

## *Reclaiming Bentham's deputy*

### **1 The challenge: Rosen's suggestion**

One of the crucial features of the Benthamite model is the mechanistic role of the functionary. The functionary constitutes an aggregating channel for the (according to the *Claim to Self-Knowledge*) generally correct judgments of his voters; and the proper functioning of this channel is effectively secured by a combination of the predominant interest of the functionary and the predominant interests of his voters (as predicted by the *Principle of Self-Preference*).

In his highly informative *Jeremy Bentham and Representative Democracy*, Rosen ascribes a feature to the role of the deputy which may be irreconcilable with the model. He claims that,

[...] while Bentham seeks to hold the deputy accountable to his constituents, he is aware that the deputy should not simply reflect the aggregate of the interests of his constituency. The deputy's aim is to *act* in a way which advances the general interest and not necessarily the interests of his constituents. Bentham expects the deputy to exercise his independent *judgment*.<sup>1</sup>

In Rosen's interpretation, the deputy's role clearly is not wholly mechanistic; the deputy is not merely a channel for existing judgments. Quite to the contrary, he is expected to actively intervene with judgments of his own.

In referring first to the deputy's aim in *acting*, then to his exercise of *judgment*, the quote clouds, rather than clarifies, Bentham's distinction between an exercise of *will*, i.e. an act such as voting on the public policy level, and an exercise of *judgment*, such as giving speeches to his constituents.<sup>2</sup>

With this distinction in mind, two questions arise: (1) Why would it be the aim of the deputy to *act* (i.e. to vote) in a way which advances the general interest instead of the interests of his constituents? (2) What independent *judgment* (i.e. what content of his speeches) is to be expected of the deputy?

What is at stake here is first and foremost the plausibility of the model in the light of Bentham's writings. Thus, if we can find textual support for Rosen's reading of Bentham, we should revise the model. However, as I will argue in the next four sections, there is an interpretation of the passages on which Rosen grounds his claim which is consistent with the

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<sup>1</sup> Rosen (1983:176), italics added.

<sup>2</sup> Bentham (**Check!**). I am indebted to Philip Schofield for drawing my attention towards this distinction.

model; and this interpretation is to be preferred to Rosen's since it, unlike Rosen's, renders the passages jointly coherent.

## 2 The source of trouble: four articles in the *Constitutional Code*

The passage primarily referred to by Rosen in this regard is chapter VI, section 1, article 9 in Bentham's *Constitutional Code*.<sup>3</sup> The article is riddled with ambiguous terminology and structure which at first sight seem to lend themselves to Rosen's interpretation. In particular, Bentham claims that,

[...] in so far as the good of the community taken in the aggregate is the paramount object of [the deputy's] care, no obedience will he pay to [his constituents'] particular will, to the detriment of what appears to him the universal interest. Paramount to his duty to a part is, on every occasion, his duty to the whole. [...] Such contrariety may have place, without detriment to moral aptitude on either side. They may have good reason for dislocating him; he for exposing himself to be so dislocated.<sup>4</sup>

The question is how ambiguous terms like 'the community', 'particular will', 'a part', 'the whole', etc. should be disambiguated in the light of the textual surroundings of article 9.<sup>5</sup> Especially the subsequent three articles are interesting for our quest; this is because of their relation to the central article, as indicated by their headings. Article 9 is headed *Enactive*, and as such, according to Rosen, belongs to the small group of articles meant to be "actually adopted as laws by a state". Meanwhile, articles 10 through 12 are headed *Instructional–Ratiocinative*, and thus, says Rosen, "provide an interpretation of and commentary on the [article] with the 'enactive' heading" (where *instructional* refers to "giving instructions to the legislator" and *ratiocinative* to "giving reasons" for the proposed law).<sup>6</sup>

## 3 The four articles reconsidered

In order to get the discussion off the ground, we need to know the content of the three "commentary" articles. Article 10 states that "[if], in the opinion of Constituents, or in the opinion of their Deputy, a conflict should have place between their particular aggregate interest and the national interest, he will not be considered as violating his duty to the public,

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<sup>3</sup> Bentham (1983[1830]:43).

