most powerful voices raised against Bentham and his system of ideas, he displays a splendid capacity to distil insight from exaggeration, especially in the face of such sweeping, world-historical readings as those offered by Carlyle, Marx and Foucault.

The awful shadow cast by John Dinwiddy's untimely death inevitably distorts any effort to take the measure of this short book. The recognition of what has been attained so gracefully here can only occasion the most profound sense of loss over the further scholarly productions that will not follow in its wake. From this perspective, it is especially regrettable that the volume should have provided such a limited vehicle for presenting its author's deeper and more personal assessment of Bentham and of Benthamism. Dinwiddy was no doubt correct to think that an introductory book of this kind was best served by a muted authorial voice and an emphasis on interpretative balance. But his friends and many admirers may well wish that he had allowed himself less reticence in treating the figure who occupied so much of his intellectual attention and who so regularly stimulated such outstanding scholarship.

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Utilitarianism continues to exert a strong influence on current theoretical debate. Starting from this assumption, Annamaria Loche, Professor of the History of Political Philosophy at the University of Cagliari (Italy), deals with a theme which is central to the understanding of Bentham's contribution to the foundation of the utilitarian tradition. She examines the development of Bentham's thought from intellectual radicalism—dominated by the criticism of common law and natural law theories and the proposal for a codification of the law—towards a political radicalism based on the proposal of representative democracy as an instrument to reconcile the interests of the governors and the governed.

Loche's approach is that of the political and legal philosopher; she analyses and discusses Bentham's most important writings, in particular those published in the *Collected Works*. Bentham's theories on government and the nature of political society are compared with the theories of the major modern authors, from Hobbes, Locke, Hume and Montesquieu, to Helvétius and Rousseau. Considerable space is also devoted to the key relationship between Bentham and Blackstone. However, Loche's aim is not so much to trace the sources of Bentham's thought, but to highlight his originality with respect to the main currents of modern political philosophy.

Loche compares her reading with the latest interpretations of Bentham, of which she demonstrates a thorough and expert knowledge. This is undoubtedly one of the strengths of the book. The shortcoming of many works on Bentham written by Continental authors is that they draw on an outdated and incomplete literature, or on theoretical schemes which are often totally alien to the
current debate on utilitarianism and its history. This results in interpretations
which are at best unsound and at worst outright misreadings.

The first four chapters of the volume are devoted to Bentham's work between
the 1770s and the 1790s, and in particular to Bentham's criticism of common
law (chapter 1), of natural law theories (chapter 2) and of the idea of social
contract (chapter 4), and finally to his definition of law and of the laws (chapter
3). The last chapter (chapter 6) deals with the theory of democracy formulated
by Bentham in the *Constitutional Code*. Chapter 5, devoted to the subject of
sovereignty, links the two parts of the book, by examining how some elements
in the political and juridical vision of the early and the later Bentham have
changed whilst others have remained the same.

Indeed, Annamaria Loche places considerable emphasis on the radical
differences between these two stages in Bentham's thought. The subject which
she has chosen to highlight these differences is particularly interesting. She
analyses the transformation of the concept of sovereignty, a concept which is
present from Bentham's earliest works. The key element in the definition of
sovereignty is, in the first stage, the concept of habit or disposition to obey. The
command and the authority of the sovereign, although indefinite in principle,
are in practice limited by the consent of the subjects. As Bentham puts it, the
latter can rebel should 'the probable mischiefs of resistance' be lesser than 'the
probable mischiefs of obedience'. This view, although it breaks radically with
the language of natural law, is, in Loche's opinion, representative of a political
vision which is still traditional and in which sovereign and subjects are two
distinct entities, linked by the sword and by consent.

In the democratic phase of Bentham's philosophy, however, the notion of
disposition to obey is set aside, whilst the key concept of the new definition of
sovereignty is that of control—the control of the governors by the governed,
made possible by the fact that sovereignty, with virtual universal suffrage, is
placed in the hands of the governed.

The development of Bentham's utilitarian vision—emphasised by many
studies of Bentham—is related to the issue of democracy by Loche. With the
passing of the years, Bentham's conception of utilitarianism tends to focus
increasingly on the irremediably selfish nature of the individual, as well as
stressing the collective and political nature of the conditions necessary for the
happiness of the human beings. For this reason the structure of representative
democracy outlined in the *Constitutional Code*, with its minute balance of
checks and securities, seems to be the most suitable, on the one hand, to
contain the irresistible tendency of the governors and of the administrators to
pursue their own sinister interest to the detriment of the interest of all. On the
other hand, the happiness of individuals comes to depend closely on the success
of this constitutional mechanism, that is to say on the capacity of the
democratic state to influence the running of society in order to pursue the ends
of government.

