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**A USEFUL, HAPPY BENTHAM: WHO SAVED HIM FROM MILL?  
WHEN FREEDOM IS MORE THAN JUST A MATTER OF TASTE**

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When it comes to Bentham, both *pro*- and *anti*-utilitarianists are profoundly challenged by the hedonist inheritance that has been deeply criticized, undermined, and somewhat overshadowed by the Millian perspective, which confined the presuppositions of a higher and clearer moral purism within the logical framework of satisfaction and happiness. Since the real test of Bentham's philosophy lies in the requirements of asceticism, which are, at least at first glance, incompatible with hedonism, the major difficulty seems to be that of using both his moral writings and aesthetic considerations on pleasure and taste to face such a challenge. Would a Romantic Bentham still be valuable for the legacy of modern political philosophy? To what extent might literary figures rely on Bentham to save and protect free speech, and how much do theologians find the Benthamite perspectives on sympathies and antipathies, love and hate, acceptable? Should anyone save Bentham from being just an architect of the panopticon, by refashioning his philosophy as a pragmatic, more

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human, or even more altruistic utilitarianism than that of Mill, which invariably conquered the liberals? Could we defy reality for a moment, projecting a possible world in which a visit to a museum with Bentham would convince us that there is no such thing as good or bad taste, only a higher or lower amount of pleasure that we feel contemplating art and consuming culture? Finally, who could imagine Bentham happy?

These questions are blended in a book that unveils the controversies raised around Bentham, a transgressor of classical morality and arts: his criticism on sexual morality, academism, his plea for the innocent futility of arts and his insistence on raising awareness on subtle forms of sharpening power are some of the main reasons for which his philosophy was uncomfortable. Liberated from taboos and saved from prejudgments, Benthamite thought is one of the greatest pillars of philosophical modernity, which impacts politics, ethics and aesthetics as well as theology, history, and sociology. The credit for this outstanding interdisciplinary perspective, framed in a masterpiece of philosophical reflection, goes to Anthony Julius, Malcolm Quinn and Philip Schofield, the editors of a recent volume, *Bentham and the Arts*, published by the UCL Press in 2020. It was long since I read a critical understanding of Bentham's philosophy, without finding such endeavour reduced to the classical tackling of utilitarianism, limited to the cynical mathematics of hedonism, or subjected to a form of morality purely and restlessly confronted with asceticism.

This time, we have portrayed a Benthamite thought "out of the box" or, to be more precise, we get, at the end of the 300 pages of polemical and interdisciplinary inquiry, Bentham freed from the canonical reading. This is new or, to quote a dear philosophical tradition for Anthony Julius, *transgressive*. The three parts of this book are layers of reflection and levels of navigation through the Benthamite world. The first part addresses "Philosophy and sexuality" in Bentham's writings; the second part confronts his role, influence and overshadows along "Intellectual history and literature"; and the third part completes the volume by addressing the (anti)utilitarian relationship between "Aesthetics, taste and art."

## **I. Supporting asceticism, condemning pleasure and thinking outside the box. A Benthamite deconstruction of sexuality and other taboos**

Part I reflects on the utilitarian framework that enables the link between philosophy and sexuality in Bentham's works. Schofield highlights a sequence from Bentham's life that might be considered prophetic for future avant-gardists: his Christian thinking related to pure beliefs, which should also be invested in arts; we shall recall Duchamp's position that there is no such thing as good or bad taste in art, but only pure, unbiased, and disinterested appreciation. On the one hand, there is a massive hedonist turn of Bentham's utilitarian perspective, inspired by Epicure, which at some point becomes incompatible with his Christian education. On the other hand, in a tradition in which Onfray recognized the constituent for a so-called *Hedonist Manifesto*, "Plato has his forms, Christianity has its God and Kant has his ideals" (26), what place is left for Bentham? Schofield defends the idea that Bentham facilitated a break between the Kantian world and modern moral philosophy that should subordinate politics to ethics. In Onfray's reading, Benthamite utilitarianism is responsible for raising awareness of the intertwining of totalitarianism and utilitarianism. Schofield offers a way out of this logic in which totalitarianism embedded hedonism only to easily manipulate masses seduced by the possibility of a world in which the state ensures the highest amount of happiness. The author emphasizes that Bentham insists on the role of impressions in distinguishing real from fictional happiness and that an attentive lecture of Bentham will lead us to the conclusion that imperfection belongs to the physical world; therefore, perfect happiness, promised by totalitarian regimes, is utopian and available only as an imaginary experiment or as fiction. One of the major contributions of this study is that it takes a step forward in confirming Bentham's influence on discerning antipathies and sympathies in both moral and aesthetic terms. As long as no personal pleasure can be considered superior to anyone else's, neither can anyone's personal taste be proclaimed as superior to that of other individuals. However, as Schofield concludes, Mill was the one who introduced scales of higher and lower pleasure, that could be relevant to refashioning the ideal of free life, an ideal worth embracing: if the principle launched by Mill stands, "better to be a

