Article

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Abstract

Bentham's attack on organised religion was principally an attack on the 'Church-of-Englandist' ruling few, and, in particular, the ecclesiastical establishment. This article will examine Bentham's argument that the ecclesiastical establishment fostered and exploited religious belief, as well as the hopes and fears associated with popular religiosity, in the pursuit of 'sinister interest'. Bentham recognised a senior clergy that extorted enormous sums of money from the population, instituted a fraudulent education system that subjugated the children committed to its charge, and took advantage of the corrupt alliance of Church and state in order to advance and protect its worldly power and riches. This article will discuss Bentham's proposals to sweep away the mischiefs done by organised religion, both to morality and to good government, and will argue that Bentham's hostility towards the ecclesiastical establishment did not prevent him from recommending that priests be stripped of their power, place and exorbitant wealth as gradually and as painlessly as possible. It will also explain why Bentham thought that liberating religious belief from the coercive control of a self-serving class of men would be more conducive to personal happiness than prohibiting religion altogether.

Keywords: Bentham; Church of England; ecclesiastical establishment; established church; non-disappointment principle; organised religion; ruling few; sinister interest

Introduction

Church-of-Englandism and its Catechism Examined was printed in 1817 under the pseudonym 'An Oxford Graduate', and was published early the following year under Jeremy Bentham's own name.[1] Its excoriation of the Church of England made a formidable contribution to Bentham's broader project to undermine the political, legal and ecclesiastical establishment in England.[2] At the beginning of the 'Preface on Publication' to *Church-of-Englandism*, Bentham referred to *Plan of Parliamentary Reform* (1817) – his critique of the prevailing political system, and a declaration of his radical intent – in the character of a companion volume. Whereas the latter work contained Bentham's 'Catechism' of proposals to bring about 'democratic ascendancy' through electoral reform,[3] *Church-of-Englandism* denounced the Church's own Catechism – a doctrine learned by children before their confirmation – as an instrument for instilling habits of mendacity and insincerity in the public. In the clergy's demand for unquestioning acceptance of each clause of the Catechism, Bentham recognised a Church focused not upon moral or scholarly instruction, much less upon advancing the religion of Jesus, but upon building a 'nest and nursery of deliberate and lucrative falsehood' in order that parishioners would come to serve their priests with 'humble docility' and revere them as the very 'oracles of God'.[4]

The immediate target of *Church-of-Englandism*, therefore, was the Church-sponsored education system that taught the Catechism – particularly the schools of the National Society for Promoting the Education of the Poor in the Principles of the Established Church in England and Wales, which Bentham decried as a cynical means of recruiting and subjugating lay members. As well as functioning to conceal that practice from public scrutiny, the '*ultimate object*' of the National Society, Bentham contended, was to help preserve from reformation the abuses with which the ecclesiastical establishment was replete.[5] Not least among these was the clergy's extraction of vast sums of money from the population, often in the absence of any meaningful service given in return. After closely examining this and other abuses in the extensive Appendices to *Church-of-Englandism*, Bentham set out proposals for the eventual dissolution of the ecclesiastical class and the disestablishment of the English Church as part of a radical programme of reform. Hence, if the Church's education system was the immediate target of *Church-of-Englandism*, the ultimate target was the Church of England itself.

This article explains the reasons for, and the significance of, Bentham's attack on the established church.[6] The aim is to give an account

of Bentham's ideas about the Church of England so that they are understood not only as belonging to his constitutional reform agenda, but also as having contributed to the development of a separate strand in his thought, one in which religion – in this instance organised religion – was the primary concern.

Section 1 will iintroduce Bentham's notion of 'sinister interest' and demonstrate why it was pivotal to his condemnation of the ecclesiastical establishment.

Section 2 will show why Bentham thought the chain of complicity and obfuscation that bound the principal actors to the corrupt alliance of Church and state was forged in the pursuit of earthly, rather than spiritual, rewards. He reserved his sharpest invective in *Church-of-Englandism* for what he saw as an indolent, self-aggrandising priesthood which, though it affected to mediate between humanity and the divine, devoted itself entirely to the temporal gods of money, power, ambition and greed.

Section 3 will examine the intellectual origins of Bentham's view that the ecclesiastical class sought to subordinate the population to its will in order to maintain its privileged position within the monarcho-aristocratic regime. While the analysis will focus primarily upon the pernicious influence of the Catechism, as taught in the schools of the National Society, the importance of Bentham's university education to the formation of his 'unfavourable opinions' about the Church will also be discussed.

Finally, Section 4 will explain why Bentham believed that the most effective and morally justifiable remedy for the ills of organised religion in England lay in the '*Euthanasia*', or 'good death', of the established church.[7]

It will be concluded that Bentham's attack on organised religion, together with his proposals for the disestablishment of the Church of England, aimed not at extirpating religious belief from the minds of men, but at eliminating a religious institution that existed solely for the material benefit of its ruling members. Nevertheless, Bentham knew that by freeing religion from the grip of the ecclesiastical establishment, religious belief would become susceptible to the judgement of people acting in their own interests and deciding whether or not being a religious believer, or 'religionist', was conducive to their personal happiness.

1. Sinister Interest

A critical development in Bentham's political thought, which included the established church within its purview, was the emergence of the notion

of 'sinister interest'.[8] Bentham used the term to refer to the propensity of the ruling classes ('the ruling few') to advance their own happiness at the expense of the only '*right* and justifiable' end of government: the greatest happiness of the greatest number of people ('the subject many').[9] Although the phrase 'sinister interest' appeared in Bentham's economic writings as early as 1794, the idea communicated by it existed in no more than an inchoate form at that time.[10] Schofield suggests that the development of sinister interest as a coherent notion may have been a product of the 'despair and disappointment', even the bitterness, that Bentham felt as the successive administrations of William Pitt and Henry Addington thwarted several of his proposals for reform, and in particular the panopticon prison scheme.[11] In 1797, Bentham expressed deep frustration at what he perceived to be the influence of the aristocratic Grosvenor family in preventing the panopticon from being built near their Westminster home. He observed, with great regret, that sinister interest acting in opposition to the public interest in protecting society and reforming criminals had caused the claims of 'justice and utility' to be sacrificed to those of 'favour and connection'.[12] After spending six more years, as well as considerable personal wealth, trying to bring the panopticon to fruition, a despondent Bentham became convinced, as all hope of delivering the scheme disappeared, that the ruling few had no intention of promoting the greatest happiness of the greatest number whenever so doing would satisfy no interest of their own. The failure of panopticon, therefore, did much to persuade Bentham that the British constitutional framework, rather than being productive of good governance or facilitative of reforms, existed only to serve the sinister interests of the rulers who kept it in place.

Between 1803 and 1809, Bentham increasingly referred to sinister interest as he examined the law of judicial evidence and procedure – and, by extension, the workings of the legal establishment. The deficiencies that he identified with the English legal system, such as the willingness of courts to circumvent their own rules while justifying the practice on grounds that attested to the impropriety of those rules, were the result not of 'primeval blindness and imbecility', as he had previously imagined, but of intentional and 'sharp-sighted artifice'. Whereas ordinary litigants demanded a legal system rooted in substantive law that delivered decisions with a minimum of '*delay*, *vexation*, and *expense*', it was in the sinister interest of legal professionals to support a system that delivered the maximum financial gains to themselves at the cost of the least effort on their part. As judges took enormous fees in place of regular wages,

lawyers benefited financially from the artificially complex and deliberately protracted legal processes that litigants had no option but to navigate; those who could not afford to do so were denied legal representation and thus refused access to the protections of the law. A central feature of this 'complicated system of *devices*, all tending to the same [...] sinister end' was that 'the most instructive and indispensable *sources* of evidence' were frequently excluded in favour of false or otherwise unreliable substitutes. Of English legal procedure, Bentham concluded: 'the *power* found itself in company with the *interest*, and consequently the *will*, to produce as bad a system as the people, with the legislature at their head, could [...] be brought, by the utmost stretch of artifice, to endure.'[13]

By the time that he was writing material for *The Elements of the Art of Packing* in early 1809, Bentham realised not only that the sinister interests of judges and lawyers were also shared by politicians, but also that all such men collaborated and conspired in pursuit of their common sinister ends:[14]

> *Money*, *power*, *ease*, and *vengeance*, these, together with *reputation* [...] how well or how ill soever deserved, may be set down as indicative of the several interests by which, when acting in the direction of *sinister interests*, the conduct of public functionaries [...] is, in a more particular degree, liable to be warped.[15]

Elements itself was the result of Bentham's discovery that the political and legal establishments worked together to destroy the liberty of the press by systematising the practice of appointing (judge-directed) special juries in prosecutions for political libel. Bentham contended that government ministers and legal professionals, as well as the king, recognised that the free press posed a serious and ever-present threat to their corrupt dominion. Reiterating this assertion in an essay of 1820, he argued that '*the liberty of the press*, operates as a check upon the conduct of the ruling few; and, in that character, constitutes a controuling [*sic*] power, indispensably necessary to the maintenance of good government'.[16] By keeping the liberty of the press in a 'state of constant *annihilation*', the ruling few ensured that the interests of the privileged and the non-privileged remained fundamentally opposed.[17]

Before discussing Bentham's assessment of the ecclesiastical establishment, it is worth pausing to note the way in which Bentham supposed sinister interest to operate psychologically. Even though he considered it descriptively true to say that a man pursued his own interest unless ignorance or the dictates of sympathy and antipathy – that is, 'unfounded

sentiments' or '*caprice*' – caused him to act against it,[18] Schofield explains that it did not follow that a man '*ought* on every occasion' to pursue his own interest; rather, in conformity with the principle of utility, he ought always to pursue that conduct which is 'most conducive to the aggregate interest of the community'.[19] That said, a man would only commit acts of a generally beneficent kind if his own interest motivated him to do so, whether for reasons of a '*social*' or '*self-regarding*' nature.[20] At a societal level, therefore, the proper, as opposed to the sinister, function of a legislator was to create the incentives necessary to ensure that an individual's interest aligned, or at least did not conflict, with the public interest, and to safeguard the public interest from the sinister interest of any individual or group of men. Bentham was of the opinion that members of a group pursued their sinister interest more determinedly than an individual pursued his own interest – sinister or otherwise – because public opinion, which operated to support the public interest, had the capacity to elicit a measure of shame from an individual sufficient to restrain disreputable behaviour.[21] Conversely, members of a group were more likely to ignore public opinion and heed the opinions of other group members. This, in turn, lent support to the group's prevailing sinister interest, the strength of which lay in the promise of the benefits to be derived from its advancement, as well as the overall cohesion of the group.[22] In Bentham's judgement, the ruling few were no different from any other group of men with a sinister interest that conflicted with the interest of the community – except that, crucially, only they had the power, knowledge and political opportunity to realise their happiness at the expense of the greatest happiness of almost everyone else.[23]

By 1812, after concluding that sinister interest was pervasive among the ruling members of the legal and political classes, Bentham turned his attention towards the ecclesiastical establishment. The culmination of his enquiry, *Church-of-Englandism*, was an uncompromising account of the sinister interest that, in his view, permeated the clergy as it permeated the other members of 'the *unseen* and invisible, but not less severely *felt*, corporation of the *ruling few*': the lawyers, judges and politicians.[24] Bentham thought the establishment of a body of men with the power to regulate and supervise religious belief had no other purpose than to afford the ruling few an additional means of promoting their own ends. The following section will discuss why Bentham believed those ends to be more profane in origin than either spiritual or divine.

