

THE ONTOLOGY OF DISCIPLINE: FROM BENTHAM TO MILL

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In *Capital*, Marx described Bentham as “the arch-Philistine . . . , that insipid, pedantic, leather-tongued oracle of the ordinary bourgeois intelligence of the nineteenth century.”¹ Polemics aside, there is a not uncomplimentary dimension to the assessment for, more thoroughly than any other English thinker of the period, Bentham did work out a theory of the conditions within which the bourgeoisie was rapidly attaining the apogee of its power. His theoretical contributions to the political, economic, legal and psychological structures of English capitalism were enormous. Even Marx moved through a world that had been well-described by the arch-Philistine’s voice. In his unique way, Bentham defined and analyzed the England of the late-eighteenth and early-nineteenth centuries, creating not only a comprehensive social theory but, with the help of James Mill and others, a political movement to go with it. And to cap it all off, he was provided, in John Stuart Mill, with a meticulously crafted heir to carry on his labours.

Unhappily for Bentham, Mill was to prove more than a little recalcitrant in this respect. Hardly had the great man become the *Auto Icon* when Mill set about criticising, revising and ultimately transforming utilitarianism. In the process, as if to add posthumous insult to posthumous injury, he managed to overshadow Bentham in the Pantheon of nineteenth-century liberalism. Indeed, judged from a Millian perspective, Bentham scarcely seems to qualify. Now Mill’s revolt has long been a subject of fascination for historians of ideas, especially in its personal, indeed psychoanalytic, aspects. Yet, beyond this there is another dimension to it which is perhaps more fundamental. This concerns the generation of each man’s discourse — in both senses of the word. It concerns, that is, the question of how far Mill’s revolt — his transformation of Benthamite utilitarianism — reflects a fundamental shift in the social texture of England; how far, despite the shared designation of ‘utilitarian’, the texts of Bentham and Mill rest on different ground. It is, I think, useful to ask this question in isolation from the personal aspects of the relation between the two men, even if it is somewhat artificial to do so. For texts, like plants in a garden, depend upon the soil in which they grow. Given the ground, some flourish and others die. In this paper, I wish to consider the extent to which the writings of Bentham and Mill spring from different soil and to speculate very briefly on how this illuminates not only each man’s particular body of work but also the development of social theory generally.

THE ONTOLOGY OF DISCIPLINE

I

Stretching over more than half a century and involving at least three principal stages — the Tory legal reformer, the political economist and the Radical democrat — Bentham's work obviously defies easy, or adequate, summary. Nevertheless, throughout his writings the thread of utility (and underlying it the famous, or infamous, pain-pleasure psychology) runs so consistently that one can use it to trace the outlines of Benthamite social theory. For utility points immediately to its foundation stone of pleasure (or happiness)² which in turn directs one just as quickly to its social manifestation: self-interest. Bentham's universal principle is that "self is everything, to which all other persons, added to all other things put together, are as nothing."³ Happiness is the measure of existence and so the individual instinctively looks inward to his own pain and pleasure. The formula is psychologically egalitarian: people can be distinguished quantitatively — they can be privy to more or less pleasure — but not qualitatively. There are no superior or inferior pleasures which could, for example, serve as barometers of the state of one's moral being. For Bentham, what is at issue is the intensity, duration, certainty and immediacy of a pleasure (or a pain) but never its value in some higher sense. Happiness is a psychological, not a moral, category that points to one conclusion: at bottom, everyone is alike.

This attitude would seem to owe a great deal to the increasingly anthropological perspective of such writers as Hume, Montesquieu, Diderot, Helvétius and d'Holbach, men who gradually revealed a being that had to do for itself what God or Nature had done for its ancestors. For example, social inequality was seen less and less as the result of innate differences in the reasoning, or moral, capacities of people and more and more as a function of power. (One need only compare the Scottish Historians' attitude toward property with that of Locke to note this change.) Now, behind social inequality it was possible to glimpse an enduring natural equality. Bentham's contribution was to emphasize this equality, and to build his theory on it.

Bentham's individual might thus be described as uniformly self-interested, immune from all social ties except those that serve his particular purposes. Hence, the mediation of individual interests through government is "artificial" rather than natural; social harmony — the "greatest happiness of the greatest number" — must be created almost *ex nihilo*. The four "ends" of distributive law — security, subsistence, abundance and equality (of wealth)⁴ — are ranked by Bentham according to their capacity to do just this. Security⁵ looms much the largest because, as the only one concerned with the future, it gives temporal definition to happiness, making it more than momentary and fleeting. And, behind security lies its opposite, an insecurity which, for Bentham, is the primary challenge of existence. This is not, however, simply a

ANDREW LAWLESS

reproduction of the stark Hobbesian formula for, despite the very possible outer limit of starvation, Bentham's struggle is more controlled. Scarcity not death is on his mind: an economic rather than a total struggle.

In this, Bentham's work would seem to rest on the experience of a society whose productive powers are beginning to expand noticeably. Temporal definition is developing and comparison is becoming possible; the present can be related to a less productive past and (perhaps) a more productive future. What is emerging in this period is the simple but dramatic fact that the world has not been, and is not yet, as bountiful as it might be. One result is a new appreciation of scarcity. It is elevated from a mute fact of life to the status of a basic theoretical (and, obviously, practical) concern,⁶ the concomitant of the heightened sense of productivity.

Scarcity, though, is a treacherous thing, pushing productivity forward only to reappear as its limit, often in the deathly guise of overpopulation. For most writers of the period, in the short run and probably in the long, productivity entailed only an ephemeral and so frustrating escape from scarcity. Bentham is no exception. For him, scarcity is "habitual and permanent", the result of an "exuberant population" that tends constantly to outgrow its ability to feed itself. The only reliable remedies are emigration and the export of capital⁷, which do not so much resolve the problem as exile it to another place and time. Bentham's dictum belongs to his era: population "can not be had but at the expense of wealth, nor wealth but at the expense of population."⁸ In the tension between the two lies the source of the chronic scarcity that received theoretical articulation in the wages-fund doctrine. Hence, if a continued expansion of the productive power of society is possible — and Bentham believed that it was, at least for some time to come — it is also tenuous. Gains are uncertain and too easily squandered; the pendulum can quickly swing back toward scarcity, or "dearth". It might be said then, that Bentham's individual exists in the flux of a productivity/scarcity dichotomy and that it is the working of this dichotomy which gives definition to his general concept of security.

