the idea of asceticism had not originated with Paul, its historical and contemporary influence on the popular consciousness was largely, if not solely, down to him. This was one of four 'demonstrable' positions that comprised Bentham's case against Paul, which he set out at the beginning of the third volume of 'Not Paul, but Jesus', and which will be discussed in turn below:

1. That asceticism is to the whole extent of it a doctrine purely and incontestably mischievous.

2. That neither in any of the sayings or acts of Jesus is any countenance whatsoever lent to it: but on the contrary, much and uniform discountenance.

3. That to a great extent and on many occasions it has been taught by Paul, and that great anxiety has been manifested by him for the enforcement of it.

4. That to Paul and Paul alone this doctrine is indebted for the influence which, down to this time, has been exercised by it.[2]

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[1] *IPML* (*CW*), 17–21.
[2] UC clxi. 217 (30 December 1817). Bentham evidently discounted the influence of Stoicism.

Bentham's thesis, then, was that the system of doctrines that had been taught by Paul conformed to the principle of asceticism. These doctrines had led, first, to the corruption of Christianity, in that they had contradicted and eventually usurped the doctrines of Jesus; and, second—and more significantly for Bentham—to the corruption of morality, in that they enjoined, 'under the notion of their being offensive to the Almighty, the sacrifice of gratifications in themselves innoxious'.[1] The religion that Bentham saw being preached by a church whose influence extended over the minds of the subject many was one that bore the name of Jesus, but was substantively the invention of Paul.

§3.2. The Doctrine of Asceticism

§3.2.1. Asceticism 'Purely and Incontestably Mischievous'

In 'Not Paul, but Jesus', Bentham reiterated his view that it was an 'indisputable fact' that all sensitive beings were at all times occupied in the pursuit of pleasure and the avoidance of pain. Insofar as maximising happiness was a man's object, two limitations were necessary to his success. Bentham expressed these limitations as rules. The first rule was 'put not exclusion upon greater pleasure'; the second was 'give not entrance to pain more than equivalent'. To the extent that a man followed these rules in the pursuit of pleasure, his conduct was '*virtuous*'. If he benefited himself by so acting, then he possessed the virtue of '*self-regarding prudence*'. If other men were the beneficiaries, then the virtue was 'benevolence' insofar as the design alone was considered, and 'beneficence' insofar as the design had taken effect. If benevolence and beneficence were matters of obligation, then the name of the virtue was 'probity' or, in certain cases, 'justice': 'legal justice' if the obligation was rendered 'perfect' by the force of the law, and 'natural justice' if it remained an 'imperfect' moral obligation. The objects 'correspondent and opposite' to these virtues were vices. For the present purposes, Bentham's point was simply that, according to the principle of utility, the only case in which the non-pursuit of a particular pleasure was permissible was where there was a greater pleasure to be had, and the only case in which the susception of a particular pain was permissible was where there was a greater pain to be avoided. The principle of asceticism was 'vitious' because it required men to abstain from pleasure or voluntarily submit to pain outside of these limited cases. To forego pleasure other than for the production of greater pleasure or the avoidance of greater pain was to possess the vice of 'self-regarding imprudence'. To cause others to forego pleasure subject to the same exceptions amounted to 'maleficence', and to seek to

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[1] UC clxi. 155 (23 August 1817).

do as much was '*malevolence*'. The same was true of the gratuitous subjection of oneself or others to pain. All of this, said Bentham, was why criminality should meet with punishment, and why '*vice* in any shape should be subjected to disrepute and reproach'.[1]

§3.2.2. Asceticism 'Uniformly Discountenanced' in the Sayings and Acts of Jesus

Bentham claimed that there was no passage favourable to asceticism in any of the Gospel accounts of the acts and teachings of Jesus. On the contrary, Jesus showed that he objected to that 'deplorably fertile source of unhappiness, folly and wickedness', while never once censuring either of the pleasures of sense to which, in Bentham's view, the attacks of asceticism were principally directed—namely, 'the pleasures of the table' (the enjoyment of food and drink) and 'the pleasures of the bed' (sexual gratification). The proof of these claims was found, said Bentham, first, in the '*sayings*' or '*precepts*' attributed to Jesus; and, second, in Jesus' supposed '*acts*' or '*practice*'.[2]

Jesus demonstrated his opposition to asceticism, first of all, in his condemnation of the Mosaic law. The ceremonial part of the law was a system of asceticism that prescribed various 'restrictive and afflictive' operations. Bentham argued that the purpose of these operations was not to purchase enjoyments of greater value, but to draw attention to the system itself, reinforcing its influence and with it the obedience of the subject many to the aristocracy of priests that comprised the ruling few.[3] Recognising no special revelation to Moses or anyone else, Jesus wanted to do away with the obligatory force of a system of law that he regarded as entirely manmade (as opposed to divine). In the Gospel of Matthew, for example, he denounced the Mosaic requirement that men wash their hands before a meal.[4] The import of Jesus' words, said Bentham, was extensive: 'Swept off by this aphorism, away goes that vast and most vexatiously ascetic portion of the Mosaic law—the whole of the law of meats.' Jesus was responding to what Bentham described as that 'baneful and widespreading error' of confounding moral impurity with physical impurity and of inferring, from 'trifling' changes of condition to the body, 'the existence of immorality having its seat in the mind'.[5] Matthew also reported that the

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[1] UC clxi. 224, 239–44 (30–1 December 1817).
[2] UC clxi. 341–2 (19 November 1817).
[3] UC clxi. 350 (29 December 1817). Bentham saw little to distinguish the Pharisaic priests—their 'supererogation', 'hypocrisy', 'overweening influence', and 'pride'—from the priests and bishops of his own time. His view was that, despite Jesus' repeated admonishment of the Pharisees, the clergy of the Church of England imitated their asceticism and held it in honour.
[4] See Matthew 15: 1–2.
[5] UC clxi. 356–7, 360 (20 November 1817). For a discussion of Bentham's opposition to the confounding of moral impurity with physical impurity, see C. Shapiro, 'Bentham's Image: The Corpo-Reality Check', *Bentham and the Arts*, 270–88 at 278–83.

followers of John the Baptist had questioned Jesus about why his disciples, unlike the Pharisees and themselves, failed to participate in the fasts that the law ordained. Jesus' reply took the form of two parables. The first stated: 'No man putteth a piece of new cloth unto an old garment.'[1] The old garment, argued Bentham, represented the Mosaic law. John the Baptist had sought to perfect that law by asceticism—that is, by abstinence from food and wine—but the law, being 'bad of itself', was only made worse by such 'patching'. The second parable stated: '[No] men put new wine into old bottles.'[2] Here, Jesus attempted to complete his 'illustration' by introducing what he considered to be the true doctrine. Pouring wine ('more of the spirit of asceticism') into old bottles (the Mosaic law) would cause the bottles to break (the whole system to be destroyed) and the wine to flow away (any good in the system to be 'scattered and lost'). However, if new wine was put into new bottles—that is, if 'the abolition of asceticism' was made a constituent part of 'the entire system of the religion of Jesus'—then neither object would be lost: 'nothing perishes; both are preserved.' The prevailing asceticism that John the Baptist had endeavoured to strain 'still tighter than before' was duly 'broken up' by Jesus.[3]

'Presumptive proof' of Jesus' opposition to the principle of asceticism was afforded by his actions no less than by his words. On the pleasures of the table, Bentham pointed out that 'experience' and 'observation' showed that an excess of these enjoyments brought its own punishment. When a man ate or drank too much, he typically fell ill, and no amount of revelation was required to call attention to a fact that 'common sense and common prudence' laid bare. Other than excess, therefore, which he counselled against,[4] Jesus saw no merit in self-denial when it came to eating and drinking. Indeed, the Gospel of Luke related that Jesus counted these pleasures among the 'good things' of the world.[5] He counted several others, too. Bentham cited the story of the perfume applied to Jesus—either to his head (Luke) or to his feet (Matthew and Mark)—which, in Bentham's judgment, had no other 'imaginable use' than to indulge Jesus' sense of smell:[6] 'Utterly impossible would it be to render consistent with the acceptance given to that gratification, the adoption or countenance given to the ascetic principle.'[7]

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[1] Matthew 9: 16.
[2] Matthew 9: 17.
[3] UC clxi. 348–50 (29 December 1817).
[4] See Luke 21: 34.
[5] Luke 1: 53.
[6] See Luke 7: 38; Matthew 26: 7; Mark 14: 3.
[7] UC clxi. 385 (21 November 1817), 371 (December 1817).

A 'ground of extreme delicacy' was how Bentham introduced his assessment of Jesus' attitude towards the pleasures of the bed in general, and towards homosexuality in particular. That Jesus never condemned homosexuality was plain from any reading of the Gospels, but on Bentham's reading, there was also evidence to suggest that Jesus had engaged in it, as well as in activities of a heterosexual kind. Bentham anticipated that the Christian apologist would want to respond to the fact of Jesus' failure to condemn homosexuality by pointing out that no such condemnation was necessary given that, on the one hand, it was reprobated in the Mosaic law, and on the other hand, God had already expressed his hostility towards homosexuality by destroying the cities of Sodom and Gomorrah, as narrated in the Old Testament.[1] Bentham answered this objection by arguing, first, that the destruction of the two cities was explained, not by any instance of homosexuality, but by the violence that accompanied the homosexual acts in question. These acts were non-consensual in nature and involved multiple perpetrators. The provocation to divine retribution was not homosexuality, therefore, but gang rape. Second, Bentham acknowledged that the penalty for indulging in homosexual acts under the Mosaic law was death. He added, however, that the law of Moses punished all kinds of behaviours, many of which the apologist would doubtless think trivial. Examples included letting one's camel 'gender with a diverse kind', wearing a garment 'mingled of linen and woollen', sowing a vineyard 'with divers seeds', and ploughing a field 'with an ox and an ass together'.[2] Adulterers, blasphemers, sabbath breakers, and the fornicating daughters of priests all faced execution by stoning.[3] If a man regarded the prohibition of homosexuality as inviolable because of its place in the Mosaic law, then he was committed to the same view with respect to these other prohibited behaviours. Any failure to honour that commitment would be evidence that he recognised, at least tacitly, that the Mosaic law was not grounded upon the proper standard of right and wrong. In any event, Bentham's position, as noted above, was that Jesus viewed the Mosaic law with contempt, and felt no obligation either to follow its injurious edicts or to defend them.

In terms of the evidence for Jesus' own homosexuality, Bentham wrote at length about the 'perfect riddle' of a passage that appeared in the Gospel of Mark (but nowhere else). It described an incident that occurred shortly after Jesus had been arrested in the Garden of Gethsemane:

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[1] See Genesis 18–19.
[2] See Leviticus 19: 19; Deuteronomy 22: 9–10.
[3] UC clxi. 374, 475 (20–6 November 1817).

And there followed him a certain young man, having a linen cloth cast about *his* naked *body*; and the young men laid hold on him: and he left the linen cloth, and fled from them naked.[1]

In Bentham's interpretation, the 'faithful stripling' in question was a male prostitute. The 'quality and looseness' of his attire were suggestive of nothing else: the 'sparingness' of his clothing exposed his body to view in a manner indicative of the nature of his profession; the 'fine and costly' garment (at the time, linen was manufactured only in Egypt) betrayed his wealth. Despite the opportunity that presented itself, however, Jesus did not condemn the young man or his occupation. On the contrary, noted Bentham, only a 'fond and unexampled attachment' between the two men could have caused the stripling to remain with Jesus even after the disciples, into whose circle he had been welcomed, had fled the scene.[2] This entire episode must have been important or had some 'special meaning', said Bentham, or else Mark, writing several decades after the alleged fact, would not have mentioned it in an account of Jesus' arrest and subsequent death.

Further evidence for the homosexual proclivities of Jesus was afforded by his relationship with the disciple John. Throughout the Gospel bearing his name, John was represented as an object of Jesus' love, and one of a different type to that of any other Apostle. Whereas Peter, for example, was never depicted 'leaning' on Jesus' body or 'lying on his breast', the same could not be said of John, to whom Bentham referred, with obvious sarcasm, as the 'habitual occupant of the bosom of Jesus'.[3] By appealing always to the evidence of scripture and treating it as one would any other historical text, Bentham was reliant upon the words of men who, in his view, were unlikely to have contemplated specifying anything categorical about a relationship of sexual intimacy between Jesus and John. As a result, he pointed to those allusions that the Gospel writers—and John in particular—had been prepared to make and left it to his prospective readers to draw their own conclusions. Bentham was certain, however, that had any of Jesus' biographers been more explicit in their reporting, the clergymen and religious commentators of his own age would have 'spiritualized' the relevant words in order to prevent any interpretation that appeared to endorse the homosexuality of Jesus.

Nowhere in the Gospels did Jesus enjoin abstinence from, much less denounce, heterosexual pleasure, whether indulged inside or outside marriage. In illustrating this

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[1] Mark 14: 51–2.
[2] UC clxi. 489–93 (29 November 1817). Bentham noted that the appearance of the word 'followed' in the Authorized Version was a mistranslation of the original Greek 'συνηκολούθει', meaning 'was following'.
[3] UC clxi. 477 (28 November 1817), 485 (5 December 1817). See John 13: 23, 21: 20.

point, Bentham focused upon the figure of Mary Magdalene. Writing in 1811, he observed:

> Towards the pleasures of the bed in no one of its forms are, in any discourse or action of his, any marks of condemnation to be found of Mary Magdalene. In express terms Mary Magdalene is stated as belonging to that class of females who … employ themselves in the administration of that pleasure to the other sex: and Mary Magdalene is represented as living with him, from the day of her reception into the number of his votaries to the day of his death and even afterwards, upon terms of the closest attachment and strictest intimacy.[1]

Six years later, in a partial revision of these comments, Bentham noted that the Gospels did not in fact contain 'express terms' describing Mary Magdalene as a prostitute. The 'sinner woman' who anointed Jesus, popularly thought to have been Mary Magdalene, had not been named by any of the Gospel writers, none of whom said anything about whether or not she had 'transgressed the laws of chastity' in general, or been a prostitute in particular.[2] The crux of Bentham's argument, however, remained unchanged. What the evidence of the Gospels did suggest was, first, that whatever her occupation, Mary Magdalene had 'lived on a footing of intimacy' with Jesus, as had a 'considerable but unspecified number' of other females whom he had taken for his attendants;[3] and, second, that whatever his divine status, Jesus had possessed the 'substance and essence' of a man—meaning that there was no reason to think that he had lacked 'those organs by which the species is continued', nor any good reason to suppose that 'from first to last they continued unapplied' to their function. Bentham never explicitly alleged that Jesus had engaged in a 'sexual union' with Mary Magdalene, therefore, but the intimation was clear. He added that, unless any such union had produced children, the Gospel writers would have had no cause to document anything about it.[4]

§3.2.3. Asceticism Taught and Enforced by Paul

If asceticism had been neither preached nor practised by Jesus, then why had it been taught and enforced by Paul? In his pursuit of temporal power and worldly profit,

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[1] BL Add. MS 29,808, fo. 4 (3 October 1811).

[2] The depiction of Mary Magdalene as a prostitute dates to 591, when Pope Gregory I conflated Mary Magdalene, Mary of Bethany (see Luke 8: 2), and the anointing woman (see Luke 7: 36–50), whom he regarded as a prostitute. It is unlikely that Bentham was aware of this provenance. See K.L. Jansen, 'Foreword', in P.V. Loewen & R. Waugh eds., *Mary Magdalene in Medieval Culture: Conflicted Roles*, New York, 2014, pp. xv–xx.

[3] Bentham had in mind Joanna, the wife of Chuza, and 'a certain Susanna, of whom we learn nothing but the name'. See UC clxi. 391 (21 November 1817).

[4] BL Add. MS 29,808, fo. 4 (3 October 1811); UC clxi. 389–404 (21–5 November 1817).

explained Bentham, Paul, like any 'preacher of a new religion', had regarded all other pursuits in which his 'wished-for disciples' were engaged or might engage as sources of 'rivalry' and 'competition'. The greater the 'natural propensity' for the rival pursuit, the more formidable the competition. Schofield notes that, according to Bentham, there were two rival pursuits in particular against which Paul had to compete—one 'spiritual', the other 'carnal'. The former consisted in 'the fulfilment of the duties imposed by the Mosaic law'. The latter consisted in 'pleasures of all sorts'.[1] The competition whose natural propensities were 'manifestly the strongest', and of which Paul had been most fearful, was that of the sexual appetite. It was against this rival propensity, therefore, that he directed his 'hostile endeavours' with the greatest force. Finding no warrant for such endeavours in the acts or sayings of Jesus, Paul had relied upon the support of a 'counter propensity'—namely, 'the love of distinction'—which had been 'established to a certain degree in men's breasts'. Bentham was alluding to the aforementioned philosophy of Stoicism, according to which the degree of distinction conferred upon a man was proportioned to the magnitude of the value of his sacrifices. Bentham declared: 'For the sake of this brilliant acquisition, how numerous the instances in which life itself—life the field within which pleasures of all sorts and sizes are included—has been sacrificed!'[2]

Although Paul had not adopted the teachings of Jesus, he had capitalised upon them, as well as upon prevailing circumstances, in one important way. Jesus had promised his followers that they would be rewarded with a future life 'replete with felicity, and that felicity without end'. At the same time, both the Jews and the Greeks of the age had come to associate the idea of sacrifice with the idea of the Almighty. It was assumed, therefore, that the promised reward would not be obtained without some measure of sacrifice and, moreover, that the larger the sacrifice, the greater the chance of securing the reward. For the opportunity to obtain 'so immense a benefit' as eternal happiness, no sacrifice could be too great. It was in this context that Paul had identified the 'gratification belonging to the sexual appetite' as the greatest sacrifice that could be made. Whereas a total abstinence of food or drink would be impossible 'without suicide', the sexual appetite was capable of being sacrificed in its entirety. So it was, claimed Bentham, that 'this most copious source of enjoyment' was taken for the subject of 'a prohibition sanctioned by a punishment the magnitude of which was to be proportioned to the value of the sacrifice'.

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[1] Schofield, 'Prophet of Secularism', 9–11; UC clxi. 152 (12 September 1817).
[2] UC clxi. 187, 189 (1 September 1817).

Having recognised that a prohibition upon those forms of sexual gratification that had no procreative function carried the least risk, Paul reserved his most vituperative attack for sexual gratification obtained 'with a co-operator of the same sex' or 'without the help of any co-operator', though he pursued heterosexual gratification 'without the sanction of marriage' with similar vigour. However, to the 'ardour of his ambition' and the 'vigilance of his jealousy', said Bentham, even these interdictions were not enough. In the event that any of his married followers should fail to fix their thoughts upon him with 'sufficiently exclusive steadiness', Paul had directed such couples to abstain almost completely from 'looking each to the other for a source of comfort and enjoyment'. They were permitted to engage in sexual intercourse only if one partner insisted upon it, or, somewhat incongruously, if sexual gratification was necessary to prevent the couple from being tempted by Satan to engage in sexual gratification; otherwise, they should focus upon 'fasting and prayer'. Paul had gone so far as to write: '*It is* good for a man not to touch a woman.' This, in Bentham's view, was an absurd proposition that meant nothing more than, 'Good that no man should be born: better still had none been ever born'. Bentham maintained that any objection that Paul had been referring to 'fornication' rather than to 'the lawful union of the sexes' could not withstand a close reading of the text. Fornication had been condemned by Paul, but so had sexual gratification under any circumstances—marriage or no marriage: 'Generally and radically bad, therefore, according to Paul, is all union of the sexes. A thing ever to be desired is, therefore, that every where there shall be as little of it as possible.'[1] The advice for those who were unmarried or widowed was that they ought to do everything in their power to abstain from sexual intercourse, but if they were unable to 'contain', Paul decreed, 'let them marry: for it is better to marry than to burn'.[2]

§3.2.4. Influence of Asceticism due to Paul

Bentham's view was that the successors of Paul—namely, the contemporary adherents of the principle of asceticism—taught and enforced the same ascetic doctrines that had been taught and enforced by Paul. These men waged an 'unrelenting war' against both the pleasures of the table and the pleasures of the bed. Bentham stated that although the former pleasures were dealt with 'badly enough', the latter, which generated the more intense enjoyment, were treated 'still worse'. He explained that, like Paul, the votary of asceticism did not seek to strike out the pleasures of the table altogether because this

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[1] UC clxi. 188, 190–7 (1–2 September 1817).
[2] 1 Corinthians 7: 1–9.

would cause all human life, and with it all human pains, to be extinguished. Life was 'indispensable' to the ascetic since it was the only 'receptacle' into which pains could be inserted. Given that the ascetic's object was to accumulate pains, ending life would allow a man—and ultimately all mankind—to 'obtain deliverance' from all pains. This, in the mind of the ascetic, would be to commit 'the most flagitious and unpardonable' of sins. When it came to the pleasures of the bed, however, the ascetic was able simply to clear life of these particular enjoyments. Extending the extirpation of the pleasures of the bed to every individual would, as before, cause all life, and hence all pain, to disappear. The ascetic, therefore, wanted 'to keep on foot so many receptacles of pain'—that is, to maintain the population—but to do so within certain limits. In his view, the number of people excluded from the pleasures of the bed 'ought to be as great as possible', with due allowance made for an appropriate number of 'breeders'. Bentham pointed out that a policy of castration was undesirable for the ascetic because its implementation would take away the pains of 'unsatisfied desire'. Instead, pleasures were to be eliminated using 'moral means', while the stock of pains remained 'pure and unadulterated'. Bentham claimed that what most provoked the 'rage of the dæmon of asceticism' were acts of sexual gratification between members of the same sex, particularly where the participants were male. If the ascetic had been consistent, then he would have condemned homosexuality among females with equal vehemence, but consistency, in Bentham's view, was not a feature of the system of reasoning—'or rather imagination'—that determined the course of the principle of asceticism. In the same way that physical impurity and moral impurity were conflated in the Mosaic law, as discussed above, Bentham observed that, in the eyes of the ascetic, the 'colours of physical impurity', and thence moral impurity, were more 'vivid' in the case of male homosexuality than they were in its female equivalent, and the demand for punishment more pressing as a result.[1]

Bentham drew attention to two arguments that were often advanced to justify the condemnation of homosexuality, each of which purported to have a utilitarian basis. The first was that homosexuality brought about a decrease in the population. The second was that homosexuality was injurious to 'the proper, and, with a view to the aggregate interest of the whole species, the useful and desirable, influence of the female sex'. Neither claim, thought Bentham, was sustainable. In response to the first, he referred to the 'great work'

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[1] UC clxi. 266–7, 273–4 (1–2 January 1818). In her recent work on Bentham and sexual nonconformity, Shanafelt argues that, for Bentham, 'the physical abhorrence for same-sex intimacy' was the product of a 'mere difference of aesthetics' and a reaction to behaviour with which one was unfamiliar or in which one had no desire to participate. See C. Shanafelt, *Uncommon Sense: Jeremy Bentham, Queer Aesthetics, and the Politics of Taste*, Virginia, 2022, ch. 1.

of the economist Robert Malthus, which argued that, *ceteris paribus*, population growth outstrips subsistence.[1] It was from population excess, therefore, 'that general human happiness has every thing to fear; from deficiency, nothing'. A 'superfluity' of people caused 'premature death preceded by lingering disease' among the poor, as well as privation for middle class ratepayers responsible for poor relief. That said, Bentham disagreed with the very premise of the argument that he was attempting to refute. Homosexuality, he said, did not lead to a reduction in population size. In any given year, a man needed only to have sexual intercourse in the 'ordinary mode' once to make an addition to the population. 'Over and above this one, every such operation, whatsoever be the profit in the account of pleasure, is in the account of population so much waste.' For the population to decline, the propensity of a man's sexual appetite towards members of the same sex would have to be some three hundred times—that figure being the approximate number of days in a year available to a man to pursue 'sexual operations' in addition to the one just mentioned—as great as that towards the opposite sex: a patent absurdity. Bentham added that if the potential for procreation was the measure of whether a sexual act ought to be condemned, then all sexual activity involving women 'past the age of childbearing' should also be forbidden: a further absurdity.

