

Bentham's International Manuscripts Versus the Published 'Works'

GUNHILD HOOGENSEN

University of Tromsø

Bentham has hitherto been one of the most neglected of the eighteenth century philosophers. His name is a household word; he is universally acknowledged to be one of the founders of modern utilitarianism, his body is preserved in a curious mummified form in a little glass cabin at University College, London. But hitherto Bentham's works have been chiefly known through a notoriously bad collected edition made by a young protégé of his named Bowring—a knight, a general, a Christian (the author indeed of that famous Victorian hymn, *In the Cross of Christ I Glory*)—but not a utilitarian, not ever a scholar. Moreover, Bowring cut out from what he published anything that might offend Victorian sensibilities akin to his own.¹

Until relatively recently, students and researchers of Bentham's vast work have primarily relied upon *The Works of Jeremy Bentham* edited in 1843 by John Bowring.² Apart from the original manuscripts, these edited works have been the primary source of Bentham's writings. The interpretation of Bentham's work has been highly dependent upon the editing, resulting in the Bentham we currently know. This could not be more true for our understanding of his work in international relations, and especially the essay *A Plan for an Universal and Perpetual Peace*.

Unfortunately, it has been almost universally agreed that Bowring did not do justice to Bentham's work, and that the *Works* could not be considered reliable: 'at times the inadequacy of Bowring's editing stands clearly revealed',³ and:

¹ Maurice Cranston, 'Forward' in *Bentham and the Oppressed*, Berlin, 1984), p. vii.

² *The Works of Jeremy Bentham*, ed. J. Bowring, 11 vols., Edinburgh, 1843; reprint, New York, 1962. The volumes were reprinted only once in 1962. No additional editing was conducted in conjunction with the second printing (please see opening pages of the 1962 volumes which state: 'Published in 1962, in a Limited Edition of Three Hundred and Fifty Sets Reproduced from the Bowring Edition of 1838-1843'). All citations emanating from this collection will be noted with the editor's name, followed by the volume number, and the page number. For example: Bowring, ii. p. 535. Citation of original manuscripts are presented as follows: location, box number (in roman numerals), ending with the page or folio number (in Arabic numerals). For example: UC (indicating University College) xxv. 36.

³ *The Correspondence of Jeremy Bentham*, iii, ed. I. R. Christie, London, 1971 (*The Collected Works of Jeremy Bentham*), xvii. Hereafter *Correspondence* (CW).

For those seeking Bentham's own writings the principal resource has inevitably been the collected edition completed in 1843 under the supervision of his executor, John Bowring. This has long been out of print; and even when accessible its eleven volumes of small type in daunting double columns (two volumes comprising what Leslie Stephen called "one of the worst biographies in the language"—Bowring's *Memoirs of Bentham*) are defective in content as well as discouraging in form. [...] even now, despite the valuable work during the present century of such scholars as Elie Halévy, C. W. Everett, C. K. Ogden, and W. Stark, relatively little has been done to remedy these defects.⁴

The inadequacies of the Bowring edition stood out when subsequent editors attempted to re-decipher and reorganize Bentham's work. One such editor who undertook the challenge to rectify the disorder caused by Bowring and his editorial staff, was Werner Stark. He noted:

In the University College collection the papers designated Colonies and Navy are divided into two bundles: XVII, 50-57, and XXV, 36-49: the impression of the cataloguer was that the former set dealt with political economy, the latter with international law. Yet these are two aspects that, for Bentham, always formed one: and the simple fact of the matter is that we have to do with one manuscript. To date the one part 1786, the other 1790, is sheer nonsense: all was written at the same time, perhaps in one week, perhaps even on one day. The sequence in which the papers must be arranged in order to yield a coherent argument—and arranging them was like solving a jig-saw puzzle—clearly proves it. Here it is: XXV, 36-38 (39 is a footnote to 36); 44; XVII, 54; XXV, 45, 46; XVII, 55, 56; XXV, 41, 40, 47, 48; XVII, 57; XXV, 49, 42, 43.⁵

That the Bentham papers were, and still are, in such disarray can be attributed to the original editors categorizing and cataloguing the works, but also to a subsequent 1892

⁴ *Correspondence (CW)*, i, ed. T.L.S. Sprigge, London, 1968, p. v.

attempt at the same by Thomas Whittaker.⁶ Whittaker reported on the condition of the manuscripts and also noted that they were ‘not “treatises actually printed from or intended to be printed from”, but that they were material of which the “substantial equivalent” could be found in the published works’.⁷

The manuscripts have remained essentially in the same order as Whittaker left them, albeit placed in more protective boxes, and the more obviously misplaced sheets have been re-catalogued.⁸ As well, because so many scholars have relied on, and cited from, the manuscripts in the original order in which they were catalogued, the organization of the Bentham papers remains somewhat haphazard.⁹