It is, in other words, just this circumstance which demands the legislator's attention. Security consists primarily in preventing the swing of the pendulum toward scarcity. To this end, the law must secure property and labour and, where necessary, direct them to their most useful employment. The importance of this task is underlined by Bentham's insistence that while happiness cannot (since it is a quantity of sensation) be measured directly by anyone but the person in question, what can be measured is access to the means of it. This, simply, is wealth, the legislator's most reliable social indicator of happiness: "Those who are not satisfied with the accuracy of this instrument must find out some other that shall be more accurate, or bid adieu to politics and morals."⁹ For Bentham then, the market must become the main referent of social theory, the space within which the irrationality of a natural

THE ONTOLOGY OF DISCIPLINE

law universe can be replaced by the mathematical certainty of utility. The security that the law is to provide comes to rest on political economy.

But, with this insistence that law (and so government) should turn on the market — finding there the locus for a unity of self-interested individuals — Bentham's theory returns to a problem posed by its own psychology. The problem and its resolution can be traced in the concept of 'psychological dynamics' which Bentham worked out, mainly in the first decade of the nineteenth century, in response to his growing conviction that governments tended to be rather unconcerned with the universal interest. This principle rests on the contention that understanding, or reason, tends to be subverted by influence and interest. The tendency degenerates into 'sinister interest' when a given influence or interest acts "in a direction to draw a man's conduct aside from the path of probity."¹⁰ In government, this presents a two-tiered problem. First, given the predominance of the principle of self-interest, members of the government will inevitably prefer their specific interests to those of the community as a whole.¹¹ Second, the more powerful members of the government will tend to influence the less powerful so that, in the latter's case, "the will professed to be pronounced is not in truth the will of him whose will it professes to be, but the will of him in whom the influence originates and from which it proceeds."¹² The tendency of government is thus to circle inward until it comes to rest on the most powerful and cohesive interest, which then shoves the greatest happiness principle into the background.

By 1817 at the latest, Bentham had settled on the monarchy and the aristocracy-landholder class¹³ as the main sinister interests in the English government. To discover why, one need only look, as has already been suggested, to the market:

The democratical section or the section of the subject many, is composed chiefly of the productive classes . . .
The section of the ruling and otherwise influential few, is composed principally of the non-productive classes.¹⁴

The opposition Bentham has drawn is essentially between the forces of capitalism and something like the remnants of feudalism, between wages and profits on the one hand and rent, especially ground rent,¹⁵ on the other. The monarchy and aristocracy are parasites justified only by ancient legitimacy and the traditional assumption that "property is virtue." Resting in such unproductive hands, government will never look to the universal interest.

It was this convergence of his psychology and political economy into a political psychology that pushed Bentham toward the articulation of broad democratic principles. In the last two decades of his life, he became convinced that to avoid sinister interests the government had to be placed under the

ANDREW LAWLESS

scrutiny of the only group with a stake in nothing but the universal interest: that is, the whole of the adult population. In the *Plan Of Parliamentary Reform*, published in 1817, he argues for "virtually universal"¹⁶ suffrage, a secret ballot, impermanence of office, frequent, preferably annual, elections and compulsory attendance in the House by M.P.'s.¹⁷ This program, through which Bentham intended to secure political power for the majority, is also designed to transfer political hegemony from the unproductive to the productive part of the community, to shift it into the centre of a world of entrepreneurs and wage-earners.

Democracy thus appears as the final cornerstone in Bentham's social theory, the necessary preventative to the bad (unproductive) government self-interest would otherwise create. It establishes in government the egalitarian principle inherent in his psychology without, however, establishing actual equality. Bentham is perfectly willing to accept inequality of wealth, and the class structure that goes with it, but it is significant that he does so from within an egalitarian framework. Inequality is a necessary evil that should be suffered only insofar as it contributes to the greatest happiness of the greatest number. Here, two possibilities, essentially a positive and a negative one, arise. The positive one is that the accumulation of wealth in the hands of a capitalist class is essential to the expansion of production; the negative one is that to force (i.e., legislate) equality would entail too great an attack on security, with the disastrous psychological effect of weakening the will of the people to be industrious. While Bentham is aware of both possibilities, it is, as we shall see, the second that presents the more serious stumbling block to the advance of equality: security, as it were, circling back away from productivity. For the present, however, it need only be noted that equality is the principle around which his theory revolves, inequality being painful and contingent.

But, if democracy completes Bentham's social theory, it also appears to shut it off from further development. For democracy involves the establishment of a state with a decision-making capacity adequate to the market. As such, it ensures the existence of a government consistent with the greatest happiness principle. Political liberty, or "security against the injustice of members of the government,"¹⁸ is assured and nothing more is required. Because it demands obedience, the law is coercive but in a democracy it is neither arbitrary nor to the detriment of the greatest happiness of the greatest number. Thus, given a properly democratic constitution, the social mechanism would be placed in something like a state of balanced equilibrium, requiring only to be kept well-oiled. Bentham does not envisage much in the line of further structural changes. As a forum in which a society of productive individuals can determine its needs and its differences (prodded along, of course, by rigorous systems of sanctions and education), democracy rises above change. Bentham's project, which began and ended with legal-constitutional matters, is complete.

THE ONTOLOGY OF DISCIPLINE

This sense of completeness seems, however, to stem mainly from certain historical limitations of vision in Bentham's work. One can, for example, find in it little sense of the importance of certain factors which, by the 1830's, would split his democratic alliance of productive classes, making it less and less possible to see the interests of entrepreneurs and wage-earners as virtually identical. There is, in other words, little sense of the persistence of the political and economic antagonisms between the two classes that would soon make the utility of Bentham's democracy extremely doubtful in bourgeois eyes. He would be dead for over half a century before the level of suffrage that he advocated was reached.

Politically, Bentham's 'lack of foresight' is understandable. He worked, after all, in the context of a debate with pre-capitalist elements. One result is a tendency to treat the capitalist world as politically homogeneous. While he is well enough aware of the distinction between labour and capital, and of the potential conflict entailed in it, he does not consider this to be a fundamental antagonism. Moreover, since the wage-earners were still scarcely discernible as a class,¹⁹ this lack of prescience is even more understandable. Bentham, who died symbolically enough on the eve of the passing of the First Reform Bill, which did so much to write the class structure of capitalism into law, simply never had to confront directly the prospect that his democracy might contain not a mass of individual interests which could be harmonized, but recalcitrantly antagonistic class ones. In the latter case, especially when only one of the classes is enfranchised, the question of sinister interest is revived and the community envisioned by Bentham begins to crumble even before it can be realized.