The second ostensibly utilitarian justification for condemning homosexuality derived from the claim that male homosexuality posed a threat to the role or situation of women. Bentham's view was that this argument stood upon the same 'untenable ground' as the former charge in that it made sense only if the sexual appetite in its 'eccentric' shape prevailed to an extravagant extent over sexual desire in its 'ordinary' form. The truth of the matter, said Bentham, was that no such apprehension had ever taken hold in any part of the world at any time in history. He pointed to the East, where homosexuality was subject to neither the legal nor the moral sanction, but where 'the value set upon the charms of the female sex, and the importance attached to the possession of them' exceeded anything that existed in 'western and northern regions'. Even within some of these regions, most notably France, women enjoyed a higher social and legal status than they did in Britain, despite the fact, as Bentham saw it, that homosexuality was more common in France than it was across the Channel. The plain reality, he said, was that the most 'formidable' rival to any married woman was not homosexuality, but another female competing for the affections of her husband.[2]

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[1] (Thomas) Robert Malthus, *An Essay on the Principle of Population, as it affects the future improvement of Society*, London, 1798.
[2] UC clxi. 275–87 (2–3 January 1818).

<u>Conclusion</u>

From his rigorous assessment of the textual evidence—evidence distinguished by its contradictions, omissions, 'tokens of carelessness', and abundant other indicators of untrustworthiness—Bentham found himself 'compelled to deduce' that the subject of his enquiry had been an impostor and a fraud. Paul had experienced no 'inward conversion' to Christianity. He had received no special commission from Jesus. There was no proof whatsoever that any supernatural powers had been granted to him from, or that he had enjoyed any direct intercourse with, the Almighty. Of the reports of Paul's supposed miracles, those that were not obvious fabrications or so rife with ambiguity as to be meaningless described events that belonged to the 'ordinary course of nature', but to which Paul or his historian had given a 'supernatural colouring'. The truth, in Bentham's view, was that Paul had pursued 'a scheme of personal ambition, and nothing more'. The Damascene moment had been indicative only of an 'outward conversion'—of Paul's desire, not to join, but to exploit the religion of Jesus; of his realisation that he could obtain far more in the way of wealth, power, and prestige by ending his persecution of the followers of Jesus and becoming the leader of the early church (or at least the leader of its Gentile faction). By inculcating faith—or abject credulity—in his followers, Paul had sought to procure acceptance for his imposture, secure obedience to his command, and cultivate a persuasion that his doctrines expressed the will of Jesus. These doctrines, which had existed solely to lend support to his own authority, amounted to a refutation rather than an elaboration of the teachings of Jesus. Founded upon the principle of asceticism, they were also antithetical to the utilitarianism of Bentham.[1]

The object of Bentham's attack on Paul was to demonstrate that 'the pseudo-Apostle' had established his own religion, and that this religion was not merely divergent from the religion of Jesus, but directly antagonistic to it—to show 'that whatever is in Paul, and is not to be found in any one of the four Gospels, is not Christianity, but Paulism'. Bentham, however, had little interest in liberating the religion of Jesus from Paulism for its own benefit. His concern was less to correct the scriptural record than to rid his own society of the scourge of asceticism. Since it had been Paul, not Jesus, who had introduced ascetic doctrines into Christianity, Bentham hoped to convince the religionist that the attitude of the Church—and, by extension, the attitude of nineteenth-century society—towards pleasure in general, and towards sexual pleasure in particular, had no Christian warrant

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[1] *NPBJ*, pp. vii–ix, 4.

and no function other than to contribute to the immiseration of mankind. Women who engaged in sexual intercourse outside marriage, for example, could expect to experience any number of evils, including: loss of character and place in society; probable loss of attaining the 'permanent comfort and advancement, by and in a state of wedlock'; and, 'danger and alarm' in respect of the health risks and other pains associated with pregnancy, parturition, abortion, disease, and a forced resort to prostitution as a means of subsistence.[1] Homosexual men, meanwhile, lived in fear of being put to death. Between 1806 and 1836, an average of two men per year were executed for homosexuality, which, as Crompton observes, had been a capital offence since the passing of the Buggery Act of 1533.[2] Schofield adds that a conviction for the lesser crime of 'assault with attempt to commit sodomy', the punishment for which was the pillory, could itself amount to a death sentence given the general animosity towards homosexuals at the time.[3]

Reflecting the consensus of both 'learned and popular opinion in England',[4] Blackstone attempted to justify the worst of these evils on three grounds. Buggery was a capital offence, he asserted, because, first, 'the express law of God', second, 'the voice of nature', and, third, 'reason' dictated that it be so.[5] Bentham had shown that the first part of this claim was untenable on strictly Christian grounds because there was no condemnation of homosexual intercourse in the reported words of Jesus. He also argued that 'the voice of nature', whatever that meant, was silent. Hostility towards sexual practices was a social construct rather than a natural phenomenon. Any application of the epithet '*unnatural*' to one or other such practice was indicative, not of any harmful quality in the behaviour itself, but only of 'a sentiment of disapprobation … in the breast of the person by whom it is employed'.[6] As to the third part of Blackstone's claim, Bentham had sought to persuade the religionist that if men really were guided by 'reason'—that is, by the principle of utility—then they would find no justification for denouncing, still less criminalising, any consensual form of sexual gratification. The only thing worthy of reproach was the determination of the contemporary successors of Paul to denounce behaviour that caused no harm. If morality was to become more firmly rooted in reason, then the influence of religion needed to be overcome. For Bentham, the pernicious

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[1] Ibid. 366–7; *Of Sexual Irregularities, and Other Writings on Sexual Morality* (*CW*), P. Schofield, C. Pease-Watkin, & Michael Quinn eds., Oxford, 2013, 75, 138–40.

[2] 25 Hen. VIII, c. 6.

[3] L. Crompton, *Byron and Greek Love: Homophobia in 19th-Century England*, London, 1985, 14–22. Cited in Schofield, 'Prophet of Secularism', 3–4.

[4] Ibid.

[5] Blackstone, *Commentaries*, iv. 215–16.

[6] *Of Sexual Irregularities* (*CW*), 6.

attitudes governing the domain of sexual morality illustrated this fact better than most. Reason, he said, dictated nothing more than that the pleasures of the bed be treated 'as matter of indifference' by all but the particular pleasure-seekers concerned. They were enjoyments that belonged 'not either to the field of religion or to the field of morality by any other title than does the pleasure of scratching where it itches'.[1]

Paul had embodied the quality of 'that which is opposed to Christ'. Bentham was aware that there was a word in Christian theology for one who fitted this description:

> If there be any persons, to whose religion … an Antichrist is necessary for the completion of the polytheistical official establishment; and if, in place of an ideal, they can put up with a real Antichrist,—an Antichrist of flesh and blood—they need not go far to look for one. Of Saul, aliàs Paul, the existence is not fabulous.[2]

Any religionist who misconstrued 'Not Paul, but Jesus' as an endorsement of Christianity stripped of its ascetic and antichristian accretions could not fail to be disabused of this notion upon reading the culmination of Bentham's assault on religion—a swingeing attack on the truth and utility of the religion of Jesus—as the following chapter will explain.

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[1] UC clxi. 268, 271 (*c*. 8 January 1818).
[2] *NPBJ*, 372.

IV

Bentham on Revealed Religion: the Religion of Jesus

Introduction

Thus far in his attack on the truth and utility of religion, Bentham had taken aim at what he perceived to be the false accretions that had been heaped upon the foundations of authentic Christianity—that is, the acts and teachings of Jesus—while leaving those foundations largely intact. By stripping away such accretions and showing religionists what beliefs were entailed by the fundamental premises of their religion, he had in effect presented people with a choice: either to accept Christianity properly conceived; or to reject religion altogether in favour of something that made no appeal to the supernatural and did not, in his view, require men to treat mischiefs as morality and false claims as truth.[1] In the final stage of his argument, which he set out in 'Juggernaut',[2] Bentham sought to sharpen that choice by delivering an unsparing attack on the religion of Jesus. He wanted religionists to abandon the foundations of authentic Christianity, not as a result of legislative fiat or any other coercive means, but because they had been persuaded that the answers to the questions of what is good and what is true rested upon the surer and more substantial grounds of a secular utilitarianism.

Based upon a survey of the unpublished 'Juggernaut' papers, the present chapter will examine Bentham's ideas about the religion of Jesus to reveal, first, why Bentham argued that insofar as any instruction could be gleaned from the practices and doctrines attributed to Jesus, that instruction was disconsonant with utility; and, second, Bentham's reasons for thinking that, even if the religionist was prepared to concede that the Gospels were devoid of moral instruction, he would have no viable recourse to the claim that the religion of Jesus was true.

Section 1 will address the question of the utility of the religion of Jesus. It will explain why Bentham believed that the doctrines of Jesus either made no contribution to human happiness or else were sources of positive human misery. Special attention will

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[1] Ferguson observes that it was 'most remarkable' how thoroughly Bentham detached himself from his own beliefs about religion in order to isolate the beliefs to which self-identifying Christians ought to 'lay claim' and 'keep before them'—namely, the statements attributed to Jesus or made about him in the Gospels. See F. Ferguson, 'Not Kant, but Bentham: On Taste', *Bentham and the Arts*, 46–70 at 66.

[2] For an account of the history and development of the 'Juggernaut' writings, see 65–8 above.

be given to the critique that Bentham made of the Sermon on the Mount—the most extensive collection of Jesus' moral teachings—and his argument that it was neither 'desirable' nor even 'possible' that 'man's conduct should be shaped to it'.[1] Revealed religion was the fount of numerous 'mischiefs', from the degrading of the intellectual faculties of the individual religionist to the inculcation of principles 'destructive of society itself'.[2] The doctrines of Jesus that either produced or were capable of producing these and three other mischiefs that Bentham identified—namely, the subversion of government, the production and misdirection of antipathy, and the expiatory effect assigned to repentance—will be discussed in detail.

Section 2 will focus upon the question of the truth of the religion of Jesus. First, Bentham's arguments against the probative force of the '*supernatural*' and '*natural*' evidence for the truth-claims of Christianity will be examined. It will be shown, for example, that Bentham was as uncompromising in his repudiation of Jesus' supposed 'Miracles and Prophesies'—the two heads, he said, to which all alleged manifestations of 'extraordinary or supernatural proofs of the verity of the religion of Jesus' belonged—as he was in his dismissal of those attributed to Paul. Specific consideration will be given to the influence of Hume on Bentham's ideas, as well as to Bentham's refutation of both Price's proposition that the degree of improbability attending any truth-claim afforded no sufficient ground for unbelief and Campbell's view that man was equipped with a '*believing sense*'.[3] Second, Bentham's rejection of the truth of Jesus' mission in particular will be explained. From his forensic analysis of the record of the actions and sayings attributed to the reputed son of God, Bentham found no proof of any supernatural character or any commission from a supernatural power. If the evidence of scripture suggested anything, then it was that Jesus was merely another failed revolutionary.[4]

It will be concluded that in finding the religion of Jesus to be destitute of both utility and verity, Bentham hoped that the arguments to which his scrutiny of the scriptural evidence had given rise would encourage the religionist to exercise a greater degree of scrutiny of his own: first, by allowing the truth-claims of religion to appeal to his scepticism rather than his credulity, and considering whether they were reconcilable with what his sense experience of the physical world, as mediated by his intellectual faculties, showed him to be empirically and epistemologically well-grounded; and, second, by

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[1] BL Add. MS 29,807, fo. 47 (17 July 1815).
[2] BL Add. MS 29,808, fos. 77 (10 September 1811), 67 (30 December 1814).
[3] BL Add. MS 29,807, fo. 121 (10 March 1819).
[4] BL Add. MS 29,806, fos. 242, 366 (16–19 January 1814).

ignoring theological casuistry and the data of his imagination, and examining the actual Gospel texts in order to decide for himself whether the doctrines attributed to Jesus really were the basis of morality—really did promote happiness in the present life—or tended towards the opposite effect, in which case they could be rejected.

§1. The Utility of the Religion of Jesus

§1.1. 'The Delusion Vanishes'

> In the whole history of mind, a more extraordinary and curious example of intellectual blindness propagated by contagion is surely not to be found than that which has been afforded by the case of Jesus: the notion that, either in the discourses attributed to the person so denominated or in the course of conduct ascribed to him, when correctly understood, any moral instruction conducive to human happiness is to be found.[1]

Bentham's investigation into the utility of Christianity proceeded from the premise that religionists, as well as many sceptics of the truth-claims of religion, believed that religion in general, and the religion of Jesus in particular, was 'the only basis of morality: the basis of morality, and thereby of all good government, and thence in a word all the happiness obtainable in this life'. Bentham thought otherwise. Although he would examine the evidential grounds of this belief, Bentham asserted at the outset of his enquiry that the belief originated either 'from the report of others or from imagination merely'. In other words, the idea that Christianity was the basis of morality was not, and could not be, the product of a 'close' and 'unprejudiced' examination of scripture, for if one measured this idea against the standard of the Gospel texts themselves, 'the delusion vanishes'.[2]

The religion of Jesus could only be deduced from the 'deportment and discourses of Jesus', as delineated in the established text of the four Gospels, the authenticity and faithful translation of which Bentham was content for the present purposes to accept. What it could not be deduced from was any pronouncements made after Jesus' death by his 'followers or pretended followers'—most notably Paul, but also ministers, theologians, and other expositors. In so many years of framing and preaching his system of religion, said Bentham, Jesus had time enough to know his own ideas and intentions: 'Is it from others and not from himself that this mind of his is to be learnt? Was it for servants to change that which, by the Master himself, had been ordained?' Bentham also

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[1] BL Add. MS 29,806, fo. 491 (14 February 1821).
[2] BL Add. MS 29,806, fos. 491–2 (14 February 1821).

suggested that in contemplating the import of questions such as these, religionists might find deliverance from Paul and his 'obscure, ambiguous, unintelligible, self-contradictory and gloomy metaphysics', though he added that insofar as there was anything 'delicious' in 'obscurity, ambiguity, unintelligibility, self-contradictoriness and gloominess', the Gospels yielded enough of these 'sweets' to satisfy any 'reasonable appetite'.[1]

§1.2. The Sermon on the Mount

Underpinning the criticism that Bentham made of Jesus' most celebrated discourse was the charge that the 'real character and tendency' of the Sermon on the Mount,[2] which he regarded as an almost complete statement of the system of Jesus, had been misunderstood by believers and unbelievers alike. Believers had taken the object of the Sermon to be the good, 'temporal' as well as 'eternal', of mankind at large. Unbelievers had not taken the good for its object, but many of them had assumed that obedience to its precepts would nevertheless be found to produce temporal good. While Bentham claimed that the real object of the Sermon was 'the giving accomplishment to the plan of temporal dominion which the author had traced out for himself',[3] he also argued that if its precepts were capable of being carried out to the degree prescribed—and 'happily', he observed, they were not—the effect upon mankind 'would not be the melioration of human society, but the compleat destruction of it'. This was the first of two important 'mischiefs' that Bentham identified with the doctrines propounded by Jesus in the Sermon, each of which will be examined in turn.[4]

§.1.2.1. Mischief 1: Inculcating Principles Destructive of Society

Defenders of the 'practical utility' of Jesus' doctrines tended to ground the notion, said Bentham, either upon the alleged 'excellence' of the 'directive' part of the doctrines or upon the 'novelty and importance' of the 'sanctionative' part. From this comment alone, it will be seen that Bentham's analysis of the religion of Jesus was proceeding along different lines from those of his attack on natural religion, whose directive part was, of course, non-existent. While the directive part of Jesus' doctrines consisted of two branches—'that which regards man's conduct in relation to *other persons*, and that which

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[1] BL Add. MS 29,806, fos. 453–4 (16 September 1811).
[2] See Matthew 5–7. The Sermon does not appear in the other three Gospels, although similar material can be found in the Gospel of Luke as part of what is sometimes called the Sermon on the Plain. See Luke 6: 17–49.
[3] For the discussion of Jesus' true enterprise, see 212–17 below.
[4] BL Add. MS 29,806, fo. 86 (5 August 1815); BL Add. MS 29,808, fo. 88 (11 September 1811).

regards his conduct in relation to *himself*'—the substance of both belonged to one or other of four heads:

1. Dicta prescribing … conformity to the dictates of the social affection of benevolence.

2. Dicta inculcative of disinterestedness: thus taking for their object the bridling of the self-regarding affections.

3. Dicta inculcative of [meekness]: thus taking for their object the bridling of the dissocial affections.

4. Dicta inculcative of disinterestedness and meekness together: thus throwing the bridle over both those affections which come in competition with and in opposition to the social and benevolent class of affections.[1]

Such was the 'extreme laxity' and 'inconsiderateness' of the language employed in the expression of these *prima facie* benevolent dicta that, according to Bentham, they were not only incapable of 'ministering to any useful end', but if man endeavoured to pursue any one of them without limitation—and it was crucial to Bentham's argument that no limitations, qualifications, or exceptions had been specified in the Sermon—then 'the utter destruction of society, in a word the extinction of the species, would be the certain and speedy consequence'. Bentham explained his view with reference to each of the four sets of dicta.[2]

Foremost among the dicta prescribing conformity to the dictates of benevolence was the ethic of reciprocity commonly known as the Golden Rule. Bentham was aware that this precept, which enjoined one to treat others as one would have others treat oneself,[3] was not peculiar to the religion of Jesus, but appeared in pagan writings, the works of Aristotle, and other pre-Christian texts.[4] Bentham's principal objection was to Jesus' failure to give the precept 'certain requisite limitations'. Consequently, obedience to the Golden Rule on all occasions, in all shapes, and in respect of all persons encountered— as Jesus' formulation entailed—was inconsistent with any man's continued existence. Bentham noted that the care needed for a member of the 'labouring classes' to preserve his own existence was so great that almost the whole of his time and attention was

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[1] BL Add. MS 29,808, fo. 78 (10 September 1811).
[2] BL Add. MS 29,808, fos. 77–8 (10 September 1811), 85 (20 December 1814).
[3] See Matthew 12: 7.
[4] Confirming Bentham's opinion, Blackburn states that the Golden Rule dates back at least as far as Confucius and is adumbrated 'in some form in almost every ethical tradition'. See S. Blackburn, *Being Good: A Short Introduction to Ethics*, Oxford, 2001, 117.

occupied by it. Even in the absence of this pressure, however, no individual of any class had 'such constant information' about what was 'necessary' and 'pleasurable' to another man as that man had himself. Hence, one effect of the Golden Rule was to deprive human conduct of its 'only sufficient guide'—that of 'attentive self-monarchy'—subjecting all men instead to an 'ignorant and ever-changing democracy'. Another effect was that every man would have done to him 'all good—and no evil'. The problem with this, explained Bentham, was that there were three situations in which it was essential to 'the preservation of society' that man should do evil to man: first, the defence by a man of himself or others against injury from a fellow subject; second, the protection of subjects by rulers against injury in all forms;[1] and, third, the defence against injury from the rulers or subjects of other states. Given that a man rarely willed evil to himself—it being generally antithetical to Bentham's psychological theory to suppose otherwise[2]—Jesus' precept afforded no protection against harm from either domestic or foreign aggressors. Bentham underscored this point by invoking the 'odious system of policy' of Machiavelli.[3] This tactic recalled his appeals to the religion of Jesus when attacking Church-of-Englandism, natural religion, and the religion of Paul. Whereas his intention in those instances had been to highlight the corruptions of authentic Christianity, here Bentham was making the case that one of the key teachings of authentic Christianity itself was so flawed that it suffered in comparison even to a morally repugnant ideology. His claim was that if every ruler on earth zealously adopted Machiavellianism, then each individual ruler would be upon his guard against the rest, and the selfishness of any one would be 'counteracted' by that of every other. The 'security' that rulers would find in their 'jealousy and mutual suspicion' would be lost, however, if they engaged in an 'equally constant and inflexible' pursuit of the Golden Rule. Although Bentham acknowledged that the precept might have some use as a 'rule of prudence' in that any man, ruler, or subject might use it to determine whether his proposed act would cause 'uneasiness or satisfaction' to another, and thence 'goodwill or displeasure' to himself, the point, in his view, was moot since it had not been presented in this character by Jesus.[4]

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[1] This included, but was not limited to, inflicting punishment upon offenders in order to prevent the commission of further offences.