<sup>4</sup> Bentham (1983[1830]:43). Note that Rosen, in support of his interpretation, explicitly only refers to the last two sentences quoted, belonging to the latter part of the article. Meanwhile, my argument will initially focus on the first part of the article. However, I will account for possible problems from this discrepancy below.

<sup>5</sup> I will in the present context refrain from discussing another ambiguous term, viz. Bentham's notion of a duty. If I am right in regarding the model of representative democracy as a decision procedure developed to conform, in its overall outcomes, to the principle of utility as a criterion of rightness, it can be argued that the duties at hand are not moral duties (which should be directly derived from the criterion itself), but rather institutional duties (which are derived from the decision procedure). For a discussion of Bentham's notion of institutional or legal duties, see e.g. Hart (1982).

<sup>6</sup> Rosen (1983:17).

by giving his vote in favour of that same particular interest”.<sup>7</sup> This entails that, however the notion of a deputy’s duty to the public is to be understood, it does *not* require voting for the national, i.e. universal interest, in those cases where this conflicts with voting for his constituents’ aggregate interests.

Article 11 employs the case of a deputy who, “after speaking in support of an arrangement, which, in the opinion of his Constituents, is contrary to their particular interest, [...] gives a vote against that same arrangement, – in such conduct there is no real inconsistency. By his speech, his duty to the public is fulfilled; by his vote, his duty to his Constituents”.<sup>8</sup> Thus, what is explicitly stated by article 11 is that a deputy’s duty to his constituents *does* require voting for the aggregate of their interests, as perceived by them.<sup>9</sup>

What then lies behind the inclusion of delivering speeches within the notion of a deputy’s duty to the public? Arguably, the matter can be illuminated by reference to article 12, which concedes that, “on an occasion of this sort”, the constituents’ opinion regarding their interests may be mistaken. In this case, the deputy’s “speech in support of the opposite arrangement may have the effect of working a change in their opinion” and thus of making things right. This interpretation then entails that the deputy’s duty to the public includes enlightening the opinion of his constituents as to their proper interests by giving speeches to this effect.

#### 4 Disambiguating the text: part one

In the light of these somewhat less ambiguous passages we can now turn to the crucial passage for Rosen’s interpretation: article 9. Rosen relies heavily on the second half of the article; yet I will start my argument with the three initial sentences:

- (A) Separately or collectively, the Constituents of a Member of the Legislature will, at all times, as such, make to such their deputy what communication they think fit: to his cognitive faculty, to his judicative faculty, or even to his will, it may be addressed. But, in so far as the good of the community taken in the aggregate is the paramount object of his care, no obedience will he pay to any such particular will, to the detriment of what appears to him the universal interest. Paramount to his duty to a part is, on every occasion, his duty to the whole.<sup>10</sup>

The first sentence is rather unreadable, but should plausibly be interpreted as:

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<sup>7</sup> Bentham (1983[1830]:43).

<sup>8</sup> Bentham (1983[1830]:43).

<sup>9</sup> Note that, interestingly, Rosen seems to confirm this interpretation of the passage in another chapter: “The passage [article 11] might be interpreted as emphasizing the dependence of the legislator more than his independence.” However, without further reasons, he dismisses it as an “apparent dependence”. Rosen (1983:198).

<sup>10</sup> Bentham (1983[1830]:43).

- (1) Separately or collectively, the constituents of a deputy will, at all times, communicate their interest (their "particular will") to their deputy.

In order to disambiguate the sentence, however, we also need to know if the term 'constituents (separately or collectively)' here denotes (1.a) the whole of the deputy's constituents, or (1.b) a faction of these constituents.

The second sentence can plausibly be interpreted as:

- (2) But, in so far as the good of the community taken in the aggregate is the deputy's predominant interest, no obedience will he pay to any such interest ("particular will"), to the detriment of what appears to him the universal interest.

