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John Stuart Mill (1806–1873) in his autobiography recalled that 'a voluntary exercise to which I was throughout my boyhood much addicted was what I called writing histories'. These histories were composed in 'imitation' of his father, James (1773-1836), whose History of British India had been published to widespread acclaim in 1817.<sup>1</sup> Given his reputation as an abstract moral and political theorist, it is tempting to see John's addiction to 'writing histories' as a passing phase that precipitated other, more significant interests for which he is better known today.<sup>2</sup> While some have read into his essays a rhetoric or doctrine of progress, his philosophy of history has been reconstructed only sporadically and without the exegetical vigour which his writings otherwise command.<sup>3</sup> Its place in the intellectual history of utilitarianism is even less clear. John's engagement in the 1830s and 1840s with Romantic, historicist, and positivist conceptions of history is usually regarded either as insignificant - to the extent that it altered only theoretically his approach to political problems - or as something that undermined utilitarianism's deductive simplicity. His attempt to reconcile utilitarianism with a broadly conceived historicism was thus either unserious or nonsensical, and in both cases its intellectual significance is called into question.<sup>4</sup> These conclusions, however, leave

<sup>&</sup>lt;sup>1</sup> CW, I, p. 28. John Stuart Mill is sometimes referred to as 'John' and James Mill as 'James' to avoid confusion.

<sup>&</sup>lt;sup>2</sup> On the tendency to view the utilitarians as 'abstract moral and political theorists', see E. Stokes, *The English utilitarians and India* (Oxford: Clarendon Press, 1959), p. vii.

<sup>&</sup>lt;sup>3</sup> One notable exception is the now classic collaboration between Stefan Collini, Donald Winch, and John Burrow: *That noble science of politics: a study in nineteenth-century intellectual culture* (Cambridge: Cambridge University Press, 1983). Another is J. M. Robson, *The improvement of mankind: the social and political thought of John Stuart Mill* (Toronto: University of Toronto Press, 1968).

<sup>&</sup>lt;sup>4</sup> For example, George Cornewall Lewis (1806–1863) questioned Mill's intention to unite political theory and history. 'It follows', he concluded, 'that, in the attempt to unite in one work political history and political theory, both are spoiled': *A treatise on the methods of observation and reasoning in politics* (London: John W. Parker and Son, 1852), I, p. 315.

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precariously open the question of why John turned to history as a method and site of politics, and what he hoped to achieve by doing so.

The tendency to treat the utilitarians as abstract theorists has privileged critical over exegetical analysis, because of which commentators have thought either casually or not at all about their intentions in writing formal histories ('historiography') or in developing historical methods and philosophies of history ('history') whose purpose was to inform, frame, accelerate, or slow down politics; and yet, it is only by examining their political thought historically that their commitments to history come fully into view.<sup>5</sup>

In the early nineteenth century, for example, Jeremy Bentham (1748– 1832) and James Mill suffered two potent strains of criticism, the first of which came from Whig custodians of the Scottish Enlightenment, and the second from a historically-inflected Romanticism whose disciples included William Hazlitt (1778-1830) and Samuel Taylor Coleridge (1772-1834). In both cases the utilitarians were portrayed as dogmatists who ignored and even disdained the past, and whose inability to draw lessons from experience disqualified them from the kind of empirical science on which their political radicalism was theoretically based. These attacks inspired especially in James and John Stuart Mill, but also in George Grote (1794–1871), a willingness to either reformulate or reconsider the ways in which utilitarianism and its political adjunct, Philosophic Radicalism, addressed themselves to history. A richer understanding of these debates will help to better grasp their intentions as political actors, and to understand more deeply the ways in which they related politics to history, at a time when history acquired new significances as both a means and object of study.