As Stark’s efforts to organize *Colonies and Navy* illustrate, it is quite an exercise to arrive at a well constructed and accurate rendering of one of Bentham’s essays. The same can be said for dismantling an essay found in the Bowring edition and determining the origins of the various components. When Stark explained why particular essays were constructed in the way that they were, he noted: “The reason why the papers got so divided and disordered is not far to seek: the second volume of Bowring’s *Works* gives the clue to the correct answer. Bowring arbitrarily selected some sheets for inclusion in his edition and as arbitrarily rejected others: the selected pages were XXV, 36-48 and formed the bulk of part IV of the *Principles of International Law* entitled: ‘A plan for a universal and perpetual peace’, not, however, without having been ‘corrected’ and ‘improved’.¹⁰ Nonetheless, it is that very essay, *A Plan for an Universal and Perpetual Peace*, upon which international relations scholars rely when attempting to understand Jeremy Bentham’s theory of international relations.¹¹

⁵ *Jeremy Bentham’s Economic Writings*, i, ed. W. Stark, London, 1954, p. 46. Hereafter ‘Stark’.

⁶ Whittaker was ‘entrusted with the task of reporting on the condition of the mass of papers and of compiling a catalogue, under the general supervision of Professors W. P. Ker and Croom Robertson’. See *Catalogue of the Manuscripts of Jeremy Bentham in the Library of University College, London*, 2nd edition, ed. A.T. Milne, London, 1962, p. v.

⁷ *Ibid.*, p. v. These ‘published works’ refer to the Bowring edition.

⁸ *Ibid.*, p. vi.

⁹ *Ibid.*, p. ix. Another contemporary editor, Philip Schofield, states: ‘The manuscripts have been left in a particularly confused and complex state’. See *Colonies, Commerce, and Constitutional Law: Rid Yourselves of Ultramarina and Other Writings on Spain and Spanish America (CW)*, ed. P. Schofield, Oxford, 1995, p. lviii.

¹⁰ Stark, i, p. 11. Stark credits Bowring himself for editing the *Principles of International Law*. The validity of this claim is discussed below.

¹¹ Few scholars have focused on Bentham’s theory of international relations. See S. Conway, ‘Bentham on Peace and War’, *Utilitas* ii (1990), pp. 82-101. Of the few who have tackled this subject, please see Stephen Conway; D. Baumgardt, *Bentham and the Ethics of Today*, Princeton, 1952; G. Schwarzenberger, ‘Bentham’s Contribution to International Law and Organization’, in *Jeremy*

Since the Bowring edition there has been a drive to present a more accurate and clear understanding of Bentham's works, from his correspondence to the many fragments and essays which lay hidden within the original manuscripts. What new editing has been achieved thus far is contained within the *Collected Works of Jeremy Bentham*. Much work has been done in this regard, and much work has still to be done. It is presently understood that if one wishes to study Bentham's work one must examine the original manuscripts if the material is still not yet available through the *Collected Works*, or Stark's *Jeremy Bentham's Economic Writings*.

The greatest problem arises with the construction of *A Plan for an Universal and Perpetual Peace*; it distorts many of Bentham's ideas and raises questions about whether Bentham himself wrote particular passages. Only a deconstruction of *Plan* enables one to have a clear understanding of Bentham's work in international relations.

A Plan for an Universal and Perpetual Peace: The original manuscripts

As regards *A Plan for an Universal and Perpetual Peace* (1789), Stark was correct in noting that Bowring arbitrarily chose certain papers to include in this work. At least, he was correct in identifying many problems in the editing; one question arises, however, regarding who edited this section. In the manuscripts themselves, a document in handwriting other than Bentham's, but which is a reconstruction of Bentham's work in the Bowring edition, is credited as John Bowring's work.¹² In the published *Works*, credit for editing the *Principles of International Law* is given to Richard Smith, not to the general editor, Bowring. Other than this small note, nothing more is known of Smith, although he has been credited for editing a number of sections of the Bowring edition.¹³ It is likely that Richard Smith was the editor, although a comparison of the handwriting of the manuscript copy of the essay with

Bentham and the Law, ed. G. W. Keeton and G. Schwarzenberger, London, 1948, pp. 152-84; and F. H. Hinsley, *Power and the Pursuit of Peace* (Cambridge, 1963), 81-91.

¹² UC xxv. 68 – 105.