2. Temporal Reward

2.1. Pay without Performance

One way in which Bentham attempted to reveal the operation of sinister interest in the ecclesiastical establishment was by contrasting the acquisitiveness of Church of England clergymen with the restraint and moderation practised in other Protestant denominations. Against the admiration and respect yielded in the Church of Scotland as the '*natural*' rewards of meritorious public service, Bentham set the '*factitious*' rewards reaped in the Church of England by any cleric who ingratiated himself with, or happened to be related to, a 'high-seated' patron and 'giver of good gifts'.[25] In the case of a bishop desirous of an extra 'mass of reward', that ingratiation might take the form of a speech or vote cast in Parliament which promoted the interests of the king, a minister of state or some other present or prospective patron. Throughout *Church-of-Englandism*, Bentham made repeated reference to the Scottish Kirk in order to draw attention to an established church that discharged its duties without the need of bishops – or deans, canons, prebendaries, præcentors, archbishops, archdeacons or any other of the clerical 'abominations' with which the Church of England abounded. Not only were many of these officials awarded huge salaries, but they received their pay in the absence of any obligation to give 'profitable service' in return.[26] Hence, while there could be no sharper criterion for distinguishing the English clergy from their Presbyterian counterparts than the riches and dignities some among them possessed, the gravamen of Bentham's complaint was that once '*expectancy*' had turned into '*possession*' – that is to say, once a Church of England minister had sought and secured a sinecure or other reliable income stream – all effort to deliver service ended. A hitherto '*seductive*' influence thus became a '*narcotic* and *sedative*' one: 'The hope of the reward is what the exertions had for their cause: the *cause* ceasing, so does the *effect*.'[27]

Bentham believed that this self-serving attitude lay behind several of the evils attendant upon the Church's system of allocating benefices, or livings, to its priests. In nineteenth-century usage, a benefice was an ecclesiastical office in which revenues and other valuable assets, including the private use of a rectory or vicarage, or one or more other Church-endowed properties, were bestowed upon the incumbent minister for life. Nominally, these benefits, or 'temporalities', were granted to the priest in exchange for his performing spiritual duties ('spiritualities') in the parish, and as a retainer for their future performance; in reality, said Bentham, they all too

often amounted to a lucrative sinecure conferred upon the cleric for 'not so much as the pretence of service'. This was especially true in the case of a priest who held two or more benefices simultaneously, a practice known as pluralism. Despite the fact that such a priest was non-resident in, at most, all but one of the parishes concerned (since no man could be in two places at once), pluralism allowed him to obtain the temporalities associated with each office that he held. Sometimes a pluralist chose not to reside in *any* of his own parishes, electing instead to secure an additional benefice by doing administrative work on behalf of an ecclesiastical or lay master located elsewhere in the country. To the extent that any spiritual duties were performed in a parish in which the incumbent minister was regularly or permanently absent required those duties to have been delegated to an assistant curate. Yet, aside from the relatively modest remuneration provided to the curate, all revenues associated with the office were retained by the beneficed clergyman.

Bentham denounced the widespread pluralism, and its concomitant absenteeism, for enabling 'useless' parish priests to cultivate to their advantage a striking asymmetry in the relationship between their work and their pay.[28] The main objects of his condemnation, however, were the 'equally useless' bishops and archbishops located at the top of the clerical hierarchy.[29] The bishops violated two of the most 'peremptory and pointed' prohibitions delivered by Jesus to his Apostles, whom the bishops claimed to succeed: first, by their voracious accumulation of wealth; and, second, by their exercising almost unrestrained dominion over their fellow priests.[30] In support of this first assertion, Bentham reproduced a table published in *The Morning Chronicle* on 17 February 1813 detailing the incomes of all English bishoprics, exclusive of any sinecures attached to the same. Several annual salaries exceeded £10,000, with Canterbury and Durham worth £20,000 and £24,000, respectively.[31] Seeing no reason to regard even the least of these incomes as remotely insufficient in terms of the quantity and quality of the service it supposedly secured,[32] Bentham argued that levying money to fund extravagant episcopal salaries imposed a burden on the lay taxpayer 'without need or use'.[33] One of Bentham's recurring criticisms in *Church-of-Englandism* was that, under the Church's system of 'unvarying and everlasting' formularies, all pay over and above that which engaged the services of a parish clerk – who might read the prescribed prayers, sermons and liturgy as competently as any prelate – was incommensurate with the value of the work done and therefore wholly gratuitous. Bentham also invited the senior clergy to justify the extortionate surplice fees that all priests collected for

performing baptisms, marriages, burials and the churching of women. These 'despotic' charges which, once again, were paid directly to the incumbent of the parish regardless of whether the ceremony in question had been performed by an assistant curate, functioned to exclude poorer parishioners from the services upon which their family rights and, so they were told, their souls' salvation depended.[34] Even if the particular surplice fee could be paid, it remained disproportionately oppressive to the least affluent in society, since all parishioners, rich or poor, were charged at the same rate.

More oppressive still were the compulsory taxes. Bentham considered every tax imposed to sustain episcopal and other ecclesiastical excesses 'a scandal to the age', but he believed tithes to be especially iniquitous.[35] The tithe – an annual levy paid to the Church, usually in kind, on one-tenth of agricultural produce – succeeded in placing an unwarranted penalty upon '*the most profitable application of labour*'. The substantial revenues generated by this property tax, which all farmers had to pay irrespective of their religious affiliations, also further incentivised bishops and ministers to spend more of their time absorbed in 'pleasures, or pursuits', rather than in the performance of their duties.[36] In Bentham's estimation, scarcely any limits could be assigned to the mischief operating in diminution of happiness as money was taken from the industrious hands of the community – churchgoer and non-churchgoer alike – and put into the pockets of idlers 'so inappositely styled *reverend*'.[37]

Bentham's second assertion was that, contrary to the teachings of Jesus, the bishops exerted a tyranny over their priests by means of a 'separate and altogether useless' body of substantive law, with its own judicial establishment and forms of procedure. It was a dominion, however, that did not translate into the effective maintenance of ecclesiastical discipline. The bishops, Bentham submitted, were more interested in committing abuses of a similar kind to those of their subordinates – receiving pay without performing service, for example, or '*converting Cure of souls into Sinecure*' for personal profit – than doing anything to prevent abuses from taking place, or to punish the perpetrators once they had. The system itself, which existed only so that the patronage of the judicial establishment could be held in the bishops' 'pre-eminently unfit hands', resulted in 'inefficiency', 'uncognoscibility', and 'plainly useless' and 'palpably inexcusable' complication. Bentham contended that, in practice, the prospect of receiving ever greater amounts of pay was inducement enough for most priests to obey the commands of their rulers and lend support to the

bishops' authority, neither of which had anything to do with providing service in the parish.[38]

Although the Church of Scotland also had a body of substantive law for maintaining clerical discipline, the enforcement of that law required no separate judicial establishment. Rather, a '*natural*' system of justice operated in the Kirk, with groups of clergymen (assisted by members of the laity) exercising 'what little discipline [needed] to be exercised by them, over one another, considered as *individuals*' in proceedings that commenced as soon as an abuse had been alleged. Litigation was required if the maintenance of discipline made it necessary 'to give effect to the *substantive* portion, or *main body*, of the law', yet so infrequent was the demand for litigation that it could be 'justly concluded', reasoned Bentham, that ministers in Scotland rarely infringed the ordinances of the law. Under the Church of England's '*technical*' system, however, an official who suspected (or, indeed, knew) that an abuse had taken place seldom made an 'application for execution', meaning that the transgressions, for all it was possible to tell, may have been 'universal'. Thus, in the English Church, the 'forms' of discipline existed, but the 'substance' did not. In the non-established churches, which in Bentham's judgement were superior even to the Church of Scotland, the opposite was true: there was 'no form, but nevertheless the *substance*: and this but the better, for being *without* the forms'. Discipline was maintained with 'perfect *efficiency*', not by the clergy or by the implementation of coercive laws, but by the 'voluntary contributors' of the laity. If a minister failed to perform his spiritual duties satisfactorily, or failed to perform them at all, then congregants could simply choose to attend a different place of worship and take their financial support with them. This had the same effect as a legal sanction, but lacked the 'maximization of delay, vexation, and expense' that the bishop-controlled English system 'took for its main, if not for its sole object'.[39]

2.2. An Appeal to Ridicule

In Bentham's view, the Church of England priesthood had long rejected Jesus' lapidary words, 'It is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God',[40] preferring instead to heed the maxim that the greater the quantity of pay attached to an office, the greater the qualitative value of the service rendered. Personal wealth, not performance of duty, was thus the measure of a clergy for whom, Bentham remarked, 'camels galloping through the eyes of needles have doubtless been a familiar spectacle'.[41]