All these elements convince Loche that Bentham's democratic theory—
notwithstanding its great originality and modernism compared, for example,
with Rousseau's theory (which Loche sees as an expression of Constant's
'ancient liberty')—does not belong to the liberal tradition, viewed as an essentially consistent movement, whose origins lie in Locke and Montesquieu. Nevertheless, the reasons which Loche gives to justify her thesis are not always clear-cut and conclusive. The first reason provided is that in the Code the division of powers generates between the different authorities a relationship not of complete autonomy, balance and co-ordination, but a relationship of subordination. Yet Loche repeats several times that each authority has its own exclusive field of activity and that the ties of subordination are in any case linked to specific constitutional procedures. The second reason is that the principal aim of democratic government is security, whereas there is no room for liberty as an independent value. Nevertheless liberty is seen as part of security, and security is viewed in its two aspects of security of persons and properties and of security against misrule. The third reason is that the enormous number of checks and rules, with which the Code defines the duties of each person, implies a situation of substantial state intervention towards both the governors and private citizens. Nevertheless, Loche does not state clearly what the measures directed at the citizens are, whereas she rightly describes the checks on the governors as necessary to prevent arbitrary power.

Several objections—not necessarily major—may be raised to the interpretation put forward in this book. The first objection is that the so-called increasing pessimism of Bentham's greatest happiness principle does not refer to his entire ethical theory. Indeed, in Deontology, we find a broadening of the theme of sympathy and an analysis of the role of social and semi-social virtues. It is true that, for Bentham, self-interest always prevails, but it seems to be a single motive in his political theory on the assumption that, in this field, it is more appropriate to consider every human being as a knave. Neither do there seem to be any reasons to assert that the greatest happiness principle should become increasingly collectivist and coercive. There are many areas where Bentham considers the role of individual free choice as always being decisive—not only in the economic field, but also in the field of public opinion, as mentioned by Loche herself.

Furthermore, the theme of public opinion creates some difficulties in the classification of the different meanings of sovereignty proposed by Loche. It is true that the concept of control is fundamental to the theory of representative democracy, but this does not necessarily imply the disappearance of the element of consent which exists in the concept of the disposition to obey. For the Public Opinion Tribunal, which is only a fictitious institution, represents a true social counterpart of political organization in its entirety, and can censure not only the work of the governors, but also the choices of the constitutive authority.

Finally, apart from the difficulty, stressed by recent literature, of tracing a consistent liberal tradition back to Locke and Montesquieu, in judging the mechanisms proposed in the Constitutional Code, it should be borne in mind that we are dealing with a proposal for a democratic constitution—with all its juridical technicalities—and not with generic political reflection. The precise determination of the checks, of the securities and of the relationships of
subordination and autonomy between the authorities is not therefore a sign of authoritarianism, but a guarantee of freedom and of rule of law.

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To all admirers of the work of Professor Isabel de Madariaga, whether they stand in the main current of Russian studies or, like the present writer, merely on its fringe, this book will appear as a well-deserved and worthy tribute to her distinguished scholarship. For scholars concerned with the earlier stages of the career of Jeremy Bentham this collection of essays, like other works on the history of eighteenth-century Russia, has a certain definite background interest. For in the 1770s Jeremy and his younger brother, Samuel, like many other Englishmen, felt the tug of curiosity about that distant country, and were impressed by what they heard regarding its ruler, the empress Catherine II, who, with a remarkable flair for publicity, successfully projected an image of herself in the West as a champion of Enlightenment attitudes and ideas. Apart from this self-advertisement, developments in international relations brought Russia forward as an object of interest and concern in the West: the amount of attention given to that country in British publications of various kinds greatly increased during the third quarter of the eighteenth century.

Jeremy Bentham, as a budding legal theorist and law reformer, was clearly fascinated by the vision of the institutions of Russia being reformed on sweeping theoretical lines, and he engaged in day-dreams of somehow being able to influence this process and of winning reputation as a result. In the late 1760s he had made the acquaintance of the brothers Tatishchev, members of the staff of the Russian embassy in London, who had published an English translation of Catherine's celebrated *Nakaz*—her *Instructions to the Commissioners for Composing a New Code of Laws*, intended as a guide for the legislative commission convened by her in 1767. Bentham had read the *Nakaz*, and he later declared that it had given him 'fresh incentives' to apply the principle of utility to the study of legal institutions. The empress was, he wrote, 'one of the very few in whom I [should] hope to find a taste to relish my design, and a capacity to sit in judgement over the execution'. In the spring of 1778 he hoped that an acquaintance, the Revd John Forster, now resident in St. Petersburg, might assist in bringing some of his (as yet unfinished) writings to the attention of the empress. Subsequently he made the acquaintance of other Russians who, it seemed, might become channels of contact. These included the chaplain to the Russian embassy, Samborski, who in effect also acted as a sort of cultural attaché, with a particular responsibility for making arrangements for young Russians sent to England to acquire technical training of various kinds. His correspondence of the years 1777–80—and also of 1783 when Samuel