CHAPTER 11, *Bentham and the Arts*, ed. Philip Schofield and Malcom Quinn, to be published Spring 2020 by UCL Press

Bentham's Image: the Corpo-Reality Check

Carolyn Shapiro

Amongst Jeremy Bentham's myriad manuscripts, the arduous reading, editing, and transcribing of which contributes to the work of many a scholar in this volume and quite a few scholars heretofore, one particularly peculiar manuscript was withheld from circulation at the time of Bentham's death by his then-editor John Bowring. This manuscript, written at some point close to his death in 1832, was entitled 'Auto-Icon, or, Farther Uses of the Dead to the Living'.[1] It argues for the benefits of preserving and displaying the heads of our dead bodies, a last act that would uphold Bentham's utilitarian principle of the greatest happiness of the greatest number. Bentham's amusing proposed models for Auto-Iconism ranged from New Zealanders 'in reference to the preservation of their friends',[2] to Persian edifices constructed by the skulls of men slain in battle,[3] to the performances of the 'Lecturer-Errant or Itinerant upon heads' George Alexander Stevens.[4] (Figure 1.) The late Canadian scholar Robert Fenn's carefully annotated version of this essay attempts to correct what he deemed the damage done to Bentham's legacy by the prudish Bowring. Bentham's anti-religious writings and his manuscripts redeeming sexual irregularities were similarly considered inappropriate to be published. In this Chapter, I would first like to discuss the Auto-Icon: the title of Bentham's preserved body itself, the essay by the same name, and Bentham's instructions annexed to his Last Will and Testament explaining the process by which he wanted his body to be 'Auto-Iconized'. For Bentham, his self-portrait is what he described as 'an auto-graph of a higher order':[5] autographic, in the sense that like a signed autograph, Bentham's image works as an indexical 'graph', or piece of writing, 'of' himself, bearing the

physical trace – or more than a trace – of its subject. 'Auto-Icon will soon be understood,' Bentham proposes, 'for a man who is his own image. … Is not identity preferable to similitude?'6 Despite a few infelicities-to-be about the robustness of the body itself (for example, the separated head being stolen by prankster King's College, London students), Bentham's Auto-Icon was arguably the fullest realization of his greatest happiness principle. Through the mingling of writing, image, and corporeal body, Bentham's Auto-Icon is the corpo-realization of what underlies Bentham's theories of language, logic, and legislation: the resolution to work language back to a tangible real entity. In many ways, as will be elaborated below, Bentham's theories of language can be said to be his primary vehicle for his overall proposition of the requisite corporeality underlying his greatest happiness principle.

I propose that Bentham's notion of real entities is throughout his writings insistent, in particular, on a foregrounding of the human body. This foregrounding is evident through his applied metaphors of the body. But just as 'the image of Bentham' is not a figure but the 'real thing', so too in his writing, Bentham works beyond metaphorical figure. For Bentham, the act of writing itself works to infuse his metaphorical figures of speech with the 'real substance' of the human body, realized not only through the hindsight of his Auto-Icon corpse, but through his construction of his vast body of writing as corpus. Ultimately, I want to consider Bentham's writing – he did a lot of it! – as performative act. Reading *Of Sexual Irregularities, and Other Writings on Sexual Morality*, and *Not Paul, but Jesus* in conjunction with the Auto-Icon supports Bentham's aspiration for language to be grounded by physical substance. On some psychological level, conscious or unconscious, Bentham's writing is a physical, corporeal activity which I want to examine in relation to the physical pleasures afforded by the 'eccentric propensities' and 'equivalent pleasures' offered by not Paul, but Jesus. In this sense, 'Bentham's Image' encompasses the felicities and physical pleasures of

the act of writing. Furthermore, 'Bentham's Image', being Bentham's own body, is also part of the negotiation of bequeathed 'property' that takes place upon one's death. In Bentham's world of greatest happiness, the physically closer an entity is to what it refers to, that is, the more an entity comes from an 'own-ness', the more successfully utilitarian it is. This tendency towards felicity happens because something *proper to* another thing is going to be more grounded in materiality and less prone to fictionalization. The Auto-Icon, Bentham says, would allow for 'every man [to be] his own broker' or 'every man [to be] his own lawyer'.[7] Bentham proudly announces that, 'A spick-and-span new subject-matter of property is brought for the first time into existence.'[8] The image of Bentham is, therefore, highly Utilitarian not only in its social contribution but also in its epitomizing of the proper that comes through in Bentham's overall philosophy: the image is Bentham's 'own'.

A brief foray into Bentham's contention with legal fiction lays the groundwork of Bentham's desire to ground everything in the physicality of the human body. He particularly decries the maintenance of the 'Fictions of Law', legal 'bodies' constituted solely through linguistic positing. These fictional bodies of law get reiterated so frequently that what the language merely *signifies* is taken for something 'real'. In a footnote to his discussion of motion, Bentham presents his allegory of the sitting automaton, a figure which *appears to be* real in that it is presented 'in the dress of a man ... constructed by the ingenuity of the mechanist'.[9] (Figure 2.) As such, the constructed automaton personifies the deceptive operation of fiction that forms the bedrock of bad legislation and morality. The fiction of the legal person is part of Bentham's overall critique of fiction. Charging from the earliest moment of his writing career onwards that the spread of Fiction is 'pestilential',[10] Bentham's immoderate solution of auto-iconisation should not be surprising. The Auto-Icon as 'legal person' is not function of language, but an annexation of real property, and, as such, it is the 'bodying forth', the propriation, of the legal person.[11] (Figure 3.)

