The Place of Jeremy Bentham's Theory of Fictions in Eighteenth-century Linguistic Thought

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I. Introduction

Bentham's theory of fictions has not yet been studied from a history of ideas perspective, though its originality has attracted the interest of philosophers since the 1930s. The very context in which it was rediscovered by Ogden is symptomatic of the bias which was adopted by commentators: Ogden himself belonged to the intellectual circle which contributed to a large extent to developing the ideas of the analytic school of philosophy.[1] In the reading of Bentham he and Wisdom proposed, they made frequent references to the works of Moore and Russell, whose writings they knew directly. Such background played an important part in the way Ogden reconstructed the theory of fictions from the unedited essays scattered in the Bowring edition.[2] Later on, as an interest in Bentham developed, the theory of fictions remained the field of philosophers and specialists in jurisprudence: Quine was followed by Hart, Postema and Harrison. Recent studies include Professor Jackson's in jurisprudence and Laval and Cléro's.[3] The last one is the only one which includes a detailed attempt at linking Bentham's methods to preceding works, and the authors insist especially on the mathematical and logical foundations of the theory of fictions. Their philosophical outlook focuses on the methods used by Bentham. All the others take Bentham's originality for granted and see him as the forerunner of the analytic school.[4] I shall argue that their reading of Bentham's theory of fictions was greatly influenced by their retrospective outlook, and that Bentham's originality is better

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[1] C.K. Ogden, *Bentham's Theory of Fictions*, London, 1932. See also J. Wisdom, *Interpretation and Analysis in Relation to Bentham's Theory of Definition*, London, 1931.

[2] 'Ontology', 'Essay on Logic', Essay on Language', and 'Universal Grammar', in *The Works of Jeremy Bentham*, ed. J. Bowring, 11 vols, Edinburgh, 1843, iii.

[3] H.L.A. Hart, *Essays on Bentham*, Oxford, 1982, pp. 128-31; G.J. Postema, 'Facts, Fictions and Law: Bentham on the Foundations of Evidence', *Facts in Law*, xxxvii (1983); *De l'Ontologie et autres textes sur les fictions*, ed. P. Schofield, J.P. Cléro, and C. Laval, Paris, 1997 (hereafter '*Ontology*'); B.S. Jackson, 'Bentham, Truth and the Semiotics of Law', paper delivered at University College London, 1998.

[4] See *De l'Ontologie*, chapter iv, section b.

understood when his ideas are inscribed within the eighteenth-century debate of which it is partly a product.

In this paper, my definition of the theory of fictions takes from all the studies quoted above, but I have restricted it to its relevance to the eighteenth-century problematics of thought and language (though in Bentham's work it partakes of legal and constitutional theory and can only be understood within the utilitarian system as a whole). I shall therefore take Ross Harrison's definition as a starting-point: the theory of fictions is 'the project of analysing all that language whose terms do not refer to real entities into language whose terms do refer to real entities'.[5] It is in keeping with a definition proposed by Bentham: 'a fictitious entity is an object, the existence of which is feigned by the imagination, feigned for the purpose of discourse, and which, when so formed, is spoken of as a real one'.[6]

In contrast to the philosophical studies I have mentioned, I shall adopt a different, more historical perspective: the theory of fictions was developed at the turn of the eighteenth and the nineteenth century - at the end of what has been identified as the European Enlightenment, by a thinker who was keen on inscribing his work into the intellectual tradition that had started with Descartes and Locke.[7] It was Bentham's own answer to the problems of the workings of the human mind which had been the main object of Enlightenment thought. It was also the work of a writer whose diversity of interests and proficiency embodied the eighteenth century ideal of humanism. In that, Bentham represented the end of an era when a man could have a reasonable knowledge of most scientific and philosophical areas. The theory of fictions, and more specifically, the reflection on language in which it is inscribed, is a topic in which Bentham's relevance to the intellectual tradition of his time can be studied in good conditions: the corpus of his works on language and fictions is relatively delimited, allusions to other writers are frequent enough, and the very idea of working on language is deeply ingrained in contemporary debate.

Such an attempt poses a series of methodological problems: there was no definitive work on fictions and language prepared for publication in Bentham's time, therefore it has to be reconstructed from a variety of sources: his papers as edited by

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[5] R. Harrison, *Bentham*, London, 1983, p. 56.
[6] 'Essay on Language, Bowring, viii. p. 325.
[7] See especially J. Burns, 'Jeremy Bentham: From Radical Enlightenment to Philosophic Radicalism', *The Bentham Newsletter*, viii. (1984), reprinted in *Jeremy Bentham: Critical Assessments*, ed. B. Parekh, London, 1993.

Bowring in volume VIII of his edition as 'An Essay on Logic', 'Ontology', 'an Essay on Language', and 'Universal Grammar', together with relevant texts in the *Fragment on Government*, *Anarchical Fallacies*, *The Book of Fallacies*, *Chrestomathia* and *Deontology*.[8] The *Correspondence* offers useful clues as to which material was read and used by Bentham at a specific time. Studying sources is a major problem in the history of ideas in general, and it is not any easier in Bentham's case.[9] The first part of this paper will therefore be devoted to an exploration of Bentham's use of quotes and references and to an attempt at reconstructing the terms of the debate on language and mind at the end of the eighteenth century. Following the hints given by Bentham in his correspondence and elsewhere, I have focused on two specific periods and debates from which Bentham is likely to have benefited. Locke's *Essay Concerning Human Understanding* was central both to the eighteenth-century and to Bentham's own intellectual formation.

His followers – especially Hartley and Condillac – pushed Lockean analysis further into the field of language study. They were also well-known by Bentham. A wealth of what would be considered today as minor works will also be quoted: Harris, Priestley and Adam Smith bear witness to the interest of eighteenth-century Britain for the question of language. Though there are no direct allusion in Bentham to Priestley and Smith on language, we know he was well acquainted with the rest of their writings. Their works on language exemplify which ideas were part of a common intellectual stock in Bentham's time and are useful to assess the originality of the theory of fictions. Horne Tooke's writings occupy an important place because they were published immediately before Bentham wrote the bulk of his theory of language and we have direct evidence of its influence. The chronology of Bentham's interest for language, which started in the 1770s to end only with his death, called for a reassessment of sources: in his study of utilitarian philosophy of language and mind, Halévy considered Bentham's writings on this subject as marginal and highly influenced by James Mill, who was himself a pupil of the Scottish philosopher Dugald Stewart.[10] A closer study of manuscripts such as the draft letter to d'Alembert provided evidence that the theory of fictions was elaborated at a very early stage of

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[8] See bibliography.
[9] W. Twining, 'Reading Bentham', *Proceedings of the British Academy*, lxxv (1989).
[10] E. Halévy, *The Growth of Philosophic Radicalism*, London, 1928, p. 450.

Bentham's life, well before he knew Stewart or Mill.[11] Though they both certainly played a role in the way the theory of fictions was formulated in the nineteenth century, they were not concerned directly with its genesis, and will therefore not be mentioned in this paper.