human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied" (Mill 1969, 212), it becomes clear why "Mill would have disapproved of Duchamp's *Fountain*, but Bentham would have been greatly amused by it" (Schofield 2020, 40).

A different position on this topic comes from Ferguson. At first glance, modern aesthetics, tailored by the Kantian tradition, seem to privilege the free play of imagination and the capacity of our intellectual apparatus to produce judgments of taste. However, we owe nothing to Kant in terms of emancipating the status of actions and objects involved in aesthetic pleasure: it was Bentham who directed his interest towards such content. Despite their contrasts, Ferguson embraces Bentham's position as equally relevant to that — already canonized — of Kant in considering aesthetic judgments, which are determined by the quantity of pleasure that can be enunciated by a subject. Unlike Kant, who restricted the aesthetic judgement as constituted by personal experience and ending in personal reflection, Bentham was more rigorous in paying attention to the interference of social practices and manifestations at the heart of which these personal experiences could be tracked and further expanded upon. Another distinction that separates the Kantian tradition from the Benthamite paradigm is that the former excludes sexuality from the realm of aesthetic considerations, while the latter affirms it as one of the main pillars of aesthetic reflections since it involves questions of taste and sociability. Ferguson highlights an important clash between these two perspectives: one Kantian, rooted in classical deontological approaches, and one Benthamian, driven by hedonist, utilitarian concepts: "For Kant, sensuous experience triggers aesthetic response", but "Bentham, by contrast, continually imagines sensory experience in terms of the possibilities of pleasure between persons" (Ferguson 2020, 49); this is precisely why sexuality deserves aesthetic consideration, as it expects sensorial responses (such as sex) to complete and complement nonsensuous experiences (such as love). Ferguson also attempts to bridge the gaps between the utilitarian focus on pleasure and the Christian accounts on morality, which are incompatible with sexuality and sensorial satisfaction. In Ferguson's assumption, Bentham has a Spinozist attitude toward theological principles. If human pleasure could decrease pain, then pleasure should also be relevant to Christians. Ferguson concludes, in very challenging words, that "the Benthamite

form holds judgements to account, and produces what biblical scholars might have called a harmony of Christian Scripture to capture what he takes to be other people's reasons – public law, Christian Gospels. Not Paul, but Jesus. Not Kant, but Bentham" (Ferguson 2020, 67).

The first part of the volume ends with Stella Sandford's contribution: she tackles the psychological incursions of Benthamite utilitarianism, comparing them with a powerful psychoanalytical work that partially mirrors the same perspectives, Freud's *Three Essays on the Theory of Sexuality* (1905). Sandford observes that Bentham reduces sexuality to pleasure, considers sexual orientation a matter of taste, and finds, as Freud did, several reasons for denying that same-sex desire is unnatural. Both are, by different arguments, liberating sexuality from civilizational constraints. Nonetheless, in Sandford's appreciation, Bentham will conquer the public through a more radical approach to sexuality than Freud, problematizing sexual orientations between two canonical principles, that of antipathy and that of asceticism. In short, asceticism can be underpinned by antipathy, or at least Bentham's conviction: the aforementioned set of principles could be useful for understanding why the psychological reductionism of sexuality to egoism and hedonism cannot provide a sufficient framework for discussing such topics. Bentham's *Introduction to the Principles of Morals and Legislation*, principles of sympathy and antipathy should not be taken in absolute terms but considered under the lens of perpetual negotiation. The principle of utility sets the intentional orientation of individuals towards pleasure and pain: what motivates us to seek immediate satisfaction or spurious justification of moral actions? Sandford supports the application of Bentham's perspective on the entanglement between utilitarianism, asceticism and antipathy to deconstruct social rejections and religious condemnations of homosexuality. What Sandford brings to light is the relevance of Bentham's writings in targeting the conversion of asceticism – coined denial of pleasure – into pleasure – understood as "gratification of ill-will or revenge" (Sandford 2020, 82).