Bentham's *Last Will and Testament* bequeaths not only his manuscripts – his corpus –
but, first of all, his corpse, to the University of London Medical School.12 Revised on 30 May
1832, the Will opens with instructions for his dead body, as soon as ascertained dead, to be
immediately delivered to his close friend Dr Southwood Smith, who was to preserve it in the
manner expressed in the 'Annex' to the *Will*. But even preceding the explicit instructions in
the 'Annex', Bentham tells his executors what is to be done with his skeleton: it is to be
propped up in a chair 'in the attitude in which I am sitting when engaged in thought in the
course of time employed in writing,' clad (and stuffed) in one of his typical black suits, his
staff in hand.13 Part B of the *Will*, also entitled 'Auto-Icon', is dated before the first part of
the *Will* at 13 April 1830, and is written in a different hand from that of the *Will*: 'What
follows in a hand different from mine was drawn up some little time ago at my desire by Dr.
Southwood Smith M.D. witness my hand Jeremy Bentham. [Bentham signs].'14 Bentham's
amanuensis will also become Bentham's dissector. Three days after Bentham died,
Southwood Smith carried out Bentham's request. The doctor delivered an oration over
Bentham's corpse at the Webb Street School of Anatomy and Medicine and the dissection
was performed shortly afterwards.15

Southwood Smith's hand, in both capacities of *amanuensis* and dissector, has a
parallel in the editing hand. To say that Bentham wrote prolifically would be an
understatement; he seemed to write obsessively, continuously, for over sixty years. He would
have been writing with the presumption, and invitation, for the cutting, shaping hand of the
editor. The sheer amount of handwritten pages in the manuscript boxes in UCL Library
comprize a corpus: so many analogies can be drawn between Bentham's written corpus and
his actual body, both of which required intervention by a fashioning hand in order to achieve
a presentable finished product, for the greater good. He also frequently inserts his own
'hands' into his manuscripts where he wants to make additions. (Figure 4.)

Reading the Editors' Introduction to *Of Sexual Irregularities, and Other Writings on Sexual Morality*,16 one gets a distinct sense of the physical materiality of the manuscripts. Bentham had an elaborate writing process by which he left himself, and his future editors, indications or suggestions about insertions, incorporations, earmarks, chapter headings and sub-headings, running headings, descriptive headings, titles, margins, footnotes, 'rudiments', and appendices to the text sheets composed of unruled composition paper.17 Other notable markings include brackets and braces, numbering of various chapters and sections, deletions and emendations (Bentham's own and the editors' too). Bentham apparently was not consistent with punctuation,18 and so relied upon his editors for this mode of clarification. In order to help his editors with such sprawling textual stuff, Bentham organized the manuscripts into what he called 'spencers', on which he wrote descriptive headings. These so-called spencers served as helpful indexes in the content.19 He creatively re-deployed a word which, following the Oxford English Dictionary, otherwise refers to either a kind of wig, or a short double-breasted overcoat without tails, or to a kind of close-fitting jacket or bodice commonly worn by women and children.20 But Bentham's usage of it also implies his writing is a body needing to be clothed, the spencers also helpfully giving that body its *organ*ization.21 Approaching Bentham's work as a material writing scenario, the manuscripts are almost plastic in their readiness to be shaped, beckoning to be 'worked' by supplemental hands. We certainly get a sense of tangible substance. This substance is corporeal material, directly emanating from Bentham's hand, a parallel body to what would become his Auto-Iconized body.

Throughout his writing, Bentham's greatest happiness principle is conveyed figuratively through a fundamentally bodily lexicon. In more recent philosophical applications, we have seen that a bodily lexicon gets conferred upon consciousness and subjectivity. Bentham's bodily approach was generally not about consciousness or

subjectivity as much as it was about the way in which language, and the actions conferred by language, ought to be backed by the reality of a body. In this sense, the body worked as the material gateway to good principles of morals and legislation. For Bentham, ontology or being itself could only be based in substance that is perceived through the bodily senses. A real existing entity is real, for example, because it is 'tangible'.

Bentham's language is infused with signifiers of the body. Although his fundamental measuring units of pleasure and pain may signify beyond literal bodies, both those terms do bear immediate bodily denotations. Other terms also have bodily assumptions, although not so immediate. I am particularly interested in Bentham's fundamental notion of 'mischief'. 'Mischievousness' is the name given by Bentham to signify what is perhaps the launching point of his entire philosophical project: the infelicitous outcome of legislation based upon the fiction of natural and so-called unwritten law. 'Mischief' is Bentham's name for the 'the divergency from the common end of Happiness'.[22] Bentham loved his etymological footing and his choice of the word 'mischief' is felicitous in and of itself. From the Middle English and Anglo-French word *mes-chef*, for misfortune, and from Old French *meschever*, to come out badly, without a head, chief, or end, 'mischief' is the ideal discourse for infelicitous outcomes which would have been the result of having no proper head, and, by inference, no proper body. We know that the head for Bentham stands in, synechdocally, for the entire body, because of what will be proposed in his Auto-Icon final essay. Once aware of the body-language Bentham loves to use so much, we see that most parts of the body frequently find their way into his general lexicon. Another term worth mentioning, particularly in the context of his writings on sexual irregularities, is 'noxious'. In one of the main examples of the use of this term, Bentham condemns public opinion's severe condemnation of what he sees as the 'least noxious, or altogether *innoxious*' instances (such as irregular sexual acts) because these condemnations are little governed by utility, whereas acts which he deems 'most noxious' are

indulged.[23] Bentham also gives us the example, in *Not Paul but Jesus*, of the act of usury being 'innoxious', and therefore not justifiably punishable by law.[24] The Latin word *noxa* means 'harm'. But the etymologically astute Bentham, 'grecianized ear' always on the alert,[25] also knew that before the Latin *noxa* came the Greek word *nekros*, meaning 'dead body'. 'Noxious' refers to harm – deadly harm – done *to the body*.