¹³ Bowring, x. p. 548. '[The 'Rationale of Punishment' was edited by] Mr. Richard Smith, of the Stamps and Taxes. He likewise prepared for the press, from the original MSS., the following works, published in the collected edition: "On the Promulgation of Laws", "On the Influence of Time and Place in Matters of Legislation", "Principles of the Civil Code", "Principles of Penal Law", "Political Tactics", "Anarchical Fallacies", "Principles of International Law", "Manual of Political Economy", "Annuity-Note Plan", "Nomography", "Pannomial Fragments", "Logical Arrangements", and "Introduction to the Rationale of Evidence"'.

John Bowring's handwriting, could shed further light on the question.¹⁴ Until the time where such a comparison can be effected (not possible for the present author), the question of editorship remains somewhat open. However, assuming Smith did edit *Principles of International Law*, he nonetheless did so under the supervision of Bowring, and did not apparently stray from Bowring's own questionable editorial style, identified by other scholars and noted earlier. Whether it was Bowring, or under Bowring's auspices as general editor, the section *Principles of International Law* aptly exemplifies the problems in relying on this presentation of Bentham's work and its subsequent interpretation. In this respect, Stark was still correct in charging the editor (if not the editorial staff), with negligence and arbitrary management.

Stark had already identified some of the manuscript papers in *Plan*. However, even more 'detective' work was warranted, since, for example, the papers from UC xxv. 36-48, although included in *Plan*, certainly did not constitute the bulk of the essay. In addition, there are segments of the work which come from the editor's original rendering of the essay, but which cannot be corroborated by the material written by Bentham.¹⁵ However, to edit Bentham's work is no easy task, and to some extent it is understandable that one might require a bit of imagination to adequately present Bentham's essays in a clear manner, which might partly explain the condition of the published *Works*.

When comparing the Bowring version of *A Plan for an Universal and Perpetual Peace* against the original manuscripts, one finds that *Plan* is actually a compilation of at least three essays found within the manuscripts titled: *Pacification and Emancipation*,¹⁶ *Colonies and Navy*,¹⁷ and *Cabinet No Secresy*.¹⁸ In some cases these essays appear to be incomplete since these works do not always clearly introduce, conclude, or address all the issues they intend to address. Although these pieces overlap each other to a degree in terms of content, they can largely be viewed as being distinct by virtue of each essay's overall theme.

Within *Plan*, the essays *Pacification and Emancipation*, *Colonies and Navy*, and *Cabinet No Secresy* have been segmented and rearranged in a disconnected or

¹⁴ The fact that Richard Smith has been credited with editing so much of Bentham's work for the Bowring edition should raise alarm bells; his treatment of *A Plan for an Universal and Perpetual Peace* does not speak kindly to the treatment of the other essays.

¹⁵ *Ibid.*

¹⁶ UC xxv. 26 - 35, 59; rudiment sheets UC xxv. 60, 119 -123.

¹⁷ UC xxv. 36 - 49.

¹⁸ UC xxv. 50 -58, 61 - 63.

piecemeal fashion. Perhaps Bentham desired this dissection and re-combination to take place, but if this is not the case, the editor has deliberately presented scholars, and international relations scholars in particular, with a purposefully contrived and distorted picture of Bentham's writing in this area. The evidence in the original manuscripts suggests the latter.

Clues as to how the editor arrived at the final construction of *Plan* are found in the manuscripts. In addition to the fragmented essays, Bentham included a number of marginal summary sheets or rudiment sheets,¹⁹ listing the various sections and arguments he wished to make.²⁰ Only some of these sections are addressed in Bentham's essays, which might explain why it appears that these were used as guides in the editing of Bentham's work. The editor undoubtedly used one particular rudiment sheet showing, in the margin, that a title for the essay outlined should be 'Plan of universal and perpetual peace'.²¹ This is the original rendering of the title that heads Bentham's most famous work in international relations. The rudiment sheet itself is titled *Pacification and Emancipation Ordo International*. In this and the other rudiments, Bentham refers to many of the themes that are addressed in *A Plan for an*

¹⁹ Occasionally these are also referred to as 'marginal outlines' in the catalogue of Bentham's manuscripts.