After considering in greater detail the problem of the sources of the theory of fictions, I shall try to assess its relevance to the two main directions in which the Enlightenment theory of language developed: the relationship between mind and language, and the quest for a satisfactory method of definition. Though Bentham addressed questions which were a common subject of enquiry in his time, the answers he gave reached deeper and gave language a central place on ontological grounds, which it did not have before. Ultimately, we will see that the integration of language study into a political and judicial system was precisely what allowed such a break from eighteenth-century tradition: in Bentham politics and law are human constructs, and are products of the will of the legislator and the people. They only exist through language, another human construct. Politics and law are symbolic creations that work in language, language itself being a symbolic system.

II. References and sources: the extent of the problem

Bentham's writings on language do not differ from the rest of his works insofar as they do not contain more than passing references to a number of selected, recurring sources. They seem therefore essentially personal and original. Bentham's method of composition is largely responsible for the lack of precise references or of organised analysis of sources: the theory of fictions, as we know, was not prepared for publication until after Bentham's death. In the search for sources, then, it is necessary to turn to other texts: Bentham's early correspondence – especially with his brother Samuel – reveals his familiarity with contemporary reflection on language and thought, and his letters to his friends keep us informed of the books he ordered from them. But it is only through a detailed study of the ideas of the time and of Bentham's relevance to them that the originality of his writings can be assessed.

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[11] Bentham Papers, University College London (hereafter 'UC'), clxix 50-60. It was meant to be sent to the *Philosophe* together with copies of the *Fragment on Government* and the *View of the Hard Labour Bill*, and was probably writted in 1778-89. There is no evidence that it was actually sent.

In his works and his correspondence, Bentham traced the genesis of his awareness of fictions in language to, alternatively, Locke, Hume and d'Alembert. He gave credit to Locke for discovering the importance of a close study of words: recalling the genesis of his argument against Blackstone, Bentham wrote on the necessity for '*Definition*, perpetual and regular definition, the grand prescription of those great physicians of the mind, Helvetius, and before him Locke'.[12] In the shorter version of the 'Article on Utilitarianism', written in June 1829, Bentham saw in Hume's distinction between ideas and impressions the sketch of his own separation of fictitious entities from real ones, but noted that Hume had left these elements hanging loose, 'without any attempt to show in what relationship they st[ood] to one another; all these objects undefined and indistinct, dancing before the eye like atoms in the sunshine'.[13] His debt to d'Alembert was stated more explicitly in the draft letter of 1778-9, and later in *Chrestomathia*: 'd'Alembert was, it is believed, the first to bring to view [the existence of fictions], which will be found to pervade the whole mass of every language upon earth, actual or possible'.[14] Accepting Bentham's references at face value poses a number of problems: if allusions to Locke, Hume and Hartley are usually traceable to their sources, the mention of d'Alembert's *Mélanges*, elsewhere, is problematic.[15] Harrison acknowledged this difficulty but believed that Bentham should nevertheless be trusted,[16] whereas Laval and Cléro turned to d'Alembert's more scientific writings for a clue: they quoted the article on 'Quantity' in the *Encyclopaedia* as a more probable source.[17] This example shows how problematic Bentham's relation to other writings is: it points to the fact that an attempt at recovering sources has to be part of a broader study of the relationship between Bentham and the European Enlightenment as a whole.

The eighteenth-century concern with language and epistemology was an offspring of Locke's *Essay Concerning Human Understanding* the most influential

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[12] 'Prefatory Materials', *Appendix F*, *A Comment on the Commentaries and a Fragment on Government*, ed. J.H. Burns, H.L.A. Hart, London, 1977 (*The Collected Works of Jeremy Bentham*), p. 346. Hereafter *Comment* (*CW*).

[13] *Deontology, together with A Table of the Springs of Action and Article on Utilitarianism* (*CW*), ed. A. Goldworth, Oxford, 1983, p. 323 (hereafter *Deontology* (*CW*). See also the editors' introduction to *Ontology*, p. 23.

[14] *Chrestomathia* (*CW*), ed. M.J. Smith and W.H. Burston, Oxford, 1983, p. 257.

[15] 'Nomography', Bowring, iii. p. 286.

[16] Harrison, *Bentham*, p. 75, note 'e'.

[17] *Ontology*, editors' introduction, p. 31, n2.

theoretical work on the European Enlightenment.[18] Locke's main contention was the necessary correlation between the structure of language and that of thought itself, for which he proposed new bases. Because of its close connection to mind, language had to be studied as a means to an end: the improvement of knowledge and thought.[19] The premises of 'ideational atomism' were shared by most British thinkers of the eighteenth century from Berkeley to Hume, Hartley and Priestley. It was defined by Stephen K. Land as:

> the belief that thought consists in operations performed upon ideas, that ideas are either simple or complex, that all complex ideas are theoretically reducible to simples, and that the structure of language reflects the atomistic structure of thought.[20]

Such a standpoint paralleled the ideas developed a few years earlier in France by followers of Descartes and Pascal, in the group known as the 'Port-Royal grammarians', which had published a *General and Rational Grammar* in 1660. They operated on the same premises as Locke's, the identical structure of mind and language, and tried to identify universal features in human languages. Problems of meaning and the search for rules of universal grammar were thus the two main directions in which linguistic thought developed after Locke. Indeed, his two famous followers, Condillac in France and Hartley in England, used an explicitly Lockean method which they applied to problems of language specifically. Bentham's familiarity with these seminal works is evident from the number of allusions scattered in his works: as early as 1775, in a letter to Samuel, he made a passing reference to 'les grammairiens de Port-Royal',[21] he had a direct knowledge of Locke and Hume's writings, knew Hartley's from Priestley's abridgement under the title *The Theory of*

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[18] John Locke, *An Essay Concerning Human Understanding*, ed. P.H. Nidditch, Oxford, 1975.
[19] H. Aarsleff, *The Study of Language in England, 1780-1860*, Princeton, 1967, p. 5.
[20] S.K. Land, 'Universalism and Relativism: A Philosophical Problem of Translation in the Eighteenth Century' in *Language and the History of Thought*, ed. N. Struever, Rochester, NY, 1995, pp. 139-40.
[21] *The Correspondence of Jeremy Bentham* (*CW*), vol. i. ed. T.L.S. Sprigge, Oxford, 1968 (hereafter, *Correspondence* (*CW*)), letter 142 to Samuel Bentham, 25-26 September 1775, pp. 26-66.

the Human Mind [22] *and* Condillac's *Traité des sensations*, was referred to - among other instances- at the end of the 'Essay on Logic'.[23]

In England, the agenda was set by James Harris's *Hermes or a Philosophical Inquiry Concerning Universal Grammar*, published in 1751. The surge of interest in linguistic matters in England is exemplified by the wealth of writings dealing specifically with language. Hume, Berkeley and Hartley included lengthy digressions on language in their works, and a number of specialised works came out: Joseph Priestley's *Course of Lecture on the Theory of Language and Universal Grammar* (1762), Adam Smith's 'Considerations concerning the first formation of languages and the different genius of original and compounded languages' (1764), Lord Monboddo's *Of the Origin and Progress of Language* (1773-1792), James Beattie's 'Theory of Language' in his *Dissertation Moral and Critical* (1783), and eventually, Horne Tooke's *Letter to Dunning* (1778) and *The Diversions of Purley* (volume 1, 1786 and volume 2, 1805). Harris was not seriously challenged until Horne Tooke's attacks on the whole of his system as a perversion of philosophical enquiry.[24] Harris's theory is worth looking into, because it still was, in Bentham's time, the accepted authority on language and grammar. Tooke's ideas deserve to be studied mostly because of the explicit references Bentham made to his works, and because of their proximity in time with Bentham's own. With Tooke, linguistic studies were defined as a specific area of research, as different from a branch of epistemology or metaphysics, but which is necessary to found philosophical thought. His theory rested on strong empirical bases and his materialist search of etymologies for meaning was immensely popular until the 1850s.[25] The works of minor authors are necessary to identify the ideas that were part of a common stock in the second half of the eighteenth century in Britain.