'Any such interest' here refers to the constituents' interest, presupposing either (1.a) or (1.b). What is ambiguous within this sentence is the phrase 'the good of the community taken in the aggregate', which may denote either (2.a) the universal (or "national") interest, or (2.b) the aggregate interest of the whole of the deputy's constituents.

The third sentence can be restated as:

- (3) Paramount to the deputy's duty to a part is, on every occasion, his duty to the whole.

Here, we need to find out if 'a part' as opposed to 'the whole' respectively denotes (3.a) the whole of the deputy's constituents as opposed to the entire community (or "nation"), (3.b) a faction of the constituents as opposed to the whole of the constituents, or (3.c) a faction of the constituents as opposed to the entire community (or "nation").

It should be obvious that Rosen's interpretation departs from interpretation (1.a), which entails:

- (1') Separately or collectively, the whole of the constituents of a deputy will, at all times, communicate their (aggregate) interest to their deputy.

It may seem somewhat hard to grasp what is meant by having the whole of the constituents communicate "separately", but this minor oddity should not throw us off track in examining this interpretation further.

Choosing this path of interpretation forces us to employ (2.a) in the next step (since (2.b) would nonsensically state that in so far as the aggregate interest of the whole of his

constituents is the deputy's predominant interest, he would not pay obedience to the aggregate interest of the whole of his constituents). Thus, the argument would continue with:

(2') But, in so far as the universal interest is the deputy's predominant interest, no obedience will he pay to such an (aggregate) interest of the whole of his constituents, to the detriment of what appears to him the universal interest.

The last part of the sentence now seems somewhat superfluous, but the sentence is comprehensible and surely what Rosen has in mind. However, it seems odd that Bentham would unproblematically assume the universal interest to be the deputy's predominant interest, without even explaining how this universal interest would gain motivational force for the deputy – we must keep in mind that we lack any incentive structure which is controlled by the bearers of the universal interest, i.e. the entire community. But still, we might concede that Bentham solely intends to describe possible situations, considering rare cases of deputies who (predominantly) derive their happiness from promoting the universal interest.

In the light of this interpretation, how are we to make sense of sentence (3) then? The interests at play (towards which the deputy might have duties) in (2') are just these two: the universal interest and the interest of the whole of the deputy's constituents. Hence, it should be quite obvious what 'a part' and 'the whole' denote, respectively. Employing (3.a) entails:

(3') Paramount to the deputy's duty to the interest of the whole of his constituents is, on every occasion, his duty to the universal interest. – **specify: voting**

But this surely cannot be right – it is directly contradicted both by the entailment of the subsequent article 10 (that, whatever a deputy's duty to the public, it does *not* require voting for the universal interest) and by what is explicitly stated by article 11 (that a deputy's duty to his constituents *does* require his voting for their aggregate interest, as it is perceived by them). So, since Rosen's interpretation cannot render these passages jointly coherent, we must look for other possibilities.

Since (3') is entailed by (2') which in turn is entailed by (1'), we must start from the beginning and now employ (1.b); hence the first sentence is interpreted as:

(1'') Separately or collectively, some faction (or other) of the constituents of a deputy will, at all times, communicate their (particular) interest to their deputy.

Different factions might be assumed to communicate different interests; a faction would, arguably, consist of one or more constituents.<sup>11</sup>

Under this interpretation of the first sentence, we can employ either (2.a) or (2.b) to the second. The first option gives us:

(2'') But, in so far as the universal interest is the deputy's predominant interest, no obedience will he pay to such a (particular) interest of a faction of his constituents, to the detriment of what appears to him the universal interest.

Analogously to (2'), this sentence is fairly comprehensible despite the apparently superfluous last part, but its first part's unexplained assumption – that the universal interest would be the deputy's predominant interest – seems once again odd on Bentham's part.

Moreover, the third sentence now becomes rather un-illuminative. Since again only two interests are at play in (2''), the particular interest of the faction and the universal interest, it would state, employing (3.c):

(3'') Paramount to the deputy's duty to the (particular) interest of a faction of his constituents is, on every occasion, his duty to the universal interest.