Like his politics, Bentham's economics are also located at the front edge of industrial capitalism and this too has much to do with his inability to perceive very clearly the class antagonisms of that order. As a central example, one can take Bentham's scepticism concerning the power of machinery. It can, he contends, have only a small effect on the growth of society's wealth, especially where it matters most — on the wage-earners' subsistence. Provisions cannot be made cheaper by the use of machinery.²⁰ Hence, Bentham is often led to support the wage-earners' hostility to machinery on the grounds that it can increase unemployment without also reducing the cost of subsistence.²¹

The point is actually not whether Bentham should have recognized the potential of mechanized production,²² but that its growth is a significant issue for the fate of his theory. For it was the introduction of the use of machinery on a large scale that allowed a later generation to see what Bentham could not see: that the battle against scarcity might be won. It allowed them to forecast that production might well outrun population growth and that (in Bentham's terms) society might begin to move from subsistence toward abundance. In such conditions, scarcity had to begin to decline as a foundation stone of political economy, or at least it had to be displaced, as in Marginalism, from

ANDREW LAWLESS

need to desire (and so from production to distribution).

Given this, the working class' claim to something beyond subsistence took on new meaning. It could now be less easily resisted by the bourgeoisie and by the political economy that spoke for them. Bentham's theory is not exempt from this pressure; indeed, at this point it becomes somewhat schizophrenic. For example, let us consider his hierarchy of the ends of law, concentrating on the weakest end, equality. The farther one is from equality on the negative side of the scale the farther, on Bentham's account, one is from the means of happiness.²³ His rule is straightforward: the wealthier one is the happier one is presumed to be.²⁴ However, he does hold to a type of marginal utility assumption according to which happiness does not continue to increase indefinitely in the same proportion as wealth. Rather, it diminishes in comparison to the happiness that is produced even by small increments of wealth at the other end of the scale. It is, therefore, at least imaginable that in a society moving from subsistence toward abundance a net gain in social happiness could be produced by a transfer of wealth. Certainly, the reason why the law should not work to this end is now less clear. Equality is, in Bentham's formulation, a relatively weak end of the law but it is one nonetheless and its claims should be met as far as possible.

The problem is that the demands of security hardly allow this. One of the imperatives of security is that no "shock" be dealt to people's expectations and, for Bentham, to legislate equality through a redistribution of wealth/property would entail just that. Hence, a government must refrain from interfering with the distribution of wealth and property if it is not to reduce the will of the people to be industrious. Bentham never fully abandoned his turn of the century position that "A state can never become rich but by an inviolable respect for property."²⁵ The most one can hope for is a gradual, largely unlegislated and probably never complete diminution of inequality. Ultimately, the only mediator between the demands of equality and security is time.²⁶

There is a tension here, as Bentham tries to shut a door that seems to insist on remaining ajar. For, when all is said and done, property is still "*only* a foundation of expectation,"²⁷ important insofar as it underwrites security. But utility is the fundamental Benthamite principle and it *is* susceptible to change. There is nothing in its nature to render permanent the relation between security and any particular system of property relations. Utility and the arrangements dictated by it vary with the circumstances. What, in Bentham's case, anchors utility in such a way that the demands of equality (of property/wealth) and security remain antithetical is actually what underlies the principle itself: the condition I have described as a productivity/scarcity dichotomy. This is the ground of Bentham's theory of utility and so while circumstances vary according to time and place they do so within the eternal flux of productivity and scarcity. Time is like a grid that charts their ebb and

THE ONTOLOGY OF DISCIPLINE

flow, but without power to break away into a new realm.

Here is where Bentham's work seems virtually schizophrenic. Given the way the principle of utility is anchored, the dependent concept of security actually points in two directions: forward to productivity and backward to scarcity. Keeping what one has is as important (or more important) than getting more. Society must, as it were, continually look over its shoulder. Consequently, Bentham does not really envision the expansion of productivity to a point where a redistribution of wealth in the name of equality would not raise (either for economic or psychological reasons) the spectre of scarcity. Security points to productivity only until the question of equality is raised. At that juncture, it deflects the pendulum of Bentham's thought back toward scarcity — and inequality. This is the limit of his vision; he cannot imagine the productivity/scarcity dichotomy being broken. His concept of time, and therefore of history, seems unable to extend to that point. In the end, for Bentham utility really does not change.

In this sense, there is a dynamic (and historical) aspect to utility, and to the concept of productivity, that goes beyond the bounds of Bentham's theoretical frame of reference. For, by his death, England was beginning to unleash mechanized productive powers capable of shattering the productivity/scarcity dichotomy. The next generation of thinkers were being nudged beyond its constraints into a world where productivity might point to abundance. In this context, the principle of utility was in danger of losing its security/scarcity restraint with the result that the issue of equality could take on new force. Thus, by the 1830's, utilitarianism was resting on new and shifting ground with cracks beginning to appear in the theoretical edifice that was Bentham's democratic capitalism. But, for evidence of this we must turn to the work of John Stuart Mill.

II

Certainly, Mill's work reflects an environment different from the one that nurtured Bentham's. In it, there is a constant concern with the growing antagonism between labour and capital and not a little effort is expended on developing a methodology capable of analysing this conflict. By the 1830's, Mill appears to have felt strongly the presence of the problem in both its practical and theoretical aspects. What is significant here, is not so much whether personal antipathy to the Benthamite world fueled his desire for a new perspective but, given the desire, the direction in which he moved. That was toward an historical methodology, garnered from reading not only Tocqueville and Carlyle but Michelet and Guizot as well. From such sources Mill distilled for himself a view of history as a gradual "collectivization" of society, with power passing gradually from individual to mass control.

ANDREW LAWLESS

England was, Mill thought, now on the brink of completing the process by bringing the last excluded group — the “labouring classes” — within the circle of the political, economic and cultural community.²⁸ This was not, however, a smooth process but rather the result of the “coordinate action of rival powers naturally tending in different directions.”²⁹ Thus Mill, unlike Bentham, focussed on history as a continuous process — with unsettled “ages of transition” — that turned on some form or other of factional conflict.

