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## THE KNOWLEDGE OF POLITICS AND THE POLITICS OF KNOWLEDGE: THE ROLE OF THE LEGISLATOR IN THE SOCIAL CONTRACT

In the second book of the *Social Contract*, Rousseau sets out to explain the mechanism whereby power can be rendered legitimate.<sup>1</sup> The dynamic by which this is accomplished is the General Will. Rousseau is concerned with the function of the General Will and the nature of its rectitude, for if the General Will legitimizes power, there must exist a guarantee of its justice. That justice would appear to be ensured by the definition of the General Will as what is commonly consented to by the people.<sup>2</sup> The justification of the General Will as the basis of political power and action is that it actually does represent the sovereign will of the people. Rousseau, however, goes on to outline a problem in the execution of the General Will; that is, while the General Will itself is always correct, the people themselves may not always know what the General Will is. In other words, the key to executing a politics of legitimacy is knowledge of what that legitimacy is. Thus, the will of the people is not a function either of numbers (majority) or of belief (faith). Rather, the General Will is something that must be discovered by everyone if it is to be properly executed to achieve that general good that is its goal. It is finding this General Will that proves to be the real problematic of Rousseau's Social Contract, for many obstacles exist on the path to its discovery. For

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1. "Je veux chercher si dans l'ordre civil il peut y avoir quelque règle d'administration légitime et sûre" (*Social Contract* I, p. 351). Location of the citations are given according to the *Pleiade* edition of Rousseau's work. All translations in the text of this paper are my own.
  2. "C'est ce qu'il y a de commun dans ces différens intérêts qui forme le lien social . . . c'est uniquement sur cet intérêt commun que la société doit être gouvernée" (*Social Contract* II, 1, p. 368).

one thing, it is possible to misrepresent the General Will: the “will of all” can often masquerade as the General Will, but since it is merely the sum of particular and/or group interests within a society, the will of all has neither the legitimacy of the General Will, nor its claim on the allegiance of the people.<sup>3</sup> Secondly, the people may be duped into making the wrong decision, either because they are wilfully misled by other selfish group/individual interests, or because they simply do not recognize what the General Will is, even when they do see it.<sup>4</sup> The difficulty in recognizing and enunciating the General Will is that the knowledge on which the General Will is predicated is not necessarily equally vouchsafed to everyone, since within any group of people, knowledge is not equally distributed. The purpose of this paper is to explore the tension that exists between the function of the citizen as enunciator of the General Will, and the reality of the differing individual capacities to know what that General Will is; and to examine the resulting implications that this brings to bear on Rousseau’s political system as a whole. The question that we are faced with concerns the juxtaposition of specialization and equality: namely, how can the specialized knowledge required for identifying and enunciating the General Will be understood within and reconciled with a political system based on the equality of all its participants?

Rousseau tells us that the General Will is found by being expressed by each citizen speaking his own mind.<sup>5</sup> In order for that condition to be met, however, the individual citizen must be capable both of having an opinion, and of enunciating it. In modern society, this “solution” to the question of finding the people’s own authentic and legitimate voice merely restates the problem. For the dilemma of modern man, as Rousseau sees it, is that man cannot formulate his own opinion, precisely because he has no integrated sense of Self to serve as its basis. This situation has its roots already in the State of Nature:

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3. “La volonté de tous . . . n’est qu’une somme de volontés particulières . . . quand il se fait des brigues . . . il n’y a plus de volonté générale” (*Social Contract* II, 3, pp. 371-72).
  4. “On veut toujours son bien, mais on ne le voit pas toujours; jamais on ne corrompt le peuple mais souvent on le trompe” (*Social Contract* II, 3, p. 371).
  5. “Il importe donc pour avoir bien énoncé la volonté générale . . . que chaque Citoyen n’opine que d’après lui” (*Social Contract* II, 3, p. 372).

