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AUTHOR'S NOTE

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Introduction

- 1 'Gothic' can function as a critical tool which helps read texts in social sciences and highlight unexpected aspects in those texts. In the following analysis, 'Gothic' is to be understood as referring to a literary genre or tradition, with its motifs and scenarios. 'Gothic' is also defined as a shifting term which may take on different meanings — such as 'archaic' or 'primitive' — in ideological debates in which self-definition is at stake. Finally, 'Gothic' as a critical tool may be used to upset conventional chronology. Indeed, 'Gothic' time is haunted, haunted by past events, of course, but also by events to come, by the future.

- 2 The several facets of ‘Gothic’ as a critical tool will be used to analyse two letters written by Jeremy Bentham (1748-1832), usually remembered as the father of utilitarianism, to Lord Pelham, who was then Home Secretary in Addington’s government. In these letters, Bentham attacked the transportation scheme adopted by the government and defended his plans for a Panopticon penitentiary. Bentham’s letters relate to the Gothic in several ways. First of all, in his criticism of transportation, he drew on a Gothic rhetoric which was common to tales of terror and reformist writing, and kept its binary structure in his strategy of denunciation. Moreover, Bentham depicted the transportation scheme as ‘barbarous’, which is one of the synonyms of ‘Gothic’ as an ideological compound. Lastly, he imagined scenarios which would never come historically true but which were fully exploited by Victorian Gothic fiction.

Panopticon VS Transportation

- 3 In 1779, a *Penitentiary Act* was passed, calling at first for the creation of a whole network of hard labour houses, and then only for the construction of two penitentiaries in the London area — Britain was trying to reform its prisons. In 1786, Jeremy Bentham contributed to the movement for prison reform through a series of letters, in which he explained his scheme for a Panopticon penitentiary. The letters were followed by two *Postscripts* written in London in 1790 and 1791, in which Bentham worked out the technical details of his plan and analysed the ends and means of punishment from a utilitarian perspective. The Panopticon is a penitentiary in which surveillance is constant and omnipresent. Bentham’s idea was to build the cells around a tower, from which the inspector could see all prisoners at a glance. The prisoners, however, could never tell whether the inspector was actually in his tower. Therefore, they interiorized the inspection principle and behaved accordingly.
- 4 Bentham’s project differed from his contemporaries’ as he did not stress the religious aspect of reclusion and advocated private management of prisons — his Panopticon was to be managed by a governor on contract, with a financial interest in the prison. Bentham’s ideas did not prevail. The government built penitentiaries where inspection was limited and the state progressively took over prison management. Bentham’s Panopticon was never built and lay in critical oblivion until Foucault analysed it in *Discipline and Punish* (1975). Foucault’s study of Bentham’s Panopticon was biased, and purposely so. Foucault himself warned his readers that he was not trying to be historically faithful to Bentham’s thought, or to read it in the context of penal reform. He defined the Panopticon as a principle which, generalized to the whole of modern society, led to the emergence of the disciplinary society.
- 5 The Panopticon writings in the fourth volume of the Bowring edition of Bentham’s *Works* also included two letters to Lord Pelham, published alongside *A Plea for the Constitution* under the common title *Panopticon Versus New South Wales*.¹ In his first two letters to Lord Pelham,² Bentham compared the flawed scheme of transportation to the penitentiary system as exemplified, first, in the prospective Panopticon and secondly, in its real American versions in Philadelphia and New York. As R. V. Jackson explains, ‘Jeremy Bentham was intermittently obsessed with the penal colony [of New South Wales], and he waged at least three campaigns to have the colony abandoned in the dozen years or so after 1791.’³

- 6 Transportation had appeared as a way to conciliate the necessity to fight several waves of crime and the growing moral scruples about physical punishment. When transportation to America ended, with the Independence, New South Wales, where Cook had landed in 1770, seemed to offer a viable alternative. The first ships of convicts were sent in 1787. By July 1800, the government believed that the state of the colony had sufficiently improved to enable them to abandon the penitentiary system at home. Bentham therefore wrote to Lord Pelham, to defend the penitentiary system and criticize transportation both in theory and in practice. He had already criticized transportation as a principle in *A View of the Hard Labour Bill* (1778) and was to come back to the topic in *A Plea for the Constitution* (1803), stressing that it was unconstitutional. Bentham also addressed transportation in his *Principles of Penal Law*, which appeared in 1830 in English but were based on manuscripts dating from 1775.⁴ In his denunciation, Bentham used a Gothic rhetoric but upset the Gothic cartography of political evil which prevailed in Gothic novels.