But Bentham was not operating exclusively on the levels of figurative language and etymology. He also addressed the primacy of the body on a thematic level. A consideration of Bentham's anti-religious manuscripts debunking existence in the after-life reveals his proposition for the primacy of the body to be the foundation of existence. In his very helpful book *Bentham: A Guide for the Perplexed*,[26] Philip Schofield recounts Bentham's rebuttal of his contemporaries' religionist proposition that the soul would exist in the after-life without the body:

> Bentham noted that during life human beings experience sensation and thought, and that such sensation and thought was located in the brain and nervous system. At death, however, both brain and nervous system ceased to function. Bentham asked: 'A mind altogether without a body, in what sense, respect or degree is it to be identical with the same mind united with its body as in the present state?' Mind, a fictitious entity, consisted in nothing more than a combination of pleasures, pains, wants, desires and propensities. All the pleasures and pains of the mind had their source in pleasures and pains of the body. How are these wants to be supplied, desires gratified, and propensities given way to, by a mind without a body?[27]

Bentham's 'objections absolutely insuperable'[28] to the Christian proposition that a soul could 'exist' without a body as its indicator of pleasure and pain becomes manifest in his writing on Sexual Irregularities.

In *Of Sexual Irregularities, and Other Writings on Sexual Morality*, Bentham's exposition of 'that antipathy which springs up on the ground of taste … produced by difference of taste'[29] provides a more complex understanding of Bentham's contentions. 'Antipathy' also has bodily coordinates: the human breast, Bentham repeatedly writes, is the seat of antipathy. Bentham uses the word 'breast' in this context so frequently that it would prompt any close reader to try to figure out exactly how and why he employs it. The breast, for Bentham, is the ready seat of public odium, and he positions it as part of the artillery of injustice:

> The truth is that, by the epithet *unnatural*, when applied to any human act or thought, the only matter of which it affords any indication that can be depended upon is the existence of a sentiment of disapprobation, accompanied with passion, in the breast of the person by whom it is employed: a degree of dissocial passion by which without staying to enquire or to consider with himself whether the practice, and thence the conduct and character of him whose practice it is, be or be not in any way, and if in any way in what degree, noxious to society, he endeavors, by the use thus made of this inflammatory word, to kindle and point towards the object of his ill-will, that same dissocial passion in other breasts, for the purpose of inducing them to join with him in producing pain in some shape or other in the breast of him by whom the passion has been excited.[30]

Here, Bentham's uses words such as 'passion', 'inflammatory', 'kindle', 'join', and 'excited' to characterize what happens when the word 'unnatural' gets affixed to any given event or practice, public opinion thus spreading, like fire, to 'other breasts'. Bentham follows this with several more examples of breast-passion, including the rebellion of the Stuart claimants to the throne having been deemed 'unnatural', thus '[producing] … in all breasts that are not already on his side, a disposition to join in whatsoever measures may be taken for causing him to suffer',[31] going on to set up antipathy, public opinion, and judgmental taste as being

unworthy foundations for morals and legislation, as they would most certainly fail the test of utility for the greater good.

Religion was the main culprit in Bentham's eyes for things antithetical to his greatest happiness principle. As we shall see in the essays on sexual irregularities as well as in *Not Paul, but Jesus*, the dominance of Mosaic law and of the Mosaic dispensation of justice constructs active barriers against the general reception of Bentham's radical revisioning of a non-metaphysical, non-moralising foundation for legislation. He is up against the vengeful passion held and distributed across the 'breasts' of the people. Bentham proposes that Moses and the Old Testament laid the groundwork for religion itself and its 'theatre of rigours'.[32] This theatre of rigours was responsible, he writes, for the transposition of physical dirt and impurities into moral impurity. The belief in moral impurity took its strength in the lodging of fear of punishment into the adherents of Mosaic law. Much to Bentham's horror, what is deemed 'immoral', for example, sexual intercourse with someone of the same sex or with another species, can not be 'washed away but with blood',[33] instigating a relentless justification for boundless cruelty and misery which has no 'real' grounding. Bentham shows that the introduction of religion justifies the consequent leap from physicality to morality by invoking the breast as the seat of the gratification of antipathy and fear:

> In the breast of Moses, the sentiment of antipathy found an object and an exciting cause in every sort of irregularity belonging to this class. Religion was at his command: in Religion, every caprice to which, in his fertile brain, imagination had ever given birth found a ready instrument, and that an irresistible one. In English the word impurity, in most other languages some other word or words that correspond to it, had been applied alike to objects unpleasant to sense, and offensive to imagination. In the head of tyranny, at the nod of caprice, physical impurities were converted into moral ones. Under Moses as under Bramah, the list of impurities thus created,

sometimes out of nothing, sometimes out of physical impurities, was a labyrinth without end. The more extensive and above all the more indefinite the system of penal law, the more transgressions on the part of the subject many: the more transgression, the more fear: the more fear in the breast of the subject many, the more power in the hand of the ruling few. *Wherever the people are in a shivering fit, the physician of their souls is absolute.* Observation was made of physical impurities, discovery was made of moral, and then converted into religious impurities: for the cleansing of physical impurities water might serve: moral impurities required blood.[34]

Here, the quick conversion from something physical to the register of the moral fed the fear, causing a 'shivering fit' and requiring an 'absolute' physician. For Bentham, operating in the abstract realm of antipathy and morality is dangerously ungrounded, paving the way for tyranny and absolutism. What gets lost in this transposition into antipathy is the requisite tangibility of the real body that ought to manage the springs of action.