Harris and Tooke are the two contemporary authors Bentham referred to the most in the course of his writings on language and fictions. His correspondence showed interest in their works, and -as in the course of his writings on fiction- he

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[22] Harrison, *Bentham*, p. 66. Hume, Hartley, Priestley and Locke are successively named as successive 'epochs' in the formation of the utilitarian doctrine in Bentham's 'Article on Utilitarianism, long version' (in *Deontology* (*CW*), pp. 285-318).

[23] 'Essay on Logic, Bowring, viii. p. 282.

[24] John Horne Tooke, *EPEA PTEROENTA , or the Diversions of Purley*, 2 vols., London, 1993, p. 14-15. This is a reprint of the 1829 edition.

[25] Aarsleff, *Language in England*, chs. 2 and 3.

consistently appeared to side with Tooke against Harris. [26] Whereas Harris was presented as the 'worshipper' and 'idolater' of mistaken Ancient grammarians in the 'Essay on Language',[27] Tooke was described in *Chrestomathia* as the philosopher who had laid the basis for Bentham's own work on language: "without, and therefore, before, the discoveries made by Horne Tooke, no such universal grammar, it will be seen, could have been formed'.[28] Indeed, Bentham read Tooke's 'Letter to Dunning', published in 1778, as a polemical answer to Harris - an opposition which was repeated in the first volume of *The Diversions of Purley*, a decade later. In his short presentation of the pamphlet to his brother Samuel, Bentham wrote that 'it t[ore] Harris's Hermes all to rags'.[29] But such radical statements seem to be misleading: less than two years later, he wrote to the same that he had 'derived considerable instruction from Harris'.[30] In the same way, Tooke was rarely mentioned without some more restrictive comments on his ability to conduct the matter further.[31]

The problematic nature of quotes in Bentham's text is in itself a central question in the search for sources: to what extent is the author to be trusted? Should imprecise reference be put down to faulty memory on his part or do they serve another purpose? The problem is further complicated by the fact that reflection on language occupied Bentham constantly throughout his life, though in a marginal or overtly political way before 1814. Precise references to contemporary linguistic thought are concentrated in his early correspondence, at the time when he was writing against Blackstone, but they become mere allusions in the proper works on language in the nineteenth century. It has therefore to be assumed that he often relied on works he had read a long time ago, except in the case of Tooke's writings which were published at the turn of the

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[26] In a letter to his brother Samuel, Bentham wrote at length on Harris's Hermes. Samuel was personally acquainted with Harris's son, who was the British ambassador in St Petersburg at the time of his stay in Russia. (See *Correspondence* (*CW*), i. letter 127, 9 Dec 1774, pp. 220-23). Bentham's letters also show interest in all of Tooke's writings as soon as they were published: in letter 280 (See *Correspondence* (*CW*), ii. 27 Oct 1778, pp. 181-84), Bentham reacted to the recent publication of the 'Letter to Dunning', and we learn from a letter from Samuel Romilly that he requested a copy of the second volume of the *Diversions of Purley* as soon as it was published. (*Correspondence* (*CW*), vii. 21 November 1805, letter 1881, p. 335.).

[27] 'Essay on Language', Bowring, viii. p. 357.

[28] *Chrestomathia* (*CW*), p. 400.

[29] *Correspondence* (*CW*), ii., letter 280 to Samuel Bentham, 27 Oct 1778, pp. 181-84.

[30] *Ibid.*, letter 381 to Samuel Bentham, 29 Dec 1780, pp. 522-24. The sincerity of this statement is nevertheless rendered doubtful by the fact that it was written on the occasion of Harris's death and that Samuel was supposed to make condolences to Harris's son on his brother's behalf. As we shall see later, Bentham probably learnt more from Harris than he was willing to acknowledge.

[31] *Chrestomathia* (*CW*), p. 258, and 'Essay on Language', Bowring, viii. p. 357.

century. The complexity of Bentham's relations to sources in his writings on language and fictions is obvious, and can only be untangled by a precise analysis of his theory.

III. Language, logic and mind. Classification of words, classification of knowledge.

As we have seen, the main premise of post-Lockean reflection on language was the necessary correlation between the structure of thought and that of language. To simple ideas corresponded 'names of simple ideas', whereas complex ideas and ideas of substance were represented by different categories of words: 'names of mixed modes', and 'names of substances'. [32] All subsequent theories were organised from this epistemological basis, and started with the postulate that language was the means of conveying thoughts from one mind to another. In the structure of his works on language and logic, Bentham shared this approach: his study of the nature of language is always paralleled with an exploration into the nature of human mind. The 'Essay on Logic' opens with a 'classification of mental operations', of which language is a component. [33] In this table of mental operations, language is broken down into 'discourse' and 'expression', as 'operations, by the performance of which, by means of the operations of designation and expression, communication of the ideas formed in *one* mind is made to, and those ideas are transferred into another mind'. [34] Such a definition echoed directly Locke's contention that articulate sounds are '*signs of internal conceptions*' and 'marks for the *ideas* within [a man's] mind, whereby they might be made known to others'. [35] In the 'Universal Grammar', language was presented only as a tool for the communication of thought and assessed according to its 'properties' and its suitability to the purpose of communication: such an instrumental view of speech was close to Locke's design. [36]

Nevertheless, the images used by Bentham in the course of his writings on language show a departure from Lockean analysis:

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[32] Locke, *Human Understanding*, book III.
[33] 'Essay on Logic', Bowring, viii. pp. 224-27.
[34] *Ibid*., p. 227.
[35] Locked, *Human Understanding*, book III, chapter I, §2.
[36] 'Universal Grammar', Bowring, viii. p. 342.

> Unclothed as yet in words, or stripped of them, thoughts are but dreams:
> like the shifting clouds of the sky, they float in the mind one moment,
> and vanish out of it the next.[37]

In such a passage, language is presented as a necessary attribute of conscious thought, though distinct from it. The same idea is emphasised in the distinction between the 'transitive' and the 'intransitive' functions of thought: the transitive being fit for the purposes of communication, and the intransitive for solitary thought.[38] In that second sense, the connection between words and ideas is much tighter: 'the stock of a man's ideas is limited and determined by the stock of the words which he finds at his command for giving expression to his ideas'.[39] Locke, though he hinted at the necessity of language in the formation of thought, never expressed as clearly as that the close interdependency of the two faculties. Indeed, such a task was left to his successors, such as Hartley who wrote that 'many sensible impressions, and internal feelings, are associated with particular words and phrases, so as to give these the power of raising the corresponding ideas'.[40] Bentham's ideas on language and thought as inseparable were the expression of an ongoing trend in English philosophy.