²⁰ Rudiment sheets are indicated where appropriate. A number of current editors of Bentham's work, such as Philip Schofield and Fred Rosen, rely on the marginal summary sheets (if available) to determine the appropriate construction of an essay. (Please see introductory editorial comments in *Colonies, Commerce, and Constitutional Law (CW)*, pp. xv-lxv. It is interesting to note the differences between the marginal summary sheets and the rudiments: 'Bentham's habit . . . seems to have been to date the sheets and to write a sequence of several sheets of text, to read it over and make corrections, and then to write summaries of the content in the margin. The marginal summaries were written in the form of short paragraphs and numbered consecutively. These marginal summary paragraphs were then copied out onto separate sheets (marginal summary sheets) by an amanuensis . . . The marginal summary sheets also contain occasional additions and emendations in Bentham's hand. The marginal summary sheets are written on single sheets of foolscap ruled into four columns with a double line at the top for the date and the heading. Bentham did not add marginal summaries to all the text sheets which he wrote, while marginal summary sheets corresponding to some of the marginal summaries on the text sheets were either never made or have not survived. It should be noted that the marginal summary paragraphs were not intended for publication, unlike the marginal headings incorporated in some of the earlier works (see for instance *An Introduction to the Principles of Morals and Legislation*, ed. J. H. Burns and H. L. A. Hart, London, 1970 (CW)), but rather seem to have been used by Bentham for purposes of reference. Additionally a few sheets containing 'Rudiments', or general statements or positions, and others containing plans, are written on double sheets of foolscap, each sheet again being ruled into four columns." (*First Principles Preparatory to Constitutional Code (CW)* ed. P. Schofield, Oxford, 1989, pp. xxxv-xxxvi.)

On the basis of the above description of the marginal summary sheets and the rudiments, it is clear that the outlines included with Bentham's international work are rudiments. All the pages are distinctly in Bentham's handwriting and not that of an amanuensis, the text sheets have the very occasional marginal notes or corrections but do not seem to be marginal summary paragraphs, none of the pages are double lined at the top for the date and heading, and the vast majority consist of double sheets of foolscap. Most importantly, these rudiments are not a concrete indication of what Bentham hoped to see as the final construction of his essays.

Universal and Perpetual Peace. It is probable that the editor examined the various essays that covered these themes, and subsequently arranged them in an order that he thought to be consistent with the outline or rudiment sheets.

The connections between the rudiment sheets are, one, that they are all headed with the working title of *Pacification and Emancipation*, and two, that they tend to overlap in terms of content. The outlines which do not include *Plan*'s title are far more detailed; this could be due to their being redrafts of the first, simpler outline; or, they are different outlines altogether. Based on the content of the resulting *Plan* essay, it seems possible that the former was assumed. The majority of the outlines, if not all of them altogether, are only rudiments, and are not really indicative of the construction of any particular essay either completed or in progress. However, it is fairly evident that the editor did use some of them as guides or indicators, at least with regard to editing *Plan*. Therefore these pages cannot be ignored when assessing the editing process of this essay.

A Plan for an Universal and Perpetual Peace: A figment of the imagination?

A Plan for an Universal and Perpetual Peace is a compilation of at least three separate essays contained within the collection of papers in box xxv. In the paragraph preceding the four essays collectively entitled *Principles of International Law*, the editor makes this note:

The original MSS. from which these Essays are edited, consist of *Projet Matiere, Marginata*, and fragments. By the first of these terms, Bentham designated the contents of paragraphs he intended to write; by the second, the contents of the paragraphs he had written;—by means of these two sets of papers, the fragments have been arranged, and the connexion between them supplied:—but on this, as on every other occasion, the object of the Editor has been, without addition of his own, to show what Bentham has said upon each subject. This will account for the incompleteness of the Essays, and for the circumstance, that upon

²¹ UC xxv. 119.

some points there are only indications of the subjects which Bentham has intended to discuss.²²

The editor may have tried to be true to Bentham's work, but upon examining the final construction of *A Plan for an Universal and Perpetual Peace* it is difficult to understand that Bentham wished his various arguments to be dismembered, reconfigured, and arbitrarily 'sewn' together under the sort of 'Frankensteinian' project which was the result.

Although it has been acknowledged that Bentham's various works on international relations are not well organized within box xxv, each essay can be identified on the basis of its title, and is contained within one or two combinations of manuscript sheets. That they have been catalogued in this fashion is not a reflection of a consecutive order; Stark's experience in organizing *Colonies and Navy* is testimony to that. An examination of how *Plan* is organized shows that little consideration was made as to how the essays ought to be presented, both in terms of content and form.

Given the condition of the essays, it is necessary for any editor to rearrange some of the manuscript pages for clarity, thereby "scrambling" the order of the pages from the way they are catalogued; again Stark's experience in editing *Colonies and Navy* shows us this. Nonetheless, the reconfiguration of manuscript pages in *Plan* has been extensive and should provide a warning, generating a concern about the accurate treatment of Bentham's work. The order of the manuscript pages chosen by the editor is as follows: UC xxv. 26, 34, 26, 34, 31, 36, 37, 38, 97*,²³ 38, 36 (rep.),²⁴ 84*, 39, 84*, 42, xvii. 55, xxv. 42, 43, 40, 41, 43, 28, 89*, 90*, 36 (rep.), 44, 45, 46, 47, 48, 49, 95*, 36 (rep.), 96*, 36 (rep.), 37 (rep.), 97* (rep.), 9, 132, 29, 30, 31, 32, 38 (rep.), 27, 32, 33, 34, 132, 104*, 35, 38 (rep.), 50 - 58. Additionally, not every line from each

²² Bowring, ii. p. 536.