Behold all the natural qualities in action . . . and these qualities being the only ones that could attract consideration, it was soon necessary to possess them, or affect to have them. One had to present oneself as other than what one really was for one's own advantage. Being (essence) and appearance became two totally different things, and from this distinction arose insolent pomp and misleading trickery, with all the vices that go in their train. (*Inequality*, p. 174)

If the Self, as depicted in this passage, becomes a marketable commodity, one's projection of Self changes according to the markets one deals with.<sup>6</sup> "Marketing" in this context can be viewed as the seller's attempt to "dupe" the buyer with his superior knowledge of the "product," especially of its failings, and with the superior ability to "package" these failings and present them as something they are not; perhaps even as "positive" aspects of the product he is trying to sell. In essence, however, the person who "sells" his Self is torn between "être" and "paraître," and soon loses the meaning of a unified existence. Without a stable sense of Self, this person can no longer express the General Will,<sup>7</sup> for knowledge and expression of the General Will is predicated upon authentic self-knowledge. The authentic polis can only be created by the authentic citizen. In this case, the marketplace of the Self renders not just the "buyer," but also the "seller," dupes of the power play of knowledge.

As Rousseau sees it, the cause of this phenomenon is man's increasing preoccupation with the arts and sciences, since it is the aesthetic ideas of beauty that lead men to evaluate each other by the market yardstick of comparative worth: "the most handsome, the strongest, the most agile, or the most eloquent became the most considered (honoured)" (*Inequality*, p. 169). A special irony is at work here, for the lack of coherence at the centre of man's existence is itself the result of a certain type of knowledge; that is, of the arts

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6. "Il faut donc qu'il cherche sans cesse à les intéresser à son sort . . . ce qui le rend fourbe et artificieux avec les uns, impérieux avec les autres . . . toujours le désir caché de faire son profit aux dépens d'autrui" (*Inequality*, p. 175).
  7. This argument is echoed in Saint-Preux's letter to Julie from Paris: "Quand un homme parle, c'est pour ainsi dire, son habit et non pas lui qui a un sentiment, et il en changera sans façon tout aussi souvent que d'état . . . tous ces gens-là s'en vont chaque soir apprendre dans leurs sociétés ce qu'ils penseront le lendemain . . . Il faut qu'à chaque visite il quitte en entrant son âme . . . chacun se met sans cesse en contradiction avec lui-même . . ." (*La Nouvelle Héloïse* II, 14, pp. 233-34).

and sciences. The multiplicity of identities that each person projects upon the world in order to maximize the possibility of attaining the highest "consideration" or personal "worth" bears testimony not only to the strength of the passions in wanting to be considered the "best," but also points up the role of the rational faculties in giving mankind the capability of conceiving of these multiple identities. Passion and rationality conspire to tear men apart internally, and to isolate them from their fellow human beings externally. Both born of and furthering the development of luxury and idleness, the arts and sciences produce men who, instead of being eager to further their country,<sup>8</sup> choose instead to promote themselves—or, to put it more accurately, to further what they *think* is their self-interest. In order to correctly analyze the role of knowledge in man's political life and actions, Rousseau distinguishes between man's *apparent* interest, based on his passions, and man's "propre intérêt bien entendu" grounded in an intellectual, rational understanding of where man's true interest really lies.<sup>9</sup> Although they are a branch of knowledge themselves, the arts and sciences prove to be false guides to knowledge, whether of others or of self, because they enslave man to his needs—that is to say, his passions. Indeed, the *appearance* of the existence of truth in science is precisely what renders its potential for error even more dangerous,<sup>10</sup> for it wears the mask of pure rationality which serves to conceal the extent to which the "rationality" is subservient to the passions that engender it. Therefore, Rousseau speaks of the sciences variously as a "dangerous weapon" (*Arts and Sciences*, p. 15) and as the "fatal secret" (*Inequality*, p. 172) that Nature wanted to keep from mankind. As for the arts, their own nature and proclivity towards idleness render their practitioners even more selfish and indolent, so

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8. "Nous avons des Physiciens . . . des Musiciens . . . nous n'avons plus de citoyens" (*Arts and Sciences*, p. 26).
9. *De l'état de nature* (fragment) p. 480.
10. "Que de fausses routes dans l'investigation des Sciences . . . le faux est susceptible d'une infinité de combinaisons, mais la vérité n'a qu'une manière d'être" (*Arts and Sciences*, p. 18).

that men become even more isolated, spiritually and emotionally, from each other.<sup>11</sup>