The conditions for the 'Universal Grammar' rest on a conception of thought and language as the two sides of the same coin: Bentham opened his treaty on 'Universal Grammar' with the statement that 'the connection between the demand and the supply, between thought and the signs employed for the communication of thought [were] points of necessary and universal agreement'.[41] In his attempts as a universal grammarian, Bentham inscribed his work within a tradition that went back to the seventeenth-century: the search for a 'philosophical', or 'universal' grammar.[42] Browsing through the titles of the most significant works on language of the time reveals the extent of the preoccupation of thinkers with the common characteristics of speech: Harris's *Hermes* was subtitled 'a Philosophical Inquiry concerning Universal Grammar', and Priestley lectured on 'the Theory of Language and Universal

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[37] 'Essay on Logic', Bowring, viii. pp. pp. 228-29.
[38] 'Essay on Language', Bowring, viii. p. 302.
[39] *Ibid*., p. 319.
[40] David Hartley, *Observations on Man, His Frame, His Duty, and His Expectations*, sixth ed., London, 1834, chapter III, section I, proposition lxxix.
[41] 'Universal Grammar', Bowring, viii. p. 302.
[42] Aarsleff, *Language in England*, pp. 14-15.

Grammar', In his justification of the legitimacy of a universal grammar, quoted above, Bentham echoed Hartley almost to the word. As Hartley put it:

> It will easily appear, [...] that the languages of different ages and nations must bear a great general resemblance to each other, and yet have considerable particular differences. [...] They must resemble one another, because the phaenomena of nature, which they are all intended to express, and the uses and exigences of human life, to which they minister, have a general resemblance.[43]

It is because reason follows universal laws of human nature that it is possible to analyse language in terms of its common structure. The study of grammar in logical terms partakes of such a conception of language as the mirror of our minds. The relationship between logic and grammar was best expounded by Harris:

> We may either behold speech as divided into its constituent parts [...] or else as resolved into its matter and form. [...] These different analysing or resolutions, substitute what we call Philosophical or Universal Grammar. When we have viewed speech thus analysed, we may consider it as compounded. [...] Now it is that superior and most excellent synthesis, which alone applies itself to our intellect or reason, and which, to conduct according to rule, constitutes the Art of Logic.[44]

Such a statement put Harris in the line of the foundations of European linguistics in the seventeenth-century (the Port-Royal grammarians' *General and Rational Grammar* was promptly followed by *The Art of Thinking*, best known as the 'Port-Royal Logic', in 1666.) It is to that tradition that Bentham himself belonged in his 'Essay on Language' and in Appendix IX to *Chrestomathia* on universal grammar.[45] In this appendix, he emphasised the interdependency between logic and language, stating that 'considerations of the logical cast' form 'all along the basis of [...]

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[43] Hartley, *Observations*, chapter III, section I, proposition lxxx, corollary iii.
[44] James Harris, *Hermes, a Philosophical Inquiry Concerning Universal Grammar*, London, 1993, pp. 2-3 (reprint of 1786 edition). For a more precise study of Harris on grammar and logic, see P. Bergheaud, 'De James Harris à John Horne Tooke: Mutations de l'analyse du langage en Angleterre dans la seconde moitié du dix-huitième siècle', *Historiographica Linguistica*, vi. (1979), pp. 18-20.

considerations of the grammatical cast'. [46] Therefore, though language and logic remain distinct, they develop together along parallel lines. In the table of Eudaemonics, logic -on the one hand- and grammar and rhetoric -on the other hand- are the two components of the nooscopic (i.e. 'intellectual-faculty-regarding') faculty of the mind. They are situated at the same level in the table and belong to the same categories. [47]

Though universal grammars often use the tools of logical analysis to compare the structure of the mind and that of language, in Bentham the link between logic and grammar also operates at a deeper level. Organising knowledge into an understandable logical tree was a necessity within a utilitarian system: a tree such as that of Eudaemonics was meant to provide the Legislator with 'an insight - the more clear, correct, and extensive the better,- into the matter of every [...] branch of art and science'. [48] Commentators have stressed how dependent such an attempt is on Aristotle:[49] Bentham did not challenge the framework of Aristotelian logic, but by identifying names of categories with names of fictitious entities, he called for a radical reconsideration of its workings.[50] As the fragment to d'Alembert shows, the discovery of the existence of fictitious entities in language was triggered by the need for a philosophical basis for his system of classification of human actions:

> les choses ainsi distribuées, je fais une distribution qui y soit analogue
>
> des mots qui servent à les exprimer. Ce travail donne lieu à une esquisse
>
> de la métaphysique de la grammaire.[51]

This sentence hints towards a reversal of the customary link between logic and grammar: logic is not seen as a tool to make sense of grammar, but it is grammar itself that appears to be the necessary foundation of logic. This change of focus runs contrary to the assertion that logic is 'the basis' of grammatical considerations. In this

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[45] More so there than in the 'Universal Grammar', Bowring viii.

[46] *Chrestomathia* (*CW*), pp. 394-95.

[47] 'Encyclopedical Table, or Art and Science Table: exhibiting the first lines of a Tabular Diagram of the principal and most extensive branches of Art and Science, framed in the exhaustively-bifurcate mode', *Chrestomathia* (*CW*), insert facing p. 179.

[48] *Chrestomathia* (*CW*), p. 220.

[49] See, among others, C. Laval, *Bentham: Le Pouvoir des Fictions*, Paris, 1994, p. 41.

[50] In the 'Essay on Logic', names of fictitious entities are introduced as names of 'classes of objects' in a section that deals with 'methodization by denomination', Bowring, viii. p. 262.

case as elsewhere in Bentham, contradictions are not deadends, but rather signs of a dynamic thought that constantly revises its own ontological premises. It also exemplifies the ways in which Bentham is the most original: in points of detail (such as the grammatical analysis of parts of speech presented in 'Universal Grammar'), Bentham relies on his philosophical culture and, although he has many personal insights, fails to propose a truly original theory. At another, more conceptual, level the philosophical implications of his system reach deeper.

Though students of language in the eighteenth-century were aware, as we have seen, of the connection between logic and language, their interdependency had never been as stressed as in Bentham. He was himself conscious of the necessity for "an entirely new system of logic, in which shall be comprehended a theory of language, considered in the most general point of view',[52] and blamed Horne Tooke for a lack of proficiency in logic that stopped him from making any decisive breakthrough in linguistics.[53] Bentham's crucial work as a logician was stressed by Stephen K. Land, who wrote that he 'affected the course of logical studies in the nineteenth-century, advocated the reintegration of the theories of logic and language which had been for the most part separate since the Renaissance'.[54] It is in his influence on John Stuart Mill that Bentham's logical intuitions flourished. Though Mill went further in the exploration of the workings of language as a symbolic system,[55] his intellectual relationship with Bentham is obvious in the way in which Mill stressed the link between language and logic:

> Grammar [...] is the beginning of the analysis of the thinking process. The principles and rules of grammar are the means by which the forms of language are made to correspond with the universal forms of thought. The distinction between the various parts of speech, between the cases of nouns, the moods and tenses of verbs, the functions of particles, are

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[51] Letter to d'Alembert, UC clxix 55. 'Things being thus distributed, I distribute along the same lines the words we use to express them. This leads to a metaphysics of Grammar' (my translation).
[52] *Chrestomathia* (*CW*), p. 259.
[53] *Ibid.*, p. 400.
[54] S.K. Land, *From Signs to Propositions: the Concept of Form in Eighteenth-Century Semantic Theory*, London, 1974, p. 166.
[55] On Mill, see especially J. Skorupski, *English-Language Philosophy, 1750-1945*, Oxford and New York, 1993, ch. 2.

distinction in thought, not merely in words [...] the structure of every sentence is a lesson in logic.[56]

Therefore, Bentham appears as the heir of a tradition that came to see language not only as the instrument but also as a constitutive part of the matter of thought. In his reflection on logic, this was made obvious: logical relations, expressed in words, do not exist outside language. Bentham's originality is in formulating a set of intuition that had been running in contemporary philosophy. But in putting the study of logic, and therefore of language, at the basis of the utilitarian system he initiated a major trend of focus: language study was not instrumental any longer, but formed the core of epistemology.