What is Gothic space?

- 7 The end of the eighteenth century saw two opposite mappings of abuse coexist. In Gothic literature, cruelty and lawlessness were located in Southern Europe. Gothic space was the land of misrule, where capricious tyrants had absolute power over characters' goods, persons and lives. This Gothic space was associated to a Gothic time, namely the Middle Ages. The ideological function of the Gothic was to present the eighteenth century as liberated and enlightened by contrast. As Fred Botting contends, "Gothic" functions as the mirror of eighteenth-century mores and values: a reconstruction of the past as the inverted, mirror image of the present, its darkness allows the reason and virtue of the present a brighter reflection.⁵ In reformist discourse, on the other hand, areas of barbarism were shown to persist in the British legal system and prisons, and in the supposedly enlightened eighteenth century. Liberation from archaism was a horizon, a goal — it still had to come. Reformist and radical discourses aimed at identifying dark spaces in England. Thus, the eponymous protagonist of Godwin's *Caleb Williams* (1794) exposes his fellow-citizens' illusions: 'Thank God, exclaims the Englishman, we have no Bastille! Thank God, with us no man can be punished without a crime! Unthinking wretch! Is that a country of liberty where thousands languish in dungeons and fetters? Go, go, ignorant fool! And visit the scenes of our prisons!'⁶
- 8 Alfred E. Longuel explains that the adjective 'Gothic' had three meanings in the eighteenth century: medieval, barbarous and supernatural. The reformists' thought is built on the idea of progress which underlay the ideological substratum of the Gothic novel — the movement from archaism to enlightenment, from the Middle Ages to modernity. Just like Gothic novelists, they used the word 'Gothic' in a strategy of denunciation, only they turned it against eighteenth-century Britain. For that purpose, they also used Gothic images.
- 9 Two Gothic motifs were widely used to describe prisons and imprisonment in the eighteenth century: that of hell, and that of premature burial. An author condemned the practice of imprisoning debtors in these terms: 'Barb'rously most Mortals strive / For debt to bury Men alive'.⁷ In 1714, the author of a history of highwaymen described Newgate as 'a place of calamity, a dwelling in more than Cimmerian darkness, an

habitation of misery, a confused Chaos without any distinction, a bottomless pit of violence, and a tower of Babel, where all are hearers and no speakers.’⁸ The anonymous author of the 1717 *History of the Press-Yard* depicted Newgate as an ‘Ancient Repository of Living Bodies’.⁹ In Defoe’s *Moll Flanders* (1721), Newgate was perceived as ‘an emblem of hell itself and a kind of entrance into it’.¹⁰ The quote from Dante’s *Inferno*, which enjoins those who enter it to leave all hope, appears in Ann Radcliffe’s *The Italian* (1791), in which it refers to the prisons of the Inquisition, and in Etienne Dumont’s introduction to Bentham’s *Principles of Penal Law* about the ‘Tartarus ... of legislation’ which Bentham sought to reform.¹¹

- 10 The reformists launched a campaign intended to show that the adjectives ‘archaic’ and ‘barbarian’ which were associated with ‘Gothic’ aptly described certain places on British soil — especially prisons and even courtrooms. In their discourse, prisons were places ruled by despotism and judicial courts baffled the rights of the individual. In his *State of the Prisons* (1777), John Howard attacked what he called the ‘Gothic mode of correction’.¹² Robert Mighall explains:

Howard deploys the associative charge which this term carried to stigmatize practices which, he implies, are more appropriate to an oppressive or even ‘feudal’ age or culture, and should therefore be banished from democratic Britain in that age of boasted liberty and light. Cultures, attitudes, practices, and institutions could thus be labelled ‘Gothic’ if they derived from or resembled the perceived characteristics of (a mythical and wholly prejudicial view of) the Middle Ages, or in fact any ‘unenlightened’ epoch.¹³

- 11 Howard, among others, exposed the bad living conditions and lack of organization which fostered physical and moral contagion and prevented reformation.
- 12 Bentham too used ‘Gothic’ — as a word and as a set of images — in a strategy of denunciation. When he called for the law to be clarified, he exposed, for instance, the ‘Gothic accoutrement of antiquated phrases’ to be found in Common Law.¹⁴ He also showed that the Common Law was structurally ‘Gothic’, that is, archaic, because the perpetuation of age-old practices made the dead weigh on the living. For instance, he criticized the rule which made libels punishable when aimed at men in power, pointing that it was a legacy from old times, which the judges preserved ‘as if borne down by the irresistible weight of authorities.’¹⁵ When Bentham turned to prisons, he opposed the dark and confused space of actual prisons to the ideal transparency of the Panopticon. In Bentham’s penitentiary, time and space were to be completely controlled through grids of power. Whereas Gothic space is dark, uneven, and shelters conspiracies, Bentham sought to create permanent surveillance by shedding constant and equal light on a homogeneously controlled space. He imagined a system of lamps and reflectors so as to ‘extend to the night the security of the day’.¹⁶ He recommended complete and intensive mastery over space: ‘Cells, communications, outlets, approaches, there ought not any where to be a single foot square, on which man or boy shall plant himself — no, not for a moment — under any assurance of not being observed.’¹⁷ Conspiracies, among prisoners or among those in power, could thus be anticipated and prevented.
- 13 Many critics have identified a utopian dimension in the Panopticon. A utopia may be defined as an ideal community set outside of known geography, in which life in all its aspects is described in its organization. It is a sort of historical *tabula rasa*, an opening for political thinkers to project their visions, which are often authoritarian. That feature is present in the Panopticon, where the prisoners have no decision power whatsoever. Bentham’s *Panopticon Letters* also display the same attention to the details

of everyday life as most utopias. His is a comprehensive scheme which covers diet, education, health, spiritual life and much more. Finally, his prisoners also seem as devoid of desire as the inhabitants of utopias.

- 14 However, when he created the Panopticon, Bentham was not indulging a fanciful vision or developing a hypothesis for criticism or speculation's sake. He intended to see his penitentiary built in the London area and experienced much frustration when his attempts at finding a building site were thwarted. Moreover, the Panopticon was not to be a self-sufficient enclave. It was inserted in the economic system of the outside world, and it was to be inspected by magistrates and the public. Therefore, the Panopticon does not fully qualify as a utopia.¹⁸

New South Wales as a Gothic dystopia

- 15 As for dystopia, it may be defined as a negative utopia. While utopia describes society before corruption, dystopia depicts a corrupt state which is not seen as corrupt but as highly satisfying by those who live in it.¹⁹ The New South Wales colony was dystopian because, according to Bentham, it hosted convicts whose characters had been corrupted by the vices of civilization. Moreover, Bentham insisted that instead of being reformed in New South Wales, the convicts indulged their vices even more. Many in Britain thought they had solved or at least extirpated the problem of crime by removing convicts to the Antipodes. Transportation, and later emigration, appeared as a solution to keep the British body politic healthy. On the contrary, Bentham argued that the New South Wales settlement was part of a British organic body and that growing corruption in New South Wales would have an impact on Britain. Therefore, the current situation in New South Wales was a partial image, a dystopian reflection of the present and future state of Britain.
- 16 Bentham 'gothicized' the colony by depicting it as a land of misrule, arbitrary and uncertain justice, where the rights of British citizens were violated. Because the colony was located at 'the very furthest point of the globe', abuses could be perpetrated away from the eye of power, across what Bentham called a 'sea of oblivion'.²⁰ From a political point of view, the New South Wales colony was ruled by a 'system of misgovernment' — 'autocratical' authority, 'tyranny', and 'the most glaring of oppressions' were the order of the day.²¹ In Bentham's view, the governor was '*de facto* ... an absolute [monarch]' whose power was illegal since it had not been officially sanctioned by the Parliament.²² It was a case of 'unparliamentary colonization'.²³
- 17 Whereas Britain was supposed to be the land of the rule of law, Bentham argued that 'New South Wales [had] nothing in it that ever was a *law*, or so much as called a *law*'.²⁴ The governor legislated indiscriminately, '*chance-medley*' in Bentham's words, over the whole population on matters as diverse as famine, security against the natives, prevention of drunkenness or religion.²⁵
- 18 Justice was administered through civil courts composed of a judge-advocate and six army officers, chosen by the governor. Because Parliament had not bothered to specify the modalities of judicial proceedings in New South Wales, Bentham pointed out that the governor was free to set up a court of which he was the sole member, to try offences which he had defined himself. This was exactly how the functioning of the Inquisition was portrayed in Gothic novels. Indeed, in Ann Radcliffe's *The Italian*, Vivaldi, who has been imprisoned by the Holy Office and is being examined, exclaims:

‘How! ... is the tribunal at once the Prosecutor, Witness, and Judge!’²⁶ The Inquisition, a recurrent figure in Gothic novels, was associated to England’s own Court of the Star Chamber. Bentham underlined the Gothic potential of the situation in New South Wales by conjuring up the image of the Star Chamber: ‘It is Star-chamber out Star-chamberized: legislature and judicature confounded and lodged together, both in one and the same hand.’²⁷

- 19 The Court of the Star Chamber had been created in 1497 under Henry VIII. It was a supreme court, chiefly of criminal jurisdiction, designed to judge, without appeal, those who plotted against public order. Based on the king’s prerogative and not bound by the Common Law, the Star Chamber did not depend upon juries and acted upon petition or information — just like the Inquisition. Moreover, punishments were arbitrary. The Court was thus potentially a tyrannical instrument, and ‘the abuse of it under James I and Charles I made it a proverbial type of an arbitrary and oppressive tribunal.’²⁸ It was abolished by the Long Parliament in 1641. Bentham was therefore calling on the historical and fictional memory of his readers when he raised the spectre of the Star Chamber. By stressing the persistence of the Star Chamber, Bentham pointed out that the Chamber and its abuses were neither definitely buried nor safely remote, and that the political violence of Gothic novels could be close to home.
- 20 Bentham used another Gothic figure of political dread when he called the colony ‘this immense, yet too real, because uninspectable Bastille’.²⁹ At the time of the French Revolution, the Bastille had often been defined as an emblem of despotism in opposition to the Tower of London, which was under the control of Parliament.³⁰ Its fall had therefore been welcomed. After the storming of the Bastille, narrations of arbitrary imprisonment continued to circulate in Gothic novels and the Bastille remained an emblem of political oppression. Thus, the radicals who were locked up under Pitt’s government in the 1790s, and experienced solitary confinement in the new penitentiaries, repeatedly compared their jails to the Bastille. For example, the Gloucester penitentiary was attacked by the Jacobin press in a pamphlet called *Gloucester Bastille*, and when Pitt suspended the Habeas Corpus in 1794, Charles James Fox and Richard Brinsley argued that he was acting ‘no less despotically than Louis XIV when he used *lettres de cachet* to consign objects of his displeasure to the Bastille.’³¹
- 21 Bentham set up a binary system to convey his criticism. The Antipodes were a place where ‘justice was turned topsy-turvy’.³² On the ships themselves, because of poor hygiene conditions, some convicts faced the equivalent of capital punishment. In this context, justice became, in Bentham’s words, ‘a sort of lottery.’³³ On arrival, New South Wales turned out to be a land of ‘lawless violence’ where ‘magistrates [were] malefactors.’³⁴ Bentham was particularly appalled at the fact that for most convicts, temporary punishment turned into life banishment. Whereas in Britain, royal prerogative in individual cases tended to promote freedom, in New South Wales, life banishment was handed out on a massive scale because no calendar of terms was sent with the convicts. Later, in *A Plea for the Constitution*, Bentham assessed the transportation scheme by the standards of positive law. He argued that transportation was in breach of *Magna Charta*, the *Petition of Right*, the *Habeas Corpus Act* and the *Bill of Rights*. New South Wales therefore appeared as the inverse double of what Britain was supposed to be and as an equivalent of Catholic Spain and Italy as represented in Gothic novels.