My intention is not to reconstruct a classical utilitarian 'idea' of history comparable to Duncan Forbes's liberal Anglicans' or Herbert Butterfield's Whigs'.<sup>6</sup> To hypostasise their writings into an analytically coherent theory, shorn of historical context, would be to obscure the individual motives which carried them into historical reflection. It is better to treat them individually, and even my use of the term 'utilitarian' has less to do with its

<sup>&</sup>lt;sup>5</sup> Elijah Millgram recently conceded that context 'tends to go missing', but he persisted anyway with 'the practice of analytic history of philosophy': *John Stuart Mill and the meaning of life* (Oxford: Oxford University Press, 2019), pp. 5, 13. On utilitarianism as a doctrine, see T. Mulgan, *Understanding utilitarianism* (London: Routledge, 2014); M. D. Bayles (ed.), *Contemporary utilitarianism* (New York: Anchor Books, 1968); R. Goodin, *Utilitarianism as a public philosophy* (Cambridge: Cambridge University Press, 1993).

 <sup>&</sup>lt;sup>6</sup> D. Forbes, *The liberal Anglican idea of history* (Cambridge: Cambridge University Press, 1952);
 H. Butterfield, *The Whig interpretation of history* [1931] (London: W. W. Norton, 1961).

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history as an idea than with a network of thinkers - Bentham, Grote, and the two Mills - whose reflections on history emerged out of a shared goal to reform British society and build on utilitarian foundations, however so constructed, a new science of morality and politics. Their writings were often richly intertextual, and their attitudes towards the forms and functions of historical knowledge emerged out of common intellectual heritages and debates. While there is a case for extending my analysis to John Sterling (1806–1844), John Austin (1790–1859), Henry Sidgwick (1838– 1900), and John Hill Burton (1809–1881), and perhaps even to Adam Smith (1723–1790), Joseph Priestley (1733–1804), and David Hume (1711– 1776), I have limited its scope to a series of intellectual exchanges whose reconstruction does not require me to pronounce on who or what counts as utilitarian. The book's chronology, which stretches from roughly 1800 to 1865, corresponds to the period in which these thinkers developed their historical thought, usually in response to their opponents and each other. If, however, these exchanges were as important as I claim, then why has it taken so long for a study to materialise?

In one sense the answer is obvious: neither Bentham nor his 'direct heir', John, published a work of history that was recognised as such by their contemporaries.<sup>7</sup> It would be easy, therefore, to assume either that their historical interests were irrelevant to their philosophy and political thought, or that they never held such interests in the first place. Bentham's so-called 'ignorance of history' has steadily acquired the status of a truism, despite the dissenting voices of Mary Mack and R. O. Preyer.<sup>8</sup> While John has fared slightly better in this respect, C. W. Bouton argued over fifty years ago that his philosophy of history remains the obscurest feature of his liberalism, a sentiment that has been echoed more recently by John Gibbins and Inder Marwah.<sup>9</sup> Given that neither Bentham nor John wrote formal works of history, it has been assumed that they bequeath little

<sup>&</sup>lt;sup>7</sup> H. R. West, An introduction to Mill's utilitarian ethics (Cambridge: Cambridge University Press, 2004), p. 8. As Stefan Collini put it, 'there weren't many books Mill didn't write. A work of history, however, is a conspicuous absentee': *English pasts: essays in history and culture* (Oxford: Oxford University Press, 1999), p. 138.

<sup>&</sup>lt;sup>8</sup> A. W. Benn, *The history of English rationalism in the nineteenth century* (London: Longmans and Green, 1906), I, pp. 302–303; M. P. Mack, *Jeremy Bentham: an odyssey of ideas, 1748–1792* (London: Heinemann, 1962), p. 157; R. O. Preyer, *Bentham, Coleridge, and the science of history* (Bochum-Langendreer: Verlag Heinrich Pöppinghaus, 1958), pp. 1, 3.

<sup>&</sup>lt;sup>9</sup> C. W. Bouton, 'John Stuart Mill on liberty and history', Western Political Quarterly 18 (1965), p. 569; J. Gibbins, 'J.S. Mill, liberalism, and progress' in R. Bellamy (ed.), Victorian liberalism. Nineteenthcentury political thought and practice (London: Routledge, 1990), pp. 91–110; I. S. Marwah, 'Complicating barbarism and civilisation: Mill's complex sociology of human development', History of Political Thought 32.2 (2011), pp. 345–366.