Thus, although “reason” is an inherent part of the development of the arts and sciences, it too is a product of men’s desires and vices. Any knowledge derived from such a source is partial and inevitably flawed, for it is indebted to the passions that form it.<sup>12</sup> Rousseau even charges that the very pursuit of knowledge itself is the result of our passions impelling us to discover more methods of enjoying ourselves.<sup>13</sup> Instead of reinforcing mutual experience, such knowledge redefines each individual in the discrete and isolated space of his own desires. Therefore, knowledge as represented by the arts and sciences prevents the development of a sense of community. The result of this type of knowledge—which, since it is so liable to error, is really pseudo-knowledge—is that man is no longer capable of knowing himself as a member of the human species and as part of the collective association of the state. Man’s sense of identity is thus reduced from being part of a dynamic whole to an atomistic and isolated existence. Paradoxically, this sort of knowledge *reduces* man’s capability to reason instead of expanding it, for knowledge as embodied in the arts and sciences results in the contraction of man’s field of vision.

This crucial lack of understanding—or, to put it another way, the absence of *true* knowledge—brings in its wake man’s blindness to his own real interests as part of the political society in which he participates. Whether as a result of their passions, and/or simply their own unawareness, the people cannot see their own true interests by themselves.<sup>14</sup> Even if the people’s private desires should chance to coincide with their real interests—which is the General Will—this association is deemed by Rousseau to be so tenuous and fleeting that it cannot be relied upon.<sup>15</sup> The type of understanding needed to recognize the General Will goes beyond the kind of knowledge

11. “C’est elle qui replie l’homme sur lui-même . . . c’est la philosophie qui l’isole” (*Inequality*, p. 156).
12. “L’entendement humain doit beaucoup aux Passions . . . Nous ne cherchons à connoître, que parce que nous désirons de jouir” (*Inequality*, p. 143).
13. *Ibid.*
14. “Les particuliers voyent le bien qu’ils rejettent; le public veut le bien qu’il ne voit pas” (*Social Contract* II, 6, p. 380).
15. “Quand on auroit trouvé pour un moment l’accord des deux volontés, on ne pourroit jamais s’assurer que cet accord dureroit encore le moment d’après” (*Social Contract*, first version, I, 4, p. 295).

founded on passion and self-interest. The General Will is defined as “an act of pure understanding that reasons in the silence of the passions” (*Social Contract*, first version, I, 2, p. 286). To achieve this true knowledge, divorced from passions and self-interest (man’s “particular will”), man must be able to “se séparer de lui-même” (*ibid.*). And of this the people are, in Rousseau’s view, manifestly incapable, since they lack both the *knowledge* of their General Will, which is their true interest, and the *will*, or *ability*, to recognize it. The people need a guide who unites will and passionless knowledge. Rousseau’s solution to this problem is the Legislator.

The task of the Legislator, as Rousseau conceives it, is so extraordinary that it demands practically god-like powers. Thus, in a very real sense, the Legislator stands outside the political system he has come to save. To combat the “amour propre” of the aggregate of individuals in the state, the Legislator must “feel himself capable of changing, as it were, human nature” (*Social Contract* II, 7, p. 381): that is, of transforming man’s primary mode of existence from independent and individual to dependent and collective.<sup>16</sup> The second part of the task—to make the people see where their own true interest lies, or, to put it another way, to reveal to them their own General Will—is far more difficult because the people are incapable of understanding that level of ultimate truth: “There are a thousand sorts of ideas that it is impossible to translate into popular language. Concepts that are too general or objects that are too remote are equally beyond its ken” (*Social Contract* II, 7, p. 383). Rousseau never seems to say outright just why human beings, who are distinguished by their (intellectual) perfectibility,<sup>17</sup> seem almost doomed to be

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16. This is, in effect, what the wording of the original social contract attempts to accomplish: “Chacun de nous met en commun sa personne et toute sa puissance sous la suprême direction de la volonté générale; et nous recevons en corps chaque membre comme partie indivisible du tout” (*Social Contract* I, 6, p. 361).