"Of Sexual Irregularities" and "Sextus" are discussed as fundamental texts that support this thesis, which led us to a final conclusion that homosexuality has been criticized because of antipathy, which is raised as envy experienced by condemners who restrain themselves from sexual

pleasure and – if Freud were to be invoked in this matter – from desire. The shift from psychology to psychoanalysis is a game performed with great elegance by Sandford's arguments, which creates an interdisciplinary halo to critically undertake Bentham's legacy and influence on social and human sciences as a whole.

**II.A philosophical sentence: "We can work with Bentham.  
We have to work around Mill."**

Bentham was a curious figure in the intellectual history of modernity. His symbolic capital received from the history of ideas proves to be as seductive as the renewal he bestows upon it through various forms of literature. De Champs sees a clash between "individual enjoyment and collective utility" (91) pursued by critics who saw the idea that there is no such thing as good or bad taste as a risky notion for their profession. Instead, authors and creators of culture took advantage and saw the Benthamite conviction as an invitation to grant enough space for everyone under the same roof: competition was reduced to individual pleasures and collective education, but it was not a battle with resolutions rooted in objective standards imposed by different authorities. De Champs writes down an intellectual itinerary, tracking down seeds of Bentham's perspective on pleasure and taste from D'Alambert, Rousseau, Helvétius and Voltaire, Diderot up until now. This interesting lecture explores the particular manner in which the French tradition seized the principle of institutional art, which was abolished once the French Revolution dropped academicism and cultural patronage and made room for those who were not *connoisseurs*, but who were neither shadowed by vanities, nor by "polite criticism" (De Champs 2020, 97). The historical echo of Bentham's appreciation of different species of art contradicts the Hegelian insistence on transforming poetry into the most privileged form of art of Romanticism. The whole idea of a system of art is vulnerable on Bentham's side, but poetry in particular confronts a threat, as it "is useful insofar as it amuses. However, the game of push-pin, if it amused as much, would be preferable" (see *Théorie*, II, 217; *Rationale*, II, 253). The opposition between utility and poetry seems to be strengthened by what De Champs

calls “the impossible dialogue between Madame de Staël and Dumont” (110): to the question “who needs poetry?” one could answer by raising another question, “who needs pleasure”? The second half of the eighteenth century became uncomfortable with the rise of a whole generation of utilitarian writers. Madame de Staël’s works plea for appreciating style as a powerful force that could make audiences empathize more rapidly with the moral and aesthetic content of a literary piece. Style was not a duty, but it was considered vital for triggering enthusiasm around a form of culture.

However, how much aesthetic pleasure should depend on manner and style? If we set our sights on universal pleasure, as the last part of the eighteenth century became increasingly transhistorically and transnationally oriented to, then style could be an obstacle to this cosmopolitan opening. Jan-Melissa Schramm prefers to focus on imagination rather than style, involving Benthamite approaches on matters of paraphrase, substitution and translation, especially in terms of cultural transmission and interference. Schramm believes that Bentham turned style into a weapon of the intellectual ability to master critical thinking and law. In fact, he “sets out the formal essentials of utilitarian style” (Schramm 2020, 123), engaging paraphrasing to translate ideas that blend poetic and prosaic standards, rational and empirical stances, and literary and theological tones. One of the major contributions of this chapter is that it unveils “Bentham’s unpopularity with Victorian authors,” which “arose from the ways in which his theory of phraseoplerosis and paraphrasis worked against the richnesses of metaphysical and liturgical language” (125). In this respect, Bentham’s translation from English to French was an intellectual mastering of interdisciplinary knowledge. Dumont deserves the credit for such outstanding labour, but Schramm reminds us that translations were not just a philological and philosophical engagement, but also a challenge to express aesthetic, legal and political pillars of a “national imagination” (131) from one discourse and one culture to another.