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to scholars of nineteenth-century historiography whose interests are typically confined to the forms and functions of narrative historical prose, and that they paid little attention to history when forming and expressing their ideas.

This answer, for equally obvious reasons, carries us only so far. It hardly needs pointing out that John's father, James, was a renowned historian of British India about whom an abundance of scholarship has since materialised, or that Grote published a major history of Greece through which he enjoyed lasting fame in Europe and America.<sup>10</sup> Grote in the last decade or so has enjoyed a revival of interest in his political but especially his historical writings, while James's History of British India remains a focal point for historiographies of nineteenth-century imperialism.<sup>11</sup> While they have been overshadowed in the literature by the likes of Thomas Carlyle (1795-1881), Thomas Macaulay (1800-1859), James Froude (1818-1894), E. A. Freeman (1823-1892), William Stubbs (1825-1801), and J. R. Green (1837–1883), it would be disingenuous to claim that their contributions to historiography have been entirely overlooked.<sup>12</sup> The problem, rather, is that we do not fully understand the ways in which they related history to other intellectual and political commitments. That they have this in common with Bentham and John provides further grist to my argument.

This book is interested not only in historiography as a mode of political discourse, or how the telling of history can be politically telling, but also in philosophical uses of the past which unveil problems of logic and method. J. G. A. Pocock has persuasively argued that the philosophy of history must be seen as an 'enquiry into the logical character of historical explanation', the outcome of which is not necessarily 'a reproduction or reconstruction' of what historians actually do.<sup>13</sup> Mark Salber Phillips has likewise insisted on a 'liberal definition' of historical writing 'that does not limit us to one or two prestigious genres', or to a 'peculiar kind of present-mindedness that narrows our sense of earlier traditions and flatters the professionalism of our own times with a false sense of its own distinctive accomplishments'.<sup>14</sup> For

<sup>&</sup>lt;sup>10</sup> E. A. Freeman called Grote's history one of the 'glories of our age and country': *Historical essays* (London: Macmillan and Co, 1873), II, p. 147.

<sup>&</sup>lt;sup>II</sup> See T. Koditschek, *Liberalism, imperialism, and the historical imagination: nineteenth-century visions of a greater Britain* (Cambridge: Cambridge University Press, 2011), p. 82.

<sup>&</sup>lt;sup>12</sup> Even so, one recent survey mentions John Stuart Mill and Bentham only briefly, while James Mill and Grote are ignored altogether: A. Tucker (ed.), *A companion to the philosophy of history and historiography* (London: Wiley-Blackwell, 2009).

<sup>&</sup>lt;sup>13</sup> Quoted in E. A. Clark, *History, theory, text: historians and the linguistic turn* (Cambridge: Harvard University Press, 2004), p. 37.

<sup>&</sup>lt;sup>14</sup> M. S. Phillips, *Society and sentiment: genres of historical writing in Britain, 1740–1820* (New Jersey: Princeton University Press, 2000), p. xi.

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the purposes of this book, therefore, I define historical enquiry elastically as a purposive engagement with the past, which is conducted either formally through the interpretation of historical evidence and the writing of narrative prose (historiography), or informally through the articulation of historical laws, generalisations, and methods (history). These liberalisations will help us to understand the utilitarians on their own terms and in their proper contexts, whereas the tendency at present is to reproduce categories of analysis into which they simply do not fit, especially in histories of historical writing. I will address this literature first before putting into historical perspective their place in nineteenth-century philosophy and political thought.