Bentham frequently derided the acquisitiveness of the ecclesiastical class in this manner. His pithy explanation of the marked disparity between clerical salaries was that it seemed 'as if, upon being made an Archbishop, a man's stomach grew some hundred times as large as that of a Priest'.[42] Despite its rhetorical force, however, Bentham knew that an appeal to ridicule had the potential to undermine, rather than enhance, the credibility of his argument. As the Reverend Walter M. Hatch, editor of the writings of the philosopher Anthony Ashley Cooper, third Earl of Shaftesbury, commented in a critical footnote to the first treatise of Shaftesbury's *Characteristicks of Men, Manners, Opinions, Times* (1711), ridicule often provided an outlet to 'passion and prejudice', and so might constitute 'an appeal to ignorance and sentiment rather than to knowledge and conviction'.[43] Bentham's approach, however, was to combine humour with polemic in support, not in lieu, of his 'knowledge and conviction'. Indeed, his willingness to use satire and wit to focus attention upon the venality of the ecclesiastical establishment gave expression to Shaftesbury's own belief that:

> Truth, it is supposed, may bear all lights; and one of those principal lights, or natural mediums, by which things are to be viewed, in order to a thorough recognition, is ridicule itself, or that manner of proof by which we discern whatever is liable to just raillery in any subject.[44]

Bentham was familiar with Shaftesbury's views on the utility of employing ridicule in this way, concurring that, if the quality of the thing being interrogated was itself absurd or ridiculous, then 'no argument can be fairer: nor can there be in this case a fairer *test of truth*'.[45] For example, after bemoaning the '*invincible* ignorance' of absentee priests, Bentham turned to ridicule to make the point that, in the Church of England, even a resident priest typically had scant knowledge of his parishioners and their needs:

> The drawing-room, the dining-room, the cellar, the stable, the dog-kennel, of the Lord or Squire – with the state of all these agreeable receptacles […] the most perfect acquaintance may […] be expected at the hands of the Resident Minister […] But the *poor* inhabitants and their wants, – not altogether unhonoured are they, if to the man of God as many of their names are known, as of those of his Lordship's hounds.[46]

Bentham's use of ridicule was thus an attempt, first, to add emphasis to his critique of the true purposes of the ecclesiastical class, not to proceed against the clergy *ad hominem*; and, second, to direct his disdain for that rank of men with the requisite 'intelligence' and 'refinement of judgement' that Hatch himself demanded in order that ridicule should assume a valid argumentative form.[47] As alluded to above, Bentham was grappling with the paradox that the greed and corruption he identified would not end unless and until the Church had been thoroughly discredited, even though disparaging the ecclesiastical establishment inevitably threatened the very prospect of achieving reform.[48] An institution whose ruling members could invoke both God and the Crown was uniquely privileged to disguise, or else to validate, its improprieties. Bentham's attitude was simply to reject the idea that the Church of England could claim those privileges, while denying others the freedom to ask the question posed by Shaftesbury: 'Is this not ridiculous?'[49]

Bentham argued that, in addition to the accumulation of wealth and power, chief among the sinister interests of the ecclesiastical establishment was a commitment to subordinating the public to its will. Alongside an examination of his reasons for making this claim, the following section will explain the alleged purposes of the practice. It will also analyse why the matter was of paramount importance both to the formation and to the force of Bentham's opposition to the established church.

3. Prostration of the Understanding and Will

3.1. Mendacity and Insincerity

Bentham had long been persuaded that the Church was an engine of mendacity. The germ of this idea can be traced back to 1764 when, as a sixteen-year-old, he was required to subscribe to the Thirty-nine Articles of the Church of England as a condition of his graduating from the University of Oxford. It was, to borrow from Schofield, 'an intellectual ordeal that never ceased to trouble him, and constituted a pivotal moment in the development of his views on organised religion'.[50] Bentham bitterly resented the fact that the effect – if not, in his assessment, the sole purpose – of his having to attest to the truth of the statements of doctrine and discipline contained in the Articles was to undermine his own conviction that they conveyed either 'no meaning at all' or 'no meaning but one which [was] too plainly irreconcilable either to reason or to Scripture'.[51]

He thought, for example, that obliging people under Article VIII to recite and believe the creeds – three formulated statements of faith that were 'at war' with reason, with the Bible, and with each other – debarred individuals from the free exercise of their judgements, thereby driving them into 'probable *error* and certain *insincerity*'.[52] Together with a number of students who shared his misgivings, Bentham approached a fellow of Queen's College, Oxford, whose job it was 'to remove all such scruples'. After Bentham had voiced their mutual 'distress', the group met with the 'cold' response that it was presumptuous for uninformed youths to set private judgements against a public one 'formed by some of the holiest, as well as best and wisest men that ever lived'.[53]

In the 'Preface' to *Church-of-Englandism*, Bentham claimed that even before this incident he had already been deeply affected by the hostility that students at Oxford faced if they were adjudged to hold heterodox religious views. He said that witnessing five Methodist students being expelled for 'heresy' and the 'frequentation of *conventicles*' soon after he arrived at the university caused him to develop 'unfavourable opinions, and thence […] unfavourable affections' towards the Church in which he had been raised and confirmed. The young Methodists had done no more, alleged Bentham, than study the Bible independently and put their own interpretation upon the Articles. By their expulsion, he declared, 'that affection which at its entrance had glowed with so sincere a fervor, – my reverence for the Church of England – her doctrine, her discipline, her Universities, her ordinances, – was expelled from my youthful breast'.[54] Nevertheless, not wishing to disappoint a devout father who had paid for his education and who desired him to embark upon a legal career, Bentham reluctantly subscribed to the Articles at his graduation: 'I signed: – but, by the view I found myself forced to take of the whole business, such an impression was made, as will never depart from me but with life.'[55]

Despite always lamenting a decision that he considered 'an act of intellectual dishonesty' (he would describe writing *Church-of-Englandism* as 'an *expiation*'), Bentham reflected that his sense of shame eventually became almost lost in the indignation kindled by the thought of the still greater evil of his 'corrupters':[56]

> *Mendacity* and *insincerity* – in these I found […] the sure and only sure effects […] of a Church of England education of the first quality: these, sooner or later, I could not but see in the number, not only of its *effects*, but of its *objects*: of mendacity, a forced *act* or two: and the object of it the securing of an *habit* of insincerity throughout life.[57]

A speech delivered by William Howley, Bishop of London, later Archbishop of Canterbury, to his diocesan clergy in 1814 confirmed Bentham in his opinion, some fifty years after he had subscribed to the Articles, that it was a deliberate 'policy' of the ecclesiastical establishment to train the public in insincerity.[58] Bentham fixed upon an especially evocative passage in Howley's address that characterised Unitarians as men who 'loving rather to question than learn, have approached the oracles of divine truth without that humble docility, the prostration of the understanding and will, which are indispensable to proficiency in Christian instruction'.[59] Bentham could conceive of no clearer statement that the 'avowed object' of Church of England doctrine, as enforced by what passed for Church discipline, was to maintain a tractable, '*humbly docile* and *prostrate*' laity possessed of an unshakable sense of dependence upon the ecclesiastical class.[60] Pursuing that object required the clergy to direct their efforts towards those who could be urged, by 'subscription and conformity', to 'throw off the yoke' of sincerity and place themselves under the dominion of their clerical instructors.[61] Bentham viewed Howley's sermon as an attempt to promote one of the most important means of executing that charge: the Catechism of the Church of England, as taught in the schools of the National Society.

Inaugurated on 16 October 1811, the National Society aimed to make the Church of England the cornerstone of national learning.[62] Adopting the monitorial method of teaching,[63] the declared purpose of the Church's education system was to impart 'knowledge and habits' to the children of the poor 'sufficient' to guide them through life without raising their aspirations beyond their 'proper stations'.[64] Steintrager is correct to point out that Bentham was 'convinced' that the Church had founded the National Society with the intention of undermining the efforts of Joseph Lancaster and other educational reformers (including Bentham himself) to establish their own systems of nonconformist or, in Bentham's case, non-sectarian schools.[65] Nevertheless, Bentham did not think this the Church's 'only' reason for instituting the National Society, as Steintrager claims.[66] According to Hole, what the promoters of the National Society really wanted from the Church's schools was 'to enforce social control effectively and so defend the constitution in the state', and 'to strengthen the Church of England against the Dissenting challenge and so defend the constitution in the church'.[67] While Bentham would have agreed with this assessment, his thesis went even further. He insisted that the true purpose of the National Society was, per Howley, to teach children that to question was a sin, and to learn

without questioning was a duty. The reason for this, said Bentham, was twofold.

First of all, stifling rather than stimulating curiosity rendered children susceptible to receiving their clerical instructors as infallible dispensers of divine truth, and to accepting each instructor's explanations without contradiction, however implausible or arbitrary they happened to be. Pupils were initiated in the art of 'lax interpretation' – of declaring the meaning of a discourse to be whatever it suited the private purposes of the priest to communicate. If, for example, a child was enjoined to renounce 'the Devil and all his works', a notion that Bentham decried as no less terrifying than obscure, only the conviction or caprice of the cleric could determine what idea, if any, the words conveyed.[68] On this point, Bentham's position had not changed since writing *An Introduction to the Principles of Morals and Legislation*, in which he described how the teacher who neglected to appeal to the correct 'external standard' – namely, the principle of utility – when answering questions of right and wrong invariably prevailed upon students to accept his 'sentiment or opinion as a reason and that a sufficient one for itself'.[69] Even as early as the mid-1770s, Bentham had likened minds prepared for the 'tranquil reception' of nonsense to blank sheets of paper upon which any man who pressed hard enough could write whatever 'scrawls' and 'hieroglyphical chimeras' he pleased.[70] Bentham vilified the artificial 'moralist' as such a man – one who, being incapable of bringing people to his view through rational discourse, resorted to sophistry, invention and fear: 'Unable to convince, his aim has been to silence: unable to reason them into assent, he has tried to frighten them into submission.'[71]