Beyond matters of precision, style and intercultural thinking that tailor the eighteenth century quite in a Benthamite way, there is also a Romantic attitude that transcends all these contributions to the history of ideas: Milnes critically undertakes Bentham’s relation to British Romanticism through the lenses of Mill’s essay on Coleridge from 1840. It appears that Benthamites and Coleridgeans are polarized and divided

by two hermeneutical perspectives, one reformist and utilitarian and the other conservative and aestheticized. On the one hand, Milnes points out that “where the fundamental imperative in Bentham’s thought is epistemological and empirical, according to Mill, in Coleridge it is hermeneutic and aesthetic” (Milnes 2020, 141). On the other hand, he intends “to complicate” (142) Bentham’s relation to Romantic authors, as one of the major goals of Benthamite literature was to strengthen the relationship between the use of imagination and the energy of political reform. On the surface, Bentham’s contribution to this epochal framework is to redefine truth and meaning as operators of language capable of transcending scepticism, conventionalism and pessimism. Fictions of reasons were, undoubtedly, a common preoccupation for Mill, Hume and Bentham. However, the latter was the only one who questioned by means of utilitarianism and Romanticism “what does it mean?” as a question concerning if something “is true”. This chapter portrays a proto-pragmatist Bentham, who is also relevant for what Anthony Julius presents as the wager of the modern era: “More Bentham, less Mill” (Julius 2020, 160).

In the last chapter of the second part of this volume, Anthony Julius draws some powerful insights into the canonical reading of Mill, whose thought holds the paternity of liberalism, given his mission to defend free speech: as Mill’s thought went viral, Bentham’s writings were ignorantly left aside by liberals. Anthony Julius warns that it is not Mill who should be frequented, whenever we seek an author forging free speech by means of visual arts and literature, but Bentham. History shows *On Liberty* as a bestseller that seduced public spheres and, above all, literary personalities: Whitman and Hardy inherited from Mill the seeds of a modern thinking shaping “a truly great nationality” (Whitman 1982, 929) with greater enthusiasm than ever before. Julius believes that the Millian reputation for supporting free speech was rather augmented, dramatically heightened and quite undeserved: “Mill was in fact rather feeble in his aesthetic positions and *On Liberty* is hostile to literary free speech” (Julius 2020, 161). Various manuscripts reveal a Mill who considered the ability to be a poet and the ability to be a moralist to be mutually exclusive; the literature written by women was underestimated, and Humean perspectives were demolished for a lack of concern for truth and a mind allegedly enthralled by an appetite for



literature. Memoirs and poetry were suspected to play a therapeutic role, as the sympathetic capacity to orient the human soul towards uncomfortable possible worlds or imaginative pleasures occasioned by fiction – the Marmontel and the Wordsworth moments (Julius 2020, 163) – revealed this Millian position on the two genres quite exemplary. However, Mill remained far from contemporary literature, as there was less confidence in the educational power that post-Romantic literature might have on public spheres – Julius recalls a Millian testimony from a posthumously published essay, “Theism,” in which Mill stated that “All unnecessary dwelling upon ‘the evils of life’ is ‘at best a useless expenditure of nervous force’” (see Julius 2020, 164). It was a perspective far from Schiller’s, for example, who saw in culture the consumption of a surplus of vital energy, which can be easily contemplated. There was something more than just a disapproval of the so-called futility of poetry. Julius states that “*On Liberty* is muddled, illiberal and anti-literature” (166). First, because silence is also a matter of speech, and Mill remained willingly ignorant of literary censorship, which in 1857 represented one of the major political incursions in civil life. At the same time, Europe was deploring/condemning *Madame Bovary* and *Les Fleurs du Mal* for decadence, and yet, Mill said no word on the subject. As he was deeply concerned about matters of freedom in terms of both opinion and sentiment in different domains – from science to theology – less was said about the cultural liberties that his literature might have espoused. His admiration for the generation of transgressive authors is unknown, and whenever a position is taken to admire courage and a parrhesiastic attitude, as much as possible, Mill assumes that free speech should not lead contradictions and disapproval, and this is precisely why “creative writers should not be defended” (Julius 2020, 167). Therefore, what place remains for vulnerability and on whose shoulders should the responsibility to defend censored authors fall? A few words from “*On Liberty*” enables us to understand that courage should be engaged in disinterested actions, but this does not mean that doing good, especially in regard to serving others, should be ignored. Secondly, we know that whenever people lack higher moral aspirations for their society, their motivation is compromised by intellectual preferences, reduced to judgements of taste. Therefore, we might ask how Mill would defend