²³ Each sheet which is marked with an asterisk comes from Bowring's re-working of the essay contained in UC xxv. 68 - 105. These sections of text have not been corroborated by the presence of original manuscripts written in Bentham's hand. It is possible to conclusively identify three essays which do compose the bulk of *Plan*, but some of the paragraphs which are still difficult to identify can be found in Bowring's hand. It does not make sense that the original manuscripts for these missing paragraphs would be located in a place other than box xxv, and even that these paragraphs are not included in the essay, *Colonies and Navy*. Most of the unidentified writing discusses and qualifies the fourteen propositions presented at the beginning of the essay (taken from *Colonies and Navy*). That these explanatory paragraphs would be located elsewhere and yet specifically address the previous propositions makes very little sense. The only other possibility is that these qualifications were made by the editor for purposes of "clarity" (which is not inconsistent with Stark's point about Bowring's 'improvements').

manuscript was used; although one can see that UC xxv. 44 - 49 (*Colonies and Navy*) appears in the middle of the essay, not all of the text has been included.

It is plain that the rudiment sheet, UCxxv.119, was used to construct *Plan*, as the final essay loosely follows this design:

Pacif. & Emancip. Ordo InterNat.²⁵

Title

Plan of universal & perpetual peace²⁶

1. Mischiefs of extended empire
2. Motives that have given birth to the condition of extending empire
3. That the ancient motives subsist not at present
4. Encrease of [. . . ?] encrease of security
5. Plan of general emancipation
6. Influence of that plan upon the interests of the several states
7. That such a plan is not visionary and that the world is ripe for it
8. Means of the plan of pacification - European Congress
9. Means of effectuating the adoption of the plan²⁷

The three essays used to compose *Plan*, when combined, largely address most of the points on this rudiment sheet, but as each essay stands well on its own, the combination of the three makes the final result disjointed and often confusing. *Plan* is not a coherent and unified essay, and should not be the sole source from which Bentham's ideas are divined.²⁸

Plan has been broken down into its manuscript components, illustrating the piecemeal fashion in which it was constructed. This is not illuminating, however, if one is not aware of the content as well. The example of the first paragraph of *Plan* is indicative of the whole treatment of the essay:

²⁴ '(rep.)' indicates that this passage has been repeated from an earlier inclusion. Further discussion on this point will follow.

²⁵ Working title which heads the entire summary.

²⁶ This suggestion for a title is written in the upper, far left margin.

²⁷ Written in the upper, far right margin is: 'Should not the defense against the charge of visionariness come / stand / first'.

²⁸ Not only is the construction of *Plan* haphazard, but some passages are difficult to associate with Bentham's manuscripts. Marginal summary sheets (see also 21n) would be of great assistance, if they existed in this case.

The object of the present Essay is to submit to the world a plan for an universal and perpetual peace. The globe is the field of dominion to which the author aspires,— the press the engine, and the only one he employs,— the cabinet of mankind the theatre of his intrigue.²⁹

In the original manuscripts it is the first of these two sentences which opens the essay *Pacification and Emancipation*.³⁰ The second sentence is also a component of *Pacification and Emancipation* but it is included within the manuscripts a number of pages later.³¹ Bentham's own opening words were not satisfactory to the cause, or so it appears. If the combination of these two sentences seems more or less harmless, the result still raises the question of the editor's intent.

After this initial paragraph, *Plan* continues with the rest of *Pacification and Emancipation* as written by Bentham on page UC xxv. 26, proposing "the reduction and fixation of the force of the several nations that compose the European system;" and '[t]he emancipation of the distant dependencies of each state'.³² The influence of the brief rudiment sheet discussed here earlier, especially point §7: 'that such a plan is not visionary and that the world is ripe for it',³³ becomes apparent. The editor follows Bentham's direction that the notion of 'visionaryness' be discussed at the beginning of the essay. The bulk of the text, however, can only be found in the editor's hand.³⁴

Following what is at least the editor's contribution if not Bentham's, the essay leaps a few manuscript pages forward to plead to Christians for support,³⁵ and then jumps into *Colonies and Navy*.³⁶ *Colonies and Navy* and *Pacification and Emancipation* both speak to the emancipation of distant dependencies, perhaps justifying their merciless combination.³⁷ That point aside, other significant developments arise. *Colonies and Navy* contains thirteen propositions. *Plan* has fourteen. The likelihood that Bentham wrote thirteen of the propositions in one place

²⁹ Bowring, ii. p. 546.