[2] Bentham accepted that a man might bring evil upon himself if it brought about a greater benefit to others. Self-sacrifice was not impossible according to his psychology.

[3] Machiavelli's *Il Principe* (*The Prince*), the sixteenth-century political treatise on the art of acquiring and maintaining power, was described by Bentham as having become 'proverbial from its atrocity, from its repugnancy to every virtuous feeling and disposition'. See Niccolò Machiavelli, *The Prince*, T. Parks ed. & trans., London, 2009.

[4] BL Add. MS 29,808, fos. 80–4 (10 September 1811), 86 (20 December 1814).

Bentham suggested that the dicta inculcative of disinterestedness might be more properly termed '*dicta* inculcative of improvidence and idleness'. Having urged the assembled multitude to take no thought for their lives, bodies, clothes, food, or drink, Jesus issued the injunction: 'Take therefore no thought for the morrow: for the morrow shall take thought for the things of itself.'[1] Carried into general application, this was 'another principle that would of itself suffice for the destruction of society'. Bentham remarked parenthetically that the clergy had no trouble regarding the labour to produce food, drink, and clothing for themselves as perfectly necessary, as long as it was always 'the work of other hands'.[2]

The third and fourth sets of dicta, which advocated meekness (with and without disinterestedness), were an explicit repudiation of the Mosaic law on reciprocal justice.[3] They included precepts on submitting to evil ('whosoever shall smote thee on thy right cheek, turn to him the other also'), beneficence towards evil-doers ('do good to them that hate you'), and 'passive resignation and active beneficence' ('if any man will sue thee at the law, and take away thy coat, let him have *thy* cloke also').[4] In Bentham's view, the meekness thus encouraged was consonant, not with preserving peace, but with Jesus' own admission, reportedly made some time after the Sermon, that he had come to sow the 'most mischievous and remediless of discords'.[5] One example of the discord that Bentham had in mind was the destruction of property. From his judgment of the 'whole tenor' of Jesus' discourses, Bentham realised that, under Jesus' scheme, no man would retain any of his property. Instead, each man would 'suffer it to be divided' among the poor—at least those of the poor who followed Jesus—while receiving a minimum share to which no additions could be made. No man was 'to make provision for the morrow'; all sources of existence were 'to be dried up'. By itself, argued Bentham, this arrangement would be sufficient to bring about the effective destruction of all property, all industry, and all virtues connected with industry. Yet Jesus' precepts on meekness also ensured that, even after a man had seen his property reduced to, and preserved at, the minimum level, he would keep what he had only until such time as another man 'chose to demand it at his hands'. Being relieved of one's cloak by a 'ruffian', for instance, merely generated an obligation to hand over one's coat at the same time. If the teachings of Jesus were

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[1] Matthew 6: 25–34.
[2] BL Add. MS 29,808, fos. 87–90 (10–11 September 1811).
[3] Jesus had alluded to Exodus 21: 23–4: 'And if *any* mischief follow, then thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.'
[4] Matthew 5: 38–44.
[5] See Matthew 10: 34–6.

really acted upon, then 'every engine of restraint' and 'every instrument of security for property' would vanish and before long the whole of the matter of wealth 'would be in the hands of malefactors'—a scenario that, for Bentham, was irreconcilable with any coherent notion of civil society.[1]

Bentham found it just as impossible to reconcile the preachings of Jesus with his practices. Having sacrificed none of his own property (because he had possessed no property), Jesus had nevertheless taken a substantial share in the subject matter of the sacrifices of others. Indeed, the fund composed of these sacrifices had been the primary, if not the exclusive, source of his livelihood. On this basis, and on this point, Bentham granted that the Church maintained a strict adherence to the Gospels—not because it obeyed Jesus' doctrines relative to property, but because it ignored them and established the foundation of its own wealth by following the example of Jesus rather than his words.

§.1.2.2. Mischief 2: Inculcating Principles and Practices Subversive of all Government

The teachings of Jesus discussed above were inconsistent with the continued existence of society, even of the human species, because they encouraged either the 'violation of the principles of self-regarding prudence, and thence of the care of self-preservation … in pursuit of the chæmera of blind and undiscriminating and boundless beneficence', or 'the unresisting and even eager … submission to and invitation of injury in every shape'. There was, however, another way that Bentham thought the application of Jesus' doctrines would lead to the destruction of society, and that was by their bringing about 'the utter dissolution of all government'.[2]

Although Bentham acknowledged that the discourses ascribed to Jesus contained little on the conduct of individuals towards the state, he believed that the tendency of what they did say would be to weaken 'the bands of government'. There were precepts, for example, that failed to recommend the payment of taxes (Jesus' answer to the question of whether or not it was lawful to pay taxes to Caesar, the recognised sovereign of the state, was '[n]either affirmative, nor yet negative, but evasive');[3] that appealed to popular prejudice against, and cast further 'odium' upon, tax collectors, whose employment was necessary to the operation of the state; that gave countenance to the 'indolence and injustice' of judges; and that undermined justice by giving credence to the idea that 'a propensity towards any offence'—Bentham cited the example of women taken in

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[1] BL Add. MS 29,808, fos. 92–4 (11 September 1811), 127, 129 (21 December 1814), 123–6 (27 December 1814).
[2] BL Add. MS 29,808, fos. 85, 145 (20–2 December 1814).
[3] See Matthew 22: 15–22.

adultery—constituted a valid reason for refusing to punish the offender. On this latter point, it is important to emphasise that Bentham was not passing judgment on the propriety of legally proscribing adultery or any other act, but merely noting the negative implications of Jesus' precepts for a functioning system of law.[1]

Bentham's central claim under this head was that government could not survive were the Golden Rule to be consistently applied. The utility of beneficence—that is, the act of doing good to others—was limited by the obligation for 'self-regarding prudence' on the one hand, and 'probity' towards those who were not the objects of the proposed beneficence on the other. Without these limits—and it has been seen already that no parameters were prescribed by Jesus—the Golden Rule would prevent all coercion, all punishment, and so 'would of itself suffice for the subversion of all government'. This was because government could only act by doing evil. Specifically, explained Bentham, it could only act by means of punishment and reward, each of which necessarily entailed coercion, and therefore evil. The infliction of punishment was nothing more than evil applied to a certain purpose. If the evil was applied with bad intentions, then it was done to gratify 'mere antipathy' or to produce some effect that was advantageous to the ruling few, but detrimental to the subject many. Applied with good intentions, however, the punishment was no less evil. A wrongdoer suffered evil when money was taken from him to compensate the party wronged; tax payers suffered evil by being forced to give money to the state; parties to contracts suffered the evil of obligations; the construction of roads, canals, ports, fortifications, and other such infrastructure was impossible without the production of some evil in terms of labour and taxation: in these and countless other cases, the evil was done 'that good may come'[2]—good, said Bentham, that ought to be 'more than equivalent to the evil, and *that* by as great an amount as possible'. Thus, to speak of government acting in accordance with the Golden Rule was to express an absurdity, for the very notion was a contradiction in terms.[3]

§1.3. Beyond the Sermon

Contradiction, in Bentham's view, was also a distinctive feature of the Sermon itself. A case in point was that although publicity had been enjoined for 'good deeds', secrecy had been enjoined for 'almsgiving and prayer'. Given the notions of religionists in general,

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[1] BL Add. MS 29,808, fos. 62–3 (13 September 1811), 64 (24 December 1814).

[2] In this instance, Bentham was also repudiating Paul, who had explicitly condemned the maxim, 'Let us do evil, that good may come'. See Romans 3: 8.

[3] BL Add. MS 29,808, fos. 66–74 (29–31 December 1814).

and of Jesus in particular, Bentham queried what could count as 'good deeds' if not these two practices. He noted, in fact, that prayer as public worship, and indeed public worship generally, had been 'plainly vituperated' by Jesus.[1] Approval had been given to private worship by 'two or three' men together,[2] but there was nothing in the Gospels to endorse collective worship, whether undertaken in 'buildings appropriated to the purpose' or elsewhere.[3] What the Gospels did show, alleged Bentham, was that while the Sermon on the Mount was the most important statement of Jesus' doctrines, it was exhaustive neither of what Jesus had to say nor of the mischievousness of what he had said.

§.1.3.1. Mischief 3: The Degrading of the Intellectual Faculties by the Doctrine of Faith

All doctrines that represented faith as a matter of duty or merit were mischievous—as mischievous as the motive of the supposed 'prophet' responsible for promulgating them. In making this argument, Bentham proceeded from the two-part claim that, first, the 'real power' of a prophet was a function of the 'magnitude of the power' ascribed to him by his followers, multiplied by the number of said followers; and, second, that the greater the magnitude of power so ascribed in any one moment, the greater the number of new followers that he was likely to gain in the next. It was unsurprising to Bentham, therefore, that in the 'declared estimation' of prophets, faith occupied 'the very summit in the list of virtues'. The value of the faith-power relationship to the fulfilment of his ambitions also explained why a prophet proclaimed faith to be the more meritorious, the less ground there was for the belief of which it was composed. The 'perfection' of the merit of faith occurred when a prophet, upon meeting a man for the first time and by accident, said '*follow me*' and the man followed immediately, 'no questions asked'.[4] This was so, continued Bentham, even though there were reasons to doubt the reliability of the reports of such encounters. For while the men who could form an attachment to a prophet based upon previous contact was necessarily limited in number, those whose faith could be said to have materialised 'at first sight' or 'upon mere report' was limited only by the imagination or audacity of the narrator.[5]

Bentham alleged that the meritoriousness of faith had been 'made continually to rise above all other merits' by Jesus, as it had by Paul.[6] Jesus had chosen to be a prophet—a

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[1] See Matthew 5: 14–16; 6: 1–8.
[2] See Matthew 18: 19–20.
[3] BL Add. MS 29,806, fos. 430–1 (12 September 1811).
[4] Bentham undoubtedly had in mind Matthew 4: 18–22 and Jesus' recruitment of the fishermen Peter, Andrew, James, and John.
[5] BL Add. MS 29,808, fo. 185 (20 September 1811).
[6] See 146–53 above.

profession 'not uncommon' among the Jews at the time—towards which faith was either 'attachment itself, or an inseparable concomitant of it'. The 'exertions' that he had made to generate faith, including the rewards allotted to its 'purchase', surpassed any of those that he had applied to other subjects. Bentham pointed to the example of the rich, who had been required to surrender all of their property as a test of faith, with entrance into the kingdom of God ('whatever be meant by the kingdom of God') named as the reward for compliance.[1] He referred to Jesus' attempts at working miracles: insofar as they had supposedly proved successful, the success was credited to an 'abundance of faith'; unsuccessful, and a 'failure of faith' was to blame.[2] In Bentham's view, this attribution of merit to faith encouraged a man to debase himself in respect of one of his most essential capacities—namely, his judicial faculty, or faculty of judgment.

Through the medium of his attention, explained Bentham, every man possessed a certain degree of power over his perceptive faculties. By motives applied to his mind— that is, by the prospects of eventual pleasure or pain—he exercised this power by directing his attention to, or withdrawing it from, any given subject. However, a man who wished to form a correct judgment about the truth of a supposed fact needed to keep his judgment as free as possible from everything that might '*bias*' it. Hence, any pleasure or pain that he expected to obtain upon finding either for or against the truth of a supposed fact was, or ought to be, irrelevant. Bentham observed, for example, that if the question to be decided was whether or not a valid will had been executed, then the prospect of a judge receiving £100 for deciding one way or the other would be considered corrupt and dishonest, as would the suborner and accepting judge. With the religion of Jesus, however, in which the questions to be decided concerned the existence of certain facts at 'certain times and places long since past' operating in proof of the belief that 'certain promises of eventual felicity or infelicity to be experienced in a life to come were delivered by or at the command of God', such corruption and dishonesty were doctrinally enjoined. Not only did the production of faith require a man to engage in a process of self-deception—that is, to fix his attention firmly upon all considerations that caused the existence of a given 'credendum' to appear probable, while turning his mind away from all those that rendered it improbable[3]—but the 'corruptive' force of a doctrine that rendered faith a matter of duty and merit by the application of eventual punishment or

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[1] See Matthew 19: 16–30, Mark 10: 17–31, and Luke 18: 18–30.

[2] BL Add. MS 29,807, fos. 186, 278 (20–4 September 1811). For Bentham's argument against the truth of Jesus' miracles, see 194–200 below.

[3] For a discussion of the 'self-deceptive process', see 56–9 above.

reward tended towards the 'enfeeblement and distortion of the judicial faculty'. Faith was made an 'an object of exertion', with loss of reward or subjection to punishment—the 'intensity and duration' of which was sufficient to present belief as the only safe option[1]— the expected consequences of inadequate effort. Bentham acknowledged that the influence of future punishment and reward was not 'direct' or 'irresistible'—the thought of endless torment, he said, could not convince a man to believe that the book he was holding was not in his hands[2]—but the idea of belief as a matter of duty and merit rather than 'inference drawn from evidence' was enough to cause a man 'to give credence to impossibilities and to force others to profess the like credence'. It was enough, in other words, to prevent the free operation of the judgment and to show that commanding faith— commanding the surrender of reason in favour of faith—was 'subornation of falshood'.[3]

Evidence of the corruption of the judicial faculty extended to the modes of argument and 'deceptious reasoning' that religionists employed in their defence of religion, none of which, argued Bentham, would be tolerated in other fields. Returning to the question (but not yet the answer) of the truth of religion, he asserted that the 'exercise of partiality' that generated 'self-persuasion' in the individual religionist brought about a habit of 'begging the question'—of taking for granted the matter in dispute—in his exchanges with opponents. Contrary observations were treated as difficulties to be solved rather than arguments to be refuted.[4] The issue for the religionist became not whether Christianity was true or false, but by what arguments its truth might be most effectively proved. Such arguments rested upon various unwarranted assumptions. These included what Bentham called the 'emendatory' postulate—that 'any other words at pleasure' may be substituted to the words of scripture in order to remove whatever difficulty they presented, thereby allowing opponents to be 'convicted of misrepresentation'; the 'allegorizing' or '*spiritualizing*' postulate—that whenever a man could not be made to accept a passage of scripture in its literal sense, it may be considered 'allegorical' or given a 'spiritual'

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[1] This argument agrees with aspects of the famous 'wager' of Blaise Pascal, the seventeenth-century philosopher and mathematician. He stated that it was rational for a man to believe in the existence of God in view of the infinite gains that would accrue to him, and the infinite losses that he would avoid, if his belief proved to be correct, versus the merely finite losses occasioned by false belief. See Blaise Pascal, *Pascal's Pensées*, New York, 1958, 67–8.

[2] See also *Of the Limits of the Penal Branch of Jurisprudence* (*CW*), 68n: 'Whether a fact appears true to me or no, I may be hired or forced to tell an untruth and say, I believe it: but if it does not appear true to me, all the force in the universe will not make me believe it in reality.'

[3] BL Add. MS 29,807, fo. 275 (20 September 1811); BL Add. MS 29,808, fos. 189–94, 199 (*c.* 7–9 September 1811).

[4] Bentham made a similar point in his attack on natural religion. See 96–8 above.

meaning;[1] that any assemblage of words offered in reply to an objection may be accepted as a conclusive answer; and that 'any thing the contrary of which can not be demonstrated may be taken for true'. Bentham also observed that, in claiming that it was unfair to argue against the 'use' of religion from its 'abuse', the religionist tended to rely upon 'a contrivance of nomenclature'. All mischievous consequences of religion were assigned to a fictitious entity such as '*superstition*'—the 'scape-goat, on which … the sins of religion are heaped, and thereby carried off'—with the name '*religion*' reserved only for the supposedly beneficial effects. Thus, said Bentham, was 'religion purified'.[2]

The vitiation of the judgment was not the only mischief that Bentham believed was done to the intellect by revealed religion. The very language used to communicate the doctrines of Jesus contributed to the debasing of the 'conceptive faculty'. Bentham stated that the sum of a man's happiness or unhappiness—the probability of his attaining good and avoiding evil—depended upon the clarity of his conceptions of good and evil. In order to achieve this clarity, moral instruction needed to be expressed in 'proper' or 'plain' rather than 'figurative' terms. Language was at the 'perfection of propriety' when a discourse expressed 'the one idea or set of ideas meant to be conveyed, clear of all others'. Figurative language, by contrast, was a source of 'obscurity and ambiguity' in that it substituted improper ideas to proper ones.[3] Ambiguous language conveyed two or more ideas, but with uncertainty as to which was correct. Obscure language conveyed no distinct ideas at all. Bentham declared: 'Of the sort of literary matter thus pregnant with such doubt and difficulty … the quantity scattered in the books in which the life and opinions of Jesus are undertaken to be delineated are replete to a degree beyond dispute.' Addressing the claims of apologists for the 'indistinctness' of Jesus' doctrines—claims, for instance, that Jesus had known that close reasoning would make little impression upon the 'rude and simple' men of the society in which he lived, or that the language of the time and place was itself 'imperfect'—Bentham said that such objections merely 'admitted and confirmed' the point at issue. If language was to communicate a rule of action, if it was to bring about good conduct and prevent bad, then it had to convey precise ideas. Bentham's verdict was that the language of the Gospels failed in this regard. Its

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[1] Bentham cited the example of the temptation of Jesus by Satan in Matthew 4: 1–11: if a man could be persuaded that the narrative was literally true, then 'so much the better'; if he thought it more probable that the story was not 'exactly correct', then it was discovered 'to have been but an allegory'.

[2] BL Add. MS 29,808, fos. 204–12, 215 (18 September 1811).

[3] In his 'Essay on Political Tactics' (1791), Bentham commented that figurative language 'is very useful for facilitating conception, when it follows in the train of simple language: it is mischievous when it occupies its place. It accustoms us to reason upon the most false analogies, and gathers round the truth, a mist which the most enlightened minds are scarcely able to penetrate'. See *Political Tactics* (*CW*), 24.

tendency to debilitate the intellect rendered men averse to the practice of clear expression in moral discourse and ready to accept 'vague and delusive talk' as moral truth. This criticism recalled one of the main charges that Bentham levelled against the ecclesiastical establishment in *Church-of-Englandism*. Whereas in that work he had attacked the clergy for exploiting the language of religion in furtherance of their sinister interest, in 'Jug. True' he was drawing attention to the fact, as he saw it, that the reported words of Jesus were 'ill-adapted' to the ends of language, and therefore 'well-adapted' to the use of 'deceivers' to interpret the words in whatever way suited their purposes.