17. In *Discourse on Inequality*, Rousseau brings the example of an animal who will die of starvation if provided solely with unfamiliar food, as opposed to man who is more adaptable to changing conditions. This is seen by Rousseau as proof of man’s “qualité d’agent libre” (p. 141). This is, however, linked to man’s second distinguishing quality, “la faculté de se perfectionner” (p. 142), which allows man to develop beyond the level of pure instinct. The connection between these two distinctively human qualities is that they both take man beyond the boundaries of his physical limitations (within which the animal must always remain) by giving him the scope to manifest the “spirituality of his soul” (due to his



confined by these intellectual limitations. But through Rousseau's demonstration (in *Arts and Sciences*) of the various false types of knowledge that men are prey to, it comes as no surprise to learn that people who can be misled by apparent knowledge (the shadows in Plato's cave) should be incapable of appreciating Truth when it is shown to them.

The Legislator is faced with the unenviable task of teaching men their true interest which, in order for them to grasp it, presupposes their already prior appreciation of it. Moreover, the Legislator's peculiar position makes any exercise of power pursuant to his task virtually impossible, for his own passions must never be allowed to interfere with the implementation of the General Will.<sup>18</sup> Consequently, the Legislator must have recourse to "an authority of a different order" (*Social Contract* II, 7, p. 383), which Rousseau loosely defines as "religious." Rousseau here clearly does not intend to promote any particular type of religion as a "state" religion: in his chapter on Civil Religion, Rousseau specifically criticizes Christianity as being too other-worldly and therefore anti-political,<sup>19</sup> putting man in contradiction with himself.<sup>20</sup> Rather, Rousseau conceives of this type of religion as a mild form of theism whose main "dogmas" would include articles of sociability, tolerance, and cooperation.<sup>21</sup> The crucial element of this type of religion would be less spiritual than social. Moreover, from the structural point of view, the existence of this religion would serve as the "higher authority" to which the Legislator could appeal in the course of attempting to

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freedom of choice), and the unlimited possibilities of growth for all of man's faculties (due to his perfectibility).

18. "Celui qui commande aux hommes ne doit pas commander aux loix; celui qui commande aux loix ne doit non plus commander aux hommes" (*Social Contract* II, 7, p. 382).
19. "La patrie du Chrétien n'est pas de ce monde" (*Social Contract* IV, 8, p. 466).
20. "Il y a une troisième sorte de Religion plus bizarre, qui donnant aux hommes deux législations, deux chefs, deux patries, les soumet à des devoirs contradictoires et les empêche de pouvoir être à la fois dévots et Citoyens . . . tel est le christianisme Romain . . . Toutes les institutions qui mettent l'homme en contradiction avec lui-même ne valent rien" (*Social Contract* IV, 8, p. 464).
21. *Social Contract* IV, 8, pp. 468-69.

educate the people. But even this appeal must be done with skill and prudence: "it is not given to every man to make the gods speak, nor to be believed when he announces himself as their interpreter" (*Social Contract* II, 7, p. 384). The Legislator, working without any real power, must have extraordinary charisma to make the people believe in his representation of the higher authority. On the other hand, since the Legislator alone unites will and passion-free knowledge, he can manipulate truth without sacrificing honesty, for he balances "the illusion of present and sensible advantages with the danger of distant and hidden evils" (*Social Contract*, first version, I, 7, p. 311). In other words, the Legislator must, in the final analysis, resort to *mystification* in order to "institute a people" (*Social Contract* II, 7, p. 381). Paradoxically, in the process of making the people capable of recognizing and correctly identifying their own General Will which will subsequently find its fullest expression in law<sup>22</sup>—that is, providing the people with both will and knowledge—the Legislator must shroud the origin of that knowledge in darkness. The result, inevitably, is that while the people may follow in the direction that the Legislator points out to them, they will never be fully cognizant of what their own true interest—that is, the General Will—really is. In that sense, of course, the Legislator does not entirely fulfil his mission. Since men's minds and natures cannot be fully transformed and elevated, the ultimate appeal that the Legislator makes is to men's hearts and interests as *they* conceive them to be—albeit in the most benign way possible, with the least harm done to what is truly in the public interest.<sup>23</sup>

Therefore, Rousseau notes that the most important—because most effective—of all laws are those which are engraved on the hearts of the citizens. These mores and customs, unquantifiable and ultimately a-rational as they might be, are the real determinants of political action. It is on this aspect that the Legislator works in "secret," for openly acknowledging its existence would mean the denial of his purported task. From behind the scenes, the Legislator

22. "des lois . . . sont des actes de la volonté générale" (*Social Contract* II, 4, p. 379).