The Barbarians and the Moderns

- 22 In *A Fragment on Government*, written in the 1770s, Bentham had praised Captain Cook's explorations because they promoted the advancement of knowledge 'towards perfection'. However, New South Wales remained a wild space, 'distant and recondite', when Bentham wrote his letters to Lord Pelham.³⁵ New South Wales was a Gothic space because it was not completely covered by the grids of power. Just as in the crowded prisons exposed by John Howard, the convicts were an undefined mass and could escape the individuating power of surveillance. More generally, space in New South Wales was dark, uneven, and could shelter conspiracies.
- 23 Human occupation of the land became more and more scattered as more territory was being exploited. The practice of field husbandry led to 'general dispersion'. In that context, every habitation escaped 'the habitual reach of every inspecting eye.'³⁶ This situation was the equivalent of complete darkness and obscurity. Bentham wrote that 'Under the transportation system ... the state of the convict ... was and is ... thrown, as it were purposely, into the shade', in opposition to the 'uninterrupted light' of the Panopticon.³⁷ The system of rounds which had been established was too loose to fight the evils of alcoholism and corruption efficiently.
- 24 In order to curb the corruption of soldiers, Bentham advocated a re-organization of space. He wanted to replace the scattered huts they lived in by quarters, where 'by frequent inspections and visitings their characters would be known, and their conduct attended to.' They would thus be submitted to what Bentham called 'the eye of vigilance'.³⁸ Here the mastery of space is associated with the production of knowledge about individuals, whose 'characters' are to be assessed. Bentham did not so much seek to control the whole territory of New South Wales *extensively* as to define areas in which *intensive* power could lead to knowledge and reformation. This type of power is modern power.
- 25 In *Discipline and Punish*, Foucault opposes two modes of dealing with deviant elements: the first one consists in excluding them from the community, and the second one in reforming or normalizing them within the community. The first model was resorted to during outbreaks of leprosy, the second one was used to face the plague. The second model relies on networks of control, and on a constant, individualized form of surveillance.³⁹ Foucault explains that the two models converged in the nineteenth century, when the network of social control was extended to the space formerly devoted to exclusion. This evolution is illustrated in Bentham's work, which contended that criminals, although set apart, had to be reformed within society, and on British soil if possible, instead of being sent to the Antipodes.
- 26 Bentham presents the system of transportation, which seems to correspond to the first model, as a barbarous way of handling criminality, which is another way of 'gothicizing' transportation. Indeed, the Gothic relies on a duality between the primitive and the civilized:
- 'Gothic' ... [functions] to establish a set of polarities revolving primarily around the concepts of the primitive and the civilized. ... [T]he Gothic always remains the symbolic site of a culture's discursive struggle to define and claim possession of the civilized, and to abject, or throw off, what is seen as the other of that civilized self.⁴⁰
- 27 In the following passage, Bentham draws on that duality:

Among *savages*, when to a certain degree a man is sick in body, he is cast forth, and thought no more of. In a nation *civilized* in other respects, the same *barbarity* is *still* shown to this at least equally curable class of patients, in whose case the seat is in the mind. Not indeed to every division in this class. For patients labouring under insanity ... no one has yet prescribed a voyage to New South Wales.⁴¹

- 28 In this passage, Bentham shows that the scheme of transportation constitutes an archaic, pre-modern enclave in a general context of civilization. The anachronism is denoted by the adverb 'still'. It also appears that Bentham had a pathological vision of delinquents as 'persons of unsound mind' or 'grown children':