Historians of historiography have eyes mostly for established conventions of historical writing which can be parsed into the isms of conjecturalism, Whiggism, Romanticism, liberalism, and so on, and which further the idea that the past in the nineteenth century was used as a mirror for contemporary fears. Angus Hawkins, for example, has argued that the intellectual 'cross currents' of Malthusianism, evangelicalism, and British and Irish Radicalism produced a 'persistent anxiety' about the future, which, in turn, encouraged 'partisan visions of the past'.<sup>15</sup> I offer three reasons for why the utilitarians do not fit neatly into this picture, and why, in many instances, their historical writings have been completely overlooked. The first corresponds to the extent to which a historian or philosopher of history is considered as representative of a particular mode of thought or 'master narrative'; the second relates to the truth or falsity of the historical argument in question (how it strikes us critically as modern readers); and the third concerns our regard or disregard for the skill of the historian whose work we study.<sup>16</sup>

First, the classical utilitarians have been overshadowed in the literature by the historiographies of nationality which flourished in the early to midnineteenth century. R. J. Smith has examined the so-called 'Gothic bequest' in England between 1688 and 1863, while John Burrow has explored nineteenth-century encounters with the English past in the work of Stubbs, Green, Freeman, and Froude.<sup>17</sup> Furthermore,

<sup>&</sup>lt;sup>15</sup> A. Hawkins, *Victorian political culture: 'habits of heart and mind'* (Oxford: Oxford University Press, 2015), pp. 219, 2.

<sup>&</sup>lt;sup>16</sup> R. Price, 'Historiography, narrative, and the nineteenth century', *Journal of British Studies* 35.2 (1996), p. 220.

<sup>&</sup>lt;sup>17</sup> R. J. Smith, The Gothic bequest: medieval institutions in British thought, 1688–1863 (Cambridge: Cambridge University Press, 2002); J. W. Burrow, A liberal descent: Victorian historians and the English past (Cambridge: Cambridge University Press, 1981).

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Butterfield's research into the germination of 'Whig' historiography continues to influence our understanding of national history in the century's early decades.<sup>18</sup> These accounts explore the correlation between political, social, and economic transformation and what T. W. Heyck called the desire to 'establish continuities with the past' in the search for a mythologised national identity.<sup>19</sup> On this account, the onset of new political and social realities, exemplified by radical demographic change, industrialisation, the French Revolution, and the clamour for domestic political reform, helps to explain the predominantly national focus of nineteenth-century historiography.<sup>20</sup> In support of this view we might point to the growth in the 1770s of a new Saxonist radicalism, led by Major Cartwright (1740–1824); to the Gothicism of Henry Hallam (1777– 1859), John Allen (1771–1843), and Francis Palgrave (1788–1861); to the nineteenth-century revival (or, depending on one's view, the survival) of a 'Burkean' organicism; or, finally, to Macaulay's Whiggish narratives of progress.

The connection between history and a mythologised national identity, rooted in contemporary experiences of political, social, and economic transformation, remains a salient one, and while it is not my intention to undermine the enduring importance of these studies, I do want to explain how, if at all, the utilitarians relate to them. The scholarship repeatedly attests to history's mythologising purpose, and how, in the early nineteenth century, the past was used either to affirm or delegitimise existing political identities and institutional bequests. Michael Bentley has contended that the past was moved deliberately 'towards the present' to 'show how the English people came into being and what they can learn from their journey', while T. N. Baker has claimed that 'nineteenth-century Britons who investigated the past almost invariably searched it for answers to contemporary political and social troubles'.<sup>21</sup> The writing of history,

<sup>21</sup> M. Bentley, *Modernising England's past: English historiography in the age of modernism, 1870–1970* (Cambridge: Cambridge University Press, 2005), p. 25; T. N. Baker, 'National history in the age of

<sup>&</sup>lt;sup>18</sup> See H. Butterfield, *The Englishman and his history* (Cambridge: Cambridge University Press, 1944), p. 73.

<sup>p. 73.
<sup>19</sup> T. W. Heyck,</sup> *The transformation of intellectual life in Victorian England* (London: Cromo Helm, 1982), pp. 122–123.

<sup>&</sup>lt;sup>120</sup> See B. Melman, 'Claiming the nation's past: the invention of an Anglo-Saxon tradition', *Journal of Contemporary History* 26 (1991), p. 575. According to Reinhart Koselleck, '[h]istoricism's axiom that everything in history is singular . . . is the epiphenomenon of the primary experience that ever since the French and Industrial Revolutions, history has in fact seemed to be continuously changing at an accelerated rate: to this extent, nothing was comparable and everything singular': *Sediments of time: on possible histories*, trans. S. Franzel and S. Hoffman (Stanford: Stanford University Press, 2018), p. 113.