This sentence is un-illuminative since it does not further develop this notion of a deputy's duty to factions of his constituents; nor is such a notion developed elsewhere in Bentham's writing. Thus, we are left with an undeveloped notion of a deputy's duties to factions of his constituents, which is put in some kind of relation of subordination to the very thinly developed notion of the deputy's duty to the universal interest (which assumedly just involves enlightening the constituents' opinion as to their proper interest by giving speeches to this effect).

Hence, we should consider the last path of interpretation, which starts out with (1'') as well, but moves to (2.b), thus rendering the second sentence in the following form:

(2''') But, in so far as the (aggregate) interest of the whole of his constituents is the deputy's predominant interest, no obedience will he pay to the (particular)

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<sup>11</sup> If the aggregate interest of the constituents can be assumed to be determined by majority rule, then, in order not to complicate the argument too much, we should here assume that each such faction consists of fewer constituents than the majority. For the sake of the argument we should also assume that the faction's particular interest is not identical with the aggregate interest of the whole of the constituents (whereas no such assumption is necessary regarding its relationship to the universal interest).

interest of a faction of his constituents, to the detriment of what appears to him the universal interest.

Now, in this interpretation, there are no apparently superfluous parts (as in 2' or 2"); rather, three different interests are invoked in a non-contradictory manner: the (particular) interest of a faction, the (aggregate) interest of the whole of the deputy's constituents, and the universal interest. Moreover, the sentence's first part is finally clearly intelligible and coherent with Bentham's way of thinking: given that the incentive structure of "securities" is set up properly, as assumed in the model above, the predominant interest of the deputy is just to promote the aggregate of his constituents' interests, as perceived by them. This in turn implies not to promote any other, incompatible interest (such as a faction's). The last part of the sentence is now no longer superfluous, but what exactly does it refer to?

I believe that it carries a reference to the assumed limited epistemic situation of the deputy. He (just as anyone else) cannot be expected to know what the universal interest is. But he can reasonably be expected to know that (i) all the constituents' aggregate interests are added up to represent the community's universal interest, and (ii) the correctness of the result on the higher level depends on the correctness of the results on the lower level. Given that he believes his constituents to be right about their interest (at least in general), any deputy who fails to vote according to this interest would thereby knowingly risk acting to the detriment of *what appears to him* the universal interest.<sup>12</sup> (To wit, this part says nothing about his duty or motivation concerning the universal interest).

Sidetracking our current line of argument, one might ask: what if, on the other hand, the deputy believes his constituents to be (generally) wrong about their interest? This question helps to illuminate the notion of a deputy's duty towards the universal interest: in such a case, the deputy believes that the result on the lower level is incorrect, to the detriment of his constituents' aggregate interest, and that this incorrectness spills over to the higher level, possibly – though not necessarily – to the detriment of the universal interest. Given that the deputy is correct in his beliefs, giving speeches in order to enlighten the constituents as to

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<sup>12</sup> This interpretation of the present passage presupposes that the deputy believes his constituents to be right about their interest. The premise is not unreasonable, given that Bentham introduces cases of the constituents being wrong first in the subsequent, "commentary" passages.

their proper aggregate interest increases correctness (on both levels) and can thus be said to – possibly and indirectly – promote the universal interest.<sup>13</sup>

How should we then continue our interpretation of the passage at stake? Since there now are three notions of interest at play, both (3.a), (3.b), and (3.c) might be employed. Instead of accounting for the different results at great length, I will here merely state what I believe to be the most reasonable interpretation which is coherent with the subsequent passages on the deputy's duties; employing (3.b) gives us:

(3'') Paramount to the deputy's duty to a (any) faction of the constituents is, on every occasion, his duty to the whole of his constituents.

This is just to say: whatever a deputy's duty is towards such factions (the notion is, as noted, not developed), his duty is foremost to vote according to the aggregate of interests of his constituents, as perceived by them.