Bentham recognised a 'most intimate' connection between the intellectual and moral parts of the human mind—that is to say, between wisdom, goodness, and happiness. Happiness was the 'constant object of the will' and the 'constant subject of the operations of the judicial faculty'. The wisdom that taught a man what was in his interest was the same wisdom that taught him what was in the interest of others, and whether or not he had an interest in promoting their interest. What was unfavourable to wisdom, therefore, was unfavourable to happiness. Although the proportion was inexact—a man was not always as good as he was wise, and *vice versa*—that which tended to keep a man in 'ignorance, error and folly' tended also to keep him in wickedness and, as a consequence, in unhappiness. By doctrines that tended by their 'erroneousness' or 'absurdity' to vitiate the judicial faculty, as well as by language that kept ideas in a sufficient state of confusion to vitiate the conceptive faculty, the religion of Jesus, said Bentham, exercised 'a deleterious influence' upon man's intellectual faculties, and thence upon his happiness.[1]

§.1.3.2. Mischief 4: Producing Antipathy towards Others on the Grounds of Belief
The notion that reward and punishment were fit to be attached to belief and unbelief not only degraded the intellect, argued Bentham, but also had a propensity to generate antipathy towards those who differed on any point considered 'material and important' in their opinions on religion. The mischievous effects of this antipathy plagued private exchange no less than it did public, national, and international relations. Bentham was aware of a prevailing view among religionists that this antipathy was justified because unbelief (atheism) or misbelief (false or unorthodox belief) showed 'contempt to God'. God had delivered his commands, infidels refused to obey them, therefore infidels regarded God as a liar. Bentham disdained this kind of broken reasoning and the imputation it conveyed. He said that any 'erroneous judgment' on either side of a dispute

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[1] BL Add. MS 29,808, fos. 224 (25 June 1811), 221, 229–35 (4 September 1811), 213 (18 September 1811).

about the truth of any matter of fact was '*pro tanto* constitutive and evidentiary of an habitual state of mental weakness'. Insofar as this mental weakness rendered a man prone to 'undue belief', he was more likely to be exposed to imposition than the man whose mental weakness rendered him prone to 'undue disbelief', the likely effect of which was to guard him against imposition. While it was true, maintained Bentham, that in matters of religion there tended to be 'more of hatred' in the former (the believer) and 'more of contempt' on the part of the latter (the unbeliever), any expression of hatred or contempt by either protagonist would be directed only towards his opponent. It was never directed towards God. Bentham's explanation for this claim is worth quoting at length:

> In the opinion of the unbeliever, if a theist, God delivered no such assertion as on the other side is supposed. God delivered no such commandments. Where, then, is the denial of God's veracity? Where, then, is the contempt of God's power?
>
> In the opinion of the Atheistical unbeliever, there is no such being as God. God is a mere word, a mere denomination without a subject belonging to it. But of any such affection as contempt, a non-entity can no more be the subject, than of veneration.
>
> Attached to atheism, whatever error there may be, there is no immorality. There is nothing with which God himself, unless he be a being replete with malevolence and injustice, can be offended.
>
> To that malevolence and injustice, to that folly or to that falsehood alone which, in human nature, is unhappily but too abundant, to that alone it belongs to ascribe immorality to such an opinion—to regard it, or pretend to regard it, as a just cause of offence, and … a just cause for punishment.[1]

Bentham added that the only way that antipathy could be a force for good in the field of religion was by serving as a means to the end of promoting human happiness, and that if antipathy took human happiness for its object and made 'reason' its guide, then its force would be directed against 'cacotheism', or 'bad religion', rather than atheism.[2]

Since Bentham sought to demonstrate that Christianity was itself a font of pernicious doctrines, he might be interpreted as having argued that antipathy ought to be directed towards the religion of Jesus. This would be to miss his point, and to misunderstand

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[1] BL Add. MS 29,807, fo. 277 (20 September 1811).
[2] BL Add. MS 29,807, fos. 272–4 (2–6 September 1811), 275–9 (20–1 September 1811). The definition of cacotheism as 'bad religion' (from the Greek 'κακός', meaning 'bad' or 'evil', and 'θεός', meaning 'God') appears at Bowring, vii. 423.

antipathy as an affirmative principle of moral action. Insofar as the adherent of the principle of antipathy disapproved of religious doctrines, his disapprobation was 'a sufficient reason for itself'.[1] Any relationship between the doctrines in question and human happiness was incidental to his view. If, however, he wished to promote human happiness, then he would direct his antipathy towards those religious doctrines that he deemed pernicious, thereby bringing his views into coincidence with those of the adherent of the principle of utility. What he would not do was direct his antipathy towards atheism. There was 'no immorality' attached to atheism, said Bentham, because atheism was nothing more than the denial of the truth of certain alleged matters of fact. It was a negative position that by itself did not commit the atheist to affirm the validity of any particular moral doctrine or truth-claim. This distinction was lost upon the religionist who directed his antipathy towards the unbeliever and misbeliever on the same grounds—namely, their 'contempt to God'—even though the former was incapable of showing contempt to something that, in his opinion, did not exist. The approach of the religionist, therefore, was morally and intellectually inconsistent. If his object really was to promote human happiness, then he would ignore atheism and focus his opprobrium upon those religious precepts that he saw as failing to augment happiness. Hence, the criterion of his actions would be, not unbelief or misbelief, but utility.[2]

§.1.3.3. Mischief 5: Atonement, and the Expiatory Effect assigned to Repentance

Bentham explained that religionists used the word '*atonement*', which in its original sense meant '*equivalent*', to refer to 'a collateral or succedaneous mode of discharging or extinguishing' a debt. The debt in question was that of punishment: 'Where what is considered as *atonement*—sufficient *atonement*—is considered as having taken place, the state of the case is considered as being … *all one*, as if punishment had taken place.' Whatever was deemed an equivalent for punishment was borne either by the man whose past transgressions, or 'sins', were thought worthy of punishment or by someone who voluntarily subjected himself to punishment in lieu of the transgressor. Bentham called the former 'atonement *ab intrà*—atonement from *within*'; chief among the things considered equivalent for punishment in this case was the transgressor's '*repentance*'. The latter he termed 'atonement *ab extrà*—atonement from *without*'. Bentham regarded

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[1] *IPML* (*CW*), 25.
[2] BL Add. MS 29,807, fo. 275 (20 September 1811); BL Add. MS 29,808, fos. 189–94, 199 (*c.* 7–9 September 1811).

the suffering of such an innocent party as 'so much evil produced in waste' and an outright negation of all notions of benevolence and justice.[1]

The main argument that Bentham presented, therefore, was against 'atonement from within'. He began by stating in absolute terms that any precept by which an expiatory effect was ascribed to repentance such that a man was spared punishment for his past transgressions was 'irreconcileably repugnant to good morals'. The idea of repentance, which Jesus had 'pressed upon his hearers' in multiple discourses,[2] was understood by religionists to comprise two separate states of mind. The first involved 'contrition', meaning 'present sorrow for past transgressions'. The second involved 'resolutions of amendment', which were intended 'to serve as a security against future transgressions'. According to the principle of utility, the only good that could come of repentance belonged to the second state; the first, being so much sorrow, was 'so much evil'. That said, in allowing that the utility of the repentance was 'above dispute' insofar as the transgressor kept his resolution to abstain from like transgressions in future, Bentham was not asserting that the resolution contained anything of good in itself. For where was the good, he asked, in the case of a transgressor who expressed contrition and offended as before, as opposed to that of one who made no such resolution and never offended again? Bentham's principal objection to atonement, however, was that irrespective of any future good that came of a resolution, the supposed effect of discharging or extinguishing the proper punishment for a past evil had one very real mischievous effect:

> the preventing as well in the instance of the transgressor in question, as in the instance of others who by the observation of his impunity would have become transgressors, the repetition of the species of transgression in question: in a word, [the giving] encouragement, and through encouragement existence, to similar transgressions.[3]

Having endorsed the Protestant view of Papal indulgences as 'licences for committing sin',[4] Bentham contended that the effects of atonement and repentance according to the liturgy and principles of the Church of England were no less objectionable. Every Sunday, repentance was made at the ceremony of the Lord's Supper, with the forgiveness of sins represented as the result—and every Sunday the process was preceded by a confession of

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[1] BL Add. MS 29,809, fos. 425–7 (1–3 November 1813), 446 (*c.* 1815).
[2] See, for example, Matthew 4: 17, Mark 1: 14–15, and Luke 5: 31–2.
[3] BL Add. MS 29,809, fo. 433 (11 November 1813).
[4] Formalised by Pope Urban II in the eleventh century, the system of indulgences of the Roman Catholic Church freed a transgressor from the temporal punishment due to him for his sins provided he made the right propitiations, said the right prayers, or parted with the right sums of money.

sins 'in an infinity of shapes'. As repentance followed transgression, so transgression followed repentance. If repentance had any effect, therefore, it was only to encourage, and thereby generate, that which it was 'pretended' to avert. As part of the confession, religionists were required to declare themselves 'miserable sinners'.[1] Whether this was an open avowal of falsehood or a declaration that all men should at all times believe themselves to be miserable sinners, Bentham could not say. He argued, however, that in either case 'plain reason' and 'common sense' urged the question: after repenting his sins, was a man still the 'miserable sinner' that he had been beforehand? If he was, then his repentance had no use—the man had simply undertaken to forgo practices that brought him pleasure in exchange for nothing. If he was not, then the formularies were false.[2]

Bentham noted that the uselessness of repentance had no bearing upon the supreme 'expiatory virtue' accorded to it. In illustration of this point, he invited the reader to consider the man who abstained from all ceremonies of repentance except one:

> The course of transgression and enjoyment being run, and at length the summons of death received, comes now the expiatory moment during which, the necessary twinge being given by conscience, and the suitable ejaculation uttered, sin, with all the punishment with which otherwise it would have been followed, is blown away—and all the fires of hell are by this one puff extinguished.[3]

Bentham could conceive of no doctrine more conducive to the production of transgressions than one by which the punishment accrued by a whole life of sin was regarded as 'rubbed off' by a single moment of repentance. When the best and the worst of men were likewise miserable sinners (and confessed themselves to be so every week 'for the information of omniscience'), and when any number of men could commit any number of sins and still be saved, 'a licence for sin' was created for every man 'to fill up' as he pleased. The man whose 'piety' was directed by 'human prudence' filled his licence with an assortment of sins suited to his 'taste and circumstances', while abstaining from those that he judged least pleasant and least profitable. If he discovered that any of his favourite sins had been condemned by 'the world'—that is, if he discovered that they contravened either the legal or the moral sanction—then he dwelled 'with peculiar complacency' upon those passages of the Bible that made the world itself a just object of contempt. In view of the worldly punishments for his favourite sins, he found consolation

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[1] Bentham was referring to the refrain in 'The Litany', *Book of Common Prayer*: 'have mercy upon us miserable sinners.'
[2] BL Add. MS 29,806, fo. 406 (24 July 1815); BL Add. MS 29,809, fos. 431–5 (3–12 November 1813).
[3] BL Add. MS 29,809, fo. 437 (12 November 1813).

both in the 'shortness' of the present life and in its 'worthlessness' in any character other than that of 'an approach to a life of endless felicity'—a life to be earned, added Bentham, by 'a course of unremitted labours in the vineyard of faith, and an indefatigable repetition of acts of repentance'.[1]

§1.4. An Argument from Interpretation

In his *De Carne Christi* (*c*. 203–6), a polemic against Gnostic Docetism, Tertullian wrote '*prorsus credibile est, quia ineptum est*' ('it is immediately credible because it is silly') and '*certum est, quia impossibile*' ('it is certain because it is impossible').[2] These statements were modified and combined at some point in seventeenth-century England to read '*I believe* because it is impossible', before the intervention of Voltaire established the 'common form' of the maxim misattributed to Tertullian: '*credo quia absurdum*'—'I believe because it is absurd'.[3] The phrase encapsulated the argument that the religionist was right to believe against rationality because religion and its doctrines existed outside the realm of reason. The absurdity of the belief was a justification for holding it.

Bentham perhaps had this maxim in mind when claiming that it was common for the defenders of religion to argue that the doctrines of Jesus were justified by their very 'inanity' and, as a consequence, were not to be 'taken in the letter'. The precepts, went the argument, were 'too extravagant to have ever been entertained by any human being not in a state of mental derangement', so were not to be regarded as having been correctly expressed by the ordinary meaning of the words used.[4] Bentham realised, therefore, that his account of the mischievous effects of the precepts—namely, the indiscriminate submission to all forms of injury, the abjection of all wealth and all sources of abundance, the exclusion of the means of preserving either security or subsistence for any day beyond the present, the subjection of the unbelieving few to the believing many, the degrading of the mind, the dissolution of society, and, ultimately, the destruction of the human race—exposed him to the accusation that he had construed the words of Jesus too literally. He had failed to appreciate that Jesus' intention had been to 'hold and guide the hand', not

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[1] BL Add. MS 29,809, fos. 436–8 (12–15 November 1813), 443 (26 September 1815).

[2] Tertullian, *Tertullian's Treatise on the Incarnation*, E. Evans ed. & trans., London, 1956, 18.

[3] P. Harrison, '*"I Believe Because it is Absurd": The Enlightenment Invention of Tertullian's* Credo', 86 *Church History* (2017) no. 2, 339–64. See also Voltaire, *Le Dîner du comte de Boulainvilliers*, Geneva, 1767.

[4] Aspects of this argument have continued to be used in Christian apologetics. See, for example, C.S. Lewis, *Mere Christianity*, London, 1952, 54–6: 'A man who was merely a man and said the sort of things Jesus said would not be a great moral teacher. He would either be a lunatic—on the level with the man who says he is a poached egg—or else he would be the Devil of Hell. You must make your choice. Either this man was, and is, the Son of God, or else a madman or something worse.'

'mould the head'. If substantial interpretation was required to make sense of Jesus' words, however, then an absurdity arose, which Bentham outlined as follows:

> Here is a God, an omniscient being, who, having laws to declare—laws having for their end in view the giving direction to human conduct, knows not how to express himself—instead of the terms proper to the design and capable of giving effect to it, employs terms that are improper, terms not capable of producing that effect: whereupon the design remains … without any effect for many ages. Here on the other hand is a man who, though but a man, knows what the omniscient God does not know, knows what the words are which are capable of producing that effect which the God, though thus long labouring to produce, has thus long been unable to produce.[1]

The 'character' and 'intention' of any discourse, said Bentham, could only be judged from the words of which it was composed. This was as true of the supposedly 'matchless lessons of morality' of Jesus as it was of the Acts of the Apostles, the Epistles of St Paul, or any other text. Yet, if the Gospels were to be judged differently, then what words were to be substituted to those of Jesus? By whom, queried Bentham, was the will of Jesus better known than by Jesus himself? Any succedaneous words that were less proper than those used by Jesus would not answer their alleged purposes, while any that were more proper would urge further questions: why did Jesus not employ the words himself? was Jesus 'incapable of giving expression to his own meaning'? Again, the reality, in Bentham's view, was that the defenders of religion—the clergymen, the interpreters— simply gave the reported words of Jesus whatever meaning suited their purposes. In proof of this point, Bentham noted that while the most comprehensible, and the most mischievous, of Jesus' directions were those that man was enjoined not to take literally,[2] the 'most manifestly' figurative of Jesus' sayings were taken at face value. Both the Roman Catholic Church and the Church of England, for example, had given the words 'out of which the mystery of the Lord's Supper has been manufactured' a literal meaning[3]—the former in a 'carnal' sense,[4] the latter in a '*spiritual*' sense. In so doing,

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[1] BL Add. MS 29,808, fo. 134 (27 December 1814).

[2] Anticipating the objection that Jesus' directions were only mischievous if applied literally in contemporary society, Bentham reiterated that their observance was incompatible with the 'well-being', and indeed the 'very being', of any society in any time and place. He added that, even if this objection were valid, all it would show was that there was no reason to regard the directions as binding upon, or even as addressed to, men of other times and places. See BL Add. MS 29,808, fo. 140 (28 December 1814).

[3] See, for example, Luke 22: 19: 'And he took bread, and gave thanks, and brake *it*, and gave unto them, saying, This is my body which is given for you: this do in remembrance of me.'

[4] For an overview of the doctrine of transubstantiation, see 146n above.

said Bentham, they had attempted the impossible—that is, 'to give as true a contradiction in terms'.[1]

Bentham would have welcomed whatever contortions of interpretation were required to render the precepts of Jesus 'beneficial and practical' had he thought them capable of being so rendered. His view, however, was that insofar as the doctrines were not irredeemably destructive, they were so vague in their 'tenor' as to contain 'none the most distant intimation of any rule of action'. No amount of creative interpretation could overcome these problems. Whereas natural religion furnished no directive rules whatsoever, the religion of Jesus was comprised of doctrines that were positively harmful or patently unintelligible, but in either case 'a correct conception of man's duty in all or in any circumstances' was nowhere to be found. Thus, rather than serving as the ideal, or indeed as the only, standard for giving 'a beneficial direction' to human conduct in the present life, as the defenders of Christianity claimed, the system of Jesus was perfectly suited to misleading men or leaving them prey to 'uncertainty and anxiety'. For the purpose of guiding their behaviour, Bentham thought it scarcely any use at all.[2]

§1.5. What Jesus Should Have Done

Given that the system of Jesus was 'not only not conducive to general welfare and good morals, but absolutely and utterly exclusive of all such desirable results', and given how fervently religionists defended the system in spite of its inadequacy, Bentham invited the reader to imagine how much more receptive the same defenders of religion might be to a system of morals that was 'exempt from these imputations'—that was capable of being applied to 'general advantage' and to shaping 'general conduct' without the need for any deviation from the ordinary meaning of the words by which it was expressed. If it had been the intention of Jesus to promote the greatest happiness of the greatest number in the present life, and if he had been guided by 'that degree of intelligence and wisdom of which human reason without any assistance from religion—without any assistance supernaturally given by and received from God—is susceptible', then he might have produced such a system. Bentham was quite clear about what this would have entailed.[3]

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[1] BL Add. MS 29,808, fos. 137–9 (21 December 1814), 133 (27 December 1814), 135 (6 September 1815); BL Add. MS 29,809, fos. 421–3 (28 July 1815).
[2] BL Add. MS 29,807, fos. 43 (26 December 1814), 42, 53 (17 July 1815); BL Add. MS 29,808, fo. 141 (21 December 1814).
[3] BL Add. MS 29,807, fo. 58 (2 October 1811); BL Add. MS 29,809, fo. 424 (25 July 1814).

First, Jesus would have defined the 'different species of transgression—the different modes of doing evil' that it was in the nature of man to commit. In so doing, he would have taken account of the different life situations of people of different sexes, ages, and 'ranks in the scale of opulence and power', as well as the different times and places in which they lived (though he would have retained a particular focus upon the inhabitants of the country whose language he used). Of these transgressions, those which the legislator had made the subject of lawful prohibition and punishment would have been classed as 'crimes or misdemeanours'. Other transgressions would have been designated 'moral offences' or, if it was thought that the offence would be punished by God via 'supernatural means' in either the present or a future life, '*sins*'. Any 'habits considered as constituted by or productive of the practice of such moral offences' would have been termed '*vices*'.

Second, Jesus would have provided the legislator with 'a general description of the cases in which, with reference to the general good of the community, the application of punishment would not be advisable'. In short, he would have identified '*cases unmeet for punishment*'. Insofar as the infliction of punishment was considered appropriate, he would have specified in the instance of each crime or misdemeanour 'the quantity and the quality of the punishment proper to be applied'.

Third, Jesus would have considered how men tended to direct 'ill-will' towards the perpetrators of moral offences. He would have shown how the effect of this ill-will, at least to a certain degree, was to restrain men from committing the 'obnoxious acts' in question. In short, he would have taken notice of the power of the moral sanction. By determining the relative mischievousness of each moral offence, Jesus would have been able to indicate the transgressions, and thence the transgressors, against which men were justified in directing their 'lawful and warrantable' ill-will.

Fourth, in spite of 'the radical inaptitude of posthumous punishment … to the purpose of being directed with advantage to the restraint and prevention of any mischievous acts commissible during the present life'—a description by Bentham of the relative impotence of the religious sanction[1]—Jesus would nevertheless have given an indication of the nature of the posthumous punishment attached to each sin with a view to accomplishing the aforesaid purpose. If the human mind was incapable of conceiving anything of the quality of the punishment on account of its being unavailable to sense

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[1] See 84–94 above.

experience, then the same could not be said of its quantity or 'duration'. Bentham cited the example of Hinduism, in which the religious sanction obtained a measure of force, and with it a measure of effectiveness, as a result of the different lengths of posthumous punishments that were assigned to different determinate transgressions.[1]

Bentham's summary of what Jesus would have done had he been motivated by a concern for the greatest happiness of mankind might itself be summarised in one line: rather than delivering the nonsense of the Sermon on the Mount or any other of his mischievous discourses, he would have set his mind to developing a system of morality and law that was virtually indistinguishable from that laid out in *IPML*.[2] Through each of the above conjectural claims, Bentham was arguing that the religionist would be better off rejecting the doctrines of Jesus in favour of a work that presented a clear and comprehensive classification of offences, together with the punishments appropriate to each, in view of the morally and legally relevant facets of human behaviour, grounded upon a utilitarian theory of morality, as informed by a proper understanding of human psychology. This argument, however, raised a crucial question: if Jesus had not sought to promote the greatest happiness of the greatest number, then what had been the object of his enterprise?

The answer, in Bentham's view, as the following section will explain, had nothing to do with happiness in the present life, still less in some future state of existence, and everything to do with 'establishing a temporal dominion for his [Jesus'] own benefit'.[3] In reaching this conclusion—that is, in the process of determining what claims about the life and person of Jesus were most warrantable from the evidence of the Gospels—Bentham approached the historical Jesus no differently than he had the historical Paul. He subjected the Gospels to the same forensic examination that he applied to any historical text, the Acts and the Epistles included. However, before considering the specific claims about Jesus' enterprise that Bentham believed were explicitly supported by, or logically derived from, the evidence of scripture, his challenge to the probity and value of that evidence must be discussed. Bentham began that challenge by arguing against the view that the truth of Christianity was proved by the supernatural ministry—that is, the miracles and prophecies—of Jesus. It was an endeavour for which he owed a significant debt to Hume.

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[1] BL Add. MS 29,807, fos. 58–65 (2 October 1811).
[2] Schofield makes a similar point in *Bentham: A Guide for the Perplexed*, 129.
[3] BL Add. MS 29,807, fo. 160 (13 March 1821).

§2. The Truth of the Religion of Jesus

§2.1. Hume on Miracles

> Of two mutually contradictory and incompatible propositions, relative to a matter
> of fact, that which appears to it most probable, or least improbable, is the one which,
> on the part of a reasonable and unbiased mind, undisturbed by hope and fear, will
> always obtain credence.[1]

Bentham credited the idea expressed by this proposition to Hume. Indeed, the proposition summarised a key part of the argument that Hume presented in his provocative essay 'Of Miracles' in *An Enquiry concerning Human Understanding* (1748), which Bentham largely endorsed, and which Hume hoped would serve as 'an everlasting check to all kinds of superstitious delusion'. Hume's argument proceeded from the claim that, although fallible, 'experience' was man's only guide in reasoning about matters of fact. In deciding among competing truth-claims, a 'wise man' considered which claim was supported by the greater weight of evidence and proportioned his belief to it. The certainty of his belief, therefore, was commensurate with the strength of the evidence, as derived from witness testimony founded upon 'past experience'. This strength was a function of the number of witnesses, their character, any interest that they had in making their claims, and other like factors. Hume was careful to stress that the probative value accorded to the evidence came not from any '*a priori*' connection between testimony and reality, but because man was 'accustomed to find a conformity' between them.