IV. Fiction and Definition.

The European Enlightenment was based on the idea that knowledge was attainable by men making full use of their intellectual faculties. This entailed a reflection on the conditions of knowledge and the exploration of the tools with which it could be reached: which mode of definition can convey accurate knowledge? Which type of meaning can be reached? What is to make sense of something? In his presentation of Bentham's theory of fictions, Harrison replaced it in the tradition of thinkers in search of a new system of definition: from Descartes and Locke up to d'Alembert.[57] Bentham's inheritance of this Enlightenment concern with meaning is obvious in the stress that he puts on definition: from the first attacks on Blackstone up to the elaborate system of definition as part of ontological study. 'Meaning', 'sense', 'import' of words, the complexity of his thought on the subject is illustrated by the various words he uses to express significance. The eighteenth-century reflection on definition hinged on two particular developments in linguistic theory: the nature of general words, and the identification of the smallest significant parts of speech. For both, Locke set the agenda. It is from a study of the nature of words and their relation to the world that problems of meaning were approached. The theory of fictions was Bentham's own answer to the question of sense and significance. We shall see how

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[56] J.S. Mill, 'Rectorial Address at Sait Andrews, 1867', quoted in N. Chomsky, *Cartesian Linguistics: a Chapter in the History of Rationalist Thought*, New York and London, 1966, p. 95 n59.
[57] Harrison, *Bentham*, p. 46.

Bentham's two-sided method of definition, by archetypation and by paraphrasis, is the outcome of a century of reflection which rooted the meaning of words in experience and found sense in propositions rather than in isolated words.

a) Towards archetypation.

As we have seen, the Benthamic system derives its justification from a close study of the world within a logical arrangement based on an analysis of language. Since that logical table is both organised in words and founded on 'a metaphysics of grammar', a system of definition is needed to make sense of the different categories that make up logical tables. The Ancient - and especially Aristotelian - sources of such a logical arrangement are acknowledged by Bentham in the opening pages of the 'Essay on Logic'.[58] In Aristotle too, the process of definition was closely related to the logical way in which knowledge was organised: things were defined by the way in which they related to the class to which they were identified as belonging. Within a logical arrangement, each term could be defined by its *genus*, the class it belonged to – the level immediately superior in a tree of knowledge – and its *differentiam*, the characteristics that made it different from all the other objects of the same class. In his early works, Bentham started from this method of definition to attack Blackstone:

> What is the office of a definition? In the first place to convey to our
> apprehension some idea as signified by the word defined, and to teach us
> to distinguish the idea so signified by that word from any idea that can
> be signified by any other word.[59]

But he immediately pointed out the necessity of having a clear view of what the *genus* and the *differentia* referred to in a specific case. Blackstone's mistake was not only that he was unable of using such a system rigorously, but also that he had not realised how some words could not be thus explained. In the *Fragment on Government*, the insufficiency of such a method of definition was brought out:

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[58] 'Essay on Logic', Bowring, viii. pp. 217-19. Bentham mentioned that he relied on Saunderson's exposition of Aristotle, which he studied when he was at Oxford.
[59] *Comment* (*CW*), p. 3.

> The common method of defining - the method *per genus et differentiam*,
> as logicians call it, will, in many cases, not at all answer the purpose.
> Among abstract terms we soon come to such as have no *superior genus*.
> A definition, *per genus et differentiam*, when applied to these, it is
> manifest, can make no advance: it must either stop short, or turn back, as
> it were, upon itself, in a *circulate* or a *repetend*.[60]

It is from his will to define words in a legal context that Bentham realised the existence of some words to which classical definition could not apply. As he wrote in the letter to d'Alembert:

> Pour ce qui regarde la forme des loix, ce qu'il y a principalement à faire,
> c'est d'attacher un sens précis à la multitude des mots dont on se sert en
> s'expliquant sur les actions diverses des hommes.[61]

In Locke's *Essay* already, the limitations of the Aristotelian method had been made obvious. In the chapter devoted to 'General Terms", he insisted on the 'little necessity there is for such a rule' in a symbolic system that 'is not always so made, according to the rules of logic'.[62] Indeed, his opposition to the Ancients was methodological: whereas for Aristotle and Plato the mind could reach knowledge through universals – or Platonic forms – which existed as such,[63] Locke's empiricist outlook started from entirely different premises: 'all things that exist' are 'particulars' and '*general* and *universal* belong not to the real existence of things; but are the inventions and creature of the understanding'.[64] Nevertheless, for Locke, names of general terms and of mixed modes, because they were combinations of simple ideas, were those which were best definable, though by a new method:

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[60] *Fragment* (*CW*), p. 495.

[61] UC clxix 52. 'As regards the form of laws, the main task is to attach a precise meaning to the numerous words which are used in accounting for human actions' (my translation). Bentham insisted elsewhere on the reliance of law on general terms (see *Chrestomathia* (*CW*), p. 205).

[62] Locked, *Human Understanding*, Book iii, chapter iii, §10.

[63] Such a conception of knowledge was taken up by Harris: 'Words are the symbols of ideas both general and particular; yet of the general, primarily, essentially, and immediately; of the particulars, only secondarily, accidentally, and mediately'. *Hermes*, p. 348

[64] Locke, *Human Understanding*, Book III, chapter III, §1 and 11. Hartley made a similar statement: *Observations*, Book III, chapter I, proposition lxxxii.

> For definition, being nothing but making another understand by words, what *idea*, the term defined stands for, a definition is best made by enumerating those simple *ideas* that are combined in the signification of the term defined.[65]

Though they could not be thus defined, names of simple ideas were the only ones which could be immediately known because they referred to sensation. Therefore, in Locke's *Essay*, definition did not give immediate knowledge but was only a step towards knowledge by senses. In this light, the major concern of Locke's followers was to account for the existence and the significance of abstract ideas in a system that recognised only sense-perception as a test of existence. It was then possible to ascribe different modes of existence to things, according to the kind of definition that could apply to them. Locke clearly drew such conclusions when he wrote of mixed modes that 'they are the creatures of the understanding, rather than the works of nature: conformable, I say, to this, we find, that *their names lead our thoughts to the mind, and no farther*'.[66]

Such an awareness of the problems of fixing the meaning of things was inscribed within the ongoing debate on nominalism, which had been revived by Hobbes after taking its sources in medieval thought. As Halévy explained: nominalism was the theory according to which, "when a name is not used as a proper name, but as a common name, and serves to designate one or other of the objects of a group, we say it is a universal name; but this name 'universal' does not correspond to any reality in nature, it is the property of a name, the name of a name and nothing else: there exists only individual beings, individuals make up the whole reality of the general idea'.[67] In the eighteenth-century, empiricism came in support of nominalism to produce the idea that words representing classes had a verbal reality to which nothing corresponded in nature. Bentham was explicitly situated within this tradition when he wrote to d'Alembert: 'Point d'être réel qui ne soit espèce d'être fictif: point d'être fictif qui ne soit espèce d'être reel'.[68] Michael Oakeshott discarded Bentham's

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[65] Locke, *Human Understanding*, chapter III, §10.