As we have seen, this duty coincides with the predominant interest of the deputy, given that the incentive structure is set up properly.<sup>14</sup> Thus, if my interpretation is plausible, the passage at hand provides an account of why the deputy is both required and motivated to act as a mere channel for his constituents' interests (according to their judgments). In other words, it provides an account of the mechanistic role of the deputy, as suggested in the model.

## **5 Disambiguating the text: part two**

The above discussion shows that the initial part of Bentham's article 9 should reasonably be interpreted in a manner which is consistent with the model as sketched above. Yet, one might object, this does not prove Rosen's interpretation wrong, which explicitly departs from the articles latter part.<sup>15</sup> So maybe the inconsistency is Bentham's, after all. For the sake of a

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<sup>13</sup> Of course, now another problem surfaces: following his duty towards the universal interest promotes this interest – possibly and indirectly – only if the deputy has correct beliefs in this matter. This seems to constitute shaky ground for such a duty. Maybe one could argue from the assumptions that (i) the constituents have incorrect beliefs as to their interest if and only if they lack intellectual aptitude (appropriate knowledge and judgment) and (ii) a deputy's speeches establish the proper intellectual aptitude of his constituents. Then, if the deputy is right and his constituents wrong about their interests, his speeches rectify their lack of intellectual aptitude, thus leading to correct beliefs. If, on the other hand, the deputy is wrong and his constituents right, there is no harm in some (ineffective) speeches. However, both assumptions are in great need of support, which I will not attempt to provide here.

<sup>14</sup> This coincidence is not mere happenstance, if we follow Hart's interpretation of Bentham's notion of a duty: to say that someone has a duty to act in a certain way is just to say that failure to act in such a way will probably reduce her happiness, due to different kinds of sanctions attached to such failure. (Hart 1982:131-2). In other words: duties can be constituted by incentive structures, such as the one manifested in the model.

<sup>15</sup> Cf. footnote 22 above.

charitable interpretation of the original text, however, I will try to answer the following question: can the article's latter part be interpreted in consistency with both its former part and the subsequent three articles?

This is the latter part of the article, continuing where quote (A) above left off:

- (B) An engagement, exacted of him [the deputy] by a part, would be an act of insubordination as towards the whole. It belongs not to him to judge, until he has seen or heard. His will is commanded by his judgment, not his judgment by his will. Such contrariety may have place, without detriment to moral aptitude on either side. They may have good reason for dislocating him; he for exposing himself to be so dislocated.<sup>16</sup>

The first sentence is closely related to its predecessor, and can easily be understood in the light of the latter's final interpretation (3''):

- (4) An engagement (i.e. a promise to vote on their behalf), exacted of the deputy by a (any) faction of the constituents, would be an act of insubordination as towards the whole of his constituents.

The following two sentences are somewhat obscure, since their relationship to the surrounding text is not obvious. This however constitutes no more difficulties for my interpretation than it does for Rosen's. It may appear that Rosen's interpretation gains support from the latter sentence:

- (6) "His will is commanded by his judgment, not his judgment by his will."

This might be interpreted to stretch the independence of the deputy's judgment. Note though that the relation at stake is between the deputy's judgement and his will, to the effect of rendering the former independent of (or rather superior to) the latter. Moreover, as the previous sentence states, the deputy's judgment is restrained by, rather than independent of, certain external factors:

- (5) "It belongs not to him to judge, until he has seen or heard."

The nature of the restraining relation is meanwhile even more obscure than that of the restraining factors: the things "seen or heard" by the deputy are arguably the judgments of his constituents concerning their interests. But the question whether these judgments should only be temporally prior to his judgement, or whether they should somehow determine it, is left unanswered here. I conclude that these two sentences do not favour any of the interpretations at hand; they lend themselves to both.

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<sup>16</sup> Bentham (1983[1830]:43).

At last, the final two sentences, which are explicitly quoted by Rosen, need to be considered. The penultimate sentence reads:

- (7) “Such contrariety may have place, without detriment to moral aptitude on either side.”