Delinquents, especially of the more criminal descriptions, may be considered as a particular class of human being, that, to keep them out of harm's way, require for continued length of time that sort of sharp looking after, that sort of particularly close inspection, which all human beings, without exception, stand in need of, up to a certain age. They may be considered as persons of *unsound mind*, but in whom the complaint has not swelled to so high a pitch as to rank them with *idiots* or *lunatics*. They may be considered as a sort of *grown children*, in whose instance the mental weakness attached to non-age continues, in some respect, beyond the ordinary length of time.⁴²

- 29 Bentham's letters stand at the beginning of an evolution in the meaning of Gothic and in the matter of Gothic literature itself. Indeed, colonization led to encounters with so called 'primitive' cultures. In that context, the adjective 'barbarous' which is included within the term 'Gothic', no longer referred to the practices of Catholic, medieval, and despotic countries, but to the rites of new-found lands. In his letters, Bentham dissociated 'barbarous' from 'medieval', and accentuated its links with 'primitive' and 'pre-modern', thus anticipating the evolution towards Imperial Gothic. What is striking is that Bentham's political thought also gave birth to a scenario which was to haunt Victorian fiction.

Bentham and Victorian scenarios

- 30 Indeed, Bentham pointed out that despite the distance, convicts could still return from New South Wales. In addition to that, he suggested that the British policy in New South Wales could backfire and return as a form of contamination.
- 31 Throughout the nineteenth century, the return of the convict was staged in non-Gothic literature, but not as a threat. The focus of most literature dealing with convicts was rather to assess whether the New South Wales territory was a land of Arcadian redemption or social damnation.⁴³ At the same time, the issue of the 'redundant population', which included not only criminals but also every type of poor, became progressively seen as a problem of sanitation.⁴⁴ In social discourse, the plague was threatening at home, and emigration or banishment appeared as the solution. It was not until the late nineteenth century that the narrative of contamination from the colonies became significant. It is therefore the Gothic literature of that era which echoes best Bentham's fears. Late Victorian Gothic is Imperial Gothic, which critics have variously analysed as staging 'an invasion of civilization by the forces of barbarism or demonism', the dread of 'the expected counter-attack', or the 'anxiety of reverse colonisation'.⁴⁵ In those accounts, the counter-attack from the colonies does not take the shape of military confrontation but of infiltration and contamination.

- 32 In the late eighteenth century, prisons were literally places of contagion: the ‘goal fever’ —that is, typhus — among other diseases, claimed many victims within and beyond the prison walls, hence the reformers’ concern for hygiene and ventilation. Prisons were also, on a metaphorical level, exposed as schools of vice, where first-time offenders learned their trade from hardened criminals. In his letters, Bentham was concerned with epidemics on the ships, where the convicts lived in promiscuity, and on the land. On a figurative level, he feared the contamination of new lands by unreformed convicts, with the spreading of corruption from prisoner to prisoner and from prisoners to officials.
- 33 Bentham believed that prisoners could be reformed when placed and disciplined in the proper environment. His Panopticon penitentiary was ‘a mill for grinding rogues honest, and idle men industrious’.⁴⁶ Islands are typical utopian spaces, cut off from the rest of the world, which can function as political laboratories, for the best as well as the worst. However, British authorities ignored that potential and had no interest in the prisoners’ fate after they left Britain. Therefore, according to Bentham, the transportation system could not reform anyone. It actually turned the convicts into worse criminals. He described the colony as a ‘land of universal and continually increasing corruption’.⁴⁷ He exposed a state of ‘depravity’, in which crime remained unpunished and convicts could not be reformed.⁴⁸ He argued that ‘Even an old-established and well-organized community would be exposed to destruction, from an infusion of vicious and profligate malefactors’.⁴⁹ He likened the presence of prisoners in the United States — where they had been transported until the Independence — to an ‘early inoculation of vice’.⁵⁰
- 34 He insisted that what he called ‘this fruitlessly expelled mass of corruption’, that is, the criminals, put on worse corruption. He represented the body politic as an organic body, from which it was impossible to extirpate the corrupt parts. He argued that crime, a social cancer, must be dealt with within the body politic and on British soil. With transportation, on the contrary, ‘the obnoxious vermin remain[ed] unextirpated’.⁵¹ Using Kristeva’s concept of the abject, one could argue that the British state was trying to abject the criminals by defining them as Other and rejecting them on the other side of what they thought was a hermetic frontier. Bentham kept the repulsive images used in the abjection rhetoric but aimed at showing that abjection as a process was bound to fail in its attempt to build hermetic boundaries. In his letters, he stages the impossible abjection of the criminal.
- 35 Finally, by supporting despotic practices, Britain accepted to be politically corrupted from inside. Bentham argued that citizenship was not confined by the limits of one’s country. Therefore, whatever happened to British convicts in New South Wales had an impact on Britain. By accepting that some citizens should be the victims of arbitrary life banishment and power abuse, Britain was being poisoned: ‘the poison of perfidy is infused into the system of government’.⁵² Bentham ended his first letter to Lord Pelham with an organic metaphor, stressing that Britain had planted military despotism in New South Wales. He then added, in a parenthesis: ‘God forbid that it should ever be of the number of those *transplanted hither!*’⁵³ Later, in *A Plea for the Constitution*, he argued that by accepting the situation in New South Wales, Britons were threatened with nothing less than political degeneration:
- What will now be the spirit of a British parliament? What will now be the spirit of the British people? It remains to be seen in what degree, if in any, the people of this day retain the virtues of their ancestors.