transgressive artworks of Baudelaire and Flaubert in court? Julius provides an insightful perspective on such an attempt: “Now it is an unquestionable fact that *those who are equally acquainted with, and equally capable of appreciating and enjoying, both* (n.a. pleasures) do give a most marked preference to the manner of existence which employs their higher faculties...From [the] verdict of the only competent judges... there can be no appeal...” (Mill 1985, 21).

Mill borrows a judicial tone and distinguishes artworks from decadent content because the former appeals to the intellect and the latter to the sensibility. When we look at litigation cases that presuppose the distinction between culture and pornography, we find arguments about obscenity tailored in Millian terms (169). Thus, it is easily noticeable that anti-sensualism, sexual abstinence and human improvements, as Julius frames them, raised an ascetical wave towards Mill’s aesthetic standards. Ultimately, “Mill’s qualitative utilitarianism is the gateway to literary censorship” (Julius 2020, 169). In terms of decency, crimes, violations of manners, and publicly condemnable gestures grounded in moral imperatives, Mill reflects what we might call a public sphere and its standards of behaviour. However, it seems that Mill’s arguments play a double standard: whenever they are performed in private, such gestures are considered as a maximisation of pleasure and are not condemned; once they are made public, they should be subjected to injury and decadence. The problem, as Julius notes, is that literature should concern, depict and address the body with its entire set of passions, and this is precisely why puritanism should never be part of this assemblage of moral censorship and repression that colonizes free speech. Since Mill revealed to be twisted and problematic, Bentham should be restored, despite his low reputation in free speech, to increase the battery of arguments against antipathy and decadence. Julius introduces three interpretative modes that reflect the ingenuity of his approach – the accusatory, the apologetic and the charitable – to restore Bentham’s relevance on this side. The first, namely the accusatory one, starts from the premise that texts should be placed in the defence loop “before the interpreter’s indictment” (Julius 2020, 172). The second, namely the apologetic text, involves defending texts and granting their dignity or attacking one text – Mill’s – for example, by engaging another text – Bentham’s, and this is

how we highlight the contradiction of their position on poetry. As Mill was contemplating the futility of poetry, Bentham's tone is more tolerant on the same problem.

"Reward Applied to Art and Science" emphasizes that the usefulness of these two domains and their contents is proportional to the pleasure they raise for a consumer. They stimulate curiosity and increase the level of entertainment, and it is precisely for this reason that Bentham considers poetry to be worth examining, unlike Mill, who dismissed it from the beginning. Then, Bentham includes not only poetry, but also music in the spectre of arts and deals with the love of playing, of writing, of cultural consumption, as a whole. The third and last mode, whose understanding Julius adopts from Donald Davidson, is the charitable mode, which blends philosophical and historical criteria and states that interpretation is engaged in maximizing the rationality of an argument. Julius attempts "a charitable reconstruction of Bentham's aesthetics in his several engagements with Romanticism" (Julius 2020, 179). Julius' insistence on the puzzle of engagements that Bentham had with Romanticism is admirable, which gives us the portrait of four Benthamite voices: Fellow-Romantic, Anti-Romantic, Radical Romantic and Post-Romantic. Reading Julius's considerations of these four different worlds of Bentham's work will delight both philosophers and literates alike as they attempt to reconstruct Bentham's relationship to both realms.