In the same way, the National Society enlisted the unknown and the unknowable to nurture mental serfdom. Furthermore, to teach a Catechism composed of doctrines that had nothing to do with the contents of the Bible, but were instead an invention of the past rulers of the Church was, in Bentham's view, to instruct children to repudiate the religion of Jesus. Bentham related how this 'pretended *Exposition*', which was forced 'into all the scholars' mouths' until it had 'everlasting habitation' in their heads, indoctrinated the young with false, illogical, unintelligible, unverifiable, incredible and, in many instances, undeniably man-made propositions.[72] Each pupil, for example, was obliged to affirm the prescribed belief – a self-evident oxymoron – that a nebulous entity called the Holy Ghost conceived, in a virginal woman, the perfectly human, perfectly divine son of God: a man who would later die, descend into a domain of torment called hell (a claim, noted Bentham, with 'utter

destituteness' of scriptural warrant), rise from the dead, and depart on a cloud for a second supernatural province called heaven.[73] Making schoolboys abandon their critical faculties to swallow a dogma 'pregnant with […] incongruities' and 'out of the reach of human comprehension' served only to reinforce clerical authority at the expense of the free and impartial exercise of private judgements.[74] Hence, argued Bentham, it was not the '*dead* oracles' of the Holy Scriptures before which understandings and wills were expected to fall prostrate, but the '*living* oracles' of the Church of England priesthood:[75]

> the avowed object of [Howley's] endeavours […] is neither more nor less […] than a system of slavery; – of intellectual, and thence, as a necessary consequence, of moral and corporeal slavery, – in which, his Lordship, and his Right Reverend Co-adjutors and Reverend Sub-adjutors, are to be tyrants and sub-tyrants.[76]

Bentham believed that while catechetical instruction corrupted the intellectual part of the mind so that each child (or, indeed, each adult catechumen) became 'unable' – or, by terror, 'unwilling' – to discern the 'mischievousness of the dominion' exercised over him, it also debilitated the moral part of the mind so as to cause him to regard that mischief as an object of indifference.[77]

Bentham's second reason for thinking that the ecclesiastical establishment wished to cultivate habits of insincerity in the public followed directly from his first. In addition to strengthening the clergy's powerful position in society, instilling a passive acceptance of clerical authority prevented people from acting as an effective check upon it. In other words, the 'fixing of adherents' and the 'purchase of converts' in a Church-sponsored education system helped to preserve the clergy's 'worldly and anti-Christian power', and all the profit attached to it, by protecting the Church of England from the threat of reform.[78] Thus, the ruling few wanted to keep the subject many not only in a condition of permanent servility, but also, as a corollary, in one of utter blindness to the endemic corruption of Church and state. Howley's aim was for the clergy to subjugate the children of those among the poor who accepted 'compulsory proselytism' as the price to be paid for a National Society education, while the remainder – abandoned to a life of 'ignorance', 'wretchedness' and 'vice' – would never be in a position to pose a serious threat to their superiors.[79] In *The Book of Fallacies*, Bentham explained that it was in the sinister interest of men in authority that the understandings of men

over whom they exercised dominion remained 'for ever in a state of the utmost imbecility and depravation' as a security for the habits of obedience by which that dominion was constituted.[80] Accordingly, as Church doctrine kept notions of right and wrong, fact and supposition, and moral and religious duty always in 'the most perfect confusion', the layman was obliged to take for the measure of his obedience to the Church the pretended opinion – really the expression of the will, as governed by the sinister interest – of the clergy.[81] This meant that while members of the ecclesiastical class were at liberty to determine the conduct that the laity ought to pursue on pain of 'eternal torment', that determination was safe from challenge because fealty to the Church depended upon the layman's 'blind and abject obsequiousness', not the good or ill intent of the priest.[82]

Elaborating the point in '*Swear not at all*' (1817), Bentham claimed that when such was the nature of the dominion aimed at, it was also expedient to keep the transgressions, howsoever defined and redefined, as 'universal and as continual as possible'. This way, the layman, finding nothing but condemnation in his own conscience, beheld his only prospect of 'deliverance from the wrath to come' in the authority of his 'spiritual guides'.[83] Bentham likened the Church's need for multitudinous sins and sinners to that of a drug-dispensing apothecary profiteering from a plague: 'by a perpetual fever, a perpetual demand for opiates, such as the laboratory of the confessor is furnished with, may be kept up.'[84] Securing unreflective, undiscriminating respect for each holder of ecclesiastical office, independently of anything meritorious that the minister had done to deserve it, ensured that public opinion remained unfailingly subservient to the clergy.[85] In consequence, 'none but a monster' could be seen to oppose so universally feted and 'excellent a being' as the Church of England: 'To every proposal [or] question having reform or improvement in view as to this part of the Official Establishment', the answer, according to Bentham, was one and the same: 'You are an enemy to the Church.'[86] Instead, a public habituated to insincerity formed a reservoir of credulity that the opportunistic priest readily tapped.

It is important to emphasise that Bentham thought almost every aspect of the National Society had been devised to conceal from public scrutiny the abuses perpetrated by the Church through its schools. Even the National Society's annual reports were a fabrication.[87] These 'spurious, and purposely deceptious' documents were designed to help screen the education system from reproach by suggesting that there was a strong unanimity of purpose among the ecclesiastical class about the running of the schools. Echoing his criticisms of the Church's inadequate system

of maintaining clerical discipline, Bentham alleged that the reports were purely a '*matter of form*' and contained nothing of actual substance. The '*Marks of authenticity*' common to proceedings of public bodies, such as the date, time and place of meetings, a record of members present and voting, and the full names of any person officiating as secretary, had all been deliberately omitted from the documents.[88] Bentham was firmly of the view that, in reality, everything done to establish and oversee the administration of the National Society had been the work of two or three senior clergymen, the 'principal portion' of which belonged to the 'irresistibly influential person behind the curtain', Charles Manners-Sutton, Archbishop of Canterbury.[89] Each 'tissue of *imposture*' that the Archbishop had produced, or had caused to be produced, was calculated to create just enough of an impression of probity and consensus that the 'conniving' bishops and priests of the National Society could 'enjoy the benefit of the wickedness' of the education system 'without standing exposed to the disgrace so justly due to it'.[90]

3.2. Bentham's Remedy

Ultimately, the aim of the critique that Bentham made of the National Society was to provide the exposure to that just disgrace, revealing to others one of the most nefarious examples of the sinister interest that he saw pervading the Church.[91] That said, Bentham was conscious of the fact that the true value of uncovering the mischief would only be realised if the diagnosis was followed by a viable remedy: 'Of whatever wounds [the critique] may have happened to it to inflict, not one has ever been inflicted to any other end, than that which […] the Surgeon has in view.' First of all, Bentham suggested that the National Society or, which was 'incomparably better', Parliament should announce that the education system would no longer be '*exclusionary*' in character, but must 'throw open the seats and sources of instruction' to all children whose parents were willing to send them in. Non-Christians, as well as non-religionists, would be admitted to the schools, while people who wished to serve as schoolmasters would be able to do so without having to be members of the Church of England. Second, the only religious material on the curriculum would be the accounts of the parables, miracles and discourses attributed to Jesus in one or more of the four canonical Gospels; the Catechism, together with all other formularies and commentaries, would be discarded. In making this recommendation, Bentham was not endorsing the words of Jesus, but attempting to place himself in the situation of the religionist,

who ought, by his own lights, to esteem the Bible above the false doctrines of the Church.

The third proposal was considered by Bentham to be the most important of his intended reforms. This measure would serve both to expedite the exclusion of insincerity and mendacity from the children of Church-of-Englandists, and to provide a means of enabling the children of heretics and unbelievers to receive the same level of schooling as the rest. While schoolmasters were to be forbidden from compelling any child to relinquish the *religion* of his parents – and schoolmasters would have to give personal assurances to that effect – children would be allowed to think for themselves on questions of *belief*. As to any words put into a child's mouth, nothing was to be inferred, still less asserted, about what the child believed. If the belief was held by anyone, which was by no means certain, then it could only belong to those who administered the instruction 'under the name of *the Church* or *the Government*, or whatever other name may be regarded as more apposite'. Since only the child himself could know what he did or did not believe, no good reason existed for having an education system that made it a moral or religious duty for him to believe, or to endeavour to believe, any claim at all related to religion – or to declare anything of the matter to anyone else. If the child believed a proposition of his own volition, then those in authority had what they wanted. If he did not believe, however, then under Bentham's reforms the child would no longer be made to say otherwise by an act of coercion that neither did, nor could, instil real belief, but rather inculcated 'the habit of *lying*' – a vice that was 'the pander to all other vices and to all crimes'. Extorting from one so young as to be 'altogether incapable of resistance' an assertion, or a promise to declare, that he believed what he was told to believe planted and normalised falsehood. This was true, observed Bentham, when the subject was an act or discourse ascribed to Jesus. However, the example was all the worse in the case of declarations of belief forcibly attached to the contradictory 'inferences' deduced from Jesus' acts and discourses by 'presumptuous and tyrannical' men 'preserved by their numbers from all sense of shame'.