If the fact to be established was 'extraordinary' or 'marvellous', then the testimonial evidence admitted of 'a diminution' commensurate with the unusualness of the alleged fact. The 'probability' against such testimony was highest if the alleged fact was 'miraculous'. A miracle, declared Hume, was 'a violation of the laws of nature'. Since a 'firm and unalterable experience' had established the laws of nature, the proof against a miracle was 'as entire as any argument from experience' that could possibly be imagined. The statement 'all men must die' expressed a law of nature because it was grounded in the identical testimony of men of different times and places; 'a dead man … come to life' was a miracle because no such event had been observed in any time or place by anyone. Hence, it made no sense to describe an event as a miracle unless there was 'a uniform experience' against it, yet a uniform experience, by definition, amounted to a 'full *proof*' against the existence of the miracle, and one that could only be overturned by an equal

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[1] BL Add. MS 29,806, fo. 120 (15 November 1813).

and opposite proof. On the one hand, then, the necessarily limited evidence for a miracle would always be outweighed by the evidence for the law of nature that the miracle had allegedly violated. On the other hand, the evidence needed to prove a miracle would have to be so overwhelming that it would establish, not a miracle, but a new law of nature. These observations led Hume to formulate the following maxim: 'That no testimony is sufficient to establish a miracle, unless the testimony be of such a kind, that its falsehood would be more miraculous, than the fact, which it endeavours to establish'. Thus, a man would need to consider whether it was more probable that a witness 'should either deceive or be deceived' than that he (the witness) had seen a miracle—whether the falsity of the witness testimony would be more miraculous than the event described by it—and reject whichever was 'the greater miracle'.

What if both the number and the reputation for reliability of the witnesses to the alleged miracle were so great that no amount of contrary evidence could outweigh their testimony? Hume justified his answer to this objection—'that there never was a miraculous event established on so full an evidence'—on four grounds. First, no miracle had ever been attested by 'a sufficient number of men, of such unquestioned good sense, education, and learning, as to secure us against all delusion in themselves; of such undoubted integrity, as to place them beyond all suspicion of any design to deceive others'. No witness to a miracle had ever been held in such high esteem by his peers that his 'reputation' would have been destroyed if his falsehood had been detected, and no miraculous facts had ever been attested in such a public manner and in so enlightened a society 'as to render the detection unavoidable'. Second, although man tended to favour claims founded upon 'the greatest number of past observations' while rejecting those 'incredible in an ordinary degree', he was susceptible, somewhat paradoxically, to accepting as a fact the affirmation of anything 'utterly absurd and miraculous'. The pleasant emotions of '*surprize*' and '*wonder*' elicited by miracle stories created 'a sensible tendency' towards believing them to be true. The countless supposedly supernatural events that throughout history had been proven false by contrary evidence were a testament to man's propensity to 'the extraordinary and the marvellous' and, said Hume, 'ought reasonably to beget a suspicion against all relations of this kind'. Third, a strong presumption against the truth of miraculous events was that transgressions of the laws of nature seemed to take place almost exclusively in 'ignorant and barbarous nations', or in the presence of the 'ignorant and barbarous ancestors' of civilised nations. It was no coincidence, thought Hume, that in places where man's knowledge and understanding of the world had increased, marvellous events had all but disappeared.

Fourth, a miracle alleged in any one religion discredited the miracles alleged in every other. Unless the miracles with which all religions abounded proved each and every religion true—an impossibility given that the religions of the world were mutually contradictory—the prejudice in favour of believing the miracles of any one religion had nothing to do with reason, but was founded exclusively upon faith.

After adding that his argument was equally applicable to prophecies, which were mere representations of the miraculous, Hume concluded that a belief in Christianity itself required a miracle: 'Mere reason is insufficient to convince us of its veracity: And whoever is moved by *Faith* to assent to it, is conscious of a continued miracle in his own person, which subverts all the principles of his understanding, and gives him a determination to believe what is most contrary to custom and experience'.[1]

Bentham agreed with Hume about the unreliability of miracle reports. As Riley summarises, their views coincided on the importance of witness testimony for establishing the truth of any historical event, on the conditions affecting the credibility of such testimony, and on the probative value of corroborating evidence.[2] Although Bentham remarked that aspects of Hume's argument were 'very elaborate and obscure' and lacked the 'particular observations of detail that would have been necessary for the explanation', the profound influence that it had upon him was evident from his own argument against the probative force of the miracles attributed to Jesus.[3]

§2.2. Bentham on Miracles

Bentham stated that all of the 'supposed manifestations' presented by religionists as 'extraordinary or supernatural proofs of the verity of the religion of Jesus' came under the name of either prophecies or miracles, though he, like Hume, did not recognise a substantive distinction between the two. Bentham defined a miracle in 'Jug. True' as

> any such reported or imagined operation or state of things as which, supposing it really to have had place, would be either a violation … of the laws of nature, or to such a degree unconformable to the ordinary course of nature, as but for the application made of it to the purpose in question would appear too improbable—too widely unconformable—to present a just claim to credence.[4]

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[1] David Hume, 'Of Miracles', in *An Enquiry concerning Human Understanding*, T.L. Beauchamp ed., Oxford, 2000, 83–99.
[2] Riley, 'Utility of History', 213–15.
[3] BL Add. MS 29,806, fo. 159 (9 November 1811).
[4] BL Add. MS 29,806, fo. 367 (19 January 1814).

Hume's influence was unmistakable in this formulation, more so than it had been in the definition given by Bentham in 'Not Paul, but Jesus', the chief purpose of which had been to enable him to contrast the theoretical requirements of 'real miracles' with the 'quasi-miracles' of Paul.[1] A prophecy, meanwhile, was a type of miracle and referred to any prediction with foreknowledge obtained by supernatural means. It was a miracle that remained '*in abeyance*' until such time as the prediction was fulfilled.[2]

§2.2.1. Prophecies

Bentham identified four conditions that were necessary for establishing the probative force of a prophecy in terms of its 'subserviency' to the purpose of proving the existence of a commission from God. First, '*ordinary* human *sagacity*' could not have determined that the predicted event was likely to occur at the time and place in question. Second, the matter predicted could not be something that tended to happen 'by *chance*', such as a weather event or a conventional form of good or ill fortune. Third, the predicted event could not have been brought about except by an arrangement 'unconformable to the ordinary course of nature'. Fourth, from the perspective of every man upon whom it could have a probative effect, the event predicted must have already occurred, 'because till the event be past, the prophecy is not fulfilled'.

In Bentham's view, none of the prophecies of Christianity came close to meeting these conditions. On the contrary, most were either 'so vague and obscure as to have no determinable reference to any one assignable person or event' or 'so vague and general as to be referable … to an indeterminate multitude of persons and events'. Some referred to an unidentified person who at an unstipulated time would lead 'a great political revolution' and deliver the Jews from their oppressors, but Bentham pointed out that, far from being 'extraordinary' or 'miraculous', predictions of this kind were frequently made among the Jews, as they were among all peoples who had lost their independence. The lack of specificity in any of the ostensible prophecies—the absence of dates, locations, or names and descriptions of the people involved—made their 'disfulfilment' impossible. Being unfalsifiable, they were resistant to evidence; being resistant to evidence, they were vacuous. Bentham's attention was also drawn to a number of 'extravagant' predictions that Jesus had made about, among other things, the sun turning black, the stars falling from the sky, angels coming to earth, and his own reappearance in a cloud to the sound of trumpets. Not only had these predictions proved false, but the reporting of them had

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[1] See 126–31 above.

[2] For a more detailed discussion of Bentham's understanding of the word 'prophecy', see 131–4 above.

almost certainly occurred after the time in which the predicted events were meant to have happened—namely, before the passing of the then present generation.[1] Bentham considered it 'scarcely reconcileable to the ordinary principles of the human mind' that any author who wished to promote the idea that Jesus had been 'commissioned from above' would furnish his own Gospel history with so concrete a proof of the 'groundlessness' of Jesus' 'pretensions to authority'.[2]

§2.2.2. Other Miracles

The essence of Hume's argument was captured in Bentham's central thesis that reports of miracles were incapable of establishing a proper ground of belief. The belief in the miraculous, which had been 'made to prevail' in men of times past by hope, fear, ignorance, and deference to reported wisdom, could no longer be justified given the extent to which 'experience' of the world had increased and 'rectitude of judgment' had become more common. The lack of any clear idea among the men of antiquity about what distinguished the natural from the supernatural led to a conflation of the two in historical reports of exclusively natural events. The Gospel writers depicted many forms of 'wonder-working power', including 'magic' and the work of 'evil spirits'. Even if it were true that miracles had been wrought by Jesus, by itself this would prove nothing about his divine status, since the impression created was that rarely a day passed at that time and place without someone or something infringing the laws of nature. Furthermore, Bentham alleged that supposed miracles were part of the 'stock in trade' of every man in ancient Judea, as in ancient Rome and Greece, who aspired to exercise 'extraordinary influence on the public mind', whether as a 'statesman', 'physician', or 'adventurer' claiming a divine commission. It was to be expected, therefore, that the 'varnish of the marvellous' would be added to accounts of their lives.[3] Sometimes the only difference between these accounts was the names of the actors involved. Just as Tacitus recorded that Vespasian had used his spittle to heal a blind man at Alexandria, so Jesus was described by Mark as having performed the identical miracle at Bethsaida.[4]

Bentham was keen to emphasise what he thought was obvious—namely, that the only available evidence of the miracles consisted in these ancient reports and not in any miracles themselves. The evidential difference between a miracle and a report was the

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[1] See Matthew 24: 29–35, Mark 13: 24–31, and Luke 21: 20–33.
[2] BL Add. MS 29,806, fos. 242–3 (16 January 1814), 247 (27 March 1815), 35–6 (9 August 1815), 426 (8 October 1815).
[3] BL Add. MS 29,806, fos. 390, 395 (17 July 1815), 259 (4 August 1815), 285 (10 October 1815).
[4] Tacitus, *Histories*, iv. lxxxi; Mark 8: 22–6.

difference between the situation of a percipient witness and a reader. This difference was 'next to infinite', but was made still greater in the case of Jesus by the fact that none of the Gospel writers even claimed to have witnessed any of the miracles that they related. The doubts repeatedly expressed by the followers of Jesus about the truth of his miraculous deeds—such moments tended to be marked in the Gospels by phrases like '*their hearts are hardened*' or '*their eyes were blinded*'—did nothing to improve the probative value of what Bentham regarded as 'palpably deficient' evidence.[1] If those who had reportedly been present at the scene interpreted Jesus' actions one way, and the clergymen of the nineteenth century interpreted a report of those actions in a completely different way, then who exactly was blind, he asked—the men with the nearest and clearest view or those whose view was most remote and obscure?[2]

Unlike Hume, Bentham drew attention to the many discrepancies that he found both within and between the miracle stories contained in the Gospels. He noted, for example, that while Matthew reported that Jesus had been unwilling to perform a miracle at Nazareth because of the unbelief of the crowd, Mark gave 'want of power' as the reason. Whatever it could mean to say that unbelief had overcome supernatural ability, Bentham asserted that it made little sense to say that it had overcome willingness. If Jesus' 'bare word' had proved insufficient to elicit belief, and miracles, according to Luke (but no other author), were what the crowd had requested, then rather than affording a basis for refusing the request, unbelief was the only reason by which miracles could be justified— for if men already believed, there was no reason to expend upon them the 'pretious article' of a miracle. Instead, Mark (but no other author) claimed that Jesus had expressed indignation at the unbelief of a crowd that he had been powerless to supply with the ground that they required for the very belief that he had demanded of them. The reports of Jesus' resuscitation of the daughter of Jairus were similarly blighted by discordance.[3] First, no Gospel writer identified where the miracle had taken place. Matthew located it somewhere near Jesus' 'own City', thought to be Capernaum, while Mark offered the more general 'country of the Gadarenes'. Although a crowd was said to have attended the miracle, Luke and Matthew indicated that there had been only five percipient witnesses to it. No witness, not even the girl herself, was recorded as having said anything about the episode, though since only John thought Jesus' raising of Lazarus sufficiently

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[1] See, for example, Mark 6: 52 or John 12: 37–41.
[2] BL Add. MS 29,806, fos. 262, 484 (21 January 1814).
[3] See Matthew 9: 18–26, Mark 5: 21–43, and Luke 8: 40–56.

interesting to merit attention,[1] and only Matthew saw fit to mention that all the dead of Jerusalem had taken to the city's streets at the time of Jesus' own resurrection,[2] encounters with people *post mortem* appeared from the Gospels to have been anything but 'extraordinary' in Judea at that time. Bentham's overriding point was that no reasonable degree of reliance could be placed upon four biographers who were so 'at variance' in their accounts of the same life. The incompatibility of any two accounts necessitated falsity on the part of at least one, while incompleteness in a narrative 'weakened or even destroyed' its claim to truth. Bentham's argument thus had what he called a 'double aspect': any facts not mentioned by an author were 'disprobabilized' by their omission; any facts mentioned by an author were 'disprobabilized' by the omission of occurrences which, had they really happened, could not have been ignored by even the most incompetent reporter. The Gospels, written 'at a remote period and early stage in the progress of society', contained no 'marks of verity' sufficient to afford the enlightened man just ground for believing the miracle stories to be true. There was, said Bentham, a 'remarkable and nearly total deficiency' of 'probabilizing circumstances' in the case of facts represented as supernatural and an 'abundance' of 'improbabilizing circumstances' in the instance of those same facts.[3]

Bentham explained that there were many ways of accounting for a miracle report that were far more probable—that is, far less 'repugnant' to the ordinary course of nature—than its being true. The report might be false in its entirety in that it formed part of a 'spurious book' written long after the 'pretended' time of the alleged miracle;[4] or the fact reported might be real, but its miraculous quality came from the 'artifice' of either the reporter, whose claims had passed 'unchecked by counter-interrogation', or the subsequent intervention of others; or the report might not itself be false, but either 'misinterpretation' or 'the heated imagination of devotees' had rendered its meaning so; or the report might be true in some respects (the natural parts) and false in others (the miraculous parts). Even if the religionist was inclined to think that the report was rooted in fact, he had to decide what kind of fact had a better claim to credence—one that was 'eminently probable' in that it was 'exemplified almost continually in the case of every man that breathes', even if the reporting of it or interpretation given to it was deliberately

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[1] See John 11: 1–45.

[2] See Matthew 27: 52–3.

[3] BL Add. MS 29,806, fos. 82–4 (7 August 1815), 279 (16 August 1815), 460 (9 January 1816).

[4] Bentham knew that none of the Gospels were contemporaneous accounts of Jesus' life. Of the time between the reported facts and the reporting, he remarked: 'Thick is the darkness in which this subject is enveloped.' Modern scholarship dates all four Gospels to the period *c.* 65–110.

or unintentionally false, or one that was 'in a supreme degree improbable'. Bentham stated that there had never been 'that force of probative evidence' to afford 'a just and sufficient ground' for thinking it more probable that a law of nature had been violated—'and *that* such a violation as by no man now living has ever been seen to take place'—than that the ordinary course of nature had continued undisturbed. What was more likely, queried Bentham, either that a woman who hoped to receive a health benefit by touching an item of clothing had applied the 'force of the imagination' to her disorder so that any subsequent relief she obtained was sufficient to establish a belief of a miraculous cure in her mind, or that a miracle had been performed without any 'act of the will' on the part of its supposed author?[1] What was more probable, either that Jesus had resurrected a dead boy by working a miracle so routine that only one of his four biographers thought it worth mentioning, or that Jesus had reached an 'understanding' with a mother that her son should lie down and then, at Jesus' command, get up?[2] Bentham was not arguing for these explanations specifically—he doubted that either episode had any basis in fact—but simply noting one among many possible explanations for each story that was far more probable than the miraculous alternative.[3]

The probative force of the evidence for the supernatural was further weakened, in Bentham's view, by the interventions of the ecclesiastical class. Aware that man's faculty of 'swallowing marvels' had grown weaker as his judgment had grown stronger, the ecclesiastical class tried to protect its interests from the assault of enlightened reason by ensuring that miracles of 'too large a dimension are strained out and put aside'. Hence, even if the religionist was prepared to accept the truth of the miraculous report, revisions to Christian dogma had the effect of changing what it was that constituted 'the truth'. Bentham noted, for example, that one of Jesus' purported miracles had been to expel a devil from a man, with the 'diabolic matter' serving 'somehow or other for the diabolizing of several thousand hogs'.[4] This 'system of diabolism' had formed an integral part of Christianity for most of its history, but eventually proved 'so compleatly indefensible' in the light of what man had come to understand about the world that it was abandoned in the seventeenth century, whereupon a 'discovery' was made that devils were really diseases. The transformation of the devils' nature from '*persons*' to '*modes of being*' was

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[1] Bentham was referring to Jesus' healing of a woman 'with an issue of blood'. See, for example, Matthew 9: 20–2.

[2] Bentham was referring to Luke 7: 11–17 and Jesus' raising of the son of the widow at Nain.

[3] BL Add. MS 29,806, fos. 264–6 (22–3 January 1814), 277, 450 (16–19 August 1815), 288 (2 September 1815).

[4] Bentham was referring to the Miracle of the Gadarene Swine. See, for example, Mark 5: 1–20.

imperfect, however, since, 'Proteus like',[1] said Bentham, they remained different things to different men: devils to those who could be made to accept them as such; diseases to those who refused to believe in devils.[2] Yet, while devils were unconformable to the ordinary course of nature, the disease hypothesis was unconformable even to the most strained reading of the text. Bentham thought that if the religionist took some cognisance of the probability of real world events, then he would find several explanations for the miracle report that were more likely than one involving either devils or diseases, not the least of which being that the story was false.[3]

On the question of whether the truth of a supposed miraculous fact was more or less probable than the truth of any alternative proposition, Bentham's effective reworking of Hume's maxim into an unqualified, and therefore stronger, dictum provided an uncompromising answer: 'Of no religious system can any proof be given by any reported miracle or miracles [because] of every such report (the nature of man considered) the *falsity* will ever be more probable than the *verity*.' Bentham added that any proposition by which the truth of religion was said to be proved by a set of miracles was not only untenable, but also 'self-contradictory'. In order to prove the truth of religion, a miracle had to be believed, but to the degree that it was seen to be improbable, it was seen as 'unfit' to be believed. To one and the same man, therefore, a supposed miraculous fact had to appear 'preponderantly probable' and 'preponderantly improbable' at the same time: probable, or he would not believe it; improbable, or it would not seem to him to be a miracle. This irreconcilable conflict helped to explain why the fraudulent reporter would create the simultaneously miraculous and non-miraculous quasi-miracle,[4] but it also lent further support to Hume's claim that a belief in miracles was inconceivable unless reason was made subservient to faith. This was a claim about the epistemological basis for belief, and it was one that two contemporaries of Hume and Bentham firmly rejected.[5]

§2.3. Campbell and Price

Motivated by a sense of disdain for the arguments of Hume's detractors, as well as by the desire to defend the probabilistic reasoning underpinning his own critique, Bentham made a forceful contribution to the debate on miracles between Hume and the philosophers and

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[1] In Greek mythology, Proteus was a shape-shifting prophet and sea-god.
[2] This appears to be an example of the application of what Bentham called the 'allegorizing' or 'spiritualizing' postulate. See 180–1 above.
[3] BL Add. MS 29,806, fos. 268, 271–2 (23 January 1814).
[4] See 126–8 above.
[5] BL Add. MS 29,806, fo. 263 (22 January 1814).

clergymen George Campbell and Richard Price. He did this by attempting to refute two arguments for the following proposition: that the improbability of any reputed fact 'can not afford an adequate ground for the disbelief of it, in opposition to a positive report made of it by human testimony'.[1]

Campbell, a leading rhetorician of the Scottish Enlightenment and a minister of the Church of Scotland, wrote *A Dissertation on Miracles* as a direct rebuttal to Hume's 'Of Miracles'.[2] Price, a nonconformist minister, published his own refutation of Hume in his *Four Dissertations*.[3] Bentham's view was that both men, having recognised that one could not accept the basis of Hume's attack on miracles without undermining the truth-claims of, and a belief in, the religion of Jesus, had persuaded themselves, and sought to persuade others, that man had a duty of credulity—that is, a duty to develop a disposition 'to believe improbable things'.