The anti-utilitarian, ascetic conversion from physical impurity to moral impurity presented as the starting point of Bentham's critique on religion receives explicit parsing and exposition in a compelling subtext entitled 'Purity – impurity' which spans the bottom of three pages.[35] Implying the arbitrariness of names and signs in typical proto-semiotic fashion, Bentham homes in on the word 'impurity', from which so much misery has flowed. An 'impure' thing, he points out, can easily be brought back to its real state of purity because a real body, which is, for example, covered in dust, can be washed with water to become 'pure' again. An impure mind, on the other hand, would be characterized by sin, wickedness, and guilt. Hence, an impure body can become pure when the body is cleansed, and by analogy, an impure, guilty mind can be purified by cleaning away the psychological impurities. However, when an impure body bypasses the literal bodily referent (dirt, sexual irregularities, etc.) to signify immediately psychological impurities, here the play of fiction instigates its inexorable

take-over, as Bentham states: 'Filth is on the body, therefore guilt, sin, wickedness, impurity is in the mind: here comes the false logic – here comes the wandering of the imagination – here comes the pernicious error. … Error is now mounted upon error.'[36]

In order to check this error-mounted-upon-error, a problem which is specific to religionists and moralists but which also affects all other applications of language, Bentham devised a complicated 'filling up' operation he called 'phraseoplerosis', followed by what he called 'paraphrasis'. In these dual operations, language is worked towards the physical, supplied with and thus translated into 'real entities' in order to move away from fictional abstraction.[37] Philip Schofield clarifies this operation: '[P]araphrasis occurs when a sentence in which the name of the fictitious entity appears is translated into another sentence in which the words are either real entities, or are more nearly related to real entities. There is both a translation of the sentence, and a movement towards the physical.'[38] One particular pathway to the physical that Bentham himself practices is the anchoring of his own writing in the etymological origins of given words. Bentham's avowed possession of a 'grecian ear', which he is happy to impart 'to an ungrecian ear' in need of explanation,[39] affords him an immediacy with the material, real referent behind a word, and so we can assume that he chooses his words carefully, that is, *paraphrastically*. In one example discussed in *Chrestomathia*, the word *obligation* comes from the Latin root *ligo*, meaning, to bind. The root produces an image of a band which not only visualizes the word *obligation* (which names the practice of being bound or fastened to any other) but grounds it in a material real entity—the original root. '[T]he root of the *word*, employed as a sign for the designation of that idea … lies in a material image, employed as an *archetype* or *emblem*: viz., the image of a *cord*, or any other *tie* or *band*.'[40] The archetype that comes forth from the etymological origin acts as an index into what is real: 'In the case of every name of an *immaterial object*, the *archetype* is at once an *index* and a *holdfast* to the sense of it', Bentham writes, adding,

'In the case of every name of a *fictitious entity,* the only sure test of intellection is *paraphrasis.*'[41] But the reality of the etymological archetype behind a word seems, typically, to get repressed, yielding to an 'original import [that is] misexpressive'.[42] Thus import itself, also to be understood as signification, works against expression, as indexed by the archetype, that would emanate from the real entity. The work of paraphrasis is considerable![43]

In today's lingo, we might say that these linguistic manoeuvres encourage an ongoing 'reality check'. From his writings on sexual irregularities, we can see that Bentham sees this movement away from the physical body into metaphysical abstraction as a hostile take-over of reality that results in vengeful and religiously justified violence such as using fire and blood instead of water to purify a dirty body. In *Not Paul, but Jesus*, Bentham sets up a binary opposition between Paul and Jesus, creating an axis respectively dividing mischief from utility. In this engaging text, Bentham takes issue with the religiously-inspired principle of asceticism. Instigated by Mosaic law and propagated by Paul, asceticism's denial of bodily pleasure and its replacement of pleasure with the bidding of pain lies at the heart of Bentham's contestation of Religion and Natural Law. Bentham's exegeses on the New Testament and on the relevant books of the Old Testament scrutinize what he declares to be the fundamental mischievousness of asceticism. The focus on asceticism allows Bentham, and us, to comprehend in a more complex way the relation between the body and mischief in all of Bentham's philosophical propositions. Bentham proposes that 'under the principle of asceticism [favoured by Paul but not by Jesus], condemnation is passed on the pleasures of the body without enquiry',[44] and that, furthermore, a disastrous sublation of physicality by morality, of the body by the mind, takes place. The Paul/Jesus axis serves to pinpoint the pivotal leap of logic underpinning the mischief perpetrated by asceticism. Jesus is put forward here as denouncing the leap into groundless pronouncements of immorality. Jesus,

explains Bentham, condemned the Mosaic assumption that 'by a trifling physical impurity, a serious moral depravity might be produced'.[45]

Reading this pronouncement we cannot help but note that Bentham is not simply saying that religion and asceticism are *replacing* the body with the abstract mind. He is objecting to the heart being trafficked into the moral order:

> Here then may be seen a sentence of condemnation passed at any rate upon this part of the Mosaic Law: the assumption on which it had been grounded was the supposition that, by any thing taken in to a man's body in a *physical* sense, his *heart* (Mat. xv. 18; Mark vii. 19) in a *psychological* sense – his *heart* put as usual for his moral character – could be defiled.[46]

The asceticists are not discounting the body; they are taking up the body for their own 'erroneous' and 'disordered' purposes.