However, out of the above stances, it is the Radical Romantic tone that caught my attention, as Julius finds it at the heart of a hedonism of the imagination, including three formulas that could be used as well as slogans of Bentham's aesthetics: "(a) *for* Pleasure, *therefore* Utility; (b) *for* Pleasure, *against* Taste (c) *for* Pleasure, *therefore* Literature" (Julius 2020, 184). Taken one step at the time, the first formula reveals a Romanticism immune to the idea that the utility of art is compelling. Nonetheless, in this paradigm, art is held responsible for producing a very general pleasure for a subject who views any question of supposed utility through the lens of satisfaction. The second formula, which accepts pleasure and rejects taste, brings to mind the image of Bentham worrying about the social effects of taste speech, which has become discretionary, a little bit elitist and somehow fraught. The only demand we should make of art in this sense would be to provide pleasure, regardless of the standards of

taste. The last formula privileges pleasure and consequently accepts literature as part of the possible triggers of such feelings. Julius does something great with this interpretation: he does not aim to determine whether we accept different ages of the Benthamite thought without any connection between them, but rather to melt these labels until they offer us the opportunity to understand Bentham's role in relationship to Romanticism, in the same way in which Bataille's role in the raise of Surrealism could be analysed. Therefore, Julius targets Bentham as a "Low Romantic" – this is not just a hermeneutic, totalizing gesture; rather, it is a title of nobility that he recognizes for the canonical author of utilitarianism, attacked, criticized and undermined by Mill. Ultimately, Julius observes the damage this narrow and somewhat unfair reading of Bentham does to the liberal paradigm. Liberals were blinded and overwhelmed by the consequentialist utilitarian version of Mill. Julius concludes with philosophical acuity and legal diligence, "We can work with Bentham. We have to work around Mill" (Julius 2020, 191). And this is what we are going to do for the analysis of the final part of this volume.

### **III. Bentham's Taste for Art**

Part III unveils Bentham's realism as a core resource of his tacit engagement with aesthetics. This is not a sufficient reason to link his philosophical legacy with British modern aesthetics; in contrast, according to Quinn, he is less concerned with critiques of aesthetic transitions from Shaftesbury to Wittgenstein, while his writings on hedonic utilitarianism were branded "as cultural barbarism" (Quinn 2020, 201). Bentham's aesthetics mirrors bourgeois perspectives, which are difficult to reconcile with the late modern spirit of the Marxist critical undertakings of culture as a superstructure. The modern dilemma of what to choose between refinement and utility, inspires two different positions, one Addisonian, for which good taste is able to increase our immunity in the face of bad aesthetic choices, and one Benthamian, arguing that "what may look like a bad choice can protect us from social mischief" (212). The latter shows that a post-Enlightenment society must abandon the pretence of refinement, but unrefined aesthetics does not entail that the utilitarian logic of the maximum pleasure occasioned

by an artistic consumption is a sufficient criterion to proclaim (good) taste. What would Bentham say when looking at Hogarth's "The Bad Taste of Town"? Most likely, the "imaginary Academy of Arts" is a moralist art, and denouncing "bad taste" means both maintaining a normative system partially incompatible with the unrefined Enlightenment and requiring a coercive cultural framework. How do we sanction "bad taste" without endangering the autonomy of the judgement of taste?

Bourcier offers a clever solution: Bentham grounds the liberty of taste into the set of moral political liberties, but this is precisely why it has to be analysed in relation to private ethics. First, the utilitarian framework opposes bad pleasures: anything that brings pleasure is good and is considered as such in private terms (the quantity of good is available for a moral agent in particular). Second, censorship could implicitly mean depriving an individual of the amount of pleasure occasioned by cultural consumption. The principle of asceticism is invoked to condemn the state's interference with prohibiting cultural pleasure provided by contents that might embed a variety of topics (religious life, sexualization, morality, etc.). Asceticism objectifies taste, and privileges the love of virtue and the criticism of what contradicts the agreed values within a philosophical or religious ascetic paradigm. Ultimately, these "purist" perspectives will fuel abuses of power and hypocrisy. However, private ethics will help, in this equation, minimize the costs of happiness and argue in favour of exclusive individual authority over one's own tastes and pleasure. The challenge launched by Bourcier is to identify the roots of a so-called private deontology (Bourcier 2020, 236) grasped along his utilitarian reflections on taste as an individual affair. The major outcome of this framework is unveiling the liberty of taste as negative liberty. This does not mean that there is a lack of restrictions, but rather that education will play a major role in equipping individuals with a sense of mutual respect without succumbing to cultural anarchism or reducing their entangled ethical and aesthetic thinking toward relativism.