Campbell's argument was that God had equipped man with an unerring '*believing sense*'. This sense, which was no less a faculty of perception than hearing or sight, compelled man to believe an alleged fact without any regard to its probability—to believe the truth of that which a man might otherwise reject as improbable. If the correctness of a belief depended upon the judgment, then a man was liable to believe erroneously, but a man could not be deceived if correctness depended upon sense. The believer was 'rightly constituted'—that is, he was possessed of a believing sense—and therefore his opinion had a 'claim to notice', while the 'imperfectly and weakly constituted' disbeliever lacked a believing sense so his opinion could be safely ignored. Price's argument was that while a reputed fact might be improbable, improbability was no basis for disbelief given that the most improbable events were often true. Price illustrated this idea with the example of a lottery, where the disprobative circumstantial evidence of the improbability of anyone winning the lottery was always outweighed by the probative force of the testimony that someone had actually won.[4]

Bentham made no attempt to disguise his contempt for these arguments. First, he rejected Campbell's absolute separation of the faculties of perception and judgment. Though distinct, these faculties worked in tandem, and far from being unerring, they

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[1] BL Add. MS 29,806, fo. 121 (15 November 1813).
[2] George Campbell, *A Dissertation on Miracles*, 3rd edn., Edinburgh, 1762.
[3] Richard Price, 'On the Importance of Christianity, the Nature of Historical Evidence, and Miracles', in *Four Dissertations*, 4th edn., London, 1777, 359–464.
[4] BL Add. MS 29,806, fos. 151 (5 May 1812), 120–2, 128–9 (15 November 1813); BL Add. MS 29,807, fos. 120–1 (10 March 1819).

frequently proved deceptive; a man's judgment might determine a shape perceived on the horizon to be a mountain, for example, when in reality it was a cloud. Nevertheless, any theory of belief that failed to give primacy to the operations of the judicial faculty—the faculty, said Bentham, to which all argument was addressed—was inherently and irredeemably defective:

> When testimony as well as when material evidence … is the subject, *belief* then is an act of the judgment: Disbelief, the opposite, is in like manner an act of the judgment. If these be not acts of the judgment, neither are any others.[1]

Bentham's principal objection, however, was that Campbell was referring what were mere opinions to the perceptive rather than to the judicial faculty in order to avoid the 'just reproach' that was due to any man who arrogated the attribute of 'infallibility' to his judgment. The 'believing sense', which Bentham felt was more deserving of the name 'ipse-dixitism' ('The thing is true: why? because it is I that say it'), allowed Campbell and other like-minded thinkers[2] to dignify 'blindness', 'obstinacy', and 'arrogance' with the name of 'sound reasoning'. They used the infallibility that they had effectively claimed for themselves in order to justify substituting 'nonsense' for 'reason and experience' in the fields of logic and morality. Bentham was dismayed that their 'system of irrationality' had 'taken root and spread' in England and Scotland, the effect of which had been to push men further 'from true science—from clear conceptions—from rational and useful conclusions'. He was also adamant that no operation of the believing sense could cure it of its numerous contradictions. What better proof did one man's belief give of the truth of a thing than another man's disbelief gave of its falsity? Why should the assurances of a 'notorious liar' be received with the same confidence as those of a man of 'unimpeached veracity'? Was a man supposed to believe two contrary facts simultaneously if each was affirmed by a different witness? Did the believing sense affirm propositions or negate them, because any proposition could be reframed so that the affirmative became the negative, and *vice versa*—what then? None of these questions, thought Bentham, admitted of a satisfactory answer. Insofar as a supposed fact was 'extraordinary', Campbell gave full credence to the direct evidence of a 'self-declared percipient witness', but disallowed all circumstantial evidence on the grounds that his own judgment was weak and fallible, while discrediting any dissenting view as the product of a defective sense. Hence, Bentham remarked that if Campbell was correct

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[1] BL Add. MS 29,806, fo. 172 (9 November 1811).

[2] Bentham specifically mentioned James Beattie, James Oswald, Thomas Reid, and Dugald Stewart.

about his believing sense, then all argument was lost upon him because, by his own account of himself, he was a man 'not to be reasoned with'.[1]

Bentham began his response to Price's 'puzzle'—he was reluctant to call it an argument—by taking Price's own example and using it to argue against Price's position. In a lottery, there was indeed a high degree of improbability against the drawing of any particular ticket. It was certain, however, that a ticket would be drawn and that the chance of any one ticket being drawn was equal to that of any other. Thus, against one ticket being drawn, whichever it happened to be, there was no degree of improbability whatsoever. Even if the number of lottery tickets was raised from the thousands to the millions, the real improbability against a winning ticket being drawn was not increased: for one ticket, there was the same certainty; against each ticket, there was the same equal chance. None of this could be said of the supernatural claims of Christianity. Bentham observed, by way of example, that if just one man was restored to life out of every million and one men who died, then these improbable odds (a million to one) would afford 'no sufficient cause' for disbelieving a rumour of a resurrection. Yet this was not a representation, or even an approximation, of what happened in reality. The mistake of Price was to fail to recognise a distinction between that which was improbable but possible and that which was impossible according to the laws of nature. Bentham also applied a *reductio ad absurdum* argument to demonstrate that Price's basic reasoning fell into contradiction. It could be shown, he said, that any fact was improbable in an 'infinite degree'. It was infinitely improbable, for instance, that a man should find the precise pattern of wood grain that he actually did find in a floorboard of his house. The same could be said of the configuration of veins in a leaf or about the arrangement of hairs on the body of a horse. Reason dictated, however, that that which was in an infinite degree improbable was impossible. Any fact that had ever existed must therefore be impossible, even though its existence was provable by 'an ordinary mass of evidence'. By its absurdity, said Bentham, this conclusion testified to the invalidity of Price's argument.[2]

In opposing the view that not only was credulity reasonable, but man had a duty to be credulous, Bentham was introducing another strand to his argument against faith. He recognised that the religionist came to believe things that, although they appeared improbable to his (the religionist's) own judgment, were regarded as true, or appeared to

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[1] BL Add. MS 29,806, fos. 124 (February 1811), 152 (5 May 1812), 122–3 (15 November 1813), 125–7 (28 July 1815); BL Add. MS 29,807, fos. 121–4 (10 March 1819).
[2] BL Add. MS 29,806, fos. 132–3 (15 November 1813), 134–5 (29 July 1815); BL Add. MS 29,807, fo. 126 (10 March 1819).

be regarded as true, by other men whose judgment he deemed more trustworthy than his own. These men included Campbell, Price, and other exponents of 'the philosophy of Ipse dixit', but also—and perhaps, for Bentham, most especially—the clergy. This was 'belief upon authority, or upon trust', and, in Bentham's estimation, was precisely the sort of belief typically bestowed upon 'mysteries and miracles'. If 'the principle of miracle evidence' was 'credulity precluding all argument—all inquiry', then it was 'the principle of experience' that 'puts every thing upon a course of examination: and furnishes a clue'. After placing the supernatural evidence for the truth of the religion of Jesus upon his own course of examination and determining that it lent far greater support to the opposing case, Bentham turned to the natural evidence. What he found was that ignoring 'the extraordinary and the marvellous' did nothing to improve the probative value of the Gospel evidence, nor weaken its disprobative force.[1]

§2.4. Evidentiary Imperfections

The natural evidence for a belief in the truth of Christianity consisted in the Gospel accounts of those events and states of things pertaining to the history of Jesus that were free from 'any circumstance repugnant or unconformable to the known and ordinary course of nature'.[2] Although he perceived this material to be plagued by many of the same defects as its supposed supernatural counterpart—and susceptible, therefore, to many of the same criticisms—Bentham used this part of his critique to expatiate upon certain additional 'evidentiary imperfections' that further compromised the trustworthiness of the Gospels as historical records.

He began by stating that for any ostensibly factual report to command belief, the reporting author must specify the 'individualizing and concomitant circumstances' of the principal event or events related.[3] An event—a fictitious entity that described the relationship between an individual substance (a real entity) and other substances, either in motion or at rest—was individualised if it was 'distinguished from all individual events or states of things capable of being designated by the same generic or specific name'. If the report of the event was true, then the inclusion of individualising circumstances increased the probability of its being believed. Bentham suggested that insofar as the unusualness of an event meant that a report of it seemed likely to meet with 'unbelief', the reporting author ought to present as many individualising facts as possible in order to

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[1] BL Add. MS 29,806, fos. 169 (9 November 1811), 151–2 (5 May 1812).
[2] BL Add. MS 29,806, fos. 366, 474 (19–21 January 1814).
[3] Bentham made a similar criticism of the Acts of the Apostles. See 129–31 above.

give a firmer 'pledge and proof of his veracity'. If the report was false, however, then the more circumstances that were specified, the more exposed the falsity was to detection— hence the reason why a fraudulent author tended not to individualise the events in his narrative. The two most essential individualising circumstances identified by Bentham were those of time and space. No event could exist except in a determinate 'portion of space' at a determinate 'portion of time', and no two atoms or aggregates of atoms of equal size could occupy the same space simultaneously. Thus, any author who failed either to place his narrative in a portion of time or to locate one or other portion of matter in a particular space—that is, to indicate when and where things happened—did much to undermine whatever claim to truth he made for his report.[1]

Bentham's complaint was that no Gospel writer gave a complete 'individualization' of any supposed fact. In no Gospel, for instance, could one find a precise indication of the '*direct* or *absolute*' time—the year, month, week, day, hour, or minute—in which any event was alleged to have taken place. The Gospels contained little indication of even '*indirect* or *relative*' time, by which Bentham meant the relation borne in respect of time between a principal event and any directly or absolutely indicated occurrence. Instead, the continual recycling of phrases such as '*And it came to pass*'[2] kept matters of chronology in 'a state of the thickest darkness'. What few indications there were of relative time served only to diminish the Gospels' credibility, since the time assigned to the same incidents varied from one Gospel to the next. Bentham cited the story of the 'neglect' shown by Jesus to his mother and brothers, which was placed in three different periods of time by Matthew, Mark, and Luke (John remained 'silent').[3] Designations of space in the Gospels were scarcely more determinate. Reference was occasionally made to the names of countries and towns, but no designation ever reached what Bentham considered a sufficient 'degree of particularity'—ever named specific streets, houses, floors, rooms, or objects within rooms—to give the reader any confidence that the portion of space indicated had really been occupied by anyone or anything.[4]

As with the miracle evidence, indications of the 'percipient and primarily narrating witness', the 'intermediate orally narrating witnesses', and other 'actors' and 'interlocutors' either were not given at all or were too vague to afford confirmation if true or operate as a source of 'detection, disproof, and exposure' if false. Bentham pointed out

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[1] BL Add. MS 29,806, fos. 236–8, 434 (21–2 August 1815), 217–22 (27–8 August 1815).
[2] See Matthew 26: 1, Mark 4: 4, and Luke 29: 51 for some of the many uses of this phrase in the Gospels.
[3] See Matthew 12: 46–50, Mark 3: 31–5, and Luke 8: 19–21.
[4] BL Add. MS 29,806, fos. 234–5 (7 August 1815), 217, 223, 239 (27–31 August 1815).

that while his contemporary authors tended to take the precaution of soliciting testimony from men with official status or who were otherwise exposed to public view, the Gospels' claim to credence stood upon the 'precarious' ground of testimony from men who were 'buried in obscurity'. This testimony was made still less reliable by the decades-long interval between the alleged events and their recording. Whether because of a loss of memory, or by the development of 'a supervening mendacity-prompting interest', or as a consequence of 'incapacitation' by 'death, infirmity, expatriation, or any other cause', the likelihood of any witness providing a faithful representation of the facts—of the precise words said and the specific deeds done—after so long an interval was almost non-existent. Bentham's main criticism, however, was that this testimony was subject to one 'all-comprehensive and fundamental objection'—namely, that it belonged to 'that most untrustworthy species of evidence' called 'hearsay':

> W. writing what, if he is to be believed, S. saw or H. heard: W. writing without exposure to counter-interrogation—without exposure to counter-evidence … without any of the so well known and so strictly exacted securities for correctness and compleatness.[1]

Bentham remarked that evidence of this nature, which in the present case was meant to ground a system of obligations governing 'the whole tenor' of every man's life, was considered so grossly inadequate by the judges of England that it was incapable of grounding even an obligation binding a man to pay a shilling.[2]

The entire Gospel narrative was beset with 'obscurity and inconsistency'. Bentham apportioned some of the blame for this, first, to the Greek language in which the Gospels had originally been written, which he regarded as 'scanty' and 'immatured'; and, second, to the language and process of translation, both of which had conspired to cast an additional layer of mystery upon incidents of 'the most familiar kind'. However, none of this, in Bentham's view, could account for the overt discrepancies in the Gospels. There were discrepancies about the 'class of beings' to which Jesus had belonged, the manner of his coming into world, the 'state of society and manners' during the period of his 'exhibitions', his purposes and the means he employed to accomplish them, the manner of his death, and the times and places of his appearances after his resurrection. Disbelief arose not only from the many 'utterly irreconcilable' contradictions both within and

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[1] BL Add. MS 29,806, fo. 475 (21 January 1814).
[2] BL Add. MS 29,806, fos. 475–8 (20–1 January 1814), 214 (9 August 1815), 239 (31 August 1815), 241 (1 September 1815), 216 (4 October 1815), 215 (11 October 1815). Bentham made a similar criticism of the Acts of the Apostles. See 115 above.

between the Gospel accounts, but also from 'bare omission'. Hardly any story was related by all four writers, and no writer disclosed anything about what Jesus had said or done during the vast majority of his life.[1]

In dissecting the opening verses of the Gospel of Luke, for example, Bentham suggested that no 'discriminating mind' could fail to be sceptical of the degree of probative force operating in support of the truth, not only of the words in question, but also of those that would follow in the rest of the work. These verses read:

> Forasmuch as many have taken in hand to set forth in order a declaration of those things which are most surely believed among us, even as they delivered them unto us, which from the beginning were eyewitnesses, and ministers of the word; it seemed good to me also, having had perfect understanding of all things from the very first, to write unto thee in order, most excellent Theophilus, that thou mightest know the certainty of those things, wherein thou hast been instructed.[2]

First, Bentham regarded Luke's reason for writing his Gospel—'because so many had written already'—as weak. Normally, he argued, if 'many' men had already produced several works recounting the same set of facts, then less would be the need, or the use, of adding to them. In these circumstances, 'a man of ordinary good sense would rather have found a reason for forbearance'. Second, Luke indicated that Theophilus had already received the instruction. If this instruction was correct, complete, and distinct, then Luke's work was indeed 'needless' and, given the risk of 'indistinctness through discordance', 'worse than useless'. If the instruction was incorrect, incomplete, and indistinct, then why, queried Bentham, did Luke not direct his attention to rectifying these errors? Providing a simple 'attestation' to the points requiring amendment would have constituted a 'highly advantageous substitute' to Luke's actual work. Third, Luke stated that the 'things' had been delivered by 'eyewitnesses'. Bentham pointed out that, whether as related by Luke or by the other Gospel writers, it was impossible that any one man could have been an eyewitness to the events of the Gospels, some of which were said to have taken place in the presence of one set of persons, others in the presence of another set. Fourth, Luke declared his own understanding to have been 'perfect', which would have required him to have been such an eyewitness. Bentham observed, however, that there were many matters of fact in his Gospel that Luke plainly could not have

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[1] BL Add. MS 29,806, fos. 371 (19 January 1814), 343 (8 August 1815), 240 (1 September 1815).
[2] Luke 1: 1–4.

witnessed—not least the events of his very next sentence, which purported to reproduce a conversation between Zacharias and an angel.[1]

§2.5. The Religionist's Defences

Bentham anticipated the following two objections: first, that the logic of his argument entailed that it was unreasonable for the men of his own day to regard the religion of Jesus, as related by one or other Gospel, as true, even if in fact it were true; and, second, that the same logic committed him to disbelieve all 'profane' as well as 'sacred' histories. After claiming that improbability was an 'essential character' of sacred histories alone, meaning that any improbable fact in a profane text could be identified and rejected without difficulty, Bentham responded to the main thrust of the objection by accepting it, at least to a point. If a system of supposed ancient facts was so unconformable to the 'universally experienced course of nature', then men of 'succeeding and distant times' had insufficient grounds to credit it, even supposing, for the sake of argument, that it was true. Bentham did not regard this as a concession, however, because the objection begged the question. It presupposed that a religion had been revealed in ancient times, and that this revelation was not only capable of being sufficiently proved, but had actually been sufficiently proved by evidence of the very sort under challenge. Such a presupposition was more than Bentham was prepared to allow:

> Dealing with a being endowed with human reason, an all-wise being would not attempt to put upon him a revelation supported by no better evidence … or, if he did, by no such weak evidence alone, but to some stronger species of evidence … would he betake himself for the fulfilment of his designs.[2]

The 'unimpeachably trustworthy' evidence needed to prove a particular fact was not always available to man, acknowledged Bentham, but producing the best evidence could never, 'without self-contradiction', be outside the scope of omnipotence.

The religionist might counter that the designs of the Almighty were 'unsearchable'. If so, queried Bentham, then how was this known, and why did religionists make it their 'continual occupation' to search into them? One could only fulfil the will of God if one knew what it was, and one could only come to know God's will by understanding his designs. Thus, asked Bentham, how did the idea of the 'unscrutability' of God's designs serve the purpose of the religionist any further than insofar as he assumed the very thing

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[1] BL Add. MS 29,806, fos. 48 (3 August 1815), 464–6 (19 August 1815).
[2] BL Add. MS 29,806, fo. 480 (21 January 1814).

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in question? If one granted that some matter was the will of God, then it was unnecessary to know God's designs to oblige conformity to it—but, again, this was what Bentham was placing in dispute. It was precisely because he doubted that what was given as having been revealed by the Gospels as the will of God was actually the will of God that he was examining such a claim in the first place.[1]

At all times, therefore, the religionist, said Bentham, supposed two things: first, that separate from all that was perceptible there existed 'a being, who, like ourselves being endued with reason, though with a better sort of reason, like ourselves forms designs, which designs, like our own, are to a certain extent fulfilled, but to a very great extent frustrated'; and, second, that at a particular moment in time one of the designs of this being had been 'to communicate by supernatural revelation a system of religious persuasion and observance' to some of the inhabitants of a highly-illiterate region of Judea by presenting to the evidence of their senses 'the ordinary and natural doings and sayings of Jesus'. The Gospels themselves confirmed that no 'general persuasion' had been generated among these inhabitants, even as Jesus had also apparently supplemented that evidence by performing a 'prodigious quantity' of extraordinary feats, sometimes before crowds of thousands. After all of this, nothing further by the Almighty being was deemed necessary to the accomplishment of his design. The inhabitants of later times and places were simply called upon to give credence to this evidence—evidence that was incapable of proving 'the most ordinary and most naturally probable species of facts', but whose overall effect was to trace in the mind an idea that a portion of the earth had once been 'a province of Faery Land'. Bentham pointed out that thousands of men had visited Judea and none had seen, or even expected to see, that which four contradictory, divergent, and frequently nonsensical ancient histories depicted: angels employed 'at every turn' to dispense advice on the ordinary occurrences of life, false prophets casting out devils, spirits 'swarming every where and at all times', and dreams and visions accredited as sources of information and the foundation of design and practice. In order to possess a 'reasonable claim to credence', any statement or narrative, but especially one that was allegedly penned with supernatural assistance (or 'inspiration'), and that concerned a subject in comparison of which all others put together 'shrink into insignificance', ought to possess all such marks of verity as human wisdom could afford—or, at the very least, that it might have afforded at the time of writing. It was Bentham's judgment that the Gospels failed this test. They possessed negligible securities

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[1] BL Add. MS 29,806, fos. 479–80 (21 January 1814), 481–2 (3 April 1815), 337 (11 August 1815).

for the truth of the stories that each contained, while providing the very strongest indications of their falsity.[1]

How, then, had a system 'so destitute of every feature of probability' obtained such universal credence among the most 'civilized' and 'enlightened' of nations, even in the modern day? First of all, Bentham asserted that the authority credited to the Gospels partly stemmed from the practice of inculcating religious beliefs in children, which included the conflation of religious fables with historical facts, while also hinting at the socially reinforcing and self-reinforcing effects of religious belief:

> from his earliest infancy, from the same hands from which he has all along received that information of which constant experience has been all along demonstrating to him the verity and the use, he has been all along receiving, not only with equal but superior gravity and seriousness, this bundle of Jewish Tales, equal in falsity and absurdity, but so much inferior in ingenuity and amusiveness, to the Entertaining Histories of which the neighbouring Country of Arabia was the familiarly intituled source.[2]

One objection to the claim that familiarity bred acceptance was that the religionist possessed something akin to a 'believing appetite'. In contrast to Campbell's believing sense, which was an innate faculty of the mind, this appetite referred to the 'cravings' for belief that man needed to gratify in order to avoid personal suffering. On this basis, the admission of the truth of the Gospels depended not upon their probative value, but upon the impression that they made on the 'affections and passions', and thence their ability to satisfy the mind—to prevent it from being left in an 'unhinged and uncomfortable state'. In response to this objection, Bentham pointed out that no habit, including a habit of belief, could be broken without causing discomfort, which would materialise in the case of a habit of belief independent of whether the belief in question was true or false. He added that from any desire of the religionist to believe, it no more followed that the Gospels were true than it followed from a habit of eating at a certain hour that 'arsenic' and 'lead' were wholesome foods.[3]

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[1] BL Add. MS 29,806, fos. 485–7 (21 January 1814), 213, 345–6 (7–8 August 1815), 433 (23 August 1815).

[2] BL Add. MS 29,806, fo. 346 (8 August 1815). The 'Entertaining Histories' were the folk tales of *The Arabian Nights' Entertainments*, generally known today as *One Thousand and One Nights*.

[3] BL Add. MS 29,806, fos. 420 (30 July 1815), 338–9 (11 August 1815).

In Bentham's view, however, the proximate cause of the credence given by the religionist to the Gospels was not upbringing, education, the tide of received opinion, habit, or any 'believing appetite':

The influence of fear and hope on the will—the influence of authority on the understanding—in these two confederated influences may be seen a cause altogether sufficient, without the aid of any such supposition as the truth of the alledged matter of fact, for obtaining and securing credence to histories still more extravagant, and obedience to precepts still more noxious.[1]

If a man was persuaded that the difference between eternal pleasure and eternal pain depended upon his taking one or the other of two opposite sides, then it was in his nature, said Bentham, that 'the side which he will take will be that by the taking of which the misery will be avoided, and the felicity gained'. If by these means belief was not produced, then it was an 'infallible' sign that a man was not persuaded of the existence of any connection between the belief and the reward in question. Rewards and punishments, however, were not arguments. Neither had any direct effect upon the understanding, but exercised power only over the will. Yet whoever or whatever had power over the will exercised an indirect command over the understanding. The influence of the ministers of religion in this regard has been discussed at length,[2] but there were other influences. An adherence, for example, to what Bentham termed 'the question-begging or assumptive principle'—an anticipation of what modern cognitive psychology calls 'confirmation bias'[3]—arose from the religionist's determination to be satisfied with every attempt to explain the inconsistencies and contradictions of the Gospels rather than admit the supposition that the 'improbity or imbecility' of the author (or someone else) had yielded 'misrepresentation'. Once this determination had formed, any interpretation, no matter how forced or absurd, became not only tenable, but 'incapable of being rejected'. Bentham asked: 'Exists there that religion—that mass of mischievous nonsense under the name of religion—that may not be defended—upon these terms?' The application of this principle, he noted, was doubly convenient: it gave 'advantage in argument' by shielding all nonsense from exposure, and it allowed any man who failed to treat the sacred histories with 'abject' reverence to be punished under the name of

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[1] BL Add. MS 29,806, fo. 420 (30 July 1815).

