

## **“The Art of Ruling Minds”: Jeremy Bentham and the Public Opinion Tribunal**

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### **The Author:**

Paola Rudan is a Research Fellow at the Department of History, Culture, and Civilization at the University of Bologna. She received her Ph.D in *Europe and Americas: Constitutions, doctrines and political institutions* from the University of Bologna in 2007. The same year she published a work on Simón Bolívar’s political thought (*Por la senda de Occidente. Republicanism y Constitución en el pensamiento político de Simón Bolívar – Along the Path of the West. Republicanism and Constitution in Simón Bolívar’s Political Thought*, Madrid, Biblioteca Nueva). Her work has appeared in the *History of Political Thought* and the *History of European Ideas* (forthcoming), and, in 2013, she published a book on Bentham (*L’inventore della costituzione. Jeremy Bentham e il governo della società – The Inventor of the Constitution. Jeremy Bentham and the Government of Society*, Bologna, Il Mulino). Her research also concerns contemporary political theory (she edited the Italian translation of Wendy Brown’s *Politics out of History – La politica fuori dalla storia*, Roma–Bari, Laterza, 2011) and the history of women’s political thought, as evidenced by a current project examining different historical articulations of the concept of “woman.”

### **The Paper:**

Moving from a discussion of the liberal interpretations of Jeremy Bentham’s political thought, this paper analyses the role played by the Public Opinion Tribunal within his constitutional project. It is argued that in Bentham’s view this institution should perform a *societal function* and affect not only the governors, but also the governed, who are supposed to be its “functionaries.” To articulate this interpretation, the paper provides a reading of Bentham’s theory of public opinion and its constitutional role within the frames of both the American and the French Revolutions. From this historical perspective, Bentham’s conception of opinion is compared with those articulated by some of his main theoretical sources, such as Hobbes, Locke, Hume, De Lolme, and Necker. Through this comparison, Bentham’s *science of opinion*—the foundation of what he called the “art of ruling minds”—will be exposed as the effect of his understanding of society as a space characterized by an immanent normativity. This normativity must be incorporated and institutionalized by legislation and the constitutional code.