There can, moreover, be little doubt that the factional conflict that most concerned Mill was class conflict. The abrasive relationship between the “lower orders” and “those above them” (capitalists, rentiers) occupied his attention throughout his life. As early as 1834 one finds Mill complaining of political economists who fix the class structure in eternity, revolving

in their eternal circle of landlords, capitalists and labourers, until they seem to think of the distinction of society into these three classes, as if it were one of God’s ordinances, not man’s, and as little under human control as the division of day and night.³⁰

He argues instead that such distinctions are likely to change and even disappear. And the importance of working out the conditions of change is underlined by a statement Mill made toward the end of his life. Discussing “disputes between classes”, he warns that a part of society unsatisfied with its lot might well, and perhaps justifiably, place itself in “a state of war with the rest.”³¹ Such conflicts, he notes elsewhere, revolve around the basic element in English society: the distribution of property.³² It is in this type of — fairly common — argument in Mill’s writings that the absence of the security restraint that had operated in Bentham’s work can be noted. For Mill, unlike his predecessor, feels compelled to consider equality in terms of a redistribution of property.

Part of the reason, perhaps a major part, for this must lie in the fact that there is, in Mill’s theory, little sense of the haunting scarcity that drove an earlier generation of political economists into an almost obsessive concern for productivity. In 1834, for example, Mill praised these men for demonstrating the need to abolish the old monopolies that benefitted “particular classes” and for avoiding “artificial inducements to the increase of population”, but added that one should not accept the implicit limit they had set on the “possible reach of improvement in human affairs.”³³ That had been the limit of scarcity, of the capacity of productivity to outgrow population increase, and Mill rejects it. He contends that human improvement could continue even after productivity and population had become virtually stationary, an argument that flies in the face of the political economy of Bentham’s (and even of much

THE ONTOLOGY OF DISCIPLINE

of Mill's) generation. In short, improvement and productivity are not synonymous for Mill, as they had been for his predecessors.

Mill thus seems able at least to imagine that productivity can be stabilized at a point where scarcity (and population) is not a problem. His contention is that "the pressure of population on subsistence . . . though a great, is not an increasing evil."³⁴ Indeed, Mill foresees a social order which, although stationary with respect to wealth and population, is nonetheless devoid of the worst effects of scarcity. The stationary state is, for him, far from the depressing condition of stagnation that (as he is well aware) it was for earlier political economists. On the contrary, his description of it verges on the Utopian, people being better-paid, better-educated and more highly cultured than is the case in his England.³⁵

It is therefore not altogether surprising that, in the *Principles Of Political Economy*, Mill is often extended to demonstrate not how underproduction (with respect to population growth) can be overcome but rather that it still exists. In this context, his attack on the "chimera" of overproduction is not always very convincing.³⁶ In fact, Mill often appears to be discussing with himself the viability of a system of production he suspects is no longer very well suited to English conditions. He frequently notes that English capitalism must undergo some fundamental change, quite possibly in the direction of socialism — although his conception of that system remains vague. If this conviction is seldom strongly put — although it is from time to time — there nonetheless remains in Mill's political economy a general feeling that the old categories of wages, profits and rent no longer hold and that change must come.

Not that he indicates in any systematic way how such change should occur. Whether discussing the principle of cooperative societies or the structure of the stationary state, Mill tends to retain the categories of wages and profits and the abrasive class relationship that goes with them. In the stationary state, for example, capitalist production does not cease but is simply carried on at a "minimum" rate of profit. Part of the difficulty lies in Mill's use of the term 'capital' to refer to the eternally necessary basis of production — the wealth available for increase — rather than to an historically determinate form of it. This ambiguity leads him to eternalize capitalist production even while arguing that the system of distribution growing out of it can be altered. As a result, even when Mill appears to be attacking the categories of wages and profits, he never really relinquishes the structure of the profit-motive system. He is thus caught in something of a dilemma, unable either to defend absolutely the scarcity-based political economy of Bentham's generation or, given his tendency to eternalise capitalist production, to indicate very clearly how it might be transformed. Consequently, while Mill insists that the "claims of labour" must be met, he at the same time retains in his work the class relation (of wages and profits) that makes those claims so threatening.

ANDREW LAWLESS

If there is a deficiency here — and I would contend that there is — Mill tries to make it up in his political theory, particularly in his work on representation. Here, once again, his sharp awareness of a division deep within the ‘industrious classes’ sets him apart from the more sanguine Bentham. Mill’s struggle is very much how to work out a method of representation capable of peacefully introducing the working class to full civic participation, of softening a dangerous class antagonism into a “friendly rivalry” that could be played out within the confines of parliament and its principle of loyal opposition.³⁷ This, Mill conceives as a gradual, because essentially pedagogical, process. For, if history is moving toward “collectivization”, historical progress is nonetheless tied to the level of a society’s intellectual capacities,³⁸ and social improvement cannot, therefore, proceed in advance of moral and intellectual development.³⁹ Accordingly, a major pedagogical effort is required if the masses are to be prepared for their coming responsibilities.

Before outlining the effort however, it is first necessary to say something about the ontological perspective underlying it, for on this score it is significantly different from Bentham’s utilitarianism. That is, Mill views human nature as perfectable in contrast to Bentham’s tendency to treat it as a constant. For Mill, people do not learn to calculate better and so better serve their natures; they actually become better. In brief, their natures improve. A qualitative outlook pervades Mill’s ontology and this separates him from Bentham. Thus, shortly after Bentham’s death Mill dismissed the old utilitarian’s efforts as “an analyst of human nature”, arguing that while his consequential morality might support a legislative theory, it could not support an ethical one. Such concepts as sympathy, duty and moral obligation remained beyond it. Mill’s ontology attempts to correct what he sees as the one-sided nature of Bentham’s work, in effect substituting ‘higher’ or ‘superior’ for ‘more’ (or ‘more accurate’) in the utilitarian lexicon.⁴⁰ In Mill’s world, mankind can, and does, pursue perfection as an end in itself and there is to be no mistaking the “business part of human affairs [for] the whole of them.”⁴¹

Over the years, Mill held quite consistently to this attitude. In *Utilitarianism*, when he insists that “some kinds of pleasure are more desirable and valuable than others,”⁴² the statement can be taken as typical of his position. As one commentator has noted,⁴³ Mill actually broadened happiness into something more akin to satisfaction. In doing so, he shifted emphasis from Bentham’s individual happiness to a relatively self-contained concept of public interest. An altruism which appears to owe something to Comte and something to an older tradition of civic humanism becomes, for Mill, the highest form of pleasure. Extreme individualism, an “egotism” which looks only to itself, is a “moral vice” indicative of “a bad and odious character.”⁴⁴ Altruism must be cultivated in mankind, egoism subordinated to it, and this

THE ONTOLOGY OF DISCIPLINE

“should be one of the chief aims of education, both individual and collective.”⁴⁵

Thus we return to the Millian pedagogy. The task assigned it is the development of a spirit of altruism, in society in general and in the working class in particular, that is strong enough to overcome the class antagonisms of nineteenth century England. The schoolhouse is to be Parliament and the schoolmasters those who are already in possession of the spirit. In this way, Mill develops a political pedagogy from which emerges his particular stratified democracy.