[66] *Ibid.*, chapter V, §12.

[67] Halévy, *Philosophic Radicalism*, p. 445. The reference to Hobbes is *Computatio sive Logica*, part I, chapter. ii.

[68] Letter to d'Alembert, UC clxix, 59. 'There are no real entities that are not species of fictitious entities: there are no fictitious entities that are not species of real entities' (my translation).

nominalism as 'mere conventionalism'.[69] Though, as we have seen, nominalism had been revived by Locke, after Hobbes, and was not an uncommon position at the time, in Bentham the question of the nature of general terms appears to be closely linked to the core of the theories of fictions in its relation to logic, and therefore more than mere conventionalism on his part.

The close relationship between real and fictitious entities was further expressed by the distinction between two levels of discourse: the "material" and the 'immaterial':

> Throughout the whole field of language, parallel to the line of what may
> be termed the material language, and expressed by the same words, runs
> a line of what may be termed the immaterial language.[70]

In this passage from the 'Essay on Language', it is the connection between the material and the immaterial modes of speech that justifies the etymological method of explanation, which is closely related to Bentham's archetypation. He defined it in *Chrestomathia*:

> in the case of *obligation*, [...] the 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*, (from the Latin *ligo*, to bind), by which the person in question is
> bound to a certain course of practice.[71]

In insisting on the correspondence between abstract words and words that have a meaning that can be directly understood in terms of sense-perception, Bentham remained in the line of thought opened by Locke. Indeed, though Locke himself had given few example, he had stated that it was possible to find 'in all languages, the names, which stand for things that fall not under our senses, to have their first rise from sensible ideas'. He then gave the example of 'spirit', which could be traced back to 'breath', and 'angel' to 'messenger'.[72] The extreme popularity of this method in the

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[69] M. Oakeshott, 'The New Bentham', *Scrutiny* (1935). Reprinted in Parekh (ed.), *Critical Assessments*, p. 455.
[70] 'Essay on Language', Bowring, viii. p. 329.
[71] *Chrestomathia* (*CW*), p. 272n.
[72] Locke, *Human Understanding*, Book III, chapter I, §5.

eighteenth-century is striking: Harris used it in his *Hermes* to account for the meaning of the word 'case' in its grammatical sense, but it was mainly with Horne Tooke that it was systematically used as a method of explanation.[73] In *The Diversions of Purley*, he showed it was possible to propose for every word in the English language an etymology that would show how its form has been derived directly from words relating directly to sense-impressions. He therefore denied the existence of abstract ideas:

> Fate, Destiny, Luck, Lot, Chance, Accident, Heaven, Hell, Providence, Prudence, Innocence, Substance, Fiend, Angel, Apostle, Saint, Spirit, True, False, Desert, Merit, Fault, etc. etc., as well as JUST, RIGHT, and WRONG, are all merely Participles poetically embodied, and substantiated by those who use them.

He then quoted the example of 'angel', and 'spirit', in the same way as Locke.[74] The idea of 'abbreviation', Horne Tooke's main discovery, was much admired by Bentham, mostly on methodological grounds. To his brother Samuel he wrote:

> Have you read Horne's letter to Dunning? [...] It contains an important discovery in Universal Grammar: it gives you the Natural History and Chemical Analysis of *conjunctions*: it shows that they are most of them the imperatives of verbs.[75]

He afterwards credited Horne Tooke with laying the philosophical foundations that made the theory of fictions possible.[76] Apart from the method of etymological analysis itself, which was already present in Locke, it is the scientific aspect of Tooke's work that appealed most to Bentham: since it had been proven that language worked along scientific rules, it was possible to study it with an experimental method and find some kind of truth and consistency in it. Moreover, within a utilitarian system where the only valid system of reference was pain and pleasure, relating all

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[73] Noted by Bentham in 'Universal Grammar', Bowring, viii. p. 345n.

[74] Horne Tooke, *Diversions of Purley*, pp. 19-25. The same example was taken up by Bentham too. See 'Essay on Language', Bowring, viii. pp. 328-29.

[75] *Correspondence* (*CW*), i. letter 280 to Samuel Bentham, 27 Oct 1778, pp. 181-84.

[76] *Chrestomathia* (*CW*), p. 400.

words to sense-impressions was the only way to make sense of them. Following Halévy's analysis, Aarsleff wrote that:

> the discovery that all words can be reduced to names of sensation was eagerly accepted by the philosophic radicals, who took the proof to lie in the etymologies which they had neither the desire nor the competence to judge.[77]

Such an assertion has to be balanced in the case of Bentham: though archetypation is close to the etymological method, it does not depend on it solely. Etymology is only used to support the illustration given by the archetype, or emblem: though in *Chrestomathia* the archetype of 'obligation' is based on its etymology, it is not mentioned as necessary in the 'Essay on Logic'. In that passage the archetype of 'obligation' is given as 'that of a man lying down, with a heavy body pressing upon him'.[78] Moreover, archetypation was never presented by Bentham as the only way of accounting for the meaning of a word: it was inseparable from paraphrasis.

b) Paraphrasis and the sentence as unit of meaning.

The main discovery Bentham has received credit for, in linguistic analysis, has been the claim that no meaning was to be found outside a proposition. Indeed, in the 'Essay on Language', he based his demonstration on the fact that even words spoken on their own were understood as complete sentences. Thus, calling out the name 'John' meant either 'John, come here' or 'John, listen'.

This being the case, if nothing less than the import of an entire proposition be sufficient for the giving full expression to any the most simple thought, it follows that no word, being anything more than a fragment of a proposition, no word is in itself the complete sign of any thought.[79]

In the line of the rediscovery of Bentham's ontological and linguistic writings triggered by Ogden's publication of the *Theory of Fictions*, Bentham has been seen as a forerunner of Frege and Russell. This opinion was repeated by H.L.A. Hart who

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[77] Aarsleff, *Language in England*, p. 73. Halévy alluded more to James Mill than to Bentham – see *Philosophic Radicalism*, pp. 445-47.
[78] 'Essay on Logic', Bowring, viii. p. 247.

asserted that the theory of fictions 'anticipated the ideas of Logical Constructions, Incomplete Symbols, and Definition in Use which are a marked feature of Bertrand Russell's philosophy and the forms of analytical philosophy that stem from it'.[80] It was also singled out by W.V. Quine as one of the 'five milestones of empiricism': 'the view of sentences as primary in semantics, and of names or other words as dependent on sentences for their meaning, is a fruitful idea that began perhaps with Jeremy Bentham's theory of fictions'.[81] It has become the accepted view, which was taken up by Harrison and Skorupski in their philosophical outlooks on Bentham's works.[82] I shall not attempt to assess the validity of the comparison between Bentham and the analytic school on language, but rather to show that crediting him with the discovery of the sentence as the primary unit of meaning is an illusion generated by a retrospective outlook. Starting from Frege makes Bentham appear as a forerunner, whereas a closer study of eighteenth-century linguistic thought replaces him at the end of a longer process of discovery. His originality seems to be less in the wording of an intuition that was latent in Condillac and Hartley but rather in its integration as the cornerstone of his reflection on meaning and words.