23. Thus, Rousseau formulates the basic question in the first version of the *Social Contract*: "il s'agit de me montrer quel intérêt j'ai à être juste" (p. 286; emphasis mine). Rousseau acknowledges in *Considerations on Poland* that "on ne peut faire agir les hommes que par leur intérêt" (p. 1005), specifically naming *fear*

works on fashioning a people, hiding his work from their eyes in order to better conceal its true import. Even while plumbing the people's psychological depths, the Legislator manages to appear above the fray.

In so operating, the Legislator manages to achieve a victory of sorts. While he may not have perfectly accomplished his goal of transforming human nature and intellect, the Legislator still attains the perfection of political power, because he wields it entirely unnoticed. All *appearances* to the contrary, the Legislator can hardly be called uninvolved. More than anyone else in the polis, it is he who controls not only the major psychological issues, but also the more mechanical aspects of political life. It is the Legislator who must decide if the people are ready for political life, and if so, what laws would best suit them,<sup>24</sup> for only the Legislator has the foresight to correctly state what the law is.<sup>25</sup> The Legislator, who alone possesses true knowledge, is, by the same token, the only one who can truly run

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and hope as "les deux instruments avec lesquels on gouverne les hommes" (*Project for Corsica*, p. 937). More significantly, when Rousseau finally does justify the total alienation demanded in the social contract, he does it, not on the basis of the ennoblement of the human spirit, but on the basis of a simple *exchange*, reminiscent of the market calculation of exchange value described in *Discourse on Inequality*: "leur situation, par l'effet de ce contrat, se trouve réellement préférable à ce qu'elle étoit auparavant et qu'au lieu d'une aliénation, ils n'ont fait qu'un échange avantageux d'une manière d'être incertaine et précaire contre une autre meilleure et plus sûre" (*Social Contract* II, 4, p. 375; emphases mine). More explicitly, Rousseau says, « Réduisons cette *balance* à des termes faciles à comparer" (*Social Contract* I, 8, p. 364; emphases mine). The fusion of the personal and the political might be visualized as the confluence of the private will and the General Will as exemplified by Rousseau's dictum that "il n'y a personne qui ne s'approprie ce mot *chacun*, et qui ne songe à lui-même en votant pour tous" (*Social Contract* II, 4, p. 373; first version, I, 6, p. 306), but these same words can also be construed as the inevitable predominance of the personal over the political to which, in the end, the Legislator is forced to appeal in order to set up his republic.

24. "Le sage instituteur ne commence pas par rédiger de bonnes loix en elles-mêmes, mais il examine auparavant si le peuple auquel il les destine est propre à les supporter" (*Social Contract* II, 8, pp. 384-85). Similarly, "La maturité d'un peuple n'est pas facile à connoître, et si on la prévient l'ouvrage est manqué" (*ibid.*, p. 386). 25.
25. "Le Législateur . . . ne doit pas fonder son jugement sur ce qu'il voit mais sur ce qu'il prévoit" (*Social Contract* II, 10, p. 389).

a political system. The “politics” or control of knowledge gives the Legislator the only true knowledge of politics. The Legislator must therefore combine acute psychological analysis with a keen sense of political and historical timing. He must also be a tactical planner: on him rests the decision of how large to keep the state, in order to preserve the best balance of internal force and cohesion among its citizens, together with the external strength necessary to ward off any possible enemies.<sup>26</sup> Despite the Legislator’s rather nebulous set of tasks initially, it becomes more apparent throughout the *Social Contract* that it is he who is entrusted with the actual physical well-being of the nation, aside from its spiritual and political welfare. Conversely, a mistake in the Legislator’s judgement could well spell doom for the welfare of the people and of the state.<sup>27</sup>

Seen in this light, it is understandable that Rousseau should, in describing the practical aspects of government in his essay on *Political Economy*, view them as direct consequences of the Legislator’s foresight. Like the Legislator, the good chief of state will rule over people’s wills to make them love the law and so avoid the necessity of punishing infractors. To make sure the General Will always reigns, the chief of state, like the Legislator, will internalize it in every citizen by forming their mores through an intensive and exhaustive system of public education. The more successful the leaders are in implanting these mores, the less they will have to exercise their talents of governing so that, in the end, the General Will need not even be officially consulted very often since merely being just and equitable will guarantee its implementation.<sup>28</sup>