The point is that full democracy must be achieved gradually and the process of doing so must be an educational one. Behind this formulation is a reversal of Bentham's judgement that the only guaranteed 'non-sinister' interest in society is that of the majority. For Mill, there is a great danger that it is simply the largest, and therefore the most sinister, interest. What he fears is a tyranny of the majority and especially of a majority comprised of the English working class: “no lover of improvement can desire that the *predominant* power should be turned over to persons in the mental and moral condition of the English working classes.”⁴⁶ Hence, the franchise should be extended to these people only as a reward for self-improvement. To do otherwise would mean that “mere manual labourers” would constitute the majority of the electorate.

It is important to note here a disjunction between 'majority' and 'public' interest that is not found in Bentham's work. What that latter is for Mill I am not certain; indeed, it may be incapable of articulation, much as 'perfection' is. But the effect of the disjunction is to drive Mill toward a limited democracy and away from Bentham's position. As such, he endorses Hare's plan for proportional representation through cumulative voting as one that would allow for a substantial presence of minority interests in parliament, thus offsetting the hegemony of the majority.⁴⁷ This, he writes, will solve “the difficulty of popular representation”⁴⁸ Moreover, Mill adds another, more restrictive, mechanism to Hare's plan: weighted voting. Contending that “though every one ought to have a voice — that every one should have an equal voice is a totally different proposition,” he advocates weighting votes according to intelligence. For this, he accepts education and status as yardsticks; hence:

A foreman is generally more intelligent than a skilled labourer, and a labourer in the skilled trades more than in the unskilled. A banker, merchant, or manufacturer, is likely to be more intelligent than a tradesman, because he has larger and more complicated interests to manage. 49

ANDREW LAWLESS

Professionals and university graduates are to be ranked higher yet, completing the scale. In this way, Mill establishes an arithmetical progression of votes ranging from one for an unskilled labourer up to six or seven for a professional.

Mill's wish, then, is to "assign to education . . . the degree of superior influence due to it."⁵⁰ This, he hopes, will stem the tendency, inherent in representative government, to drift toward a "collective mediocrity". But the position taken by Mill is not simply a defensive one; ideally, 'superior intelligence' would virtually control government. For example, he advocates removing from the legislature the task of drafting laws. It is not, he argues, suited to such work, only to causing it to be done. The drafting responsibility should be removed to the cabinet or to a 'Committee of Legislation'. Furthermore, there should exist a Committee of Codification which, though it would not enact laws, would "embody the element of intelligence in their construction." Against these committees, the legislature would retain powers of acceptance or rejection, but not of amendment.⁵¹ Thus, the legislature, the place where class interests would surface,⁵² would be limited to considering laws drawn up by skilled (and presumably objective) committees. In this way, Mill seeks to contain the tyranny of the majority, and indeed the whole of class conflict, within parliament. Classes are to be monitored, in a balance of powerlessness, by a political clerisy.

This virtual trusteeship is at the heart of Mill's response to what he perceives as the danger of class legislation and the "low grade of intelligence in the representative body."⁵³ Through the experience of limited democracy, the intelligence of the legislature, and of the electorate, is to be upgraded to the point where the dangers of class legislation and class conflict will dissolve in a common recognition of the public good. The response seems to owe its existence to the tension between Mill's belief that democracy is inevitable and his fear that its too precipitous arrival will signal the suppression of the intelligence that is essential to good government and advancing civilization. The tension, for example, runs through the *Essay On Liberty* where Mill contends that the tendency of mass, democratic society is to circumscribe, more and more closely, the space within which intelligence can freely breathe.⁵⁴ The source of "all wise and noble things," intelligence must be protected and this Mill seeks to do through the development of a political pedagogy.⁵⁵

But this pedagogy entails a strange play on the concept of 'opposition', or 'antagonism' and ultimately on the concept of 'history'. It has been noted that Mill does treat antagonism between factions as a kind of motor of history. He writes that in all progressive countries there has existed an "organized opposition to the ruling power" to which has belonged "almost all the greatest men who have ever lived."⁵⁶ Yet, when he interprets this principle for his own age, he subtly turns it into something more akin to a principle of stability.

THE ONTOLOGY OF DISCIPLINE

The greatest men — whom, I think, we can assume Mill takes to be the wisest — are now antagonistic mainly to antagonism. As a clerisy, they are transformed into civil servants-cum-referees who do not so much oppose as control the ruling power. It seems perilously close to a projection by a career bureaucrat which, rather than enriching a tradition of antagonism, does much to bankrupt it. Mill appears to be trying to stop history at the point of working class hegemony.

Antagonism, indeed the whole flux of history, is now subjected to a demand for an 'order' that will circumscribe the anarchy of 'progress'. Turning back to Bentham, he was also interested in the creation of an orderly — in the sense of a secure — world. But it was fundamentally a different kind of concern. For him, the need for order arose from the recalcitrance of society's productive powers; it was this that gave meaning to his political system. That is, the political system served an economic end, the ultimate test of the security the law claimed to provide being its effect on the social accumulation of wealth. Mill's theory, on the other hand, contains no direct referral of the political back to the economic. Instead, it is referred forward to a vague perfection or social harmony. Until human nature can be sufficiently developed to achieve this harmony, the order imposed by limited democracy is necessary. In this way, Mill's view of (political) order strays from Bentham's strict economic focus and consequently from his majoritarian democracy.

Mill's problem is that, unlike Bentham, he cannot really find an anchor for his theory. To the extent that he cannot follow his predecessor in linking social progress to productivity, he is similarly unable to develop from these a concept of order. The much vaguer sense of perfection or improvement that has replaced productivity is too insubstantial to sustain a notion of progress as concrete as Bentham's. In turn, it gives little support to a notion of (political) order. Cut loose from the Benthamite anchors, this latter term thus tends to become self-referential, something that is good in itself. Progress is, ultimately, submerged beneath it.