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therefore, was invariably didactic.<sup>22</sup> Unlike Hume in the previous century, and thanks to the rise of various Romantic and counter-Enlightenment influences, early nineteenth-century readers of history wanted to feel alive in the English past, whether it was the Norman Conquest, the Reformation, or the Glorious Revolution of 1688.<sup>23</sup>

The utilitarians with whom I am concerned rivalled this understanding of history in at least two ways. First, they criticised the translation of England's contested political origins into an ideology of historical continuity. James Mill, for instance, regarded nationality as a prejudice because it derived political legitimacy from a principle of self-government in which the 'nation' was endowed with an intrinsic but essentially arbitrary value.<sup>24</sup> The Christian Socialist F. D. Maurice (1805–1872) even reproached the Benthamites for seeing 'national distinctions' as mere deviations from universal specimens, a line of argument that was by no means unique.<sup>25</sup> Whereas John took a more nuanced stance towards the issue of nationality, it was certainly not the case that he intended to use history as a conduit for his own theory of Englishness.<sup>26</sup> He conceded in Considerations on Representative Government (1861) that the 'strongest of all is identity of political antecedents; the possession of a national history, and consequent community of recollections'; and yet 'none of these circumstances, however, are either indispensable or necessarily sufficient by themselves'.27

Second, the utilitarians disagreed that the past meaningfully reflected the present. Insofar as they have been analysed as historical thinkers, it has been with the assumption that they confronted the past as political actors first and foremost; James's *History of British India* thus becomes a recondite argument for utilitarian civility, while John and Grote's writings on Athens reveal an 'ancient equivalent of the modern British liberal state'.<sup>28</sup> The

Michelet, Macaulay, and Bancroft' in L. Kramer and S. Maza (eds.), A companion to Western historical thought (London: Blackwell, 2002), p. 193.

<sup>28</sup> A. D. Culler, *The Victorian mirror of history* (New Haven: Yale University Press, 1985), p. 18.

<sup>&</sup>lt;sup>22</sup> See A. Brundage and R. A. Cosgrove, *British historians and national identity* (London: Routledge, 2014), p. 195.

<sup>&</sup>lt;sup>23</sup> On Hume and historical distance, see M. S. Phillips, On historical distance (New Haven: Yale University Press, 2013), pp. 12–13.

<sup>&</sup>lt;sup>24</sup> N. Urbinati, 'The many heads of the hydra: J.S. Mill on despotism' in N. Urbinati and A. Zakaras (eds.), J.S. Mill's political thought: a bicentennial reassessment (Cambridge: Cambridge University Press, 2007), p. 75n.

 <sup>&</sup>lt;sup>25</sup> Quoted in H. S. Jones, 'The early utilitarians, race, and empire: the state of the argument' in B. Schultz and G. Varouxakis (eds.), *Utilitarianism and empire* (Oxford: Lexington, 2005), p. 179.

<sup>&</sup>lt;sup>26</sup> See G. Varouxakis, *Mill on nationality* (London: Routledge, 2002). <sup>27</sup> CW, XIX, p. 546.

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utilitarians, however, opposed this present-mindedness with an increasingly stringent historicism; anyone, John argued in 1853, can 'scrawl over the [historical] canvas with the commonplaces of rhetoric or the catchwords of party politics'.<sup>29</sup> They did not simply map onto their respective visions of the past a utilitarian, Radical, or liberal philosophy of history in the hope of adding a sheen of historical legitimacy. Like Hume and Smith in the eighteenth century, they sought to claim the higher ground by dismissing those historians who, through distortions of evidence and feints of rhetoric, defended their party shibboleths.<sup>30</sup> While it is true that almost all historians throughout the eighteenth and early nineteenth centuries appealed to the Tacitean virtues of honesty and impartiality, this should mask neither the sincerity of the utilitarians' method nor the critical paradigms with which they scrutinised texts.<sup>31</sup> That they defined themselves against partisan historiographies is itself an intellectual artefact worthy of recovery, not least because it connects them more strongly to the rise of historicism in hermeneutics, historiography, political science, and jurisprudence – a theme to which I will return shortly.