However, private ethics is not the only challenge in regard to applying Bentham's theory in practice. His critique of the panopticon stimulated the interest of architects and artists in linking the surveillance and control strategies that such a loss of power entails with a utilitarian

perspective on the pain and pleasure that arise from disciplinary mechanisms. Cottell and Mueller analyse the Benthamian project of an inspection house sited in a mill bank. The space included four structures – the panopticon, prison, parade ground and art school – but was meant “to realize his visionary panopticon prison, a plan that would never materialize” (Cottell & Mueller 2020, 245). The Benthamian structure of panopticon privileged regimes of perceptibility – conditions of light – and visibility – spatial geometry (see Cottell and Mueller 2020, 248), is patterned by the principle of a one-to-one relationship between inspectors and prisoners. As Bentham’s panopticon raised its reputation for the visibility of power, Foucauldian reflections later insisted on the subtlety of such mechanisms of discipline and surveillance, which were in no way intended to reshape the mentality and education of criminals. In contrast, in democratic times the Panopticon persisted as a system of surveillance and was less concerned with promoting work performance or the morality of individuals. The study authored by Cottell and Mueller captures various replications of Bentham’s panopticon, from Cube’s Presidio Modelo (1926), Koepel Panopticon Prison (1980), to the Pentagon Petal (2016), in an attentive comparison to Millbank Prison. They all provide insights into the emancipation from the Panopticon’s structure, which became more subtle and versatile as time passed, closely observing to what extent Bentham’s ideal (to use such an architectural model as a “lantern” to bring on the spotlight both pleasures and pains occasioned by work – more or less, such as in Fourier’s City with Guarantees) became an ideal space to mirror behaviours linked to entertainment or leisure (such as the Rotunda erected outside London, in Chelsea, at Ranelagh Gardens).

These critiques highlight the ability of Bentham’s writings to depict the *corpo-reality* of individuals through images, a thesis supported by Schapiro in the last study of the third part of the volume. Schapiro accused Bentham’s writings of being “a performative act” (Schapiro 2020, 271), through which he created images “encompassing the felicities and physical pleasures of the act of writing” (272). Based on Bentham’s readings of *the Old* and *the New Testament*, Schapiro concludes that the utilitarian perspective of the imaginary of corporeality is incompatible with asceticism, which discounts the body. This aspect is highly relevant since the unity between body and soul in terms of Christian perspectives

seems to be rejected by Bentham. Schofield's critique, extensively commented upon by Schapiro, shed light on the fact that Bentham was reticent about the possibility of having an afterlife for which the soul might enjoy any amount of happiness as long as there would be nobody left to resent the amount of joy or pleasure: "Mind, a fictitious entity, consisted in nothing more than a combination of pleasures, pains, wants, desires and propensities. (...) How are these wants to be supplied, desires gratified, and propensities given way to, by a mind without a body?" (Schofield 2009, 122). This is precisely why "religion was the main culprit in Bentham's eyes for things antitheoretical to his greatest happiness principle" (Schapiro 2020, 278).

#### **IV. *Vox populi* on "The Bentham file"**

If the above-mentioned arguments did not convince that this book is mandatory for educating oneself on reading Bentham in an unconventional, yet more authentic manner, closer to the author's convictions, left unfalsified or foreshadowed by turns and twists of utilitarianism impacting both arts and morality, there are some other echoes that this editorial project raised, and might support your choice to read.

Brunon-Ernst (2020) recommended it as "a milestone in scholarship on utilitarianism and art history" (2020, 16), believing that misconceptions of Bentham's aesthetics have been clarified and saved from marginality. The truth is that if you ask a philosophy student what is the first field of study that comes to his/her mind when hearing Bentham's name, aesthetics will not be a first choice. In addition, a form of justice has been made to Bentham's philosophical inheritance.