³⁰ UC xxv. 26.

³¹ UC xxv. 34.

³² Bowring, ii. p. 546.

³³ UC xxv. 119.

³⁴ And Bentham had already discussed the question of visionary/not visionary in the preceding paragraphs. If Bowring/Smith did contribute to the discussion here he just fleshed out Bentham's point contained within the rudiment sheet.

³⁵ UC xxv. 31.

³⁶ UC xxv. 36.

³⁷ The editor re-ordered propositions 1 - 4, such that they read 1, 3, 4, 2. Otherwise it is Bentham's piece.

and the fourteenth proposition in an entirely different location is not strong. The fourteenth proposition exists in the manuscripts, but it is an addition written in the editor's hand.

The fourteenth proposition (listed as proposition XII in *Plan*) makes an important claim: 'That for the maintenance of such a pacification, general and perpetual treaties might be formed, limiting the number of troops to be maintained'.³⁸ Bentham refers to arms reduction in earlier paragraphs, but not in the form of a proposition.³⁹ Assuming Bentham did not choose to highlight this point himself, it was probably for a good reason. When examining Bentham's manuscripts, arms reduction is clearly not as crucial as the emancipation of colonies.⁴⁰

After introducing the fourteen propositions, the editor uses them as the foundation of *Plan*, repeating each proposition consecutively and following with fragments of the three identifiable essays that appear to explain the proposition. The 'cut and paste' approach continues; after a reiteration of the first proposition, for example, the editor introduces a discussion of it, and then looks to various pages of *Colonies and Navy, Pacification and Emancipation* and the editor's own apparent contributions to provide a further discussion.⁴¹ This procedure is followed for all of the propositions discussed, for example, proposition IV, '[t]hat it is not the interest of Great Britain to keep up any naval force beyond what may be sufficient to defend its commerce against pirates',⁴² is qualified by the statement that '[i]t is unnecessary, except for the defence of the colonies, or for the purposes of war, undertaken either for the compelling of trade or the formation of commercial treaties'.⁴³ The qualifying statement is, again, only to be found in the editor's hand.

There is frequent evidence that the editor relied upon the rudiment sheets, to some degree anyway. For example, a footnote included by the editor in *Plan* discusses the inutility of maintaining colonies and refers to giving up Gibraltar. This idea is not

³⁸ Bowring, ii. p. 547.

³⁹ This is referring to the UC xxv. 26 passages of *Pacification and Emancipation* used at the beginning of *Plan*. Werner Stark, in editing *Colonies and Navy* for inclusion into *Jeremy Bentham's Economic Writings*, did not include this proposition.

⁴⁰ Although Bentham makes note of the efficacy of arms reduction, it does not remotely receive the same consideration as does colonies, especially when examining each essay separately.

⁴¹ Again a combination of sentences and paragraphs from both Bentham's work and Bowring's are found here. It is possible, on the basis of how the discussion is constructed, that the editor added a few of his own sentences to attempt to provide continuity between paragraphs and ideas. However, as mentioned before, there is no obvious indication from Bentham that the paragraphs were to be connected in the manner that they were and therefore, perhaps no necessity for the editor's additions.

⁴² *Ibid.*

addressed in any of Bentham's essays; it is touched upon in the rudiment sheets.⁴⁴ Is this yet another instance of the editor attempting to broaden the scope of examples from which one is to draw the required conclusions about colonies, or is this Bentham's work as of yet 'undiscovered'? The former seems the more likely.

Some important themes in Bentham's work, colonial emancipation and a common tribunal, are unfortunately subject to drastic misinterpretation, and have been influential in misconstruing Bentham's intentions in various interpretations of his work on international relations. Proposition XIII states '[t]hat the maintenance of such a pacification might be considerably facilitated by the establishment of a common court of judicature, for the decision of differences between the several nations, although such court were not to be armed with any coercive powers'.⁴⁵ This proposition, emanating from *Colonies and Navy*, is subsequently supported by passages from *Pacification and Emancipation*. These passages address the need for a 'common tribunal', although only one page of manuscript in *Pacification and Emancipation* is explicitly devoted to such an institution.⁴⁶ The rest of the passages included do not specifically refer to a 'common tribunal', but have been erroneously used to support the notion:

Can the arrangement proposed be justly styled visionary, when it has been proved of it — that

1. It is the interest of the parties concerned.
2. They are already sensible of that interest.
3. The situation it would place them in is no new one, nor any other than the original situation they set out from.