Our second problem concerns the ways in which scholars criticise and evaluate historiographical approaches. This approach tends to sublimate an author's intentions into a model of historical writing which is then judged according to its perceived merit or veracity; in short, to determine its relevance to our present. Bruce Mazlish has confronted what he saw as the 'presentmindedness' of James's *History*, while Christopher Herbert has claimed that Grote's scientific methodology failed to engender 'a pose of disinterested value-free objectivity' that corresponds to the ways in which we define objectivity today.<sup>32</sup> In a widely celebrated lecture from 1952, for instance, Arnaldo Momigliano alerted his audience to recently discovered evidence of which Grote knew 'practically nothing', and claimed that the 'limits and

<sup>&</sup>lt;sup>29</sup> *CW*, XI, p. 330.

<sup>&</sup>lt;sup>30</sup> Whereas Viscount Bolingbroke (1678–1751) dismissed 'mere antiquaries and scholars' as 'parting pedants', Hume cautioned against historical prolepsis: 'injustice' and 'violence', he argued, becomes 'in time legal and obligatory', and 'transfers to its predecessors and ancestors that right, which it naturally ascribes to their posterity, as being related together'. H. Bolingbroke, *Letters on the study and use of history* (Basil: J. J. Tourneisen, 1791), p. 35; D. Hume (eds. S. D. Warner and D. W. Livingston), *Political writings* (Indiana: Hackett, 1994), p. 73. Adam Smith issued similar warnings against party-political historians: A. Smith (ed. J. C. Bryce), *Lectures on rhetoric and belles lettres* (Oxford: Oxford University Press, 1983), ii. 40.

<sup>&</sup>lt;sup>31</sup> See V. E. Pagán, *A companion to Tacitus* (Wiley-Blackwell, 2012), p. 105; L. Okie, *Augustan historical writing: histories of England in the English Enlightenment* (New York: University Press of America, 1991), p. 63.

<sup>&</sup>lt;sup>32</sup> B. Mazlish, *James and John Stuart Mill. Father and son in the nineteenth century* (London: Hutchinson, 1975), p. 120; C. Herbert, *Victorian relativity: radical thought and scientific discovery* (Chicago: University of Chicago Press, 2001), p. 228.

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shortcomings' of Grote's *History* were 'only too obvious' to modern readers.<sup>33</sup> Intellectual history, however, prioritises authorial intent over critical analysis, which means that I am interested less in their arguments' tenability than the contexts in which they developed.

This brings me onto my third problem, which in many ways exemplifies the issues to which I have already alluded. Hayden White's now classic Metahistory: The Historical Imagination in Nineteenth-Century Europe (1973) continues to challenge our attitudes towards the functions of historical knowledge, as well as the verbal and aesthetic structures in which historical narratives are produced. However, White's cast of historians was assembled for literary as opposed to historical reasons, effectively deracinating them from their historical contexts. The period between 1821 and 1868, he observed, 'produced the works which still serve as the models of modern historical accomplishment, for professionals and amateurs alike'.<sup>34</sup> White acknowledged that while Grote ought to be remembered as one of 'the great classical historians', he could not lay claim to 'the authority and prestige of the four masters, Michelet, Ranke, Tocqueville, and Burckhardt'.35 Along with Auguste Comte (1798–1857), Henry Buckle (1821-1862), Ludwig Feuerbach (1804-1872), and others, Grote was dismissed as an anachronism of 'modern historical consciousness'.<sup>36</sup> White was interested less in the epistemic value of nineteenth-century historiography than in its aesthetic endowments to a decidedly modern historical consciousness, of which his 'four masters' were upheld as archetypes.<sup>37</sup>