[2] See 45–53 above.

[3] Klayman defines 'confirmation bias' as 'an inclination to retain, or a disinclination to abandon, a currently favored hypothesis'. See J. Klayman, 'Varieties of Confirmation Bias', in J.R. Busemeyer, R. Hastie, & D.L. Medin eds., *The Psychology of Learning and Motivation, Volume 32*, San Diego, 1995, 385–418 at 386.

'blasphemy'. Thus, it fell to the will, first, to collect whatever opinions or arguments existed in favour of the Gospel accounts of the life and works of Jesus and 'keep them incessantly under the view of [the] understanding'; and, second, 'to keep the door of the understanding inexorably shut' against arguments from the other side.[1]

Although Bentham accepted that it was in the nature of the case that opinions in support of the religion of Jesus would rarely be wanting, no matter how absurd they happened to be, he nevertheless remained optimistic about the ultimate vulnerability of these opinions to reason and sound argument:

> One day—when the clouds, which the passions of hope and fear have for so many centuries been raising in the public mind and heaping upon this system, have at length been dissipated by the torch of sobre criticism—when religion and superstition have become synonymous terms—the wonder will be, how it is that, with such a mass of disproof before them, any the slightest … degree of regard should by any man be bestowed on it.[2]

§2.6. Jesus' Enterprise

If the only available evidence of Jesus' life was inadequate to justify a belief in the truth-claims of Christianity, then the question remained: who was the historical Jesus and what was his true enterprise?

Since the commencement of their bondage, explained Bentham, the Jews had harboured an expectation that a 'hero', under the title of 'the Messiah',[3] and in the character and with the power of 'a Monarch', would emerge from among them and deliver them to independence. Many men had been ready to try to fulfil this expectation and, as noted above, many predictions to this effect had been made without any pretence to supernatural foresight. Bentham's argument was that if the stories of the Gospels bore any relation to historical fact—if the evidence of the supposedly sacred histories was suggestive of anything—then it was that Jesus had entertained this same design and formed a plan to accomplish it. Jesus' sole object, in other words, had been 'that of possessing himself of the sovereignty of the Country, and thus rendering it independent of its Roman Rulers, in the character of the Deliverer and Redeemer'.[4]

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[1] BL Add. MS 29,806, fos. 353–6 (8 August 1815), 183 (10 October 1815), 455 (20 October 1815).
[2] BL Add. MS 29,806, fo. 37 (9 August 1815).
[3] From the Hebrew 'מָשִׁיחַ' or 'mashiaḥ', meaning 'anointed'.
[4] BL Add. MS 29,806, fos. 388 (17 July 1815), 110 (4 August 1815).

With no trade, and therefore no wealth—Bentham cited the Gospel of Matthew, which stated that Jesus 'hath not where to lay *his* head'[1]—Jesus had recognised that in order to realise his project of 'temporal dominion' he needed men and he needed money. First, then, he had recruited followers. Aside from his disciples, whom Jesus had selected from among the 'indigent few' as 'the special objects and repositories of his confidence', these followers had belonged to one or other of two groups: the poor (or 'the many'), upon whose physical and military force Jesus would depend for the acquisition of his kingdom; and the rich (or 'the opulent'), who would provide him with a source of subsistence, as well as with the finances necessary to obtain the 'constantly looked for and continually talked of throne'. Bentham identified three key qualities that Jesus had required of his followers if his enterprise were to be successful. The first and most important was faith. Faith, declared Bentham, was the 'Mother of Obedience': the livelier the faith of the servants, the more implicit was their obedience to the master. This faith had entailed 'the most strenuous and unreserved attachment' to Jesus and comprised a persuasion of the truth of whatever assurances or promises he conveyed, along with an unlimited belief in both 'the wisdom of his proceedings' and 'the amplitude of his power'. In securing faith, Jesus had relied upon the united forces of hope and fear by holding out the promise of eventual reward in the case of obedience and eventual punishment in the case of disobedience. He had also relied upon prophecies—that is, the completion of earlier prophecies in which Jesus was supposed to have been the man indicated—and miracles—that is, effects 'natural enough', but of which the cause was supposed to have been some supernatural power exercised by Jesus—as proof of his power. The second quality was charity, by which Bentham meant 'the most perfect and uninterrupted manifestations, as well as professions, of social affection'. Only insofar as the followers of Jesus were in a state of 'concord and amity' with each other could they be 'perfectly at his command' and ready to be 'made serviceable' to him. The third quality was self-denial. Jesus had required his followers to make 'the most sincere, determined and uninterrupted resolution' to sacrifice their personal property to 'the prosperity of the common cause'. This had the additional effect of ridding men of those other forms of 'dependence'—namely, 'industry' and 'providence'—that might prevent their obedience to Jesus from being sufficiently entire.[2]

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[1] Matthew 8: 20.

[2] BL Add. MS 29,806, fos. 303 (*c*. March 1815), 402 (28 July 1815), 93–4 (5 August 1815), 202 (19 September 1815), 204–5 (*c*. 5 October 1815); BL Add. MS 29,807, fos. 44 (17 July 1815), 160 (13 March 1821).

In view of these qualities, Jesus had preached subjection to himself, 'disregard to pecuniary interest', and what Bentham described as 'the most consummate and systematical course of improvidence'. What each man had was to be given away; by no man was any thought to be 'taken for the morrow'. Instead, property was to be taken from its owners and handed to the poor, and thereby to Jesus, but only those among the poor in whom 'the seeds of faith had taken root', and who followed Jesus 'in constant readiness to gather up whatsoever windfalls the gales of his fortune should happen to lay at their feet'. The hope of these members of the subject many had been to secure a 'permanent indefeasible subsistence', either without labour or as a consequence of an equally permanent and indefeasible demand for labour, in Jesus' temporal kingdom. For the select few—that is, the disciples—distinction and 'a superior share' in the affection and favour of Jesus had been the objects, not merely of hope, but of expectation. Bentham noted that Jesus had no regular and permanent 'coercive power' to settle the continual disputes among his followers about 'loaves and fishes', 'favour and preeminence', matters of 'succession', and other 'good things' of the world, though he added that, in any event, Jesus would have weakened his cause by taking sides. Jesus' only resource, therefore, had been to preach humility and to plant in every mind 'the most perfect system of self-abjection': a disposition to claim nothing, to yield everything, to aim at no advantage, to resent no injury—even to court injury. The contest for his favour had not been about who should be first or who was the greatest, but about who should be last and who was the least. Thus, the Sermon on the Mount, which had included aphorisms designed to engage men as followers, exhortations to 'exemplariness' specially addressed to the chosen among these followers, cautions against rivals (named '*False Prophets*'), and calls to obedience 'without reserve', also contained precepts that encouraged men to renounce the pleasures of 'ambition', 'vengeance', and 'affluence' and embrace the pains of 'indigence'. Such precepts, which Christians credited with promoting self-denial, benevolence, and beneficence, but which Bentham had showed would result in societal destruction if they were consistently followed, had no other purpose than, and were supremely well-adapted to, the advancement of Jesus' scheme of 'temporal ambition'.[1]

The part that Jesus had acted, declared Bentham, was unavoidably 'a double one'. Being unable to pick and choose his audience in public, Jesus had been forced to address his discourses 'promiscuously' to one and all. He had gained converts, but no sooner had his successes attracted the attention of the constituted authorities than various enemies

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[1] BL Add. MS 29,807, fos. 44–9 (17 July 1815).

mixed with his allies. In consequence, Jesus had been careful not to say anything either to provide evidence of his guilt of the offence that it was 'the sole object of his life' to commit or to dampen the expectations upon which the success of this object depended. To his followers, therefore, he had been the Messiah—the expected conqueror and king. To his adversaries—the Pharisees, Sadducees, authorities, and other 'gainsayers'—he had presented himself as an orator, a moralist, or even a minor prophet, but made no allusions to his messiahship, nor said anything sufficiently blasphemous or treasonous to warrant his arrest. Nevertheless, continued Bentham, from the beginning to the end of his life, the public discourses of Jesus had been 'an undiscontinued fencing match'. Eventually, the inevitable 'catastrophe' arrived. As the zeal of his adversaries increased, so that of his followers waned. The evidence sufficient for his arrest, conviction, and execution was finally collected. The followers of Jesus, whom 'hope and curiosity had collected around him', fell away as fast as their hope was disappointed and their curiosity was satisfied. It was instructive, thought Bentham, that none of the 'exhortations', 'parables', or even alleged 'miracles' of Jesus had been enough 'to procure him one steady friend'. His 'brethren' ceased to give credit to what he had said. Even his own mother, to whom his birth had supposedly been announced by an angel, and who had supposedly conceived him to the Holy Ghost, gave no testimony in his favour. Bentham again remarked that the contrast between the abundance of belief in later ages on the part of those whose ideas about Jesus had no other source than the Gospels and the absence of belief on the part of the 'familiars and contemporaries' of Jesus as related in the Gospels was 'so striking' that it could not escape the attention of any 'unprejudiced eye'.[1]

For Bentham, Jesus' death should have been the end of the matter. He observed, however, that once the failure of the movement had seemed unavoidable to its leader and main protagonists, Jesus' discourse on 'the promised and expected kingdom' underwent a 'necessary change'. The disciples had known the 'whole secret' of Jesus' revolutionary mission. They had found in that mission a source of revenue free from the 'bodily labour' to which they would have to return, as well as a source of 'influence', 'respect', and 'power'. Without the necessary change, the longed-for kingdom would have been at an end, and all such matters of good would have ended with it. The 'cementing principle' of the movement, therefore, 'gradually and insensibly' shifted its ground. Another 'experiment' was tried that extended Jesus' fading prospects 'beyond the grave'. As 'hope slackened' and 'fear predominated', as the prospect of failure loomed, and as, ultimately,

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[1] BL Add. MS 29,806, fos. 31, 391, 416–17 (17 July 1815).

a crown of thorns replaced the crown of gold, 'the kingdom which with one voice the prophets had proclaimed a temporal, was now found to be but a spiritual, one'. Entry into the promised kingdom would require the same unalloyed and unquestioning faith as before, but its throne was relocated from this world to a future and eternal domain. Temporal power and glory became spiritual power and glory, and a kingdom on earth became the kingdom of heaven.[1]

The claim, in fact, was that the future world consisted of two parts. The word '*heaven*' referred only to 'the seat of the promised joys'. The term reserved for 'the seat of correspondent torments' was '*hell*'. Bentham suggested that any devout follower of Jesus who could be persuaded of the existence of these supernatural realms found that his lot had been improved in 'an infinite ratio'. For what the kingdom of heaven lacked in the dimensions of 'proximity and certainty', it more than compensated for in the articles of 'duration' and 'intensity'. Bentham's main observation, however, and his main complaint, was that since no information about this future life had been, or ever could be, afforded to man by his sense experience, heaven and hell were nothing more than products of the human mind. The conduct of Jesus' followers was to be directed, not by the evidence of 'eventual and actual results', but by pictures drawn by the 'inseparable' companion of faith: the human imagination. Whatever motives these pictures provided for the subject many would serve as means in the hands of the ruling few—and so it was, said Bentham, that 'the magic lantern had been constructed from the first':

> such were the instruments by which the foundations of the ruling part of the Church in this its primitive state were to be laid. The matter of wealth, respect … reputation, and obedience of which in like manner the matter of power, is composed, these were among the fruits of faith which, to the palates of these founders of the Church, had the sweetest savour, and by their industry and ingenuity were to be cultivated and brought to the utmost degree of perfection.[2]

Bentham argued that once the word '*spiritual*' had been applied to the word '*kingdom*' to save 'the reputation of a sinking cause'—once the idea of an 'imagined' and 'eternal' life had been substituted to the '*actual* and experienced' life which death ended—everything that was said of this kingdom brought about 'contradiction and inconsistency'. In a real temporal kingdom, for example, one man reigned and everyone else served. In the

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[1] BL Add. MS 29,806, fos. 392 (17 July 1815), 110–11 (4 August 1815); BL Add. MS 29,808, fo. 153 (19 September 1811).
[2] BL Add. MS 29,806, fo. 115 (4 August 1815).

spiritual kingdom, 'power' and 'glory' were to be the lot of all, with subjection the lot of none. Bentham's point was that the very idea of power implied subjection; the very idea of glory involved distinction. What sense remained to these words once the only sense 'ever supposed to be contained' in them had been 'struck out' and the word 'spiritual' attached instead? The answer, said Bentham, was 'exactly none':

> They are so many empty sounds or characters from which all signification having been plucked out, nothing but vacuity remains. Yet of these sounds and characters, empty as they are, men are loudly called upon to take for them the ground of all their actions: to these empty sounds and characters they are required to sacrifice all their substantial—all their real—interests.[1]

When 'men are come to their senses', Bentham declared, they will realise that the only place for '*spirit*', '*spiritual*', '*spiritually*', and '*spiritualize*'—or 'Angel', 'Arch-Angel', 'Devil', 'Saint', 'False Prophet', 'True Prophet', 'sacred', 'consecrated', 'sanctified', 'kingdom of Heaven', and all of the other fictitious terms in the Gospels that were incapable of being rendered meaningful by paraphrastic exposition[2]—was in 'the dictionary of the flash language'.[3] Unless and until such a moment of sensibility arrived, these terms would continue to work upon the 'affections' and the 'passions', to play upon the 'imagination', to enable any number of meanings or sets of ideas to be presented to any number of men, and, as a consequence, to remain collectively 'an engine of the most powerful and efficient kind … at the command of a particular class of impostors—to be employed by them in the conversion of men into dupes'.[4]

Conclusion

The two tests to which Bentham subjected the religion of Jesus were of the same order as those to which he had subjected natural religion and the religion of Paul. The first asked whether or not Christianity was consonant with utility: did conformity to the teachings ascribed to Jesus in the four Gospels tend to make the individual religionist happier, and did it tend to promote the greatest happiness of the greatest number? Bentham was confronting what he perceived to be the religionist's (and often the non-religionist's) presumption that, with reference to the present life, the system of Jesus was a body of

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[1] BL Add. MS 29,806, fo. 334 (8 August 1815).
[2] For an explanation of Bentham's technique of paraphrasis, see 20–5 above.
[3] The term 'flash language' was used in the eighteenth and nineteenth centuries to refer to faddish phrases, sporting slang, and, most typically, criminal cant.
[4] BL Add. MS 29,806, fos. 112–13, 193, 332–4 (4–10 August 1815).

'pure morality' of 'matchless excellence'. The next test asked whether or not the religion of Jesus was true: did the evidence of the Gospel histories afford sufficient grounds to justify a belief in the claims of Christianity about the life, supernatural powers, and divine commission of Jesus? This second question was still more provocative than the first. In addition to the challenge that it posed to the prevailing view that only God, or one specially commissioned by God, could have devised so useful a system, enquiries of this kind were treated as crimes by the rulers of the established church, who were not hesitant, said Bentham, 'to employ the coercive power of government in the suppression of interesting truth'.[1]
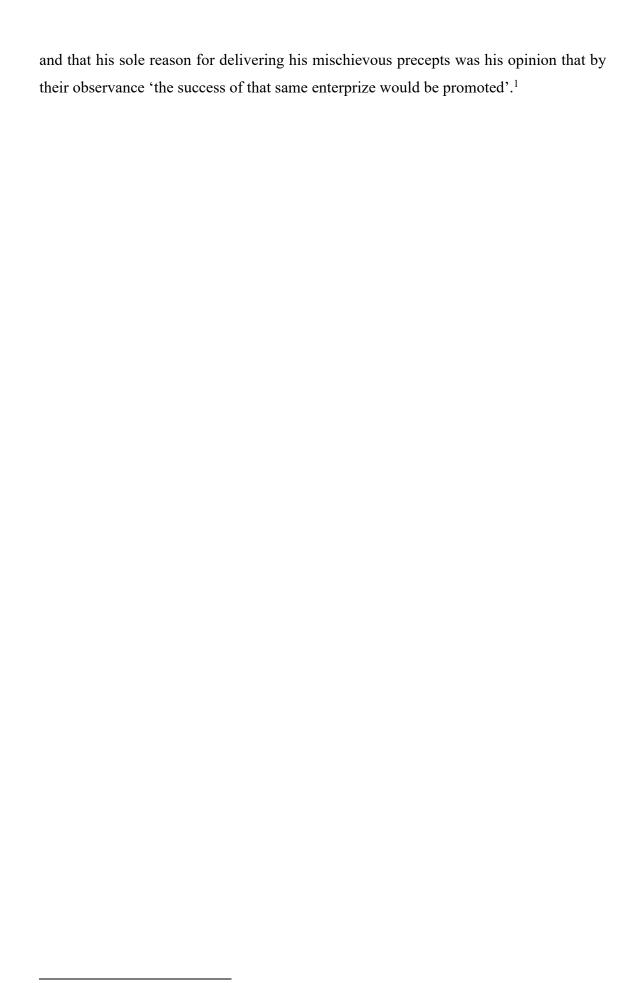
Bentham answered both of the above questions in the negative. On the subject of utility, he found the religion of Jesus to contain little of moral value, either to the individual or to mankind generally, and much that was positively mischievous. Pursued according to the plain import of the words used in the Gospels, the precepts of Jesus, rather than being useful or even so much as intelligible, tended towards maleficence. They were incapable of 'serving with real benefit for the direction of human conduct' and many of them, if consistently and universally followed, would bring about the destruction of civilisation and even the annihilation of the human race. As a system of morality, Jesus' doctrines, so far from being conducive to well-being, would of necessity 'be utterly destructive of being itself'.[2]

The question of the truth of Christianity was one of evidence. Bentham treated the Gospels as the works of historical fact that the ecclesiastical class made them out to be, and he sought to persuade others to do likewise. If they did, then what they would find, he argued, was that the supposed facts related by the Gospel writers were destitute of all support from reliable evidence, while each narrative exhibited marks of untrustworthiness in such 'prodigious abundance' that not only was the falsity of all four Gospels 'always more probable than the verity', but it could not reasonably be concluded that 'divine wisdom' had played any part in their composition. If evidence so grossly improbable, so offensive to reason, so laden with contradictions, inaccuracies, ambiguities, and omissions, and so otherwise lacking in probative force was capable of proving anything, then it was that Jesus had been engaged in 'a scheme for acquiring *temporal dominion*',

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[1] BL Add. MS 29,806, fo. 424 (27 September 1815); BL Add. MS 29,807, fo. 95 (10 January 1816); BL Add. MS 29,808, fo. 135 (6 September 1815).

[2] BL Add. MS 29,806, fo. 302 (March 1815); BL Add. MS 29,807, fo. 96 (10 January 1816).

and that his sole reason for delivering his mischievous precepts was his opinion that by their observance 'the success of that same enterprize would be promoted'.[1]

[1] BL Add. MS 29,806, fo. 397 (7 August 1815); BL Add. MS 29,807, fos. 97 (10 January 1816), 154 (3 March 1821).

Conclusion

'Darkness instead of Light'

The present thesis has demonstrated that the key arguments advanced by Bentham in his assault on religion were as follows:

First, organised religion was a vehicle for the ruling few to accrue and preserve wealth, power, and prestige at the expense of the subject many. While there was no evidence to suggest that the priests of the Church of England acted as conduits between this world and some other, there was ample evidence to show that worldly power and its attendant privileges were engrossed by the clergy in alliance with the secular rulers. The doctrines of the established church had no divine origin and no use other than to help reinforce clerical authority and keep subjects blind to, or accepting of, the corrupt practices of Church and state. There could be no justification for using the coercive power of government to establish any system of religious belief.

Second, natural religion was neither consistent with utilitarianism nor capable of establishing a defensible claim to truth. So far from serving as the foundation of morality, natural religion failed to augment the greatest happiness of the greatest number, primarily because it was incapable of supplying either directive rules of action that marked out the sort of conduct that would promote happiness in this life or sanctions to existing rules that were so capable. The natural religionist's ideas about the existence of God and a future life were unsustainable, grounded as they were, not upon the direct evidence of sense experience, but upon a series of unreasonable suppositions.

Third, the religion of Paul was false—or ought to be regarded as false by those who believed Christianity to be true—and immoral: false, because the fraudulent truth-claims and nonsensical propositions made by, or on behalf of, Paul in the Acts of the Apostles and the Epistles contradicted the Gospels, even as they contradicted themselves and each other, and so represented a corruption of the religion of Jesus; immoral, because the ascetic doctrines of Paul were a source of human misery. The real scourge of Paulism had been to cause men to abhor practices that did no harm, and to devote themselves to practices that brought about either a loss of pleasure or actual pain.

Fourth, while the doctrines of Jesus either made no contribution to human happiness or else were sources of positive human misery, the Gospel evidence for the truth-claims of Jesus' mission afforded insufficient ground for belief. Christianity was the fount of

numerous mischiefs, from the degrading of the intellectual faculties of the individual religionist to the inculcation of principles destructive of society itself. At the same time, there was no proof that Jesus had been invested with a supernatural character, and no proof that he had received any commission from a supernatural power. If evidence so devoid of probative value was able to support any proposition, then it was that Jesus had been merely another failed revolutionary.