Moreover, Wrobel (2021) highlights the crucial need of philosophical audiences to reassess the relationship between utilitarianism and the arts. Wrobel is seduced by the several theoretical routes that this book designed for deconstructing Bentham's thought other than what we used to do: Julius discovers a Bentham who is an ideal candidate for a radical or avant-garde Romantic, while other scholars work on saving the dignity of a philosopher who "stands at the juncture between Enlightenment and Romanticism; the suggestion that one need not choose between one

or the other is just one of the many stimulating insights that emerge from a volume both scientifically rigorous and highly enjoyable” (Wrobel 2021, para 14).

I agree with all these critical observations, but I would not restrain myself from adding one that I find more conciliant and comprehensive, from the standpoint that it pursues the need to re-accommodate Bentham’s oeuvre with modern philosophy as a whole. At the end of this book, the reader is subtly enlightened on why being a Benthamite in the eighteenth century was a question of nobility. In addition, when I say *nobility*, I mean a moral superiority that one might gain from the courage to master prejudgments and taboos differently. Bentham truly understood that it is enough to indulge the panopticon of modern societies in their lust for control and power: there was no need to double the architecture of a closed society by narrowed perspectives on human authenticity and freedom. Taste and pleasure, morality and arts are just ingredients of a philosophical project that was modern “by the book” – attentive to individualism, reflective on matters of competition, happiness and conviviality, despite the social differences between us – but avant-gardist *avant la lettre*.

Here, I found a tone similar to that of Isaiah Berlin, from *The Roots of Romanticism*: in his analysis, it is revealed that Kant is neither an exponent of Enlightenment nor a forerunner of Romanticism. It is the same case for Bentham: this book educates us to distinguish the Enlightened and the Romantic turns of the Benthamite thought without confiscating it for one or the other. At the end of this hermeneutical process, Bentham is liberated from any etiquette and canons. What I call “the Bentham file” has been deeply analysed, carefully deconstructed, and attentively criticized. However, after reading the arguments of these eleven writers, I rest my case and declare Bentham being happy: they have done justice, freed him from the monopoly of Millian utilitarianism, and proved his philosophy to be rooted in transgressive tendencies and values. In my defence, I am not expressing a judgement of taste. Remember that there is no good taste or bad taste, only an amount of pleasure that can conquer you, and in this case, I warn you that it exceeds all expectations.



## References

- Bentham, J. (2014). *Of Sexual Irregularities, and Other Writings on Sexual Morality* (CW), (eds.) P. Schofield, C. Pease-Watkin, and M. Quinn. Oxford: Clarendon Press.
- Bentham, J., *Sextus*, available online at <https://www.ucl.ac.uk/bentham-project/publications/online-editions> last time accessed on 3 December, 2023.
- Berlin, Isaiah (2013). *The Roots of Romanticism*, edited by Henry Hardy. Princeton, New Jersey: Princeton University Press.
- Brunon-Ernst, Anne (2020). « Anthony Julius, Malcolm Quinn and Philip Schofield (eds), Bentham and the Arts ». *Revue d'études benthamiennes* [En ligne], 18 | 2020, published on November 30, 2020, last time accessed on March, 3 2023. URL: <http://journals.openedition.org/etudes-benthamiennes/8087>; DOI: <https://doi.org/10.4000/etudes-benthamiennes.8087>
- Mill, John Stuart (1950). *Mill on Bentham and Coleridge*, edited by F.R. Leavis. London: Chatto and Windus.
- Mill, John Stuart (1969). "Utilitarianism" [1861]. In *Essays on Ethics, Religion and Society* (*Collected Works: Volume X*), edited by J.M. Robson, F.E.L. Priestley, and D.P. Dryer. Toronto: University of Toronto Press; London: Routledge, 203-59.
- Mill, John Stuart (1977). *Essays on Politics and Society: I*, edited by J.M. Robson. Toronto: University of Toronto Press; London: Routledge.
- Mill, John Stuart (1985). "Utilitarianism" [1863], edited by J.M. Robson and J. Stillinger, *Essays on Ethics, Religion and Society*. Toronto: University of Toronto Press; London: Routledge.
- Whitman, W. (1982). "Democratic Vistas." In *Complete Poetry and Collected Prose*. New York: Literary Classics of the United States.
- Wrobel, Claire (2021). "Book review: *Bentham and the Arts*, edited by Anthony Julius, Malcolm Quinn and Philip Schofield". *JBS* 19(1).

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