Bentham himself does not use the word 'misappropriation', but I think it is a useful term for characterizing the movement of mischief – which comprehends the linguistic move away from a word's immediate reference to the body, from being *proper to* that which it is referring, to a word *claiming* to be 'proper to' its referent but which drops its proper physical connection in a kind of trick, a sleight of hand. This chicanery is difficult to spot because of what happens when antipathy takes harbour in the breast: the breast houses the heart, through the heart blood courses. The prodigious momentum of *pathos* works to overtake the bodily grounding to which it vehemently lays claim. Bentham's abhorrence of legislated punishment through bloodletting (e.g. capital punishment) would be a good example of what he sees as a violent claiming of the body for mischievous and malign purposes.

The following passage from *Of Sexual Irregularities* explains the persecution of homosexual irregularity as an example of the violent commandeering of the breast, by those for whom antipathy forms the basis of morality:

> Of the violence of that antipathy, whether real or affected, of which the propensities in question have, in the British isles, beyond all other countries, been the object—of the violence of that thirst which nothing less than the heart's blood of the intended victims marked out for slaughter by the dissocial appetite has hitherto been able to satisfy. The principal causes have now been brought to view: and in the view thus given of them it has been seen that, in the number of them, no such quality in it as that of a tendency to make in any shape a defalcation [deduction] from the aggregate sum of human happiness has place: and that, in this dissocial and misery-engendering affection, whatsoever fault there is has for its seat the breasts, not of those who are the objects of this antipathy, but of those who harbor it.47

Thus Bentham takes issue with the co-opting of the body by the ascetics who have laid claim to blood and breast, not to mention to pain itself. On the contrary, for Bentham, the 'sexual irregularity' of the homosexual, as a 'propensity', is the better utilitarian model in that the actions performed are proper to the body performing the action, unlike the misappropriated corpo-reality abused by moralising religionists.

In this final section before I conclude, I would like to expand upon the character of the body that Bentham defends so rigorously. This body type that he puts forward is one that is epitomized by Jesus's teachings, by Jesus himself, and also by the homosexual body, defended examples of which abound both within the footnotes and body of Bentham's writings on sexual irregularities and on religion. I want to suggest, perhaps boldly, that for Bentham, the homosexual body, with its propensities eccentric and its social and sexual intercourses, is an open body, a body which invites others to be a part of it, to partake of it. It

is also a propense body which fulfills the reality check required for acquiring greatest happiness. Like the 'socially effusive' Greek male homosexual relationships Bentham cites as examples which existed without the imposition of metaphysical 'spiritualization' of the lovers,[48] Jesus stands for a body felicitously open to the physicality of other bodies. Bentham argues that Jesus had intercourse with Mary Magdalene,[49] with St John, who, Bentham repeatedly tells us in italics, was 'lying on Jesus' breast'[50] (this would be an example of a 'good breast'), and with the young male 'stripling with loose attire' who remained Jesus' most faithful devotee.[51]

Jesus's intercourse, social and sexual, works here in opposition to the 'wall of separation' instituted by the Pharisees and their subsequent followers. For Bentham, 'the avowed design – of keeping up a wall – an everlasting wall – of separation between this and every other: the prevention of all convivial and thence of all social intercourse' is dissolved by Jesus when he says, in the books of Mark and Matthew: 'There is nothing from without a man, that entering into him can defile him: but the things which come out of him, those are they that defile the man.'[52] Bentham embraces this welcoming of entry into the human body, as we see throughout *Of Sexual Irregularities* when he sets up an equivalence between the appetite for food and the appetite for sex. He is proposing an intercoursing body with 'inlets' to pleasure, which he characterizes in a footnote to the first chapter of *Not Paul, but Jesus*:

> Though not the seats nor the sources, the eye and the ear are, in the instance of every individual, the necessary *inlets* to a large proportion of such pleasures of the mind as it falls in his way to enjoy: viz. to all those derived from discourse, whether by signs audible or visible—whether from hearing or reading. So likewise in the case of all the rest of the fine arts—Music, painting, &c., &c., let the seat be in ever so large proportions of it in the mind, the necessary inlet to it is in the body.[53]

This body of inlets defies the multiple prohibitions of 'admixture' called for by Mosaic law.[54]

Conclusion

When Bentham wrote, and wrote, and wrote, he wrote with the assumption that other hands would be introduced into the corpus of his work; editorial hands in particular, his own little drawn hands inserted into the manuscripts but also the editorial hands of others. One particular editor he desired to give his work shape, clarity, even some aesthetic guidance, the desire for whose editing hand was proposed in the concluding paragraphs of the chapter 'General Idea of *Not Paul, but Jesus*', was William Thomas Beckford, author of the *History of the Caliph Vathek*, published in 1786. Bentham invites Beckford to be his editor and collaborator in the *Not Paul, but Jesus* venture. (Figure 5.) Beckford was a writer and collector known for his homosexual encounters, whose novel *Vathek* described the sensual activities that Bentham embraced at least philosophically. We might even call Beckford an aesthete. Bentham calls upon him to be a partner, with whom he might confide secrets, who might supplement the manuscript with his notable literary talent:

> the author is desirous of finding, in an appropriate social intercourse, an external support for his faculties under a burthen of such a magnitude: – a sort of partner, in whose honour, in point of secrecy and all other points, he could confide, and by whose sympathy he might be cheered and supported: a co-operator, in whose literary talents whatever deficiency there may be in his own might find a supply: who, in his own person, might find an amusement in giving form and order, and superior expression, and perhaps additional quantity, to the material which are in readiness to be supplied. ... For all this, the author's eye has turned itself of the author of the History of the Caliph Vathec.55

Bentham's proclivity towards social intercourse and his invitation for someone to supplement his manuscript are in character with the body type that he placed in the domain of Jesus and

the homosexual: a body which happily admits entry, which does not erect boundaries of separation; a body which enjoys the pleasures of social and sexual intercourse, thereby providing material grounding for greatest pleasure and greatest happiness. Beckford's 'sympathy' and aesthetics are welcome because they are, in the figure of the homosexual Beckford, grounded in a real, propense body.

Is not Bentham's dear friend Southwood Smith, called upon to dissect Bentham's dead body, cutting into that body, a parallel figure to that of William Beckford, also called upon to give form and order, and expression, to the corpus in question, with his invited hand? We are back to Bentham's Image. Bentham's Image is Bentham's body, but it is also Bentham's writing, because Bentham's Auto-Icon is a form of writing – what he himself named, in his 'Auto-Icon' essay, '*auto-thanatography*'.[56] Working with the voluminous manuscripts and their editorial supplements, we have a sense that Bentham's relation to his own writing practice was one fully integrated with his radical philosophical departures from metaphysical foundations, namely, that the immediacy of the corporeal body is consistently present and that his written corpus is a body which invites the right of entry through various modes. Through this allowance of pleasure comes the greatest happiness of the greatest number. When the corpo-reality check is carried out, 'Bentham's Image' and his written corpus deliver a steady supply of tangible substance.

Notes

[1] Jeremy Bentham, *Auto-Icon or, Farther Uses of the Dead to the Living* [1832], ed. R.A. Fenn (Toronto: 1992).

[2] *Auto-Icon*, 3.

[3] *Auto-Icon*, 5.

[4] *Auto-Icon*, 13.

5 *Auto-Icon*, 5.

6 *Auto-Icon*, 11.

7 *Auto-Icon*, 1–2 & n. Fenn notes that Bentham here is citing Thomas Mortimer, 'Every Man His Own Broker; or, a Guide to the Stock Exchange, etc.', 1761ff, and Giles Jacob, 'Every Man His Own Lawyer: Or, a Summary of the Laws of England in New and Instructive Method, etc.', 1763ff.

8 In the Auto-Icon essay, Bentham offers two possibilities of classification for Auto-Icon as property. The first example, that of the Aerolite genus, refers to a meteorite, an object which is a part or fragment, an 'individual specimen of it which descended to us from above.' The object is a found-object, which, in its detachment from its original whole, always remains unable to be 'owned' in its entirety. On the other hand, this found-object fragment has given itself to be possessed, repossessed. The Auto-Icon could be read as a fragment of a whole— the whole, intentional subject. Bentham's proposal that it is the preserved heads of the deceased that primarily constitute auto-icons (with the exception of his own full-body Auto-Icon) reinforces the 'Aerolite' category of property as suitable for the Auto-Icon; the heads are parts that stand in for some larger whole: *Auto-Icon*, 17.

9 'Beholding at a distance, in the dress of a man, sitting and playing upon an organ, an automaton figure, constructed... by the ingenuity of the mechanist, to take this creature of human art for a real man, is a sort of mistake which, at a certain distance, might happen for a time to be made by the most acute observer. In like manner, beholding a part of speech cast in the same mould with the name of a real entity, a really existing substance, no wonder if, on a variety of occasions, to the mental eye of a very acute observer, this fictitious entity thus accoutred should present itself in the character of, and be regarded and treated as if it were a real one. How should it be otherwise, when on every occasion on which, and by every person by whom it is spoken of at all, it is spoken of as if it were a real entity?' Bowring, viii. 129,

cited in C.K. Ogden, *Bentham's Theory of Fictions* [1932] (New York: Harcourt, Brace and Co., 1959), pp. xlii–xliii.

10 'The pestilential breath of Fiction poisons the sense of every instrument it comes near.' Ogden, p. xvii, citing from Bentham's 'Fragment on Government', from Bowring, i, 235.