Bentham's remedy amounted to a determination to rescue the public mind from the 'corruptive tyranny' that kept understandings and wills, purchased at the price of '*void promises*' and '*untrue assertions*', in a state of prostration. Once the 'poison' purposely mixed with it had been extracted, the proffered instruction – including the arts of reading and writing, which were 'useful beyond price' – would be available to any child. The school system would therefore survive Bentham's reforms,

but only after the 'toils' that ensnared the innocent had ceased, and the 'mischief' done by Howley, Manners-Sutton and the ruling few had been undone. Only the 'good' – that of genuine education – would be permitted to continue.[92]

That commitment to continuity would extend to the Church of England itself, but not indefinitely. Bentham thought the established church 'ripe for dissolution'.[93] It was inefficient with respect to the ends that it professed to aim at, and all too efficient with respect to the ends that it did aim at but which, being sinister and pernicious, the clergy never admitted. Nevertheless, although Bentham wanted rid of the ecclesiastical establishment, limiting the pain inseparable from so great a change, as the following section will explain, was central to his proposed reforms.[94]

4. The Euthanasia of the Church

4.1. Introducing Reform

Since most people in England believed in Christianity, Bentham knew that a majority of the population would suffer pain if their expectations of continuing in the religion with which they were familiar were suddenly thwarted. On this basis alone, it is perhaps unsurprising that nowhere in his writings on the established church did Bentham recommend proscribing individual expressions of religious belief. Yet it is precisely the lack of such a prohibition among his reforms that casts doubt upon Crimmins' argument that Bentham aspired 'not only to reduce the influence of organized religion but ultimately […] to eliminate the notion of religion itself from the mind'.[95] This assertion followed from Crimmins' principal claim that Bentham thought atheism an essential precondition for the achievement of the ideal utilitarian society: 'The Utilitarian State must, in a sense, force its citizens to free themselves from those obstacles in the path of general happiness. The secular Utilitarian society is one, therefore, in which the State actively works to stamp out religion.'[96]

In Bentham's perfect secularised world, said Crimmins, the 'first duty' of the legislator was 'to do all in his power to eliminate religious beliefs'.[97] This 'authoritarian' perspective is lent support by Burns, who submitted that, in Bentham's opinion, social change was possible only if those with power could act like the 'enlightened despot' and be given 'an adequate interest in using that power in the cause

of social improvement'.[98] As Schofield points out, however, the idea that Bentham wished to utilise the power of the legislator in order to compel people to adopt beliefs and practices calculated to be in their best interests has 'little, if any, direct textual evidence to support it'.[99] It has been shown that a key strand of Bentham's criticism of the ecclesiastical establishment, and the ruling few more generally, was that they had an interest entirely inimical to that of the subject many. Indeed, in Schofield's view, this was the 'whole point' of Bentham's critique, such that he planned 'to make the rulers fully responsible to the people for the exercise of their power, not to see the people totally subservient to it'.[100] A programme of reform that would undermine the authority of the ecclesiastical establishment could not, with any degree of consistency, simultaneously endeavour to maintain society in a condition of real subjection to the ruling few.

Rosen offers a similarly 'liberal' interpretation of Bentham's approach, one which recognises that, for Bentham, the legislator would never have the requisite knowledge and resources at his disposal to be able to maximise individual well-being, but could provide for people's 'basic security so that they were able to maximize their own choice of pleasures and to establish a way of life which brought them happiness'.[101] Bentham believed that each individual was the best judge of his own interests, and the duty of the legislator was – or ought to be – to afford the individual the amplest opportunities to pursue them. Even though religious belief was a serious impediment to an individual's capacity to identify what was conducive to personal happiness, forcing people to profess or adhere to a system of non-belief was no different in principle from enforcing belief.[102] In other words, Bentham had no desire to replace an oppressive, established religion with state-sponsored atheism. More recently, Crimmins has revised his position to acknowledge that Bentham did not intend to allow the ruling few to retain any say on matters of religion, but sought instead 'to diminish significantly the moral and political influence of religious beliefs and institutions' in order that individuals might better recognise their own interests and pursue them with greater advantage.[103] If people were eventually to discard their religious beliefs, and avoid the suffering produced by religion, then governmental coercion was not the answer. On the contrary, individuals needed to be free to enter into open conversation with one another about the truth and usefulness of their religious (and other) beliefs. The legislator's role was simply to create the conditions by which such activity could take place – for example, by allowing freedom of expression and guaranteeing a free press, both of which entailed a respect for religious liberty.[104]

If the above represented an overarching concern in Bentham's approach to organised religion (and to religious belief in general), then his immediate aim was to find a way of relieving the whole community – heretics, unbelievers and Church-of-Englandists alike – of the abuses wrought upon it by the ecclesiastical establishment. Since foremost among these abuses was the compulsory payment of taxes to support the clergy – an act of coercion that inflicted substantial suffering upon a large proportion of the population – a programme of ecclesiastical reform grounded upon the 'greatest happiness of the greatest number' might seem certain to involve, among other measures, an immediate and severe reduction in priestly pay, if not an outright confiscation of Church assets, followed by an equitable redistribution of the excess.[105] For Bentham, however, the painful sensation of disappointment that would be felt by any clergyman who was divested of his property and prosperity complicated the picture significantly. As with the subject many and their religious beliefs, priests had a fixed expectation of continuing in the wealth to which they had become accustomed, such that expropriating it without their consent would cause them to suffer considerable pain. The challenge that Bentham faced, therefore, was to place the business of religious instruction and worship 'upon a footing as beneficial to the joint interests of piety, morality, and economy, as the nature of the case admits of' (the '*positive object*'), while producing 'as little disturbance as possible to established habits, expectations, and prepossessions' (the '*negative object*').[106] Taking each of these objects in turn, it will be seen that Bentham's radical solution would bring about what he called the '*Euthanasia*', or 'good death', of the established church.[107]

4.2. The Positive Object: Disestablishment

In *Church-of-Englandism*, Bentham aimed to achieve the '*positive object*' by recommending that the Church of England be disestablished and, as will be shown, by specifying how disestablishment should be accomplished. Nevertheless, in a later essay, 'Constitutional Code Rationale' (1822), written as part of a preliminary draft of a planned introduction to his Constitutional Code, Bentham fully expounded his view that government power ought never to be employed to establish any system or article of belief on the matter of religion.

Bentham considered the establishment of religion to be an unmitigated evil. If any man already believed the truth of the religion, then applying reward or punishment to instil belief was needless; if any man

did not already believe, then it was wicked to try to instil belief through the exercise of a coercive, burdensome power. The main pillar of Bentham's argument, however, was that a religious establishment corrupted morals and degraded the human intellect. Insofar as a man's profession of belief had been obtained through coercion, there was no way of knowing whether the 'act of judgement termed belief' had really been instantiated.[108] If it had not – and, as has already been seen, Bentham thought coercing belief a contradiction in terms – what had been procured instead was a false and insincere declaration of belief comparable 'in point of title to credence' to the dishonest testimony of a hired witness, and 'wanting nothing but the ceremony called an oath to be subornation of perjury'.[109]

Bentham explained that the 'remunerative' power of the state was applied to the purpose of supporting a religious establishment in one or both of two ways: first, the 'direct mode', which involved giving money to an individual upon his professing the belief in question (or signing a declaration to that effect); and, second, the 'indirect mode', which involved hiring men – priests, teachers – to attempt to cause the belief to be professed by others. Bentham stated:

> If the direct mode of procuring profession of belief is bad, this indirect mode is much worse. In the direct mode, the only part of the mental frame vitiated and corrupted is the moral part: in this indirect mode, the moral part is much more thoroughly vitiated and corrupted, and the intellectual part is vitiated likewise.[110]

Priests in the indirect mode, continued Bentham, were occupied in a perpetual endeavour to deceive, and to cause others – for example, the children in the National Society's schools – to declare the truth of something which they themselves did not believe. Bentham claimed that although a priest degraded his 'moral frame' when proclaiming to be true that which he believed to be false, he would often try to believe the purported truth in order to rid himself of this confused and potentially troubling state of mind. In so doing, he diverted his attention away from all considerations tending to cause the belief to be regarded as false, and applied it to all considerations tending to cause the belief to be regarded as true. This Bentham called the 'self-deceptive process'. Priests inculcated not sincere belief, but a habit of 'partiality' and 'wilful blindness' that perverted their 'intellectual frame' and produced 'a propensity to embrace falsehood and error in preference to truth, whatsoever be the subject'.

Having made that initial claim, Bentham was then able to introduce his more consequential charge. Mirroring the priests' own efforts in the established church's education system, the ruling members of the Church and state fostered and exploited the compromised psychology of the clergy, as well as the individual clergyman's hope of securing patronage, to induce priests to do their will. Maximisation of profit, Bentham asserted, was the sole reason for the existence of a priesthood, and although priests had the 'immediate use' of the immense power and money of which that profit was comprised, the 'continually received use' belonged exclusively to the rulers.

A system in and by which priests' moral and intellectual faculties were habitually debased, declared Bentham, provided a 'virtual assurance' that the class of men whose power maintained the establishment of that system viewed the religion at its centre as untrue. Moreover, if the usefulness of a religion depended upon its being believed to be true, then why, he asked, did the rulers give so compelling a warrant that, in their eyes, the religion was false? Returning to the analogy of the hired witness, Bentham explained that the 'probative force' of the hirer's belief in the truth of his suit was necessarily weaker than the 'disprobative force' of the circumstantial evidence of unbelief that the very fact of the hiring afforded:

> In no case where it is men's real wish to inculcate the truth do they take this course for the inculcating it. In no case in which it is a man's interest that the truth, on whatever side it be, should be embraced does he take this method for causing discovery to be made of it, and the belief of it, when discovered, entertained.[111]

Bentham also noted that if a system of hiring false witnesses at court were to be established by law, then the wrongful side would need only to possess the power, knowledge and financial means to secure an insurmountable advantage. He was convinced that the ruling few saw no 'truth' in the beliefs that Church of England priests inculcated – nor, as to the inculcation, any 'use' beyond the power and money that they themselves derived from it. Indeed, Bentham insisted that, with respect to the subject many, it was 'no real object' of the established church that anything useful should be realised at all. If it were, then the ecclesiastical establishment would try to ensure that priests performed the allegedly beneficial service, not least by mandating a direct relationship between work and pay.[112]

As demonstrated above, Bentham rarely refused the opportunity to use the Biblical tenets of the religion of Jesus against a Church that he believed had either forgotten or forsaken them. Even though his attack on organised religion was, of course, utilitarian in origin, Bentham placed utilitarianism and scripture in joint opposition to Church-of-Englandism when illustrating the conflict between the precepts of Jesus and the notion of religious establishment. This allowed Bentham to claim that establishing a system of opinions on the subject of religion was no less an affront to the 'greatest happiness of the greatest number' than it was to the will of Jesus. Nowhere in scripture did Jesus direct that the religion he was delivering ought to be established; nowhere did Jesus demand that money be given to those who said that they believed his teachings, or who taught others to believe them; and nowhere did Jesus call for punishment to be applied to those who failed to attest to their belief in his teachings. In fact, observed Bentham, the reverse was true. Jesus is described as having abhorred the 'corruptive effect of opulence', and as having denounced those who put their trust in earthly riches.[113] Although Bentham would dismantle the established church, he sought to demonstrate that it was the '[w]allowers in wealth and luxury' masquerading as preachers of Christian doctrine who had already done so much to put the religion of Jesus to an end:[114]

> Accordingly in no instance has a system in regard to Religion been ever established but for the purpose as well as with the effect of its being made an instrument of intimidation, corruption and delusion, for the support of depredation and oppression, in the hands of the government.[115]