They must be degenerate indeed, if they are to be lulled into any such persuasion, as that the constitution will be capable of retaining for their benefit its protecting force, after it has been made apparent, that, with ultimate impunity, it may thus be trampled upon in the most vital parts of it, for such a course of years.⁵⁴

- 36 Of course, when Bentham used the concept of degeneration, the word was free of the connotations which Darwinism or criminal anthropology would give it. However, Bentham's evocation of political corruption does show elements which would appear in the fiction influenced by those theories. The movement from the colony back to Britain, carrying corruption, poison and vermin, and threatening national identity defines narratives such as Rider Haggard's *She* (1887) and Bram Stoker's *Dracula* (1897).

Conclusion

- 37 Thus, at each end of the nineteenth century, and in very different contexts, political writings and Gothic fictions open up possibilities, to create polemical debate in one case, and to engender horror in the other. In both cases, a discursive space is opened for nightmarish hypotheses and visions to be either hinted at or lavishly explored. Those hypotheses and visions do not necessarily come from the past, but can be visions of a possible future.
- 38 Ghost stories rely on the capacity of past events to haunt the present as disruptions of reality and as narrative fragments which point to a whole narration to be reconstituted. What Bentham's text shows, however, is that Gothic scenarios can also haunt, in advance, writings in social sciences. In that sense, social sciences can take on a spectral quality. Derrida, in *Specters of Marx*, suggests that spectral thinking, contrary to what common sense tells us, beckons to the future. Time is then not a straight pointed arrow or a linear sequence of presents. Reading Bentham's letters alongside the Gothic works of the 1790s and Victorian Gothic fiction shows that time is, indeed, 'out of joint'.

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NOTES

1. The two letters and *A Plea for the Constitution* were written and printed in 1802-3. They were published together in 1812. While the letters attack the transportation scheme as a policy, *A Plea for the Constitution* endeavours to show that the penal colony lacks any legal basis. Causer, Tim and Philip Schofield, 'Editorial introduction', in Bentham, Jeremy, *Panopticon Versus New South Wales and Other Australian Writings* (London, UCL Press, 2022), p.xvii-xviii.
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15. Bentham, J., *Principles of Penal Law*, p.466
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17. Bentham, J., *Panopticon; or, the Inspection-House*, p.86
18. Semple, J., *Bentham's Prison*, p.308
19. 'L'utopie est l'état des lieux avant le commencement du processus de corruption ; la dystopie en est l'état à son terme catastrophique, et tel que non seulement il n'est pas perçu comme

corrompu mais qu'il est bien au contraire considéré par ses agents et ses adeptes comme éminemment satisfaisant.' Bony, Alain, *Discours et Vérité dans les Voyages de Gulliver de Jonathan Swift* (Lyon, Presses Universitaires de Lyon, 2002), p.153

