

BENTHAM'S *THE RATIONALE OF REWARD*

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JEREMY Bentham (1748-1832) will always be of interest to political theorists, but the recent acquisition by Alexander Library of a copy of the first English language edition of his *The Rationale of Reward* (1825) heightens immediate interest in the works of this British utilitarian reformist. *Reward* is but one of Bentham's many treatises that suggest that society should—"ought," as compared to "is," as Bentham frequently prefers—contrive by its laws and its systems of punishments and rewards to see that serving society is pleasant and that serving one's own interests at the expense of society's is painful. If it is indeed possible to reduce his vast works to such a phrase, it is this one, for Bentham struggled thematically throughout his life between what is and what ought to be, and learned early on that what men say is one thing, what they do is another, and what they ought to do is sometimes still a third. Bentham is of course fascinating to read and to try to understand, because his theories are often supported by observation or applied to situations in government and jurisprudence, as well as to criminology and arts and letters in general. *Reward* is no exception.

Bentham wrote much more than he had prepared for publication, and few of his books after 1789 (when he published his famous *An Introduction to the Principles and Morals of Legislation*) were fully finished by him. He enlisted others to construct books from his manuscripts. Many were put together by Etienne Dumont, as, for example, the *Théorie des peines et des recompenses*, 1811, originally divided into *The Rationale of Reward* and *The Rationale of Punishment*. In 1825, seven years before the author's death, Dumont issued the first English language edition of *Reward*, separate from *Punishment* but with the addition of Book IV, "Reward Applied to Production and Trade," which Dumont says was not part of Bentham's original plan for the treatise on rewards. Dumont added it to the new volume, a copy of which Alexander Library acquired, because it presents an important application of the principles laid down in earlier parts of the book. Book IV is extracted from Bentham's *A Manual of Political Economy* (1798), which in some ways is a critical analysis of Adam Smith's *Wealth of*

Nations. Dumont published the English edition of *The Rationale of Punishment* in 1830. Among Bentham's other editors or collaborators were James Mill, John Stuart Mill, and, after his death, John Bowring, his literary executor. Thus, even during his lifetime many of his books are not entirely his own work, a fact which Benthamites regard as good reason to take some care in interpreting the philosopher's writings after 1789. However, this writer—a journalist, not a schooled Benthamite—will avoid such risk by sticking to the text as published.

The volume of 353 pages is 5¾" x 9" and housed in the customary marbled cloth cover and leather binding. It was printed by C. H. Reynell, Broad Street, Golden Square, and issued by John and H. L. Hunt, Tavistock Street, Covent Garden, both locations in London. Dumont, the collaborative editor, notes in the "Advertisement By the Editor" that the work is extracted from two sets of manuscripts, one in French, the other in English, written between forty and fifty years ago, and "which do not appear to have been even confronted together." Both were originally published in Paris in 1811. Three editions have been printed in France and one in England, and *The Rationale of Reward* occupies the second volume.

Bentham, in his "Preliminary Observations," writes that the greatest happiness of the greatest number ought to be the object of every legislator, and for accomplishing his purposes towards this objective, he possesses two instruments—punishment and reward. "The theories of these two forces divide between them, although in unequal shares, the whole field of legislation." Reward, meanwhile, is defined as "a portion of the matter of good." Cause must be distinguished from effect, and the means of obtaining pleasures or exemptions from pains, as well as the pleasures or exemptions from the pains themselves. What a legislator must bestow is the former, or the *means*, not the pains themselves.

The avoidance of pain, or, conversely, the attraction of pleasure, is but a *portion* of the matter of good, ". . . in consideration of some service supposed or expected to be done, [it] is bestowed on some one, in the intent that he may be benefited thereby." This pain-less ingredient, so central to Bentham's utilitarianism, is supposed to operate as *the* motive for the performance of socially useful actions. Bentham prefers extraordinary services to those of an ordinary or routine and occasional nature, for the former are rendered on behalf of the whole community, i.e., inventions, services in time of war, great discoveries in national welfare and science. "Reward is to good, what punishment is to evil," thus the

absence of good is comparatively an evil and the absence of evil is comparatively a good.