For these distinct but related reasons, the classical utilitarians have been marginalised by historians of historiography. Their reputation for historical ignorance runs deeper than that, however, and I want to sketch out here some arguments that will recur in the following chapters. The first is that the utilitarians have been accused of reasoning in a historical vacuum, an argument which forms an almost unbroken line of criticism from the early nineteenth to the mid-twentieth centuries, and whose authors include, amongst others, James Mackintosh (1765–1832), Francis Jeffrey (1773–1850), William Hazlitt, Thomas Macaulay, Leslie Stephen (1832–1904), Elie Halévy (1870–1937), and A. A. Mitchell. Halévy argued that 'the

<sup>&</sup>lt;sup>33</sup> A. Momigliano, 'George Grote and the study of Greek history' (1952) in G. W. Bowersock and T. J. Cornell (eds.), *A. D. Momigliano: studies on modern scholarship* (London: University of California Press, 1994), pp. 25, 27.

<sup>&</sup>lt;sup>34</sup> H. White, *Metabistory: the historical imagination in nineteenth-century Europe* (Baltimore: Johns Hopkins University Press), p. 140.

<sup>&</sup>lt;sup>35</sup> Ibid., p. 141. <sup>36</sup> Ibid.

<sup>&</sup>lt;sup>37</sup> I am inclined to agree with Salber Phillips that the 'boldness' of *Metahistory* 'also worked against its claim to be considered as a history of historical writing': *Society and sentiment*, p. 9.

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idea of a philosophy of history' was 'totally foreign' to the Benthamites, while Mitchell suggested that the utilitarians' neglect of history 'must have been on principle'.<sup>38</sup> The utilitarians, they argued, arrived at political conclusions by reasoning down from universal and thus transhistorical principles, chief amongst which was human nature's abiding governance by pleasure and pain. Writers in the *Edinburgh Review* attacked the utilitarians for arguing, either, that pleasures and pains were relative almost to the point of tautology – to say that one pursues pleasure is to say nothing except that individuals will do what they will do – or, worse, that human beings have universal appetites and aversions whose formation is prior to their experiences in history.

There can be no doubt that the utilitarians rejected on political as well as methodological grounds what they called 'vulgar' appeals to history, the goal of which, they suspected, was to equate political reform with reckless revolution.<sup>39</sup> Bentham positioned the utility principle as a rational alternative to common law in which historical precedents were valued seemingly for their own sake, and whose purpose, therefore, was to serve as an external standard against which all actions could be judged, regardless of where or when they were performed. The same applied to political institutions whose legitimacy stemmed solely from their ancientness. History on its own, Bentham reasoned, could not justify existing political and legal arrangements, let alone anticipate or prescribe the future.<sup>40</sup> This position, I suggest in Chapter 1, can be read as a kind of inverted historicism, as a plea for the past's irreducibleness against those who searched it tirelessly for precedents and customs; and it was from arguably historical premises that Bentham emphasised the differences between past and present, as well as the 'folly of our ancestors'.<sup>41</sup> More important still is the claim, implicit in Bentham's remarks, that arguments from history foment an intractable conservatism towards established institutions. The worship of 'dead men's bones', he opined in The Book of Fallacies (written roughly between 1809 and 1811), elicits 'pride, anger, obstinacy, and overbearingness'.<sup>42</sup>

The utilitarians did not ignore history, but they were sceptical about the method of extensive induction as favoured by the philosophic Whigs or

<sup>&</sup>lt;sup>38</sup> E. Halévy (trans. M. Morris), *The growth of Philosophic Radicalism* (London: Faber and Faber, 1972), p. 273; A. A. Mitchell, 'Bentham and his school' in B. C. Parekh (ed.), *Jeremy Bentham: critical assessments* (London: Routledge, 1993), I, p. 301.

<sup>&</sup>lt;sup>39</sup> For John's comments, see CW, I, pp. 89–137.

<sup>&</sup>lt;sup>40</sup> J. Bentham (eds. J. H. Burns and H. L. A. Hart), An introduction to the principles and morals of legislation (Oxford: Oxford University Press, 2005), p. 11.

J. Bentham (ed. P. Schofield), *The book of fallacies* (Oxford: Oxford University Press, 2015), p. 170.
 <sup>42</sup> Ibid., p. 144.