In Locke's view, then, words had a meaning of their own and remained the smallest significant entity in speech, as they were for the Ancients.[83] The meaning of a sentence was therefore understood as a function of the individual meaning of each word composing it. Two separate developments in linguistics challenged this conception: with Hartley and his followers, the study of parts of speech revealed the problem posed by words such as prepositions and copulae in general in a Lockean system of definition and called for a new system of signification in which meaning was not to be found in the word but in the relation it bore to other words in the sentence. At the same time, Condillac's genetic view of the formation of language showed that originally, the meaning of full propositions was contained in units as small as interjections. Both these developments were at the source of Bentham's reliance on paraphrasis as a means to expose the meaning of a proposition. They also

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[79] 'Essay on Language', Bowring, viii. p. 322.
[80] Hart, *Essays*, p. 43.
[81] W.V. Quine, *Theories and Things*, Cambridge, Mass. and London, 1981, p. 3. See also 'Five Milestones of Empiricism', pp. 67-72, in the same volume. Quine's first study of Bentham appeared in *From a Logical Point of View*, Cambridge, Mass., 1961.
[82] Harrison, *Bentham*, p. 64; Skorupski, *English-Language Philosophy*, p. 27.
[83] See 'Aristotle on Metaphor' in *Landmarks in Linguistic Thought: the Western Tradition from Socrates to Saussure*, R. Harris and T.J. Taylor, London and New York, 1989.

both derived from Locke in the sense that they were dependent on the study of language as inseparable from thought. Bentham himself stated the seminal importance of Lockean theory on this point:

> Upon this field of observation the logic of Aristotle and his followers did not penetrate. [...] Antecedently to all particular inquiry, [...] in which no attempt was made to look into the thoughts signified, in the conception entertained in relation to the nature of thought, [...] much clearness, correctness, or advance to completeness, could not naturally be expected.[84]

Locke's account of the meaning of words came short of an explanation for the sense of 'particles': though they are words, they are not associated with any idea in our mind, but rather express the workings of the mind itself and the relation of ideas within it. In the *Essay*, less than three pages were devoted to them,[85] but it set the directions in which later research on the subject developed: they were defined as "the words, whereby it [the mind] signifies what connection it gives to the several affirmations and negations, that it unites in one continued reasoning or narration'.[86] Hartley pushed the analysis of pronouns and particles further: he compared them to 'the unknown quantities in algebra, being determinable and decipherable, as one may say, only by means of the known words with which they are joined'.[87] The idea that some words had no meaning on their own but could only make sense within a sentence seems to have been frequent in the eighteenth-century: though Harris adopted explicitly an anti-empiricist outlook on language and experience,[88] he seemed to have taken up from Locke the idea of a distinction between words 'significant by themselves' and words 'significant by relation': nouns, pronouns, adjectives and verbs belonging to the former class and articles, prepositions and conjunctions to the latter.[89] Though this was at first limited to those parts of speech, Hartley already hinted at the possibility of extending such a method of definition to other classes of words:

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[84] 'Essay on Language', Bowring, viii. p. 322.
[85] Locked, 'Human Understanding', Book iii, chapter vii.
[86] *Ibid.*, §2.
[87] Hartley, *Observations*, chapter III, section I, proposition lxxx.
[88] P. Bergheaud, 'Empiricism and Linguistics in Eighteenth-Century Britain', *Topoi*, ii. (1985), p. 156.

> There are many words used in abstract sciences, which can scarce be defined by any other words; and yet, by their grammatical form, seem to be excluded from the class of particles. Such are identity, existence, etc. The use of those must therefore be learnt as that of particles is.[90]

Half a century later, Tooke's writings attacked the idea of a difference in nature between parts of speech, which allowed the generalisation of such an intuition.

Such a trend in the analysis of parts of speech developed within the framework of a new conception of the origins of language. When he accounted for the discovery that words are not significant outside a proposition, Bentham explained the methodological error that was at the root of misconceptions about the nature of language and meaning: the 'logical history of language' was a process of synthesis whereas the 'chronological history of language' was one of analysis. He then defined the former as the theoretical analysis of language into its parts as corresponding to the structure of thought, an essentially artificial outlook; and the latter as the historical process which found the actual origin of our language in "first words" which "in their import, have been equivalent to whole sentences expressive, for example, of suffering, of enjoyment, of desire, of aversion'.[91] Though Bentham here opposed his own method to Condillac's, such an opposition was historically inaccurate. His opposition to Condillac hinged on their conflicting understanding of the operations of analysis and synthesis.[92] Without entering this debate, it has to be noted that the origin of language to which Bentham subscribed in the 'Essay on Language' was directly derived from Condillac's *Essai sur l'origine des connaissances humaines*, published in 1746. In this seminal work, he traced the development of organised languages from 'natural cries' interjections which conveyed entire thoughts. Only at a later stage in the history of mankind was this immediacy lost in discourse.[93] His work was extremely influential throughout the eighteenth century: his theory of the origins of language was taken up by Adam Smith, for instance:

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[89] Harris, *Hermes*, pp. 26-27.
[90] Hartley, *Observations*, chapter III, section I, proposition lxxx.
[91] 'Essay on Language', Bowring, viii. pp. 322-23.
[92] See *Chrestomathia* (*CW*), pp. 165, 261, 267. Bentham quoted from *La Logique*, Paris, 1780. The example of the statue in the 'Essay on Language' came from the *Traité des Sensations*, Paris, 1754.

mankind have learned by degree to split and divide almost every event into a great number of metaphysical parts, expressed by the different parts of speech, variously combined in the different numbers of every phrase and sentence.[94]

Tooke also held this theory for granted when he wrote that 'the dominion of speech is erected upon the downfall of interjections'.[95]

The idea that words are not significant in themselves was thus the outcome of a tradition that went back to the roots of the European Enlightenment. Paraphrasis as a method of definition appears as an original development that blended the idea that words only made sense when related to sense-impression, and more precisely pleasure and pain, with that which considered the proposition as the smallest unit of meaning: 'phraseoplerosis', 'the filling up of the phrase', is the first and necessary step towards paraphrasis.[96] In this light, Bentham's originality is not where it has been previously seen, but rather in the idea that a proposition can only be said to be complete if it can be shown to express the will of the speaker: paraphrasis must make the source and recipient of pleasure or pain obvious. Simple propositions themselves are elliptical:

> The *proposition*, simple as it is, is, in its import, complex; and if it be considered as designating. expressing, communication, the whole of the object of which it is employed as the sign, viz. the mode of *being* of my mind, it is *elliptical*. That to which it gives expression is the supposed matter of fact which (supposing me to speak truly) was the object of my thought; - that of which it does not contain the expression is that thought itself; the only matter of fact of which the discourse in question is strictly and immediately the assertion, is left to be inferred from the context, from such words as are actually uttered.[97]

Therefore, language can be understood as a system of will, which functions at two different levels: in propositions themselves and in words, endowed with moral

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[93] See Aarsleff, *Language in England*, pp. 22-8, 94.
[94] 'Considerations Concerning the First Formation of Languages and the Different Genius of Original and Compounded Languages' in *The Works of Adam Smith*, ed. D. Stewart, London, 1811, v. p. 30.
[95] Horne Tooke, *Diversions of Purley*, i. p. 62.
[96] 'Essay on Logic', Bowring, viii. p. 246.

connotation as the result of human imposition.[98] The centrality of will is best illustrated by its role in the formation of fictitious entities: 'a fictitious entity is an entity to which, though by the grammatical form of the discourse employed in speaking of it existence is ascribed, yet in truth and in reality existence is not meant to be ascribed'.[99] Language is a product of the individual and of society as an aggregate of individuals.