Mill requires an orderly, highly controlled political structure, of course, to allow his clerisy to do their progressive work. But, one must wonder what that work could amount to, whether he has succeeded in making room in government for the kind of neutral wisdom the clerisy supposedly represents. One must wonder, in other words, whether Mill's political pedagogy would simply succeed in restraining the growth of working class power to the advantage of the bourgeoisie. At the least, Mill would appear to be somewhat naive in suggesting that power should make room in its midst for a wisdom not committed to it. Bentham was sixty before he grasped that lesson but finally he did so. Mill, it seems, went to his grave if not quite believing in the goodness of those in power, then not quite disbelieving it either.

Not that he was simply an apologist for the ruling bourgeoisie. On the contrary, he was consistently critical of the "goody morality, amounting to a

ANDREW LAWLESS

cant," that insisted that "buyers and sellers of labour" had identical interests.⁵⁷ His awareness of class antagonisms and his willingness to consider socialism as a solution to them set his work apart from the grosser ideological forays of the period. But the question remains whether Mill's political theory, which is certainly an attempt to harness the growing power of the working class, has any effect on bourgeois hegemony. Mill would prefer that his political pedagogy (and his demand for order) not be applied to the advantage of the ruling class but the best he can do to prevent it is to put politics in escrow by elevating a clerisy above the struggle.

These bearers of wisdom are, however, elevated only into civil servants (or minority M.P.'s), positions which lend themselves most readily to being instruments of the ruling class. Indeed, if we glance back at Mill's plan for weighted voting, it is obvious that even he assumes intelligence to increase as one moves from the bottom reaches of the proletariat to the upper reaches of the bourgeoisie. The only reversal of this correlation between economic power and intelligence is at the upper end of the scale where professionals and intellectuals are placed above bankers and entrepreneurs. Truly an intellectual's scheme. How much difference it would make in the larger scale of things I shall not argue, mainly because it scarcely seems worth doing so.

At any rate, this uncertainty in Mill's work, his tendency to retreat into a quite conservative view of order, seems connected to the development of a world in which the productivity/scarcity dichotomy is no longer so determinative; indeed, where it has been broken by the dynamic power of productivity. Compared to Bentham, Mill is listening to new voices and arguments. The bourgeoisie is no longer trumpeting the rights of the productive classes against those of a parasitical aristocracy but defending itself against the "claims of labour". Wages and profits no longer stand against rent but against each other and the laws of production and distribution (e.g., the 'iron law of wages') have become, for many, simply the laws of exploitation. Mill's discourse cannot therefore duplicate Bentham's because it stands on new terrain where the security/scarcity restraint of the latter's work is no longer operative. Mill seems to have recognized this and to have attempted to revise utilitarianism in a direction more in line with working class demands. But he met with, at best, partial success. Certainly, it is doubtful whether he moved very far toward the development of a political economy capable of dealing with the class antagonisms of his England. And as to political theory, his efforts seem most directed at holding the fort until some solution to these antagonisms emerged. Hence, one of Mill's main revisions of Benthamite utilitarianism is a negative one, a retreat from the principle of universal suffrage. This is the paradox of the man: he who saw so clearly the changes to which utilitarianism had to react in the end carried out a transformation that was also a retreat.

THE ONTOLOGY OF DISCIPLINE

III

It remains briefly to consider another aspect of Mill's 'retreat', an ontological one brought on in this case not by Bentham's obsolescence but by his very modernism. It constitutes a final twist in the relationship between the two men.

I shall try to explain through reference to Bentham's Panopticon, his plan for a hyper-efficient prison. Michel Foucault has aptly described it as "the general principle of a new 'political anatomy'," the central purpose of which is "relations of discipline."⁵⁸ In other words, the Panopticon enshrines Bentham's solution to the problem of order created, as Mill was so aware, by the opening up of the political system. It was, in a word, self-discipline; Bentham sought to internalize order, substantiate it within every individual. Order, for him, was fundamentally ontological rather than political. This, one can see in the workings of the great prison which raises surveillance to a high art by making itself at once visible and unverifiable. A 1984 image: the prisoner sees the observation tower but, because of such devices as zig-zag doorways and venetian blinds that allow no light to escape, never knows when, if at all, he is being watched.⁵⁹ Sitting in his backlighted, openfronted cell, subjected without relief to the certainty/uncertainty of the tower, the prisoner gradually internalises the surveillance. In Foucault's words, he "assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection."⁶⁰ When the process is complete, the directly repressive aspects of power can be allowed to lapse. Its exercise has become superfluous because the prisoner has internalised it. Ontologically transformed, he watches himself.

The Panopticon is quite central to Bentham's work, the epitome of a strategy for the development of an individual suited to the demands of an emerging industrial capitalism. Here, and elsewhere — in his writings on the Poor Laws and in the *Chrestomathia*, for example — Bentham appears intent on laying the institutional and human foundation for an efficient capitalist society. Mill is not unaware of this side of Bentham's theory, nor is he much in agreement with it. His opinion is that Bentham's view of human nature is too narrow, that it demeans humanity. In reply, Mill's work is laced with references to man's 'higher' nature and with pleas for tolerance and respect for those who embody it. It is as if he is looking at Bentham from across the great divide of surplus-value. The bleak inevitability of scarcity can no longer be taken for granted and so economic necessity has turned into exploitation. Bereft of the economic dimension that served as the reference point of its meaning — soldiers in a war with scarcity — Bentham's ontology of discipline

ANDREW LAWLESS

began, in its turn, to look sinister. Not surprisingly, Mill shies away from it.

But the question is, *how far* does he actually *move* from it, and in *what direction*? For if Mill's work displays a broader, more "altruistic" ontology than Bentham's, it is nonetheless one that pushes him in the direction of tighter political controls. In view of the class antagonisms of English society, Mill appears to believe that Bentham had jumped the gun, that the people were not really ready for the broad political liberties he had wanted to secure for them. The altruistic aspects of human nature were still insufficiently developed. Bentham's ontology was too narrow, stunted really, and so he had not understood the dangers inherent in an unlimited franchise; he had not, in short, grasped the connection between democracy and a certain level of intellectual and moral development.