Religion kept morality shrouded in confusion, superstition, absurdity, mischievous error, and fear, and made truth-claims that were utterly untenable in the light of the scientific and intellectual advancements of the Enlightenment. It led to the corruption of the human understanding and the inhibition of human progress—twin evils whose only remedy was the dissemination of knowledge.[1] Although Bentham's most notable contribution in this regard was the publication of *IPML*, in which he attempted to place morality and legislation upon a secular utilitarian footing, he also hoped that his attack on religion would persuade individuals that 'rational and useful morality' did not require for its foundation, justification, and enforcement the supposition of any supernatural being or power, the acceptance of any proposition on unreliable or non-existent evidence, or the intermediation of a publicly funded clergy.[2] Rather, morality ought to be governed by the principle of utility, whose dictates were revealed, not by a divine dispensation, but by the knowledge of human experience, in the only world of which humans had any experience, in the only life of which they could be certain. Any system of morality that rejected this truth dealt 'in sounds instead of sense, in caprice instead of reason, in darkness instead of light'.[3]

Utility, Truth, and God

The question of how Bentham viewed the relationship between the truth and utility of religion remains to be answered. Did Bentham regard the question of the truth of religion as more or less important than, or of equal importance to, the question of the tendency of religion to promote or diminish human happiness, and what implications did his assessment of this relationship have for his thought?

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[1] This accords with Israel's view that, for Bentham, 'the dwindling power of religious authority, intolerance, and obscurantism' was the direct result of diffusion of knowledge: 'Nothing is more costly to humans than the damage they suffer from 'unenlightened' minds and beliefs.' See J.I. Israel, *The Enlightenment that Failed: Ideas, Revolution, and Democratic Defeat, 1748–30*, Oxford, 2019, 821.
[2] BL Add. MS 29,808, fo. 157 (20 October 1811).
[3] *IPML* (*CW*), 11.

Such a question admits of no easy answer. It arises, however, because in several parts of 'Juggernaut', Bentham appeared unequivocal in his view that the truth of religion was subservient to its utility. He stated, for instance, that unless he had been 'fully satisfied' that a belief in the religion of Jesus was productive of positive mischief to society, publishing his enquiry into its truth, and therefore disclosing his own persuasion of its falsity, would have been 'an act without a motive, an effect without a cause':

> It is only in proportion as utility belongs to the subject that truth is of any value. By this pen, had utility presented itself in the number of its attributes, the truth of it would never indeed have been asserted, but neither would it have been denied, nor so much as a hint in disparagement of it have ever been dropped.[1]

Still more explicit was his assertion that the question of the truth of religion was 'but subordinate' to that of its utility: 'Suppose [religion] neither beneficial nor mischievous, its verity is not worth enquiry after: if asserted, there is no use in its being controverted. But if, upon the whole, it be detrimental to human happiness, then its verity is worth enquiry after: for on that supposition, the exclusion of the belief in its verity is beneficial.'[2]

It has been shown in the present thesis that Bentham examined organised religion, natural religion, the accounts of the life and teachings of Paul, and the accounts of the life and teachings of Jesus, and found that not only were the various precepts and practices of religion overwhelmingly detrimental to utility, but there was no credible evidence to support the claim that either natural religion or revealed religion was true, and no shortage of evidence to suggest that both were false. Given that Bentham considered religion to be as ungrounded in truth as it was bereft of moral value, one might have reason to doubt whether anything of consequence could turn upon his perception of the relationship between the truth and utility of something that was deficient in both attributes. However, if Bentham did regard the question of the truth of religion as subordinate to that of its utility, then this would seem to indicate that the real substance of his complaint was not the existence of religious belief as such, but rather the particular forms of religious belief that he encountered. More precisely, it would appear to invite the argument that Bentham could have had no principled objection to any system of belief founded upon a myth, a noble lie, or some other religious or metaphysical speculation, provided that adherence to that system was conducive to the greatest happiness of mankind. Answering the question

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[1] BL Add. MS 29,806, fo. 427 (18 January 1814).

[2] BL Add. MS 29,806, fo. 423 (28 September 1815); BL Add. MS 29,809, fo. 185 (19 February 1819).

of how Bentham viewed the relationship between the truth and utility of religion, however, will serve to expose the flaws in this argument.

In 'Jug. Util.', Bentham wrote:

if I say there is no truth in religion, all that I can mean is—that in proportion as men apply themselves to the consideration of the question, a persuasion to that effect will be … entertained. For as to absolute truth—truth without reference to human belief, it is with reference to human conduct of no effect and therefore of no importance: only in so far as it is perceived by human eyes can truth be productive of effect on human hands.[1]

At first glance, these words seem to lend further support to the idea that the only relationship that Bentham recognised between the truth and utility of religion was the subordination of the former to the latter. In order to reach this conclusion, however, one must rely upon an assumption about what he meant by truth in general, and how he understood the term 'absolute truth' in particular. Absolute truth referred to the matters of fact—to the events or matters in motion, and the states of things or matters at rest— that really happened or really existed in the physical world. Yet Bentham also understood truth in another way. In its alternative sense, truth referred to the beliefs of human beings—that is, the propositions that human beings believed to be true—as supported by appropriate evidence. Although Schofield calls this alternative sense of truth 'truth as persuasion' or 'subjective truth' (the latter term will be adopted here), he goes on to note that a belief was true, for Bentham, only insofar as it corresponded to absolute truth.[2] Hence, if subjective truth was the knowledge that human beings possessed of physical reality, then absolute truth was physical reality itself—or, as Quinn puts it, if the former was 'persuasion of existence', then the latter was 'existence *per se*'. Whereas by itself the notion of subjective truth implied a recognition of as many different truths as there were propositions in which people believed, absolute truth provided 'an objective criterion by which these multiple subjective truths can be sifted, by which erroneous persuasion can be corrected, and by which progress can be made towards a univocal truth which corresponds to univocal reality'.[3] It was the sense of truth as related to human knowledge that shared what Bentham called a 'most intimate' connection with utility.[4] It was with

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[1] BL Add. MS 29,809, fo. 302 (9 January 1821).
[2] Schofield, 'Utility and Truth', 1134–5, 1141–2.
[3] Michael Quinn, 'Which comes first?', 20–3.
[4] BL Add. MS 29,809, fo. 295 (9 January 1821).

this sense of truth in mind, therefore, that he outlined the nature of that connection in the context of religion.

Strictly speaking, explained Bentham, the only subject of which truth could be called an attribute was a proposition. A proposition was 'enuntiative of some supposed matter of fact', which, assuming the proposition was true, was 'considered as constituting a conclusive body of proof probative of the verity of whatsoever is requisite and necessary to be true'. The present thesis has shown that foremost among the set of propositions upon which religion was grounded was the claim that there existed an invisible, superhuman, and all-powerful being who was disposed to administer to human beings pleasure and pain—reward and punishment—in either the present life or a future life, or in both, and in either a natural manner or a supernatural manner, or in both. In answering the question of utility—that is, the question of whether a belief in the truth of this proposition was conducive to the promotion of human happiness in the present life—in the negative, Bentham was careful to point out that the deleterious effects of religion had for their immediate cause 'not the verity of religion, but the persuasion of its verity'. The existence of religious belief, and therefore the influence of religion—not least the desire to please the invisible being in the hope of obtaining the eventual rewards and avoiding the eventual punishments—depended not upon the absolute truth of religion, but upon its being subjectively accepted as true. If an invisible being really did administer rewards and punishments, but men did not believe this to be so, then the pleasures and pains in question would have no effect upon human conduct. Conversely, if no such administration had place, but men were persuaded otherwise, then the effect upon human conduct would be 'as great and extensive as if the persuasion … were strictly true'. Put simply: it was only to the extent that men believed religion to be true that it had any bearing upon human behaviour. The 'inextricably interwoven' relationship that Bentham recognised between the truth and utility of religion was therefore an interactive or reflexive one.[1] On the one hand, he considered the importance that man attached to the question of the truth of religion to derive solely from the fact that man's happiness was concerned in it. On the other hand, although the question of the utility of religion was more important than that of its truth, any effect that religion had upon happiness was contingent upon its being regarded as true.

Establishing how and in what sense there was a close interaction between the truth and utility of religion does not appear to resolve the objection that if truth (as persuasion)

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[1] BL Add. MS 29,806, fo. 428 (18 January 1814); BL Add. MS 29,809, fos. 297–8, 302 (9 January 1821).

was less important than utility, then Bentham could have had no principled opposition to a system of false religious belief that was conducive to the greatest happiness of mankind. Yet it is in the light of this close interaction, and in view of the nature of subjective truth, that the objection will be seen to be invalid. It has been shown in the present thesis that Bentham thought that the propensity to believe 'extraordinary and improbable things'—miracles and prophecies, for example—was 'strong in the direct ratio of the prevalence of ignorance and error'.[1] Emphasising this point in *Rationale of Judicial Evidence*, he maintained that the 'relative credibility or incredibility' of an 'anti-physical fact'—meaning the chance that a fact in violation of the laws of nature would be believed or disbelieved by any given man—was proportioned, first, to the man's 'acquaintance with the laws of nature', and, second, to his 'acquaintance with the history … of the human mind'. The second variable referred to the 'observations' made by the man of 'the extreme frequency of incorrectness and mendacity among mankind', as indicated, for instance, by 'irreconcilable contradictions' between reports of the same supposed fact or by 'self-contradiction' on the part of any one report. It referred, in other words, to a man's ability to understand the motives, ideas, and actions that explained the truth-claims presented in written historical evidence and to determine the plausibility of those claims. If the man examined this evidence with a critical and sceptical mind instead of yielding to the impulses of his imagination, adhering to 'the question-begging or assumptive principle',[2] appealing to the argument from authority and other fallacies—in short, instead of making a surrender of his reason to faith—then he ought to be able to see the 'mischievous' and 'fabulous' facts 'planted' in ancient texts for what they were. As Riley notes, Bentham remained optimistic that with 'the gradual melioration of mental frame', as well as with discoveries that were 'the fruit of more highly matured faculties',[3] the 'more experienced' and 'better informed' man would be equipped to do just that.[4]

The first variable referred to the man's acquaintance with the laws of nature—that is, with absolute truth. Although his ability to become so acquainted was contingent upon the degree of relative knowledge 'attainable, and generally attained, in the age, and country, and rank, in respect of mental cultivation, in which he is placed',[5] the acquisition of knowledge itself depended upon the sense perceptions that he received from really existing objects, or real entities, in the physical world, which were available to any man.

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[1] BL Add. MS 29,806, fo. 488 (21 January 1814).
[2] See 211–12 above.
[3] Riley, 'Utility of History', 61–2; UC clxi. 23 (13 September 1817); *Fallacies* (*CW*), 301.
[4] Bowring, vii. 90–2, 165–6.
[5] Ibid. 92.

Of central importance to Bentham was the situation of this knowledge within the fields of logic and language. Logic, it will be remembered, was concerned with the way in which the human mind organised the sense perceptions that it received from the physical world in order that true knowledge could be 'of use'—that is, could contribute to the augmentation of pleasure or the diminution of pain—to human beings. Language, meanwhile, was the means by which the mind 'constructed and described the physical world'. Human beings used language both 'to reflect within their own minds on whatever part of that truth they had experienced' and 'to convey that experience and reflection to the minds of other sentient creatures'. An accurate conception of language, and of the relationship between language and the physical world in particular, was essential if men were 'to distinguish truth from falsehood, fact from fiction'.[1] As the present thesis has shown, Bentham sought to formulate such a conception, most notably by developing the techniques of paraphrasis and phraseoplerosis by which fictitious entities could be expounded by determining their relationship, if any, to real entities.[2]

It will be seen, therefore, that human beings observed and collected information about physical reality, but they were not simply passive recipients of that data. They were experiential, reflective, approximately rational, and discursive creatures, who evaluated the evidence of their senses and reasoned with themselves and each other about the ideas and information of which their knowledge was comprised. Since the faculty of understanding was governed by evidence, and since the only evidence adducible for a proposition was derived from sense experience, 'liberty of thought' and 'freedom of enquiry and of expression', observes Quinn, were the necessary conditions for exposing and correcting errors in knowledge. Thus, if knowledge was to be of use to human beings, it had to be testable in human discourse—that is to say, progress towards knowledge and truth, and thence utility, could only be made by testing and contesting competing claims about reality.[3] The supernatural, however, was unknown and unknowable. It was not susceptible of critical enquiry, rational analysis, or correction on the grounds of conflicting evidence. Any proposition that included terms like 'God', 'the divine', 'heaven and hell', 'the spirit', and so on, was empirically unverifiable and unfalsifiable. It was nonsensical. Such propositions did not concern the facts of the physical world, but consisted in fantastical claims that were ungrounded in the evidence of sense experience, were unresponsive to logic, argument, and reason, were incapable of measurement

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[1] Schofield, 'Political and Religious Radicalism', 277–8; 'Utility and Truth', 1141–2.
[2] See 20–5 above.
[3] Michael Quinn, 'Which comes first?', 23–4.

against the objective criterion of absolute truth, and, since they bore no relation to real entities—specifically, the real entities of pleasure and pain—were unable to acquire meaning by paraphrastic exposition. It is worth noting here that, for these reasons, the question of whether or not Bentham was an atheist presents something of a false dichotomy.[1] Although Crimmins refers to Bentham's 'unmitigated atheism', as well as to the arguments propounded by Bentham for the unreasonableness and irrationality of subscribing to a belief in a God,[2] Schofield is correct to insist that Bentham regarded the notion of an ontologically distinct category of 'religious experience' as intellectually incoherent. Since no man had ever perceived God, no man could claim to have knowledge of God (or any other supernatural entity). Thus, just as there was no evidence to justify the claim that God existed, there could be no evidence—no thing accessible to human perception—upon which to ground, or even to make sense of, the proposition that God did not exist.[3]

Aside from any doctrines that it promulgated, then, religion had no legitimate role to play in the discussion about what was good and what was true because its ontological and epistemological claims were both irrefutable and unprovable. A man was more likely to promote utility, at least that of his own, insofar as he possessed 'correct and complete' beliefs about the facts of the physical world—that is, true knowledge derived either from the evidence of his own senses or from the reliable and verifiable testimony of others.[4] Religion, however, made no contribution to that store of truth. Thus, while a concern for freedom of expression meant that Bentham had no wish to restrict religious liberty, arguing only for the non-establishment of religion, he was convinced that men would invariably be better off if they liberated their minds from superstition and the supernatural and rejected all forms of religious dogmatism. They would be better off, in other words, if they trusted to the knowledge of experience and observation, engaged in the free exchange of information and ideas, made best use of their faculties of reason, and, notwithstanding their need to rely upon legitimate authorities—authorities governed by evidence, susceptible of empirical enquiry, and amenable to redress—took the risk of thinking for themselves.

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[1] See 16–17 above.
[2] Crimmins, 'Bentham on Religion', 96–8; 'Bentham's Religious Radicalism Revisited', 499–500.
[3] Schofield, 'Political and Religious Radicalism', 280–1; P. Schofield, 'Jeremy Bentham: Nothing but Pleasure and Pain', *The Times Literary Supplement* (4 June 2020), <https://www.the-tls.co.uk/articles/jeremy-bentham-nothing-pleasure-pain> [Accessed: 10 March 2022].
[4] Schofield, 'Utility and Truth', 1141.

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On 6 June 1832, Jeremy Bentham died at his London home at the age of 84. In the months prior to his death, he had been working on an essay entitled 'Auto-Icon'. According to its anonymous editor, the object of this essay was 'to recommend the preservation of the dead as a means of enjoyment, and of instruction to the living'. The central idea was that while the internal organs of the deceased would be used for 'anatomical' purposes—and Bentham had willed that his own body should be dissected for the educational benefit of medical students[1]—the rest of the corpse would be transformed into a permanent statue or 'auto-icon' (meaning 'self-image'). In this way, 'every man would be his own monument'. Bentham expressed confidence that auto-iconism would tend to promote 'the felicity of mankind'. It would have a 'moral' use as a means of diminishing 'the horrors of death', as well as provoking sufficient 'curiosity' to inspire new 'motives' in the fields of 'thought and action'. It would have an 'honorific' use; exhibiting the auto-icons of men of renown in a 'temple of honour' would give 'encouragement' to the living. It would obviate the risk to health from 'the accumulation of putrid bodies', help to dissipate the 'prejudices and delusions' associated with anatomy, and minimise the burdensome cost of funeral rites. It might also have certain 'architectural', 'commemorational', and even 'theatrical' uses.[2] 'Auto-Icon', however, was excluded from the Bowring edition, and auto-iconism survives only as a matter of theory rather than practice—except, of course, in the instance of Bentham himself, who, in his will, instructed his friend, the physician Thomas Southwood Smith, to use his skeleton, his clothing, and suitable stuffing to create the auto-icon that remains on display at University College London.

There is little consensus on what Bentham's real purpose was in writing 'Auto-Icon'. While Collings condemns the work for its 'unusual facetiousness' and 'treating lightly what others would regard with horror',[3] other commentators have described it as 'highly satirical',[4] 'a self-parody',[5] and an 'elaborate 'skit' aimed against the Benthamite

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[1] 'Bentham's Last Will and Testament', in *Bentham's Auto-Icon and Related Writings*, J.E. Crimmins ed., Bristol, 2002, 16.

[2] 'Auto-Icon; or, Farther Uses of the Dead to the Living. A Fragment. From the MSS. of Jeremy Bentham', London, *c*. 1842, 1–21.

[3] D. Collings, 'Bentham's Auto-Icon: Utilitarianism and the Evisceration of the Common Body', 23 *Prose Studies* (2000), no. 3, 95–127.

[4] Schofield, *Utility and Democracy*, 338–9.

[5] T.Y. Koh, 'Bad Jokes and Good Taste: An Essay on Bentham's 'Auto-Icon'', 20 *Revue d'Études Benthamiennes* (2021), 1–37 at 7.

philosophy'.[1] Similarly, Bentham's auto-icon has been called, on the one hand, 'a logical (albeit bizarre) extension of utilitarianism from life into death',[2] the embodiment 'as a master metaphor' of Bentham's philosophical system,[3] and 'the fullest realization of his greatest happiness principle',[4] and, on the other hand, 'a miserable spectacle of the remains of human weakness, vanity, and pride'.[5] Whatever view one adopts, there can be no doubt that Bentham intended 'Auto-Icon' to deliver a final blow in his assault on religion. Koh argues plausibly that the essay was a witty attack on notions of 'the sacred' and 'the immortality of the soul'. The point of auto-iconism, she says, was to materialise the fact that nobody—in a very literal sense—transcended death. The auto-icon, a thing both 'ludicrous and useful', drew attention to man's illusions about 'the dignity and sanctity of death', together with the ungrounded belief that there was a distinction between the present and a future life, the mortal body and an immortal soul, the natural and the supernatural, and the sacred and the profane.[6] Critchley agrees with this assessment, contending that Bentham's auto-icon was conceived 'in a spirit of irreligious jocularity' and signified 'a posthumous protest against the religious taboos surrounding the dead'.[7] In this respect, Bentham's intention was 'to demystify death'—to strip it, explains Crimmins, of its 'Christian symbolism and ritualized terror, in favour of a focus on the material means of increasing human happiness on earth'.[8] Additionally, Yelle perceives auto-iconism to be 'a critique of false images, and a mode of iconoclasm'. Bentham sought to parody the religious practices of image-worship, relic veneration, and burials, which, like so many ecclesiastical practices, were not sanctioned by the words of Jesus, but 'designed solely for priestly enrichment'.[9]

In spite of—or, rather, as part of—his ridicule of religious idolatry and religious attitudes towards death, Bentham noted that churches were 'ready-provided receptacles' for auto-icons. On certain days of the year, these auto-icons might be exhibited in

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[1] Ernest C. Thomas, 'Queries', in J. Doran ed., *Notes and Queries*, ser. 4, vol. 12, London, 1873, 387–9 at 387.

[2] A.B. Brawley, 'A Logical Absurdity: Jeremy Bentham and the Auto-Icon', 17 *Episteme* (2006) no. 1, 47–61.

[3] Collings, 'Bentham's Auto-Icon', 96–7.

[4] Shapiro, 'Bentham's Image', 270–1.

[5] John Flowerdew Colls, *Utilitarianism Unmasked*, London, 1844, 58–9.

[6] Koh, 'Bad Jokes and Good Taste', 8, 25–9.

[7] S. Critchley, *The Book of Dead Philosophers*, London, 2008, 190–1.

[8] J.E. Crimmins, 'Auto-Icon', in J.E. Crimmins ed., *The Bloomsbury Encyclopedia of Utilitarianism*, London, 2017, 32–5.

[9] R.A. Yelle, *Semiotics of Religion: Signs of the Sacred in History*, London, 2013, 105–6. Bentham pointed out that the Church had a long history of pledging the alleged bones and body parts of saints as securities for borrowing vast sums of money.

association with 'religious observances': 'In our cathedrals, oratorios and other sacred music, vocal and instrumental, might accompany the solemnity; and thus the senses of sight and hearing effectively administer to the religious susceptibilities.' Secular 'pilgrimages' might be made to the auto-icons of those who had been 'living benefactors of the human race'—not 'to see miracles' or 'for purposes of imposture', but 'to gather from the study of individuals, benefits for mankind'. If this were so, remarked Bentham wryly, then 'the votaries of the greatest-happiness principle' might find cause to converge upon 'the old philosopher'—'the sage of the 1830th year after the Christian era'—preserved in a 'safe repository' alongside 'his unedited and unfinished manuscripts':[1]

> Why not to this monument, as well as to an old stone-coffin, or an old tombstone? In this far-famed receptacle, there would be no want of matter of wonder and admiration. Of miraculousness as well as of sanctity, it would repel with scorn the name.[2]

[1] 'Auto-Icon', 3–4, 7, 14–15.
[2] Ibid. 15.

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