4.3. The Negative Object: Managing Expectations

After making the case for disestablishment, Bentham's '*negative object*' was to produce proposals that would bring about the '*Euthanasia*' of the established church – that is to say, the separation of Church and state, and the extirpation of the ecclesiastical establishment, while also attempting to ensure that no individual would be any the worse for the change.[116] Thus, the negative object involved specifying how the positive object might be attained in the least painful, and therefore the most morally justifiable, way possible. On that basis, the non-disappointment principle, the 'immediate descendant' of the greatest happiness principle, operated to guide Bentham's reforms.[117] Presented in a rudimentary shape in *Plan of Parliamentary Reform* (1817) as the *uti possidetis* ('as you possess')

principle,[118] the non-disappointment principle required that the suffering of people directly affected by the reforms be kept to a minimum.[119]

Returning to *Church-of-Englandism*, Bentham stated that on the death or removal from office of an archbishop or bishop, the dwellings of the respective province or episcopal see, which were almost uniformly non-hereditary, were to be sold at auction, with the money raised going into a 'Church Reform Fund' to be administered for the public good; the same would apply to the holdings of any dean, canon, prebendary, præcentor or 'any other such Sinecurist'.[120] Conformity with the non-disappointment principle, however, required that a proportion of the sale monies was to be distributed to clergymen vacating the properties in order to compensate for their loss and, where applicable, their frustrated expectations of continuing in possession.[121] When calculating a suitable rate of compensation, account would be taken of the '*pretium affectionis*' or 'value of affection' that the priest placed upon the property if he had occupied it for a significant number of years, as well as the market value of the patronage in the case of a patron of a benefice. Any clergyman could at any time choose to sell all or part of the property on condition that he accepted a government annuity for life purchased from the dividends of the sale.

The non-disappointment principle would also underpin the process of abolishing tithes in kind, which, as before, would cease only upon the death or removal from office of the incumbent priest. Tithes were to be replaced by a land tax, one subject to regular reassessment and, in the event of alleged excess, to appeal from the occupant, landlord, lessee or other interested person to a jury sitting at the quarter sessions. Again, a government annuity would compensate for the removal of the tithe where the patronage of the parish belonged to an individual (with an additional payment to be made if the patron had been 'breeding up for the Church' a son of not less than fourteen years of age).[122] Where the patronage belonged to the Crown, however, no allowance would be made to the patron: 'By this means that vast mass of the matter of wealth, operating in the hands of the Chancellor, in the shape of matter of corruption, would be sunk, and the Constitution relieved from the pressure of it.'[123] The reform would give effect to Bentham's long-held desire, first expressed four decades earlier, to see tithes abolished and 'converted into an equivalent but less burthensome provision' so that 'the hand of exaction may no longer nip improvement in the bud' and 'the pastor and his flock may feed in peace'.[124] Only with the emergence of the idea of sinister interest did that desire change in one important respect. By the time that Bentham was composing material for his intended Constitutional Code in

the 1820s, his concern was less with pastors feeding in peace, and more with overcoming the opposition of every 'tithe-fed priest' to the abolition of a tax that enabled indolent clergymen to subsist upon the products of the industry of others.[125]

Perhaps the most conspicuous of Bentham's reforms was a proposal to dissolve the distinction between the clergy and the laity – indeed, to dissolve what it meant to be a clergyman altogether – but, again, to do so incrementally so as not to disrupt the clergy's material expectations. Bentham recommended that no new priest be appointed upon the death or removal from office of the incumbent minister.[126] Instead, local vestry committees composed of parish ratepayers were to appoint a lay parish clerk or other competent lay congregant – even a local schoolboy – to administer the liturgy, which, said Bentham, entailed no more than reciting set forms of address. Prescribed declarations of belief were to cease and, in place of 'home-made' sermons, a selection of discourses made by 'hands of acknowledged competency' and containing only 'useful instruction' (or, at least, instruction 'as little pernicious as possible') would be compiled into a standardised *Collection or Book of Homily Sermons*.[127] Otherwise, Bentham proposed to leave the doctrine and liturgy of the Church of England largely 'untouched' – 'left', he said, 'to all those by whom it is approved […] to make the most of it'. He commented somewhat pointedly that it was inconsistent with sincerity, so too liberty and parishioners' prevailing expectations, to effect immediate change in that field.[128] Nevertheless, buildings that were once the monopoly of the established church were to be made available 'to any person or persons at pleasure for the purpose of divine worship, according to any form of the religion of Jesus'.[129] The layman's access to God, insofar as such a thing was possible, would no longer be mediated by priests. Although Yelle greatly overstates his case in claiming that Bentham saw this reform as 'an extension of the religious Reformation' – Bentham was no radical Protestant – he is less hyperbolic in noting that just as Protestantism had relieved the Roman Catholic Church of its role as sole 'custodian, messenger, and interpreter of God's word', so Bentham wished to oust the English successor to the Church of Rome.[130] The essential difference, which Yelle fails to identify, is that Bentham had no intention of replacing the Church of England with another religion, or with any other form of metaphysical speculation.

While Crimmins is right, at least in a descriptive sense, to say that the remit of existing ministers was to be 'reduced' to performing acts of beneficence in the parish, the likely response of Bentham to such

an observation would have been to point out that, under his reforms, most priests' workloads would thereby be increased.[131] Bentham did in fact argue that in order for a cleric to be of use to parishioners in this way, the '*anti-pastoral ignorance*' common to Church of England clergymen had to be eliminated: first, by abolishing the widespread practice of ministerial non-residence in the parish, thus curing the ills of pluralism and absenteeism; and, second, by ensuring that all priests were issued with what Bentham termed the '*Pastoral Statistics*', a 'stock of information' about the population of the parish and the material circumstances of the parishioners.[132] Each priest was to be permitted to retain all pecuniary interests, powers and dignities, whether held in possession or fixed expectation, until his death or dismissal from office, whereupon the ministerial pay would lapse into the Church Reform Fund.[133] The vestry committees were to be authorised to sanction ordinations in the customary manner, but only on condition that any newly created minister relied entirely upon voluntary donations for his pay.[134] The unordained parish clerk, by contrast, was to be paid, either from the poor rates or from the parish, half as much again as he received prior to the reforms. Bentham regarded this additional sum of money as sufficient to secure the clerk's performance of the quondam minister's part of the service.[135] Existing bishops and archbishops, whose power and prestige Bentham intended eventually to eradicate, were to perform only those functions directly relevant to their offices.[136] Each prelate would receive a salary from the Church Reform Fund commensurate with the service given, rather than the '*factitious dignity*' of his office.[137] Although the Crown would retain the power to make episcopal appointments, no new bishop – to be styled a 'Vice-Bishop' – would be able to claim a seat in the House of Lords as of right. The expectations of existing bishops to remain members of the upper chamber would, however, be protected. As Crimmins summarises, the end that Bentham had in view was the 'elimination of the bishops' legislative power', though one might add that this was a necessary, if not in itself a sufficient, means of achieving Bentham's more pressing aims of defeating clericalism and frustrating the operation of sinister interest.[138] Bentham's reforms were also designed to ensure that, for as long as Christianity persisted in England, religious worship would possess the joint attributes of 'efficiency, simplicity and frugality', with any payments made to those who performed religious duties correlating as closely as possible with the quantity and quality of work done.[139]

In some of his earliest writings, dating from 1774–5, Bentham noted that, in England, 'the clergy are scorpions which sting us'.[140] More than four decades later, Bentham's hostility towards the clergy did not prevent him from recommending that the Church of England priesthood be stripped of its power, place and exorbitant wealth as gradually and as painlessly as possible:

> On this plan, whatsoever unavoidable evil, in the shape of immediate suffering, is liable to result from *change*, is reduced to its *minimum*.

> On this same plan, the provocation to resistance is, in like manner, *minimized*: and by this means, probability of success is so far *maximized*.[141]

Conclusion

Bentham's attack on organised religion was an attack on the 'Church-of-Englandist' ruling few, in particular the bishops and archbishops of the ecclesiastical establishment. Bentham maintained that senior clergy fostered and exploited religious belief, and the hopes and fears associated with popular religiosity, in the pursuit of their sinister interest. They extorted enormous sums of money from the population, instituted a fraudulent education system that subjugated the children committed to their charge, and took advantage of the corrupt alliance of Church and state in order to advance and protect their worldly power and riches. Deliberately expressing his purpose in the language of scripture, Bentham intended to bring 'death to so many of the sins of the *ruling few*' and 'salvation to the welfare of the *subject multitude*'.[142] In more precise terms, the object of his programme of reform was to clear away the 'great mischiefs' done by organised religion to morality and to good government: to morality, by eliminating a venal clergy that, in 'open contempt' of the supposed ordinances of God, subordinated, deceived and plundered its congregation instead of ministering to it as servants; and to good government, by eradicating a source of corrupt and corruptive influence from society.[143]

The truth or falsity of Christian theology was a lesser, though by no means absent, concern in Bentham's assault on organised religion. The 'good death' that Bentham proposed held dominion, not over Christianity, but over the Church of England's 'vital part' – her 'gold heart' – worshipped

by an ecclesiastical establishment that, in turn, enjoined people to prostrate their understandings and wills before the clergy:[144]

> The life then of this [Church] being in her gold, – taking away her gold, you take away her life [...] Here then is *Euthanasia*. No spasm: no convulsion: a death which no man will feel: – a death for which all men will be the better, and scarce a man the worse.[145]

Bentham's reforms would allow the liturgical service of the Church of England to endure for as long as parishioners willed it – meaning for as long as they were prepared to fund it voluntarily. Although *Church-of-Englandism and its Catechism Examined* contained no proposals to prohibit religion, Bentham thought that by liberating religious belief from the coercive control of a self-serving class of men, the subject many would become free to act in their own best interests. Individuals could then decide for themselves whether or not continuing in the religion of Jesus – or, indeed, any religion – would tend to increase their personal happiness or diminish it.

Declarations and Conflict of Interests

The author declares no conflicts of interest with this work.

Notes

1 J. Bentham, *Church-of-Englandism and its Catechism Examined*, London, 1818. The authoritative edition is *Church-of-Englandism and its Catechism Examined*, eds J.E. Crimmins and C. Fuller, Oxford, 2011 (*The Collected Works of Jeremy Bentham*).