The point may be summarised as follows. Mill rejects Bentham's ontology — of 'discipline' or 'order' — substituting for it a broader, and 'higher', view of mankind. It is, however, also an as yet unattained one and, until it is, the highest political form, democracy, cannot be fully instituted. As a result, Mill is driven to reestablish Bentham's 'order' at the political level. Politics becomes a holding action until education can bring out the basic altruism in mankind. Like Bentham, Mill relies heavily on education — it is his panacea — but in the context of altruism rather than egoism. The former entails for its author a politics of order or discipline; the latter entails for its author an ontology of the same type. Both men fervently want an orderly, trustworthy individual but they seek to create him at different levels.

For Mill, this involves, as I have already said, a political retreat of sorts. In rejecting Bentham's ontology he must also reject Bentham's modernism — his plan for universal suffrage supported by a rigorous institutional infrastructure. Mill retreats toward limited democracy and an older concept of rational self-control; an older concept of citizenship really. This is, I think, the significant point. Ontologically as well as politically, Mill seems older than Bentham, unable to accept either his full democracy or the ontological perspective underlying it. When Mill criticises Bentham, it is as if one is viewing a confrontation between one of the last eighteenth century liberals and one of the first social scientists. Chronologically, their roles are reversed. For Bentham's institutional democracy, designed as it is to establish a precise system of social control, is perhaps one of the first examples of the attitude of 'social science', an attitude central to the development of industrial capitalism — and socialism. At its foundation is the demand that the individual be rendered ontologically transparent, that he be capable of being seen and understood to (in the language of a paradigm one feels Mill would sometimes like to have adopted) the very depths of his soul. From this can flow a desired predictability and control of human affairs.

These ends may, however, actually be achieved at the cost of ontology. What may be at stake in social science is not a deeper understanding of being

THE ONTOLOGY OF DISCIPLINE

but rather a virtual disregard for it. (For instance, witness the insistence of the concept of alienation, in all its forms, in a milieu dominated by social science.) Now, I would argue that implicit in Mill's reaction to Benthamism is an uneasiness on precisely this point. Bentham's greatest failing, according to Mill, was his inability to understand his fellow creatures. Thus, while Bentham moves determinedly toward the attitude of social science, Mill retreats from it, refusing to relinquish completely the subjectivity of a more traditional liberal vision. It is, in many ways, an unsatisfactory retreat, born of his inability either to accept or change the English capitalism Bentham had done so much to promote. For, if he rejects the attitude that epitomises it, he tends to do so in the name of that which preceded it and which could be restored to life only fitfully. Once again, we find the historical utilitarian discomfited by history.

Yet, Mill's persistent uneasiness cannot simply be dismissed; nor can history be so easily accepted. For that (perhaps anti-historical) uneasiness seems to direct a question at the attitude that underlies social science. It asks to what degree such science is founded on a conflation of exegesis and genesis. To what extent, in other words, is it true that social science can explain the individual only insofar as it has already created him? It is, after all, a highly political science whose discourses are always articulated in the context of power relations. As such, these discourses have intentions — like Bentham's institutionalization-of-capitalism intention — from which they never gain independence. Indeed, they *are* those intentions. The discourse of social science is thus necessarily (I would like to say, 'by definition') partisan and problematic, unable really to aspire to the cherished 'distance' one is taught to associate with science. Therefore, Bentham's ontology is 'correct' insofar as he and others can make it so by creating, through his institutions, an individual who conforms to it. Hence the question: does social science understand or create the individual? Or are the two options conflated into a kind of political/ontological tautology that reduces being to a cipher? That would be fashionably anti-humanist but, as Mill seemed to suspect, it might also be anti-human.

Although I have dealt with liberal theorists in this article, these final remarks need not be restricted to bourgeois varieties of social science. They can, I think, also be addressed to varieties of marxist social science. Throughout its history, marxism has vacillated between 'voluntarisms' and 'humanisms' on the one hand and 'historicisms' and 'structuralisms' on the other, between, very roughly, theories of genesis and exegesis. Behind these debates, one confronts a tension inherent in Marx's own discourse. What he said of commodities can perhaps be said of his famous dictum that "Men make their own history, but not of their own free will":⁶¹ it "abounds in metaphysical subtleties and theological niceties."⁶² Across a comma, its two parts stand in a confrontation complicated rather than resolved by reference to the

ANDREW LAWLESS

“nightmare weight” of the past. Together, they too raise the question of how we simultaneously create and explain ourselves, how, in a sense, ‘free will’ and ‘determinism’ co-exist. The point is not that we do not simultaneously create and explain; only that the issue would seem to require more investigation. It entails an ontological question, or better, a questioning of ontology, that is too often slurred over or held at arm’s length by social scientists who tend to give voice (in one way or another) to both parts of Marx’s formula but credence only to one — the deterministic one. As a result, if ‘man’ is not explained away, he/she is certainly wished away.

One of the things that lurks beneath the surface of the Bentham-Mill debate is, I think, just this ontological issue. From Mill’s reaction to the master, one can draw the question whether there is an ontological emptiness in the social scientific attitude. This leads to further questions about the conflation of exegesis and genesis and the consequent development of a tautological structure — what you are is what you are made to be — poorly suited to the pretensions of a synthetic discipline. Thus, while I have argued that Mill’s transformation of Benthamite utilitarianism was also a retreat, it may well be that the retreat is not wholly negative. Implicit in it is a refusal to accept a ‘de-ontology’ and that refusal, if taken seriously, can spark the kinds of questions I have just outlined. These are questions which need to be asked of social science of whatever variety. That, of course, can not be done here. All one can do is make a plea for the ‘utility’ of the exercise.

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Notes

1. *Capital*, Vol. I, Moscow: Foreign Languages Publishing House, 1959, p. 609.
2. For Bentham, happiness refers to the sum of pleasures experienced in a given period of time. (cf. *Works*, J. Bowring ed., Edinburgh: Wm. Tait, 1843, vol. 3, p. 214.)
3. *Works*, vol. 9, p. 61.
4. Of equality, Bentham writes: “When used by itself, the word is commonly understood to refer to the distribution of property.” (*Works*, vol. 1, p. 302.)
5. Bentham defines security as follows:
Person, reputation, property, condition in life, — by these four names of fictitious entities, all the objects to which, in the case of an individual, the security afforded by the government can apply itself, may be designated. (*Works*, vol. 9, p. 11.)
6. I am here suggesting that what Peter Laslett (*The World We Have Lost*, London: Methuen & Co., 1971, pp. 47 & 185) has referred to as the “stable poverty” of the 17th century — the rather quiescent acceptance by rich and poor alike of poverty as a natural condition — was losing its grip on political economy, Hence, scarcity is coming to be seen in a new light.
7. *Economic Writings Of Jeremy Bentham*, W. Stark ed., London: George Allen & Unwin, 1952, vol. 3, pp. 293-94. (Hereafter, *E. W.*)
8. *E. W.*, vol. 1, p. 273.

