

## Jeremy Bentham's View

*"All punishment is in itself evil. It should only be used if it clearly prevents something worse."*

The case of **Éloïse Mercier** raises a difficult question: should a society that wants peace and safety allow **reasonable doubt** to change how justice is done? Or would that make it easier for crime and disorder to grow?

There are many clear problems with how her trial was handled. Éloïse was accused of a very serious crime—murder—yet she wasn't given a lawyer to defend her. That goes against the idea of **fair and logical law**. Even worse, she was tortured in order to get a confession. In a time when people claim to believe in reason and human dignity, this is deeply wrong.

What good can come from hurting someone who might be innocent? Justice should not be about **revenge**—it should be about preventing future harm. Torture often leads to **false confessions**, which only cause more harm, not safety. And **the death penalty** (being killed by the state for a crime) may not even stop others from doing bad things. Sometimes, it just satisfies people's desire to see someone punished.

Still, we have to be careful. Society depends on trust in the legal system. If we ignore the evidence—the jar with her initials, the maid's statement, the strange timing of the death—it might seem like we are letting people get away with crimes. To some, this could look like weakness, or even like we are **encouraging rebellion** in the name of freedom.

We should not assume that all people accused of crimes are innocent—or that all courts are unfair. Real change in the justice system comes slowly, by improving how things are done, not by ignoring every rule or decision.

So we must ask: **Would showing mercy help society as a whole—or would it make people lose faith in the law?**

In the end, the court did not sentence Éloïse to death. Instead, they gave her life in prison. That may be a middle path—showing some compassion, while still upholding the law.

As someone who believes laws should bring the most happiness to the most people, I must be careful. The best outcome is not always the most emotional or dramatic one. Sometimes, it comes from **balance**—between moving forward and protecting order, between doubt and responsibility.

- **Reasonable doubt:** When there's a good reason to question whether someone is guilty.
- **Fair and logical law:** Laws based on evidence, reason, and equality.
- **Revenge:** Hurting someone back for what they did; payback.
- **False confession:** When someone admits to something they didn't actually do, usually under pressure or fear.

- **Death penalty:** Legal execution; punishment by death.
- **Encouraging rebellion:** Giving people the idea that they can break the rules or challenge authority without consequences.
- **Balance:** Finding the middle ground; not too extreme on either side.

### Primary Source Quotes

**Source:** Project Gutenberg: An Introduction to the Principles of Morals and Legislation

1. **Quote (Chapter 1):**

"Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do."

- **Relevance:** Bentham's utilitarian principle suggests that Éloïse's trial should maximize societal happiness. He would argue that convicting her without clear evidence risks harming society by punishing an innocent midwife, undermining public trust.

2. **Quote (Chapter 13):**

"The question is not, whether the infliction of punishment in such a case would be useful, but whether it would be just: and it appears to me, that to punish a man for an act, which it cannot be known that he has committed, is not just."

- **Relevance:** This directly challenges the use of circumstantial evidence in Éloïse's case. Bentham would insist on a just trial with conclusive proof to avoid an unjust outcome.

3. **Quote (Chapter 17):**

"Punishment is an evil, which ought not to be employed but when it is necessary for the prevention of a greater evil."

- **Relevance:** Bentham would argue that any punishment for Éloïse must be proportional and necessary, questioning whether her execution serves society or merely satisfies vengeance.

**Connection to Éloïse's Case:** Bentham would demand a rigorous, evidence-based trial, weighing the societal impact of Éloïse's conviction or acquittal. You can use these quotes to argue for a fair and utilitarian approach to justice.