According to my interpretation, the “contrariety” should be understood to hold between the judgment of a faction of the constituents, concerning their interest, and the judgment of the deputy, which is identical to the judgment of the whole (majority) of his constituents, given that the incentive structure is set up and enacted properly. The reference to an unaffected “moral aptitude” can be read as a reminder that the model of representative democracy Bentham has in mind actually allows and in general expects all involved parties to stand by their own interest: minorities, majorities, and deputies alike.

In a similar same vein, we can make sense of the last sentence:

- (8) “They may have good reason for dislocating him; he for exposing himself to be so dislocated.”

Anyone, irrespective of if they turn out to belong to a minority or majority, may *attempt* to dislocate their deputy, and may have good reason to do so if the deputy votes against their interest; but of course, such an attempt will be successful only if they actually are part of a majority. Likewise, the deputy has good reason to expose himself to dislocation, since he has good reason to vote according to what he perceives to be the judgment of his constituents concerning their interest (this “good reason” is the incentive structure), but incessantly runs risk of misperceiving his constituents’ judgment. This is just to say that, in doing his job, the deputy continuously exposes himself to the risk of dislocation.

I thus conclude that it is possible to provide an interpretation even for the latter part of article 9, which is coherent with both the surrounding passages and the model as discussed above.

## **6 No way out: rebutting some premises**

There might be yet another idea to understand Rosen’s suggestion: maybe it can be said to improve Bentham’s system of representative democracy. According to this idea, if we released the deputy, as a competent politician, of his dependence on his laymen constituents (allowing him to “exercise his independent judgment” and to “act in a way which advances

the general interest and not necessarily the interests of his constituent”<sup>17</sup>) the results on the public policy level would be even better, in utilitarian terms. This is not altogether implausible; it would moreover allow us to do away with the controversial *Claim to Self-Knowledge*.

However, we should be careful to examine the premises implied by this idea. Thus, firstly, if we want to allow the deputy to judge independently in public policy decisions, on utilitarian grounds, we should ensure that he can be generally expected to have at least as good a grasp of the *aggregate* interest of the entire community as the average constituent has of her *own* interest. This means that we would have to replace the general *Claim to Self-Knowledge* with a general *Claim to Deputy-Competence*. Is the latter claim justified – and more so than the former?

Arguably, such justification could be available, given additional features of the model, such as some requirement of a minimum level of “appropriate intellectual aptitude”<sup>18</sup> (i.e. appropriate knowledge and judgment) in all candidates for deputy. Thus, deputy-competence would be established by some admission requirement for candidates. Rosen in fact ascribes such ideas to Bentham, “requiring candidates to have passed through [a] system of education and examination”. However, it is dubious if Bentham really advocated such a feature – the supporting manuscript fragment (not included in the *Constitutional Code*) quoted by Rosen recommends such a requirement for cases where “all the [deputies’] subordinate functionaries” display a high level of intellectual aptitude. The gist of the recommendation seems to be to prevent asymmetry of qualification between deputy and subordinate, not to qualify the deputy *per se*.<sup>19</sup>

On the other hand, if Rosen’s suggestion is interpreted as an improvement of Bentham’s thought, such exegetical arguments are irrelevant. The question is rather: would some such admission requirement for candidates suffice to verify the descriptive *Claim to Deputy-Competence*? This question brings forth another question, concerning the epistemic possibility of interpersonal interest- or utility-assessment. If there is such a possibility, some suitable admission requirement may be conceivable (yet, questions about its reliability and cost-

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<sup>17</sup> Rosen (1983:176).

<sup>18</sup> Cf. e.g. Bentham (1989[1822]a:77).

<sup>19</sup> Rosen (1983:198).

efficiency in utilitarian terms would have to be considered). Still, the claim is clearly not as uncontroversial as one could hope; and it is hardly less questionable than Bentham's *Claim to Self-Knowledge*.