2 *Church-of-Englandism* (*CW*), p. xi.

3 *Plan of Parliamentary Reform in the Form of a Catechism, with Reasons for Each Article, with an Introduction, Shewing the Necessity of Radical, and the Inadequacy of Moderate, Reform*, London, 1817, in *The Works of Jeremy Bentham*, ed. J. Bowring, 11 vols, Edinburgh, 1843, iii. pp. 433–557.

4 *Church-of-Englandism* (*CW*), pp. 109, 262, 272–3.

5 *Church-of-Englandism* (*CW*), p. 109.

6 Some of the material in this article has been published in edited and abridged form as P. Lythe, 'Jeremy Bentham on Organised Religion', in *La figure de Saint Paul dans les oeuvres de Bentham sur la religion*, J.-P. Cléro, ed., Bayonne, 2021.

7 *Church-of-Englandism* (*CW*), pp. 344–6. Bentham borrowed the word 'euthanasia' from Hume. See David Hume, 'Whether the British Government inclines more to Absolute Monarchy, or to a Republic', 1741, in *Essays, Moral, Political, and Literary*, E.F. Miller, ed., rev. edn, Indianapolis, 1987, p. 53: 'Absolute Monarchy [...] is the easiest death, the true *Euthanasia* of the BRITISH constitution.'

8   For the history of 'sinister interest' in Bentham's thought, see P. Schofield, *Utility and Democracy: The Political Thought of Jeremy Bentham*, Oxford, 2006, pp. 109–36.

9   J. Bentham, *An Introduction to the Principles of Morals and Legislation*, London, 1789. The authoritative edition is *An Introduction to the Principles of Morals and Legislation*, eds J.H. Burns and H.L.A. Hart, Oxford, 1970 (*The Collected Works of Jeremy Bentham*), pp. 14–15n, hereafter *IPML* (*CW*).

10 J. Bentham, *Writings on Political Economy: Volume II*, ed. M. Quinn, vol. ii, Oxford, 2019 (*The Collected Works of Jeremy Bentham*), pp. 165–6. Bentham wrote of the 'sinister and partial interest' of government administrators and joint-stock companies. See also J. Bentham, *Writings on the Poor Laws: Volume I*, ed. M. Quinn, vol. i, Oxford, 2001 (*CW*), pp. 282–3, written in 1797, in which Bentham discussed powers to restrain the sinister interest of farming managers.

11 Schofield, *Utility and Democracy*, pp. 109–10.

12 UC cliii. 283. The corresponding marginal summary sheet, at UC cliv. 79, is dated 5 November 1797.

13 *Scotch Reform; Considered with Reference to the Plan, Proposed in the Late Parliament, for the Regulation of the Courts, and the Administration of Justice, in Scotland*, London, 1808 (Bowring, v. pp. 1–53, 4). Italics in original quote (as throughout this article).

14 *The Elements of the Art of Packing, as applied to Special Juries, particularly in Cases of Libel Law*, London, 1821 (Bowring, v. pp. 61–186). The essay was first printed in 1810, at which time Sir Samuel Romilly warned Bentham that publication was likely to result in his prosecution by the Attorney-General. See *Correspondence* (*CW*), viii. pp. 60–1.

15 Bowring, v. p. 89.

16 *On the Liberty of the Press, and Public Discussion and other Legal and Political Writings for Spain and Portugal* (*CW*), eds C. Pease-Watkin and P. Schofield, Oxford, 2012, pp. 12–13.

17 Bowring, v. pp. 101, 117n; Schofield, *Utility and Democracy*, p. 136.

18 *IPML* (*CW*), p. 15.

19 Schofield, *Utility and Democracy*, pp. 125–6.

20 *IPML* (*CW*), p. 116.

21 See *IPML* (*CW*), p. 47: 'The pains of an ill-name, are the pains that accompany the persuasion of a man's being obnoxious […] to the ill-will of the world about him. These may likewise be called the pains of ill-repute, the pains of dishonour, or the pains of the moral sanction.'

22 M. James, 'Public Interest and Majority Rule in Bentham's Democratic Theory', *Political Theory* 9 (1986), no. 1, pp. 49–64.

23 J. Hamburger, *Intellectuals in Politics: John Stuart Mill and the Philosophic Radicals*, New Haven, 1965, p. 45.

24 *Church-of-Englandism* (*CW*), p. 285.

25 *Church-of-Englandism* (*CW*), pp. 401–7. Bentham was almost certainly echoing scripture and may have had in mind James 1: 17: 'Every good gift and every perfect gift is from above, and cometh down from the Father of lights.'

26 *Church-of-Englandism* (*CW*), pp. 384–5 & n.

27 *Church-of-Englandism* (*CW*), p. 406.

28 *Church-of-Englandism* (*CW*), p. 285.

29 *Church-of-Englandism* (*CW*), p. 346.

30 *Church-of-Englandism* (*CW*), pp. 475–6. Bentham cites Matthew 9: 16–28, Mark 9: 33–5, Luke 22: 24–6, and several other Biblical passages in which Jesus issued such prohibitions.

31 *Church-of-Englandism* (*CW*), pp. 409–12. See also *The Morning Chronicle*, 17 February 1813. In his own, slightly later attack on the excesses of the ecclesiastical class, Wade argued that there was 'no just reason' why the bishops' official incomes should be 'so disproportionate to that of a lord of the Treasury, or Chancellor of the Exchequer'. In 1780 the annual salary of the Chancellor of the Exchequer was £5,398. It remained so until 1831, when it was reduced to the same £5,000 rate received by the First Lord of the Treasury. Wade also described the salaries of the judges of the common law courts as 'enormously too high', although again the £5,300–£5,500 paid to the puisne justices of either the King's Bench or the Common Pleas in 1829 was significantly less than many episcopal incomes. See John Wade, *The Black Book: An Exposition of Abuses in Church and State, Courts of Law, Municipal Corporations, and Public Companies*, 2nd edn, London, 1835, pp. 59–60, 329, 500–1.

32 The smallest salary, worth £900 per year, belonged to the Bishop of Llandaff. Until the early twentieth century all Welsh dioceses were part of the Church of England.

33 *Church-of-Englandism* (*CW*), pp. 411, 474.

34 *Church-of-Englandism* (*CW*), pp. 286, 475–7.

35 *Church-of-Englandism* (*CW*), pp. 285–6.

36 *Church-of-Englandism* (*CW*), pp. 474–5.

37 *Church-of-Englandism* (*CW*), pp. 372, 382n, 474, 488n.

38 *Church-of-Englandism* (*CW*), p. 476; Schofield, *Utility and Democracy*, p. 193.

39 *Church-of-Englandism* (*CW*), pp. 415–27.

40 Mark 10: 25.

41 *Church-of-Englandism* (*CW*), p. 391n.

42 *Church-of-Englandism* (*CW*), p. 285.

43 Anthony Ashley Cooper, 'A Letter Concerning Enthusiasm' (first published 1708), in *Characteristicks of Men, Manners, Opinions, Times* (first published 1711), W.M. Hatch, ed., rev. edn, London, 1870, pp. 1–70, 39n.

44 Anthony Ashley Cooper, 'Sensus Communis: An Essay on the Freedom of Wit and Humour' (first published 1709), in *Characteristicks of Men, Manners, Opinions, Times*, pp. 71–174, 75–6.

45 *Church-of-Englandism* (*CW*), pp. 365–7. This section, like Cooper's work, discusses ridicule as a fair test of truth and contains numerous references to 'Sensus Communis'.

46 *Church-of-Englandism* (*CW*), p. 363.

47 Cooper, 'A Letter Concerning Enthusiasm', p. 39n.

48 J. Steintrager, 'Morality and Belief: The Origin and Purpose of Bentham's Writings on Religion', *The Mill Newsletter* 6 (1971), no. 2, pp. 5–8.

49 Cooper, 'Sensus Communis', p. 76.

50 *Church-of-Englandism* (*CW*), p. xii.

51 *Church-of-Englandism* (*CW*), pp. 35–40.

52 *Church-of-Englandism* (*CW*), pp. 211–22 and 222n, 306, 471–2. According to Article VIII, the Athanasian, Apostles' and Nicene Creeds were 'thoroughly to be received and believed'. Bentham thought the Church of Scotland 'wiser and honester than to teach any of these Creeds'.

53 *Church-of-Englandism* (*CW*), p. 36.

54 *Church-of-Englandism* (*CW*), pp. 34–6. The incident in question most probably refers to the expulsion of six students 'for holding Methodistical tenets, and taking upon them to pray, read, and expound the scriptures, and sing hymns in a private house', reported in the *St James Chronicle*, 17 March 1768. Bentham has misremembered the date of the incident. The expulsion hearing took place on 11 March 1768 at St Edmund Hall, by which time Bentham had left Oxford to take up residence at Lincoln's Inn.

55 *Church-of-Englandism* (*CW*), p. 36. Bentham's father, Jeremiah Bentham (1712–92), was a successful attorney in the Court of Chancery and a committed member of the Church of England.

56 *Church-of-Englandism* (*CW*), pp. 38–40 & n; P. Schofield, *Bentham: A Guide for the Perplexed*, London and New York, 2009, p. 2.

57 *Church-of-Englandism* (*CW*), p. 36.

58 *Church-of-Englandism* (*CW*), p. 109.

59 William Howley, *A Charge delivered to the Clergy of the Diocese of London, at the Primary Visitation of that Diocese, in the Year 1814*, London, 1814, p. 16. See also *Church-of-Englandism* (*CW*), p. 37n.

60 *Church-of-Englandism* (*CW*), pp. 36–8, 297.

61 *Church-of-Englandism* (*CW*), pp. 112–13n.

62 The General Committee of the National Society was composed of 52 members: the Archbishops of Canterbury and York, the 24 bishops, 10 Lords Temporal or members of the Privy Council, and 16 other appointees.

63 The monitorial method required adult masters to teach a small group of older or more able pupils ('monitors') who in turn taught the remaining children.

