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UNIVERSITY OF CALIFORNIA,
IRVINE

Genealogical Study of Ignorance in the Anglo-American Tradition

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Political Science

by

Lev Marder

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2016

DEDICATION

This dissertation is dedicated to those who were prevented from defending their dissertations, receiving recognition for their research, and those whose research is not published under their own names.

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ABSTRACT OF THE DISSERTATION

Genealogical Study of Ignorance in the Anglo-American Tradition

By

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Doctor of Philosophy in Political Science

University of California, Irvine, 2016

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Ignorance has tremendous impact on political stability, distribution of rights, and theorization of social justice, yet it remains undertheorized. Focusing on the Anglo-American political scene, I ask how contemporary ignorance differs from past renditions with respect to the parameters of what it can be used for in different political orders, the particular ways of challenging its operation, and the problems around it. To expand the understanding of ignorance, I apply the genealogical method Michel Foucault employed to expose that knowledge is a historical practice or a continuous struggle of imposing power that (re)produces itself. I argue that ignorance is not a pejorative condition, but a historical practice—practice of ignorance regardless of intention and not just narrowly the opposite of not knowing—affecting political order, and various strategies for contesting how it works become viable and impossible with changes in ignorance’s framework. Combining analysis of historical and visual materials with textual analysis of the conception of ignorance in the writings of King James I, Thomas Hobbes, Adam Smith, and John Rawls, I find three significant historical shifts in ignorance’s framework: (1) the shift from ignorance’s unequal distribution that revolves around the royal prerogative to the

equalization of the distribution under the rule of law; (2) the secularization of ignorance that disassociates it from sin; and (3) the shift from metaphysical framing of ignorance to economic framing with time or lack thereof at the core. The investigation contributes to the scholarship on each of the thinkers in focus by establishing the role that understanding of ignorance plays in their political theories. Just as importantly, the genealogical route enables me to lay out the contemporary alternative approaches to the operation of ignorance and call for more vigorous contestation of its operation for instance with respect to how practices of ignorance play into institutional treatment of various parties or how governments practice ignorance towards actors' financial activities.

INTRODUCTION

I. What Ignorance?

The usual Enlightenment story, regardless of the fine philosophical, political and geographical differences, is that it is a movement from darkness into the light, from captivity into freedom. With the help of reason and rational thought, ignorance cloaked in religious authority, tradition or superstition, gives way to Truth and knowledge. This is the Age of Enlightenment. Frederick the Great, who championed the Enlightenment during his rule of the Prussian Empire (1740-1786), declared that his “principal occupation is to combat ignorance and prejudice...to enlighten minds, cultivate morality, and to make people as happy as it suits human nature...” (MacDonogh 2001: 341). In 1793, in a leading Austrian Catholic Enlightenment journal one could read that

The empire of ignorance and superstition was moving closer and closer towards its collapse, the light of the *Aufklärung* [Enlightenment] made more and more progress, and the convulsive gestures with which the creatures of the night howled at the dawning day showed clearly enough that they themselves despaired of victory and were only summoning up their reserves for one final demented counterattack (Cited in Blanning 1981: 126).

Enlightenment is the humankind’s maturation from ignorance to knowledge in philosophy, science, politics and ethics. Knowledge and Truth are cast as the forces of good ultimately set to defeat the bad—ignorance. Knowledge and ignorance in this story refer to individual attributes, as something one can possess, lack, or be deficient in and also as forces and entities of structural, institutional scope—the work one has to do in order to remedy their own cognitive deficiency, their ignorance, the societal changes that must occur for the Enlightenment movement to defeat

the “Empire of Ignorance”.

This Enlightenment narrative, and especially the depiction of ignorance as bad and knowledge as good, loses some credibility upon closer attention to the long history of ignorance’s place at the core of concerns with the best political order, stability and justice. In Plato’s Socratic Dialogues, ignorance is fundamentally linked to Knowledge, Justice, and the Good. Presumably, Socrates’s inquiries stem from his self-professed ignorance.¹ Feigned or not, it plays a central role in the Dialogues to advance inquiry, preserve or change the existing order, or subvert dogmatic perspectives. Fast-forwarding to the twentieth-century we find John Rawls relying on the “veil of *ignorance*” to formulate his celebrated theory of justice.