11 It is Bentham's interest in this movement of the proper which the legal scholar Mary Sokol discusses in her essay 'Bentham and Blackstone on Incorporeal Hereditaments', *Journal of Legal History* 15 (1994): 287–305. The essay gives us a fuller picture of Bentham's engagement in theoretical issues about the rapprochement between legal property and corporeality. Sokol concentrates on Bentham's legal reforms during the years of 1828 and 1832, the year of his death. These legal reforms responded to what he firmly believed to be yet another of Judge Blackstone's inadequacies as lawmaker: the inability of property law, in its current status, to account for intangible 'incorporeal hereditaments' such as company shares and copyright as personal property (287). Sokol notes that Bentham's appointment to the Real Property Commission in 1828 spurred him on to propose reforms in property law which would rectify Blackstone's omissions on what constituted personal property. As Sokol elaborates, in 1830 Bentham was invited to draw up a list of incorporeal hereditaments with the conveyancer and Real Property Commissioner, John Tyrell. In his list, Tyrell reiterated what had already been established (primarily by Blackstone) as incorporeal hereditaments: (e.g. manors and signories, franchises, sporting rights, rents, commons, easements, advowsons, tithes, and corodies). Bentham subverted the list, or, in his words, 'transposed' it, from being a list of 'incorporeal rights' of the owner, to being a list of 'corporeal subject matter operated upon ... by the exercise of rights'. Sokol explains: the list of items would change under Bentham's reforms from being categorized as 'land' – a figment of legal fiction – to being categorized as accepted legal right, which would be able to include things like copyright and company shares (291). Sokol does not discuss Bentham's Auto-Icon at all, but

her rigorous analysis of Bentham's attempted reforms in property law at the time of his preparation of the Auto-Icon provides a picture of the theoretical context engendered by the encounter between corporeality and property which so inspired Bentham.

12 The University of London, later named University College, was founded in 1826 and was known for its excellent medical school. See C.F.A. Marmoy, 'The "Auto-Icon" of Jeremy Bentham at University College London', *Medical History* 2: 2 (1958): 1.

13 'Last Will and Testament' [1832], 37, reprinted in 'Auto-Icon or, Farther Uses of the Dead to the Living', ed. R.A. Fenn (Toronto: 1992).

14 'Last Will and Testament', 41.

15 Marmoy, 'The "Auto-Icon" of Jeremy Bentham at University College London', 2. The primary inspiration for Auto-Iconism came from the conviction that dead bodies ought to be bequeathed towards the study of surgery and anatomy. This life-long advocacy of Bentham's and the Benthamite group represented by the *Westminster Review*, working against the popular conception of the sanctity of the corpse, finally came to fruition with the passing of Warburton's Anatomy Act of 1832, which provided legal means for obtaining the cadavers of unclaimed paupers for the purpose of dissection.

16 Jeremy Bentham, *Of Sexual Irregularities, and other Writings on Sexual Morality* (*CW*), eds. P. Schofield, C. Pease-Watkin, and M. Quinn. Oxford: Clarendon Press, 2014.

17 *Of Sexual Irregularities* (*CW*), p. xvi.

18 *Of Sexual Irregularities* (*CW*), p. xxvii.

19 *Of Sexual Irregularities* (*CW*), p. xxvii.

20 According to the OED, the term comes from the English family name *Spencer*. Bentham's use of the word is typical of his fun sense of play and humour. He may even be making a subtle reference to Earl Spencer, who objected to panopticon being built at Battersea Rise.

21 An important contrast to this body that is clothed in a spencer which reinforces its 'real substance' is the fictional entity of legal *right*, which Bentham also explains using metaphors of clothing: 'The word *right* is the name of a fictitious entity … spoken of as if it were a portion of matter such as a man may take into his hand, keep it for a time and let it go again. According to a phrase more common in law language than in ordinary language, a man is even spoken of as being *invested* with it. Vestment is clothing: invested with it makes it an article of clothing, and is as much as to say "is clothed with it."' ed. C.K. Ogden, *Bentham's Theory of Fictions* (Paterson, NJ: Littlefield, Adams & Co., 1959), 118. Citing Bowring, iii, 217–19.

22 Bentham writes: 'Now then, with respect to actions in general, there is no property in them that is calculated so readily to engage, and so firmly to fix the attention of an observer, as the *tendency* they may have *to*, or divergency (if one may so say) *from*, that which maybe styled the common *end* of all of them. The end I mean is *Happiness*: and this *tendency* in any act is what we style its *utility*: as this *divergency* is that to which we give the name of *mischievousness*. With respect then to such actions in particular as are among the objects of the Law, to point out to a man the *utility* of them or the mischievousness, is the only way to make him see *clearly* that property of them which every man is in search of; the only way, in short, to give him *satisfaction*.' 'Fragment' in *A Fragment on Government and A Comment on the Commentaries* (*CW*), eds. J.H. Burns and F. Rosen (Oxford: Clarendon Press, 1977), 415–16.

23 *Of Sexual Irregularities* (*CW*), 129.

24 Jeremy Bentham, *Not Paul, but Jesus*, *Vol. III. Doctrine* (London: The Bentham Project, UCL, 2013), 54.

25 Bentham's attention to etymology is elaborated in, among other writings, Appendix IV, *Chrestomathia* (*CW*), eds. M.J. Smith and W.H. Burston (Oxford: Clarendon Press, 1983

[1817]). Many thanks to Philip Schofield for his helpful compilation of passages throughout the Bentham corpus in which Bentham considers etymology in its various linguistic vicissitudes.

26 P. Schofield, *Bentham: A Guide for the Perplexed* (London & New York: Continuum, 2009), 119–24.

27 Schofield, *Bentham: A Guide for the Perplexed*, 122.

28 Schofield, *Bentham: A Guide for the Perplexed*, 122.

29 *Of Sexual Irregularities* (*CW*), 4.

30 *Of Sexual Irregularities* (*CW*), 6.

31 *Of Sexual Irregularities* (*CW*), 8.