The notion of evil—"all sorts of evil"—is included in Bentham's notion of reward, which is to say that punishment is useful; Bentham insists that the opposite of reward—pain or punishment—produces a positive effect that sustains the real value of reward. Presumably, the threat of punishment encourages the pursuit of reward. (I am reminded here of John Milton's theme in *Paradise Lost*, which, oversimplified, suggests that only through the knowledge of evil is man able to discern good.) When it comes to the enactment of laws, Bentham argues that the most favorable opportunities for legislation are those in which both punishment and reward are intertwined, especially if punishment immediately follows the omission of dutiful service and if reward follows its performance. Immediacy is the key.

Before going on with the text of *Reward*, it is significant to point out that central to Bentham's utilitarian sociology is mankind's need for security. As he writes in *The Book of Fallacies* (1824): "True it is, that all laws, all political institutions, are essentially dispositions for the future; and the professed object of them is to afford a steady and permanent security to the interests of mankind." To Bentham, laws provide predictability and, thus, security in life. Law is the difference between animals and man, or as one of his biographers writes: "Law is the specifically human way of recognizing, using, and subduing time. Its victory is security." (Mack, p. 78) Throughout his life, from Westminster to Oxford to Lincoln's Inn, Bentham sought to work out a utilitarian rationale of law that required legislators whose business it would be to increase happiness.

Bentham returned to that theme in *Reward*. He insisted, further, that the legislator should enact laws which would execute themselves. "The law's provisions are so arranged the punishment immediately follows its violation, unaided by any form of procedure: that to one offence another more easily susceptible of proof, or more severely punished, is substituted." Just as reward diminishes not only punishment but the very need for pain, it is by the taking away of liberty or security that power is conferred. "Fortunate America! fortunate on so many accounts, if to possess happiness it were sufficient to possess every thing by which it is constituted, this advantage is still yours: preserve it for ever, bestow rewards, erect statutes, confer even titles, so that they be personal alone; but never bind the crown of merit upon the brow of sloth."

In accordance with Bentham's principle of utility, the costly matter of reward ought only to be employed in the production of service to the community at large, that a reward can only consist of a *portion* of the matter of reward and be employed as a *motive* for the production of service. Rewards, however, do not have to be promised to be effective, though they may be expected. "A promised reward, bestowed upon one who has not deserved it, is entirely lost. An unpromised reward, thus improperly bestowed, is not necessarily lost." Bentham argues that reward should be substituted for punishment throughout the whole field of legislation. For, if people are motivated by the fear of punishment, they will exert themselves just enough to avoid punishment and no more. Although personal motivation may be conditioned by fear, the individual ought to be motivated by reward, not punishment.

Punishment is best used for restraint or prevention, reward for excitement and production—the one a bridle, the other a spur! Punishment relates more directly to crimes, especially where, in Bentham's words, "very extensive mischief may be produced by a single act." Punishment is the only eligible means of regulating conduct of people in general; reward ought to be reserved for directing actions of particular individuals. And, finally, necessity compels the employment of punishment, whereas reward is a luxury. "Discard the first, and society is dissolved: discard the other, and it still continues to subsist, though deprived of a portion of its amenity and elegance."

Bentham urges avoidance of "anything in the shape of reward" which may tend to interfere with the performance of duty. He says that factitious reward is superfluous, preferring instead natural reward governed by several rules: 1) the aggregate value of the natural and factitious reward ought not to be less than is sufficient to outweigh the burden of the service; 2) factitious rewards may be diminished in proportion as natural ones are increased; 3) reward should be adjusted in such a manner to each particular service, "that for every part of the benefit there may be a motive to induce a man to give birth to it" (in other words, the value of reward should advance with the value of service); and 4) when two services are in competition and a person cannot be induced to perform both, the reward for the greater service ought to be enough to induce him to prefer it to the lesser. "If punishment ought not to be inflicted without formal proof of the commission of crime, neither ought reward to be conferred without equally formal proof of desert." In response to the adage "virtue is its own reward," Bentham

argues for reward, if applicable, to virtuous and striking actions, “readily susceptible of proof, which arise out of extraordinary circumstances.” Rewards cannot be instituted for parental kindness, conjugal fidelity, adherence to promises, veracity, gratitude, and pity, for these rewards would indeed be contrived for behavior normally expected.