Difficult and complicated conventions have been effectuated: for examples, we may mention, —

1. The armed neutrality
2. The American confederation.
3. The German Diet

⁴³ *Ibid.*

⁴⁴ For example, UC xxv. 132.

⁴⁵ Bowring, ii. p. 552.

⁴⁶ UC xxv. 27.

4. The Swiss League^[47] Why should not the European fraternity subsist as well as the German Diet or the Swiss League? These latter have no ambitious views. Be it so; but is not this already become the case with the former?

How then shall we concentrate the approbation of the people, and obviate their prejudices?

One main object of the plan is to effectuate a reduction, and that a mighty one, in the contributions of the people. The amount of the reduction for each nation should be stipulated in the treaty; and even previous to the signature of it, laws for the purpose might be prepared in each nation, and presented to every other, ready to be enacted, as soon as the treaty should be ratified in each state.⁴⁸

The manuscripts address an original proposal that is ‘styled visionary’; it is not the notion of a common tribunal, but the ‘emancipation of distant dependencies’.⁴⁹ This passage then moves from discussing an agreement for the emancipation of colonies, to the apparent construction of a multi-state ‘league’; the focus is still at the treaty or agreement level, and the use of this passage makes it appear that the editor conflates the idea of treaties with the idea of a common tribunal. In actuality, the rest of the passages allegedly pertaining to proposition XIII discuss the propensity to which states are capable in coming to satisfactory agreements rather than convening at a common tribunal. The accuracy of these passages relating to proposition XIII must obviously come into question.

A Plan for an Universal and Perpetual Peace closes with a discussion of the last proposition (proposition XIV) which states: ‘That secrecy in the operations of the foreign department in England ought not to be endured, being altogether useless, and equally repugnant to the interests of liberty and peace’.⁵⁰ The editor injects Bentham’s essay titled *Cabinet No Secresy* into *Plan*, for the purpose of exploring the last proposition. This essay has retained its original construction more so than the other essays, but the few changes made are still worthy of note.

⁴⁷ “The Swiss League” is an example found only in the editor’s manuscripts, not Bentham’s.

⁴⁸ Bowring, ii. pp. 552-53.

⁴⁹ UC xxv. 32.

⁵⁰ Bowring, ii. p. 554.

Cabinet No Secresy was probably one of the easier essays to incorporate into *Plan*. Bentham numbered each page, enabling one to follow the sequence of his argument. This essay also reads more clearly than the others; relative to the first essays, *Cabinet No Secresy* provides well developed, lucid arguments, and each idea follows the next in a logical fashion. It is this portion of *Plan* that can be said to be unequivocally Bentham. For the most part the editor left the essay untouched except for occasionally re-arranging sentences within a paragraph, or relegating part of the text to the status of a footnote;⁵¹ for the most part such efforts make no difference to the argument being presented. Nonetheless, a couple of points need to be made.

When Bentham discusses the inutility of waging war to increase trade; the example which follows states that '[t]he good people of England, along with the right of self-government, conquered prodigious right of trade'.⁵² Bentham actually wrote '[t]he good people of Ireland'.⁵³ This cannot be a case of misjudgment or an error; uncommon though it is, in this case Bentham's handwriting is unmistakably clear. The assumption that this is a purposeful replacement of England for Ireland is corroborated a few paragraphs later when reference is again made to the example of Ireland. *Plan*'s version claims, '[t]he sylph so necessary elsewhere, was still more necessary to France';⁵⁴ yet in Bentham's manuscripts it reads: 'The Sylph so necessary to Ireland was still more necessary to France'.⁵⁵ The editor explicitly replaced the reference to Ireland, misconstruing the example that Bentham was trying to present.

The rest of the essay proceeds as Bentham wrote it in the manuscripts, until the very end. The concluding paragraph reads: "In respect, therefore, of any benefit to be

⁵¹ Bowring, ii. p. 555. The paragraph beginning, 'Sorry remedies these; add them both together, their efficacy is not worth a straw' is a convoluted rendering of the original contained in UC xxv. 50. Remarkably, however, the meaning has not really been changed, and it is understandable that the editor attempted to rework this paragraph as the original is almost incomprehensible. In addition, the footnote referring to the 'fate of Queen Anne's ministry' is actually part of the main body of text in Bentham's manuscripts. It is unclear why the editor decided to footnote this point as he retained many other examples within the body of the text. Nonetheless, compared to previous uses of editorial licence, not much harm is done.

⁵² Bowring, ii. p. 557.

⁵³ UC xxv.54.

