

# 效益主義的發軔： 初探邊沁的政治思想

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本文聚焦於邊沁政治思想批判的三個主要對象，即道德哲學中的武斷主義、政治與法律場域中的邪惡利益，與政治哲學中的原初契約論，來闡述它們在邊沁眼中的缺點，以及邊沁如何以效益原則為化解之道。邊沁認為，這些現象共通的缺點，是律師、法官、貴族、富人、官員等當時英國社會中的中上階層，為了維護其自身利益而不惜以犧牲公共利益為代價，並壟斷司法、公共論述與政治體制中的話語權，不僅將公民的觀點與利益排除在外，也拒斥效益原則所象徵的公共福祉之落實。對於這些現象的批判性反思，構成邊沁政治思想的主要關懷。

關鍵字：邊沁、效益主義、公共性、武斷主義、邪惡利益、原初契約

# The Commencement of Utilitarianism: A Study of Bentham's Political Thought

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## ABSTRACT

This article focuses on the three main objects criticized in Bentham's political thought, including *ipsedixitism* in moral philosophy, the sinister interests in political and legal systems, and the original contract theory in political philosophy, by introducing their defects in Bentham's view and the solutions Bentham proposed. For Bentham, what connects these phenomena is that the lawyers, the judges, the nobles, the opulent, and the officials, all of them represented the upper middle class and preserved their own interests at the cost of public interests. They monopolized the right of discourse in legal and political systems and in the forums. By doing so they not only marginalized the interests and opinions of the public, but also rejected the fulfillment of public welfare signified by the principle of utility. The main concern of Bentham's political thought was motivated by his critical reflection on these phenomena.

Key Words: Jeremy Bentham, utilitarianism, publicity, *ipsedixitism*, sinister interests, original contract