20. Bentham, Jeremy, *A Plea for the Constitution ... in Panopticon Versus New South Wales and Other Writings on Australia*, ed. Tim Causer and Philip Schofield (London, UCL Press 2022), p.313-400, p. 325; *Principles of Penal Law*, p.492
21. Bentham, J., *A Plea*, p.321, p.324
22. Bentham, J., *A Plea*, p.360, original emphasis
23. Bentham, J., *A Plea*, p.334
24. Bentham, J., *A Plea*, p.336, original emphasis
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37. Bentham, J., *Letter to Lord Pelham*, p.102
38. Bentham, J., *Second Letter to Lord Pelham*, p.208, original emphasis
39. I am using Colin Gordon's translation of the French *quadrillage* as *networks of control* in Foucault, Michel, *Power / Knowledge. Selected Interviews and Other Writings 1972-1977*, ed. Colin Gordon, transl. Colin Gordon, Leo Marshall, John Mepham, and Kate Soper (New York, London, Toronto, Harvester Wheatsheaf, 1980), p.56
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47. Bentham, J., *Letter to Lord Pelham*, p.125
48. Bentham, J., *Principles of Penal Law*, p.493
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50. Bentham, J., *Principles of Penal Law*, p.490
51. Bentham, J., *Letter to Lord Pelham*, p.114
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53. Bentham, J., *Letter to Lord Pelham*, p.162, original emphasis

54. Bentham, J., *A Plea*, p.394

ABSTRACTS

This article offers an analysis of texts which were written in 1802-3 and published in 1812 under the title *Panopticon versus New South Wales*, namely Jeremy Bentham's first two letters to Lord Pelham and *A Plea for the Constitution*, arguing that, in his attempt to show the superiority of his Panopticon plan over the transportation scheme, the reformer depicted New South Wales as a Gothic dystopia. 'Gothic' is here understood as a literary genre (with its motifs and scenarios), an ideological term and a critical tool. Bentham upset the conventional cartography of his time by showing that the 'archaic' or 'barbarian' practices that Gothic novels located in Catholic Europe were actually present in British penal policies. In addition to drawing on the rhetoric and the dichotomies which underlay the Gothic novels published during his lifetime, Bentham anticipated scenarios – such as reverse colonization and contamination – which would be explored in Victorian fiction. By extrapolating in dystopian fashion from trends which were present in the British body politic, Bentham's Australian writings show how a historical period may be haunted by its future potentialities.

Cet article propose une analyse de textes écrits en 1802-3 et publiés en 1812 sous le titre *Panopticon versus New South Wales*, à savoir les deux premières lettres adressées par Jeremy Bentham à Lord Pelham et *A Plea for the Constitution*. Il entend montrer que, afin de prouver la supériorité de son projet panoptique sur le système de transportation, le réformateur présente la Nouvelle-Galles du Sud comme une dystopie gothique. « Gothique » est ici compris comme un genre littéraire, avec ses motifs et ses scénarios, un terme idéologique et un outil critique. Bentham bouleverse la cartographie conventionnelle de son époque en montrant que les pratiques 'archaïques' et 'barbares' que les romans gothiques situaient dans l'Europe catholique étaient en fait présentes dans les politiques pénales britanniques. En plus de mobiliser la rhétorique et les dichotomies qui sous-tendent les romans gothiques publiés de son vivant, Bentham anticipe des scénarios – tels la colonisation inversée et la contamination – qui devaient être explorés dans la fiction victorienne. En extrapolant, comme le font les dystopies, à partir de tendances présentes dans le corps politique britannique, les écrits de Bentham sur l'Australie montrent comment une période historique peut être hantée par ses potentialités futures.

INDEX

Mots-clés: utopie, dystopie, impérialisme, transportation, gothique, littérature victorienne, Panoptique, réforme carcérale

Keywords: utopia, dystopia, imperialism, transportation, Gothic, Victorian literature, Panopticon, prison reform

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