In Book II, Bentham turns to the pragmatic issue of salary—“emolument of a determined amount paid at regularly recurring periods.” The greater the service, the greater the reward, and the greater is the motive it constitutes. Moreover, the greater the motive, the more strenuous the exertion it has a tendency to produce; and the more strenuous the exertion, the greater will be the value of the service. Good service begets good money and good money begets good service. “Hence it follows that, if salary be reward, as far as funds can be found, salaries cannot be too large.” There must be other motives, because salaries are frequently out of proportion to service—large salaries for small service, small salaries for admirable service. Among “other motives,” Bentham suggests the pleasures of power (to balance the pains), the fear of shame (to keep from sinking below mediocrity), and, of course, the hope of fame and celebrity, all being rewards beyond mere (but necessary) emolument. However, salaries and other emoluments are not minimized; they ought to be the least that the individuals qualified are willing to accept for their performance. Such minimal rewards are likely to produce good service in the future. But, to place individuals above want, salaries must be sufficient to avoid corruption. Finally, a “pension of retreat” is recommended as a debt of humanity paid by the public to its retired servants.

Book III is an attempt to apply the rationale of reward to art and science, which, contrary to popular opinion at the time, are inseparable. Bentham arranges the arts and sciences into two divisions—those of amusement and curiosity and those of utility, both immediate and remote—but these two branches of human knowledge and endeavor require different methods of treatment by governments. The arts and sciences of amusement are ordinarily called fine arts and those of curiosity the sciences of heraldry, of medals, of pure chronology, of knowledge of ancient and barbarous languages, and of the study of antiquities. “The utility of all is exactly in proportion to the pleasure they yield.” Of significance to our own time as well as to Bentham’s is the philosopher’s perceived role of governments vis-à-vis the arts and sciences. Governments are to remove the discouraging circumstances under which artists

and scientists labor, and they must favor their advancement and contribute to their diffusion. But, such support and funding ought to be bestowed in the shape of reward: "Talents are rewarded by giving new means of increasing them."

Since governments are supposed to be representative of the governed, it follows that Bentham would support the value of public opinion. In fact, we have Bentham to thank for providing us with the first detailed discussion of public opinion in English. He saw public opinion as integral to the democratic state. As posited by Bentham and confirmed much later by Raymond Williams and others, democracy is no longer a cliché for "mob rule," but instead is at the pinnacle of the grammar of political virtue. In the second chapter of his *Essay on Political Tactics* (1791), entitled "Of Publicity," Bentham identified the "fittest law for securing the public confidence . . . that of publicity." To the question, "Where are the best men?" he answers that they may not be in the legislature; he is, thus, arguing on behalf of the need for informed public opinion. He gives but passing reference to public opinion in *Reward*, noting only that a single individual is seldom able to withstand or change the laws established by public opinion: "As the public mind becomes enlightened, these laws will change of themselves."

In Book IV, which Dumont extracted from *A Manual of Political Economy*, Bentham applies his rationale to production and trade. His application is based on one principle—the limitation of production and trade by the limitation of capital. Competition is encouraged, but loans are seen as false encouragement. "Taxes ought to have no other end than the production of revenue, with as light a burthen as possible." Bentham excludes "intoxicating liquors" from unburdensome taxation, however, reasoning that a high tax may diminish their consumption by increasing their price. The theory may be reasonable on the face of it, but it is fallacious, if not contradictory. It is fallacious for obvious reasons and it contradicts Bentham's earlier point that cause must be distinguished from effect when considering the value of reward and punishment. Besides, there seems to be no contemporary evidence that price affects the sale of alcoholic beverages. Colonization, too, bears on production and trade. "When an excess of population, in relation to territory, exists or is foreseen, colonization is a very proper measure. As a means of increasing the revenue of the mother country, it is a very improper measure."

In summary, *The Rationale of Reward* encompasses a number of

Bentham's theories and observations. It is based on the legislator's obligation to promote the greatest happiness of the greatest number. It sees the avoidance of pain as the primary motive for community service, but recognizes that reward and punishment are intertwined as methods for inducing pleasure and service. The immediate application of reward and punishment is critical. Statutory law insures predictability and security. Salary, commensurate with performance, is an important form of reward. Governments, susceptible to enlightened public opinion, are responsible for encouraging and supporting art and science. Taxation and colonization are viable when used fairly and judiciously.

With *Reward*, Bentham provides us with an overview, or guide, to his works in general. His overriding position is that mankind is governed by two sovereign motives—pain and pleasure. Throughout his life Bentham sought to apply this basic notion to most of society's institutions. He was much less a pure philosopher than a critic of law and of judicial and political institutions. He tried to define the basic concepts of ethics and then to apply them to the world in which he lived. For this reason his works will always find an audience.

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