64 *First Annual Report of the National Society, or Promoting the Education of the Poor in the Principles of the Established Church*, London, 1812, p. 18; P. Silver and H. Silver, *The Education of the Poor: The History of a National School 1824–1974*, Abingdon and New York, 2007, p. 9.

65 For the teaching methods and curriculum that Bentham recommended for use in a new form of secondary day school see J. Bentham, *Chrestomathia*, eds M.J. Smith and W.H. Burston, Oxford, 1993 (*The Collected Works of Jeremy Bentham*).

66 J. Steintrager, *Bentham*, New York, 1977, p. 80.

67 R. Hole, *Pulpits, Politics and Public Order in England 1760–1832*, Cambridge, 1989, pp. 187–99.

68 *Church-of-Englandism* (*CW*), pp. 207–9, 254.

69 *IPML* (*CW*), p. 25.

70 UC xcvii. 48 (*c*.1773).

71 J. Bentham, *Preparatory Principles*, eds D.G. Long and P. Schofield, Oxford, 2016 (*The Collected Works of Jeremy Bentham*), p. 153.

72 *Church-of-Englandism* (*CW*), pp. 32, 257–9.

73 *Church-of-Englandism* (*CW*), pp. 211–22, 216.

74 *Church-of-Englandism* (*CW*), pp. 203, 472.

75 *Church-of-Englandism* (*CW*), p. 262. The phrase 'living oracles' is borrowed from Blackstone, Bentham's most prominent lifelong adversary and one of the 'chief priests' of the common law: 'the judges […] are the depositary of the laws; the living oracles, who must decide in all cases of doubt'. See William Blackstone, *Commentaries on the Laws of England*, 4 vols., Oxford, 1765–9, i. pp. 69–70; J. Bentham, *'Legislator of the World': Writings on Codification, Law, and Education*, eds P. Schofield and J. Harris, Oxford, 1998 (*The Collected Works of Jeremy Bentham*), p. 124.

76 *Church-of-Englandism* (*CW*), p. 260.

77 *Church-of-Englandism* (*CW*), pp. 67–8.

78 *Church-of-Englandism* (*CW*), pp. 112–13n.

79 *Church-of-Englandism* (*CW*), pp. 92–3.

80 J. Bentham, *The Book of Fallacies*, ed. P. Schofield, Oxford, 2015 (*The Collected Works of Jeremy Bentham*), pp. 372–3. Some of the material contained in this authoritative edition was previously published in French as *Tactique des assemblées législatives, suivie d'un traité des sophismes politiques*, ed. É. Dumont, 2 vols, Geneva, 1816, ii. pp. 1–267 and later, in English, as *The Book of Fallacies: from unfinished papers of Jeremy Bentham. By A Friend*, ed. P. Bingham, London, 1824.

81 *The Book of Fallacies* (*CW*), pp. 220–2, 372–3.

82 *The Book of Fallacies* (*CW*), pp. 286, 373.

83 J. Bentham, *'Swear not at all': Containing an Exposure of the Needlessness and Mischievousness, as well as Antichristianity, of the Ceremony of an Oath*, London, 1817, (Bowring, v. pp. 187–229).

84 Bowring, v. pp. 187–229. See also *Preparatory Principles* (*CW*), p. 239. Bentham claimed that religionists have an interest against the advancement of morality 'as Quacks are interested against the progress of genuine physic'.

85 *IPML* (*CW*), p. 35n.

86 *The Book of Fallacies* (*CW*), pp. 268–72.

87 See *First Annual Report of the National Society, for Promoting the Education of the Poor in the Principles of the Established Church*, London, 1812; *Second Annual Report … Church*, London, 1814; *Third Annual Report … Church*, London, 1815; *Fourth Annual Report … Church*, London, 1816.

88 *Church-of-Englandism* (*CW*), pp. 104–9.

89 *Church-of-Englandism* (*CW*), pp. 106–9, 168.

90 *Church-of-Englandism* (*CW*), pp. 102–6, 564n.

91 Schofield, *Utility and Democracy*, pp. 172–3.

92 *Church-of-Englandism*, pp. 333–42.

93 *Church-of-Englandism* (*CW*), p. 347.

94 *Church-of-Englandism* (*CW*), p. 55.

95 J.E. Crimmins, *Secular Utilitarianism: Social Science and the Critique of Religion in the Thought of Jeremy Bentham*, New York, 1990, p. 15. This argument had previously been made by J. Steintrager, 'Language and Politics: Bentham on Religion', *The Bentham Newsletter* (1980), no. 4, pp. 4–20.

96 Crimmins, *Secular Utilitarianism*, p. 305.

97 Ibid, pp. 289–90.

98 J.H. Burns, 'Utilitarianism and Reform: Social Theory and Social Change, 1750–1800', *Utilitas: A Journal of Utilitarian Studies* 1 (1989), no. 2, pp. 211–25, 220–1.

99 P. Schofield, 'Political and Religious Radicalism in the Thought of Jeremy Bentham', *History of Political Thought* 20 (1999), no. 2, pp. 272–91, 274–6.

100 Ibid, pp. 289–90.

101 F. Rosen, *Bentham, Byron, and Greece: Constitutionalism, Nationalism, and Early Liberal Political Thought*, Oxford, 1992, pp. 35–6.

102 Schofield, 'Political and Religious Radicalism', pp. 288–9.

103 J.E. Crimmins, 'Bentham's Religious Radicalism Revisited: A Response to Schofield', *History of Political Thought* 22 (2001), no. 3, pp. 494–500, 497–8.

104 Schofield, 'Political and Religious Radicalism', pp. 289–90. Schofield cites P.J. Kelly, *Utilitarianism and Distributive Justice: Jeremy Bentham and the Civil Law*, Oxford, 1990, who argues that Bentham did not see any grounds for imposing religious doctrines and would allow individuals to choose their own religious beliefs if they so wished.

105 *IPML* (*CW*), p. 39.
106 *Church-of-Englandism* (*CW*), p. 483.
107 *Church-of-Englandism* (*CW*), pp. 344–6.
108 J. Bentham, *First Principles Preparatory to Constitutional Code*, ed. P. Schofield, Oxford, 1989 (*The Collected Works of Jeremy Bentham*), pp. 325–32, 325.
109 *First Principles Preparatory to Constitutional Code* (*CW*), pp. 325–6; UC v. 259 (21 March 1813).
110 *First Principles Preparatory to Constitutional Code* (*CW*), p. 326.
111 *First Principles Preparatory to Constitutional Code* (*CW*), p. 328.
112 *First Principles Preparatory to Constitutional Code* (*CW*), pp. 325–32.
113 Mark 10: 24.
114 *First Principles Preparatory to Constitutional Code* (*CW*), pp. 325–32.
115 *First Principles Preparatory to Constitutional Code* (*CW*), p. 331.
116 *Church-of-Englandism* (*CW*), p. 483.
117 *Church-of-Englandism* (*CW*), pp. 587–9. Bentham discussed the 'disappointment-preventing principle' in his review of James Humphreys, *Observations on the Actual State of the English Laws of Real Property, with the Outlines of a Code*, London, 1826, later published in Bowring, v. pp. 387–416; J.E. Crimmins, *Utilitarian Philosophy and Politics: Bentham's Later Years*, London and New York, 2011, p. 63.
118 See *Plan of Parliamentary Reform*, Bowring, iii. pp. 441–8.
119 Bentham knew that this would also have the practical advantage of reducing the threat of opposition to his reforms.
120 *Church-of-Englandism* (*CW*), pp. 485–6.
121 *Official Aptitude Maximized; Expense Minimized*, ed. P. Schofield, Oxford, 1993 (*The Collected Works of Jeremy Bentham*), p. 342; *Church-of-Englandism* (*CW*), pp. 348, 485–6.
122 *Church-of-Englandism* (*CW*), pp. 487–8.
123 *Church-of-Englandism* (*CW*), p. 487. The Lord Chancellor enjoyed the right of appointing clergy to Crown livings worth less than £20 per annum. See Blackstone, *Commentaries on the Laws of England*, ii. p. 47.
124 J. Bentham, *A Comment on the Commentaries and A Fragment on Government*, eds J.H. Burns and H.L.A. Hart, Oxford, 1977 (*The Collected Works of Jeremy Bentham*), p. 315.
125 Bowring, ix. p. 102.
126 *Church-of-Englandism* (*CW*), p. 346.
127 *Church-of-Englandism* (*CW*), pp. 353, 484.
128 *Church-of-Englandism* (*CW*), pp. 490–2.
129 *Church-of-Englandism* (*CW*), p. 485.
130 R. Yelle, 'Bentham's Fictions: Canon and Idolatry in the Genealogy of Law', *Yale Journal of Law and the Humanities* 17 (2005), no. 2, pp. 151–79, 157, 163.
131 Crimmins, *Secular Utilitarianism*, pp. 193–4.
132 Ibid; *Church-of-Englandism* (*CW*), pp. 360–3.
133 Again, the practice of the English Church compared unfavourably with that of the Kirk, as Sir John Sinclair, first Baronet of Ulbster, had already obtained similar information from the ministers of the 895 parishes of the Church of Scotland. See John Sinclair, *The Statistical Account of Scotland. Drawn up from the communications of the Ministers of the different Parishes*, 21 vols, Edinburgh, 1791–9. Cited in Schofield, *Utility and Democracy*, p. 183.
134 *Church-of-Englandism* (*CW*), p. 484.
135 The poor rate was a tax on the occupiers of property raised by each parish to fund poor relief.
136 Crimmins, *Secular Utilitarianism*, p. 195.
137 *Church-of-Englandism* (*CW*), p. 347.
138 Crimmins, *Secular Utilitarianism*, pp. 194–5.
139 *Church-of-Englandism* (*CW*), pp. 475, 484.
140 Bowring, x. p. 74. See also Crimmins, *Secular Utilitarianism*, p. 182. Crimmins uses the same quote in support of his claim that anticlericalism emerged as an early strand in Bentham's thought.
141 *Church-of-Englandism* (*CW*), p. 349.
142 *Church-of-Englandism* (*CW*), p. 427.
143 *Church-of-Englandism* (*CW*), pp. 293, 476, 492.
144 *Church-of-Englandism* (*CW*), pp. 345, 491.
145 *Church-of-Englandism* (*CW*), p. 492.

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