In the end, then, in a rather curious way, it would appear that we have come full circle. The people who needed more knowledge to discover the identity of their own General Will are left now with no more knowledge than before, but rather a guide whom they implicitly trust will show them the way. If anything, knowledge has become even more concentrated in the hands of one person, for with the advent of the Legislator, it becomes clear that his is the only type of knowledge worth having. The people, however, are never let in on

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26. *Social Contract* II, 9, p. 388.

27. *Social Contract* II, 11, p. 393.

28. “de sorte qu’il ne faut qu’être juste pour s’assurer de suivre la volonté générale” (*Political Economy*, p. 251).

the secrets of this knowledge; they share only in its effects. Its essence remains shrouded for them, and their obedience becomes part of the system of mystification perpetuated by the Legislator. By their very nature, the people can have no say in their own destiny. Not being sufficiently free of their passions to competently assess their General Will, the people cannot by the same token formulate the law that is the expression of the General Will. The people can *be* good—but without being cognizant of what that “good” really means,<sup>29</sup> or even of being asked their opinion on what would be for “their own good.” It would seem that Rousseau sets up a political system based on the mystification of knowledge, perhaps because he felt that demystification would inevitably bring disenchantment, disillusion, and disorder in its wake.<sup>30</sup> Perhaps, too, Rousseau felt that men would never be able to appreciate or properly evaluate the full extent of true knowledge: Rousseau remarks that people would more often prefer to remain in their ignorance, even at the expense of their own well-being, rather than to be reformed.<sup>31</sup> Certainly, Rousseau felt that what passed for knowledge in his own day—namely, philosophy, the arts, and the sciences—was little more than misleading falsehood that prevented men from leading more useful, if simpler, lives.<sup>32</sup> As Rousseau sees it, real knowledge and wisdom are reserved for the

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29. “Qu’ils seront bons et justes sans trop savoir ce que c’est justice et bonté” (*Project for Corsica*, p. 948).
30. Remarks on the status and place of knowledge in other of Rousseau’s works would seem to bear out this point of view. Thus, in *La Nouvelle Héloïse*, it is made quite clear that education is not for everyone; certainly not for the servants who are better off without it: “Tout homme a sa place assignée dans le meilleur ordre des choses, il s’agit de trouver cette place et de ne pas pervertir cet ordre” (*La Nouvelle Héloïse* V, 3, p. 563). Similarly, in *Émile*, the Tutor notes the utter control he has over his pupil by virtue of his own superior knowledge: “le pauvre enfant qui ne sait rien, qui ne peut rien, qui ne connoit rien, n’est-il pas à votre merci? Ne disposez-vous pas par rapport à lui de tout ce qui l’environne? N’êtes-vous pas le maître de l’affecter comme il vous plaît? Ses travaux, ses jeux, ses plaisirs, ses peines, tout n’est-il pas dans vos mains sans qu’il le sache?” (*Émile* Book II, p. 363).
31. “Le peuple ne peut pas même souffrir qu’on touche à ses maux pour les détruire, semblable à ces malades stupides et sans courage qui fremissent à l’aspect du médecin” (*Social Contract* II, 8, p. 385).
32. “Un Geometre subalterne, seroit peut-être devenu un grand fabricant d’étoufes” (*Arts and Sciences*, p. 29).

very few. For the rest, says Rousseau, “let us remain in our obscurity” (*Arts and Sciences*, p. 30): the closest we will ever get to Truth is to attempt to hear it in the still voice of our conscience. Our destiny is to *be* virtuous in the practical sense, rather than to theorize about and to enunciate virtue’s qualities. Put another way, the fate of the common man is to absorb the effects of the knowledge as transmitted to him through the mores implanted by the Legislator. In this vision of the world, the common man remains in the cave, ruled by shadowy images projected from the world above. As for the Legislator, he stays closely guarding the Tree of Knowledge, whose fruit the common man might glimpse, but is clearly destined never to taste.

*Mira Morgenstern  
Princeton University*