V. Conclusion: the reform of language and the language of reform.

Understanding language as the manifestation of the individual's will-power has obvious social and political repercussions. The specificity of Bentham's theory of fictions is that it was elaborated as part of a wider plan for political, legal and social reform. But it also has deeper consequences on a philosophical level: language study appears to be a necessity for active political involvement, not only a bias to explore the workings of the mind. Quine showed that this was a characteristic feature of today's philosophy:

> Another striking trait of scientific philosophy [since the nineteenth century] has been an increasing concern with the nature of language. In responsible circles this has not been a retreat from more serious issues. It is an outcome of critical scruples that are traceable centuries back in the classical British empiricists Locke, Berkeley and Hume, and are clearer in Bentham. It has been appreciated increasingly in the past sixty years that our traditional introspective notions -our notions of meaning, idea, concept, essence, all undisciplined and undefined- afford a hopelessly flabby and unmanageable foundations for a theory of the world. Control is gained by focusing on words, on how they are learned and used, and how they are related to things.[100]

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[97] 'Essay on Language', *ibid.*, p. 321.
[98] The moral opposition between *eulogistic* and *dyslogistic* words exists only in language, and is imposed by the speaker. See *Deontology* (*CW*), p. 14ff.
[99] *Ontology*, appendix B, p. 164.
[100] Quine, *Theories and Things*, p. 192.

It is maybe in that light that Bentham seems the most innovative: reform in politics was inseparable from reform in language. The parallel with John Horne Tooke is obvious: his activity in radical circles preceded Bentham's and his philosophy of language was a direct answer to his political action.

Like Horne Tooke, Bentham's interest for language was triggered by the need to find arguments against political opponents: Blackstone's failure to define his words and to grasp their meaning is one of the main lines of attack in the *Fragment on Government*. In the same way, Tooke's *Letter to Dunning* was written while the author was in prison, to criticise the court's interpretation of the case.[101] In both cases, language appeared as a tool to bring about a reformation in politics, though in Bentham's case there was a shift in the political goal pursued at the beginning of the nineteenth century.[102] Both these attempts were in line with the trend that developed at the end of the eighteenth century and which linked the appearance of political and social consciousness to a reappropriation of language: for radical thinkers, it was necessary to put an end to the domination that the ruling few exercised through language.[103] Language study was a process of demystification, against 'all the different systems of metaphysical, (i.e. verbal) imposture'.[104] It worked by showing that speech was the only moral and political reality: for Bentham and Tooke there was no thought outside language, and the criterion of truth was to be set within language, by language itself. Etymology and paraphrasis stressed that words were only understandable as part of a linguistic system and not with reference to any outside criteria of truth: meaning was imposed by society and the individual. The parallel between Bentham's analysis of the word 'right' and Tooke's is especially interesting in this respect: they both stripped the word of its moral connotation to show that it only made sense as a legal construct. Tooke's etymology ran thus:

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[101] Editor's introduction to Horne Tooke, *Diversions of Purley*, p. xi.

[102] The evolution of the theory of fictions and its links with Bentham's political involvement have been studied in L.J. Hume, 'The political function of Bentham's Theory of Fictions', iii. (1979), reprinted in Parekh (ed.), *Critical Assessments*.

[103] See S. Auroux and D. Buzzetti, 'Current Issues in Eighteenth-Century Linguistic Historiography', *Topoi*, ii. (1985), p. 141, and O. Smith, *The Politics of Language, 1791-1819*, Oxford, 1984, p. viii.

[104] Horne Tooke, *Diversions of Purley*, ii. p. 51.

> RIGHT is no other than RECT-um (regitum), the past participle of the
> Latin verb *Regere*. [...] Thus, when a man demands his RIGHT; he asks
> only that which it is ordered he shall have.[105]

The parallel with Bentham's paraphrasis of the same word is striking:

> what you have a right to make me do [...] is that which I am liable,
> according to law, upon a requisition made on your behalf, to be *punished*
> for not doing.[106]

In both these definitions, meaning is fixed by the will of the legislator through language.

Accordingly, the majority of Bentham's writings on language deal with ways of knowing it in order to control it: the list of 'properties desirable in a language' had no other use that:

> in respect to them [man] may employ [his native language] to the most
> advantage, that he may, on every occasion, be able to endue his language
> with these several desirable properties, and that in the proportions which,
> on the occasion in question, are best adapted to use.[107]

Practical uses come first, and it is the task of the individual as well as of government authority to carry out reforms in language.[108] Such a view must be understood within the framework we have set in parts III and IV: it is not purely a study of language as means to an end that is superior to it (improvement of political and legal discourse) but rather as the necessary ontological foundation of law and politics. A reform in language is necessary because language, as a symbolic system, sets the framework in which law and politics work.[109] It is necessary because the study of language *is* the

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[105] *Ibid.*, pp. 7-9.

[106] *Fragment* (*CW*), p. 495n.

[107] 'Essay on Language', Bowring, viii, p. 503.

[108] *Ibid.*, p. 313.

[109] Analysing the language of law is a major feature of contemporary jurisprudence. The relevance of Bentham's theory of fictions to the semiotics of law has been studied by Bernard Jackson in 'Bentham, Truth, and the Semiotics of Law'.

study of political relationship within a society understood in terms of individual willpower.[110]

The originality of Bentham's theory of fictions can now be better assessed: it is because he came to language study as a means to solve legal and political problems that he was brought to see discourse as the necessary symbolic foundation of another symbolic system: that of power relationships within society. Though such an approach to linguistic theory was essentially original and led to more radical conclusions than what the eighteenth century had proposed, it was formulated in terms that fitted in the debate as it had been set by Locke and his followers. Bentham blended eighteenth-century concerns for definition and truth as grounded in experience with an awareness of symbolic systems as human constructs that was characteristic of later nineteenth-century approaches.
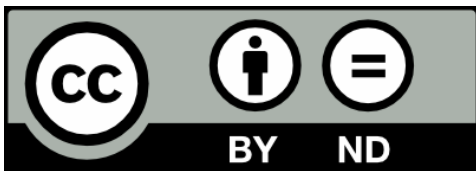
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[110] An in-depth analysis of the theory of fictions as part of a theory of law can be found in Laval, *Bentham*, pp. 39-94, 'Logic of the will', and 'Language as morals and legislation'.