Secondly, even if the *Claim to Deputy-Competence* were acceptable, on what grounds could we expect the deputy to act in accordance with what he then knows to be the universal interest? Let us first assume that we want to hold on to Bentham's *Principle of Self-Preference*, as applying to deputies and others alike. Then, as the *Reconciliatory Claim* has it, in order to ensure that any deputy acts as required, "the nature of man, the nature of the case, affords no other method than that which consists in the bringing the particular interest of the [deputy] into accordance with the universal interest".<sup>20</sup> As before, this can be done by setting up and enacting an appropriate incentive structure to this end; this in turn can be achieved by assigning the task to the entire community, whose interests in the aggregate just are the universal interest.

However, on this suggestion, Bentham's idea of a system of *separate* constituencies, each with its own distinct incentive system and deputy, would be obsolete. Instead, public policy decisions would be made by deputies who each are accountable to the *entire* community – in fact: in principle, one deputy would suffice. **presidential system** If this is a plausible account of Rosen's suggestion, we are not dealing with an improvement of Bentham's political system, but rather with a comprehensive replacement of it. Yet, since Rosen does not elaborate or defend such a revisionist reading of Bentham, I trust that this is not what he had in mind.

Alternatively, we could assume that Rosen wants to improve Bentham's democratic theory by having the psychological *Principle of Self-Preference* replaced by some *Principle of Motivation from Universal Interest*, at least for certain individuals and under certain circumstances, such as deputies on duty. Arguably, this could be achieved by complementing the admission requirement for deputy candidates with demands on moral superiority or a benevolent frame of mind. Yet, it seems questionable if any system of education and examination could reliably single out candidates who genuinely portray moral superiority or benevolence, and can be expected to continue to do so even when betrothed with political

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<sup>20</sup> Bentham (1989[1822]c:235).

power. Thus, compared to the *Principle of Self-Preference*, a *Principle of Motivation from Universal Interest* seems rather dubious.

Still, to take this interpretation of Rosen's suggestion one step further, let us assume that a reliable system of education and examination could be devised, singling out individuals who satisfy both the *Claim to Deputy-Competence* and the *Principle of Motivation from Universal Interest*. Then, we may wonder, to what use should there be any democratic elections? Instituting any one of these individuals as enlightened despot would be as conducive to overall utility, yet may at the same time be much more cost-efficient, in utilitarian terms. Thus, if the premises which are necessary for Rosen's suggestion are accepted, they lend themselves to a radical replacement, rather than an improvement, of Bentham's political system.

Thus, reading Rosen's suggestion as an improvement of Bentham's political theory is not plausible. In the end, it gets us stuck in an interpretative *reductio*-dilemma: either we renounce the premises involved as questionable (at least as questionable as Bentham's own); yet in this case we cannot reasonably call the suggestion an improvement. Or we accept the premises as sustainable (or less questionable than Bentham's own); yet in that case we should read the suggestion as advocating a replacement, not an improvement, of Bentham's political system.

## 7 Conclusion

In the above discussion, I have sketched a model of representative democracy which can be derived from Bentham's argument for this form of government. One of the model's crucial features, the mechanistic role of the deputy, turned out to be irreconcilable with a feature which Rosen ascribes to Bentham's theory, the demand for independent judgment of the deputy. Thus, Rosen's suggestion constituted a potential objection to the model.

However, a closer examination of the textual grounds of Rosen's interpretation revealed that it could not render the passages of the original text jointly coherent. I suggested an alternative interpretation of Bentham's passages which achieved coherence, and which thus constitutes a more charitable interpretation of Bentham. Since, in order to understand Bentham's political thought, we should strive for a charitable interpretation, my suggestion should to be preferred to Rosen's.

Apart from the main argument from exegesis, I even considered the possibility of reading Rosen's suggestion as an attempt to improve Bentham's democratic theory. However, the failure of such an attempt should become obvious once its premises are exposed; and hence, we should refrain from reading Rosen's suggestion in this way.

In the light of these arguments, Rosen's suggestion seems implausible. The upshot is that it fails as a potential objection to the model. Moreover, the model receives certain support from a more charitable interpretation of Bentham, as put forward in the main exegetical argument. This does of course not show conclusively that the model is exactly what Bentham had in mind; but it strengthens my case for ascribing the model to Bentham's political thought.

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