⁵⁴ Bowring, ii. p. 558. The initial paragraph beginning with the 'good people of England' continued as follows: 'The revolution was to produce for them not only the blessings of security and power, but immense and sudden wealth. Year has followed after year, and to their endless astonishment, the progress to wealth has gone on no faster than before. One piece of good fortune still wanting, they have never thought of—that on the day their shackles were knocked off, some kind sylph should have slipped a few thousand pounds into every man's pocket'. See Bowring, ii. p. 557)

⁵⁵ UC xxv.54.

derived in the shape of conquest, or of trade—of opulence or of respect—no advantage can be reaped by the employment of the unnecessary, the mischievous, and unconstitutional system of clandestinity and secrecy in negotiation."⁵⁶ This paragraph is contained within Bentham's manuscripts and concludes the last page, however, it is not written in Bentham's hand. It is in the editor's, and he does include this last paragraph, of course, in his manuscript of *Plan*.

The first three essays in *Principles of International Law*

A Plan for an Universal and Perpetual Peace is not the only essay on international relations included in the Bowring edition. The section *Principles of International Law* begins with three additional essays: *Objects of International Law*, *Of Subjects, or of the Personal Extent of the Dominion of the Laws*, and *Of War, considered in respect of its Causes and Consequences*. These works also include passages which cannot be accounted for within Bentham's manuscripts. However, the passages in question are also not included in the Bowring manuscripts contained within box xxv. The same point can be made here as in *Plan*; there is no guarantee that Bentham did not write these passages, but then where are they? The presence of these questionable passages require scholars to be wary when using these essays as well. Nevertheless, in this case each essay has been kept separate. One can find an essay in Bentham's manuscripts which corresponds to the bulk of the text within each of the essays which precede *Plan*.

How can we know and understand Bentham's work in international relations?

The fact that certain passages in *Plan*, are not found in Bentham's hand, does not unequivocally mean that these passages were not his. These passages are relatively consistent with what Bentham has written. But if Bentham did write these passages, why are they not included with the other sections of international text? Not only do they relate to previous points made by Bentham, but they attempt to summarize and conclude his thoughts. Examining *Plan* raises a number of other questions as well: if Bentham did write those passages (thus far only found in the editor's hand), where have his corroborating manuscripts been catalogued?; why did the editor construct

⁵⁶ Bowring, ii. p. 560.

Plan using three separate essays?;⁵⁷ and finally, what implications does this have for our understanding of Bentham's theory of international relations and his contribution to the discipline?

Aside from requiring an accurate presentation of Bentham's work in general, his writings on international relations would benefit from clearer presentation, and be better understood, if we came to know them as *Pacification and Emancipation*, *Colonies and Navy*, and *Cabinet No Secresy*. As separate pieces one can better detect themes which were important to Bentham. Instead of being confounded by the multiplicity of concepts poorly presented in *Plan*, Bentham's central ideas, such as the emancipation of colonies, become clearer and more direct when understood through the individual essays.

Stark has already made it clear that *Colonies and Navy* can stand on its own. This can also be said for *Cabinet No Secresy* as this essay is remarkably clear, focused, and well developed. The only essay that is not well developed is *Pacification and Emancipation*. It is easy to see why the editor used this essay to frame *Plan*; almost all of the rudiment sheets are titled *Pacification and Emancipation* which suggests that this might have been a very general heading under which any or all ideas on the subject were kept.⁵⁸ But even as a less developed essay, *Pacification and Emancipation* emphasizes and highlights many of the issues important to Bentham.

Ideally, every scholar interested in Bentham's work in international relations would have ready access to accurately edited essays. The Bentham Project at UCL is working hard to expand the *Collected Works*, but many of Bentham's manuscripts are waiting to be included. Many scholars must still rely upon the Bowring edition. One cannot completely negate this source, but it is clear that this source brings with it risks of accuracy and misunderstanding. Since *Plan* is somewhat consistent in theme, one might still insist in using the Bowring edition. If using one of the preceding essays of *Principles of International Law*, that insistence might be justified. In the case of *A Plan for an Universal and Perpetual Peace* it is not, as *A Plan for an Universal and Perpetual Peace* does not exist.

⁵⁷ This is also keeping in mind that the only additional clues to any sort of intended construction are provided by rudiment sheets which, as mentioned previously, are really not to be used as explicit guides.

⁵⁸ Many of the points mentioned in the rudiment sheets never made it past the conceptual stage, and certainly never made it into any of Bentham's main texts.



This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 2.0 UK: England & Wales License. Under the terms of this licence, you are allowed to copy and distribute this work, but must give the original author credit. You not use this work for commercial purposes, nor alter or transform this work, without prior permission from the author. To view a full copy of this licence, visit: <http://creativecommons.org/licenses/by-nc-nd/2.0/uk/> or send a letter to Creative Commons, 444 Castro Street, Suite 900, Mountain View.