32 *Of Sexual Irregularities* (*CW*), 12.

33 *Not Paul, But Jesus*, 13.

34 *Of Sexual Irregularities* (*CW*), 12–13 (my emphasis).

35 *Of Sexual Irregularities* (*CW*), 13–15.

36 *Of Sexual Irregularities* (*CW*), 14.

37 Ultimately, what Bentham is aiming for in his linguistic operations of phraseoplerosis and paraphrasis is felicity, that is, when things come together or happen with the consequence of the greater good for as many people as possible. Felicitousness in language, which stands for felicitousness in legislation and other action, is most likely to occur when words work 'substantively', that is, 'expressively'.

38 Schofield, *Bentham: A Guide for the Perplexed*, 52–3.

39 *Chrestomathia* (*CW*), Appendix, Section XX, 274. Bentham's phrase, 'grecianized ear' is very telling about his own consistent engagement with returning to the physiological rather than the metaphysical: whereas most philosophers would embrace an etymological

framework from the epistemological perspective of *knowing* one's Greek and Latin,

Bentham's etymological framework is instantly of the body.

40 *Chrestomathia* (*CW*), 265 n. Many thanks to Chris Riley for his helpful research into this
query.

41 *Chrestomathia* (*CW*), 274 n.

42 *Chrestomathia* (*CW*), 274.

43 In Bentham's *Logic*, in a chapter entitled 'Of Clearness in discourse – where the seat of the
unclearness, actual or apprehended, is considered as being in the words taken singly: – and
hence, of exposition' (University College London Library, Bentham Papers, box 101, fos.
201–7, 214–16, 265–74 (16–18 August 1814)), we are treated to a long analysis about how
sentences come to be unclear, despite being 'propositions'; these sentences being 'but too
many'. Very broadly, Exposition is the general action taken which attempts to clarify words,
with special attention given to the 'operation necessarily preliminary to that of definition':
disambiguation. This forensic semiotic operation explicated by Bentham here points to what
would later be observed to be the arbitrary nature of the sign (Saussure), and it works from
the general assumption that language is fundamentally 'unclear', to use Bentham's term. A
long exegesis on the example of the word *Church* and the progressive loss of its original
etymological root meaning effectively illustrates the susceptibility of language to
'misexpressive import' – in other words, to the almost immediate transposition into the
register of the sign (which is arbitrary). Bentham's word for this register of the sign is
'import' – and he is very canny about choosing the example of the word 'Church' to prove
just how susceptible words are to successive 'diverse and multifarious imports', proving,
through the exposition of its historical usage, that the word 'Church' is mightily 'capable of
being subverted'. Thus, the work of exposition, of assiduous and dogged disambiguation, not
unrelated to the work of *paraphrasis*, is *considerable.*

[44] *Of Sexual Irregularities*, 21.

[45] *Not Paul, but Jesus*, 87.

[46] *Not Paul, but Jesus,* 86.

[47] *Not Paul, but Jesus*, 23–4.

[48] Schofield, *Bentham: A Guide for the Perplexed*, 134. Citing BL Add. MS 29, 808, fos. 13–17.

[49] *Not Paul, but Jesus*, 112–24.

[50] *Not Paul, but Jesus*, 183–5.

[51] *Not Paul, but Jesus*, 187–95.

[52] *Not Paul, but Jesus*, 90, 94.

[53] *Not Paul, but Jesus*, 23–4.

[54] See Chapter 11 of *Not Paul but Jesus*, entitled, 'Condemnation Passed on the Eccentric pleasures of the bed in the Mosaic Law – it had its source in an illusion of the Fancy', for Bentham's parsing of the prohibition of 'admixture' so central to the Old Testament, which included admixture within garments, within farming techniques, within food, within pleasures of the bed, 149–60.

[55] *Not Paul, but Jesus*, 122.

[56] *Auto-Icon*, 4.

Bibliography

Bentham, Jeremy. *Auto-Icon or, Farther Uses of the Dead to the Living* [1832], ed. Robert Fenn. Toronto: 1992.

Bentham, Jeremy. *Chrestomathia* (*CW*), eds. M.J. Smith and W.H. Burston. Oxford: Clarendon Press, 1984.

Bentham, Jeremy. *A Comment on the Commentaries and A Fragment on Government* (*CW*), eds. J.H. Burns and F. Rosen. London: The Athlone Press, 1977.

Bentham, Jeremy, *Not Paul, but Jesus*. London: The Bentham Project, UCL, 2013.

Bentham, Jeremy. *Of Sexual Irregularities, and Other Writings on Sexual Morality* (*CW*), eds. P. Schofield, C. Pease-Watkin, and M. Quinn. Oxford: Clarendon Press, 2014.

de Champs, Emmanuelle, 'The Place of Jeremy Bentham's Theory of Fictions in Eighteenth-Century Linguistic Thought', *Journal of Bentham Studies* 2 (1999): 1–28.

Marmoy, C.F.A. '"The 'Auto-Icon" of Jeremy Bentham at University College London', *Medical History* 2: 2 (1958): 77–86.

Ogden, C.K. *Bentham's Theory of Fictions* [1932] (New York: Harcourt, Brace and Co., 1959).

Schofield, P. *Bentham: A Guide for the Perplexed*. London & New York: Continuum, 2009.

Sokol, M. 'Bentham and Blackstone on Incorporeal Hereditaments', *Journal of Legal History* 15 (1994): 287–305.