THE ONTOLOGY OF DISCIPLINE

9. *E.W.*, vol. 1, p. 117.
10. *Works*, vol. 7, p. 394.
11. *Works*, vol. 6, p. 207.
12. *Works*, vol. 2, p. 439.
13. Bentham takes the distinguishing feature of the aristocracy to be its landed property; hence: "A landed proprietor whose income rises to a certain amount, say £10,000, must by every body be considered as forming a portion of this aristocracy. (*E.W.*, vol. 1, p. 329.)
14. *Works*, vol. 9, p. 43.
15. It is interesting to note that this distinction, inherent in Bentham's work, is collapsed by Marx, who saw ground rent as part of the capitalist mode of production. As one critic has noted (Aidan Foster-Carter, 'The Modes Of Production Controversy', *New Left Review*, no. 107, Jan.-Feb. 1978, p. 57.), some Marxist commentators now contend that Marx was incorrect on this point.
16. Although Bentham favoured total adult suffrage — and this in opposition to James Mill — he restricted his demand to adult male suffrage on the ground that the prejudice against female suffrage was "at present" too strong.
17. *Works*, vol. 3, pp. 453-57.
18. *Works*, vol. 1, p. 302.
19. I am here following the arguments of E.P. Thompson, *The Making Of The English Working Class*, Harmondsworth: Penguin Books, 1970; John Foster, *Class Struggle And The Industrial Revolution*, London: Weidenfeld & Nicolson, 1974; and Asa Briggs, 'The Language Of Class In Early Nineteenth Century England', in *Essays In Labour History*, A. Briggs & J. Saville eds., London Macmillan, 1967. All suggest that the working class was not 'fully formed', objectively or subjectively, until roughly the 1830's.
20. *E.W.*, vol. 2, pp. 326-31.
21. *E.W.*, vol. 3, pp. 332-33. (cf. p. 301.)
It is perhaps worth noting that Ricardo appears to have been less certain than Bentham on this point. Cf. *Principles Of Political Economy And Taxation*, ch. XXXI.
22. As E.J. Hobsbawm notes, before the coming of the railways in the 1830's there was little in the line of mechanized production that "a modern production engineer would regard as having anything but archaeological interest." (*Industry and Empire*, Harmondsworth: Penguin Books, 1970, p. 68.)
23. *Works*, vol. 2, p. 271.
24. The assertion is a radical one. Cf. Adam Smith's assertion that in terms of "real happiness," "all the different ranks are nearly upon a level." (Quoted in Samuel Hollander, *The Economics of Adam Smith*, Toronto: U. of T. Press, 1973, p. 248.)
25. *Works*, vol. 1, pp. 309-10.
26. *Works*, vol. 1, pp. 312-13.
27. *Works*, vol. 1, p. 308.
28. *Collected Works*, J.M. Robson ed., Toronto: U. of T. Press, 1965-, vol. XVI, pp. 121-22. (Hereafter, *C.W.*)
29. *Discussions And Dissertations*, London: John W. Parker & Son, 1859, vol. 2, p. 237. (Hereafter, *D.D.*)
30. *C.W.*, vol. IV, p. 227.
31. *C.W.*, vol. V, p. 708.
32. *C.W.*, vol. V, pp. 665-66.
33. *C.W.*, vol. IV, p. 227.
34. *C.W.*, vol. V, p. 729.
35. *C.W.*, vol. III, p. 755.
36. *C.W.*, vol. III, pp. 575-76.
37. *D.D.*, vol. 2, pp. 237-38.

ANDREW LAWLESS

38. *C. W.*, vol. VIII, p. 926.
 39. *D. D.*, vol. 2, pp. 398-99.
 40. *C. W.*, vol. X, pp. 7-17.
 41. *C. W.*, vol. X, pp. 88-95.
 42. *C. W.*, vol. X, p. 211.
 43. E.P. Dryer, 'Mill's Utilitarianism', in *C. W.*, vol. X, p. xli.
 44. *C. W.*, vol. XVIII, p. 279.
 45. *C. W.*, vol. X, p. 339.
 46. *C. W.*, vol. XIX, pp. 327-28. (Cf. Mill's letter to Edwin Chadwick, Jan. 21, 1859, in *C. W.*, vol. XV, Letter 354, p. 591.)
 47. Cf. Mill's letter to Earl Grey, May 13, 1864, in *C. W.*, vol. XV, Letter 695, pp. 941-42.
 48. Mill's letter to Thomas Hare, March 3, 1859, in *C. W.*, vol. XV, Letter 365, p. 598.
Robert Lowe, one of Mill's supporters on the issue of proportional representation, put the matter quite bluntly: All our other arrows have been shot; not one remains in the quiver; so if this (P.R.) does not hit, there will be nothing left but one simple uniform franchise to be entrusted to, and left, the hands of the lowest class of society. (Quoted in Gertrude Himmelfarb, *Victorian Minds*. New York: Alfred A. Knopf, 1968, p. 338.)
 49. *C. W.*, vol. XIX, pp. 473-75.
 50. *C. W.*, vol. XIX, p. 477.
 51. *C. W.*, vol. XIX, p. 430.
 52. *C. W.*, vol. XIX, pp. 432-33.
 53. *C. W.*, vol. XIX, p. 448.
 54. *C. W.*, vol. XVIII, p. 222.
 55. Bagehot wrote: "After the first Reform Act, the cry was 'Register! Register! Register!' The cry should now be, 'Educate! Educate! Educate!'" (Quoted in *Victorian Minds*, p. 389.)
 56. *C. W.*, vol. X, p. 108.
 57. *C. W.*, vol. IV, pp. 656-57.
 58. *Discipline And Punish: The Birth Of The Prison*, A. Sheridan trans., New York: Pantheon Books, 1977, p. 208.
 59. Bentham, *Works*, vol. 4, pp. 40-45.
 60. *Discipline And Punish*, pp. 202-03.
 61. 'The Eighteenth Brumaire Of Louis Bonaparte', in *Surveys From Exile: Political Writings, Volume Two*, Harmondsworth: Penguin Books, 1973, p. 146.
 62. *Capital*, vol. 1, p. 71.
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