By no means do these two examples millennia apart disprove the Enlightenment distinction between ignorance as a bad entity that must be remedied by what is good in the form of knowledge. At the same time, such examples at least prompt to pause and question the understanding of ignorance, the pejorative depiction of ignorance, the calls to get rid of ignorance, and its relation to the good, knowledge, justice, and political order. In other words, ignorance requires closer attention. Too often instead of dwelling on ignorance, scholars rush to replace it with knowledge. If together with Ludwig Wittgenstein we affirm that to know a term is to know what do with it, how to use it, then the hitherto lack of even one book-length treatment of ignorance from a political theory perspective—examining its history, structural changes, and ramifications—is puzzling.

¹ While several variations of Socrates’s famous declaration “I know that I do not know” indicate that he ascribes ignorance to himself, they primarily and more precisely rely on a Cicero’s wording of this statement in Latin, which he attributes to Socrates. That Socrates himself made such a statement and what it means remains subject to debate. The closest statements to Cicero’s version appear in the *Apology* and *Mino*.

² See for example the case of James Keegstra in Canada who was stripped of his teaching credentials and tried under

In this work, rather than taking for granted the Enlightenment narrative about ignorance and knowledge, I attend to ignorance, the problems around it, and how its historical framework changes, to better understanding contemporary reality and discuss its usefulness for various political objectives. I do not start with the assumption that people are ignorant, that they have cognitive deficiencies, or ignorance is merely an individual attribute that must be remedied. Instead of labeling anyone ignorant, which I am not inclined to do, it would be prudent to understand ignorance at the structural level—the conceptions, constructions, modifications, and uses of ignorance.

Political Science scholars are poorly equipped for mapping the uses of ignorance in large part because the discipline relies on one dominant and at the same time too limited conception. Since the 1960s, ignorance in political science research is practically synonymous with “rational ignorance”—a term Anthony Downs coined in *An Economic Theory of Democracy* (1957). It explains that people naturally lack the time and motivation to acquaint themselves with political knowledge and it would be irrational for them to invest in such knowledge as opposed to investments that yield more immediate and substantial benefits (cf. Downs, 1957: 207-254). Taking into account their own relatively powerless position, given that each citizen’s vote usually has so little effect in determining favorable political outcomes, citizens choose to ignore or not acquaint themselves with political facts.

Notice the slippage between ignorance and ignoring in this conception, which is closer to a norm than an aberration. Is ignorance not a state or a lack? How can there be such slippage between a noun and a verb? It happens because we take an activity for a state or condition and in both rational choice discourse and sociological study of ignorance it correctly appears as an activity, something a subject can do. Otherwise, an activity appears as an ossified, natural(ized)

object that it is not. In fact, this identification is centuries old. Take for example the noun *ignoramus*, an ignorant or unintelligent person—a term pejoratively used to ridicule one’s adversary. The invocation of this noun today, pejoratively attributing ignorance to the target, attests to the success of the comedy “Ignoramus” written by George Ruggle and performed in March 1615 in Cambridge, England. In the play, Ruggle names the protagonist lawyer Ignoramus, which was actually a legal term used by judges meaning, “we do not know that” or “we ignore that” (*ignore-mus*). This neologism had the effect of confusing ignoring with ignorance, the individual with the collective, and naturalizing a collective action into a personal characteristic. It is not the root of the confusion of ignorance for a condition, but just one of its expressions.

Certainly the difference between not knowing something because it has not been discovered yet, or cannot be known, and ignoring something that one either could know or already knows is a significant one. However, the more expansive conception of ignorance that disregards these differences, helps probe the pragmatic parameters of ignorance. It matters little if the ignorance is associated with not knowing because someone could not know or someone ignores. What matters for the rational choice discourse on ignorance is that time is necessary to either discover what is not known, or what could be known and not ignored. Moreover, what matters is that ignorance is fundamentally a choice—a choice that would be much more difficult to justify if people were either rewarded \$1000 for exhibiting political knowledge or punished with prison terms for ignorance. In the latter situation, the distinctions between someone who does not know, does not know because they ignore, or feigns ignorance is irrelevant when evidence of ignorance under the law, in principle, results in disciplinary action.

This rational choice language game, which does not respect strict ideational distinctions,

explains that due to the cost of becoming informed or aware, people choose ignorance. Because they choose ignorance they must remain in their relatively powerless position. It is quite a vicious circle with rationality at its core. In fact, within the Downsian framework, ignorance maintains a pejorative meaning as powerlessness, a choice of powerlessness in one field offset by power or knowledge in another more profitable field.

Assuming this supposed natural or rational choice, an entire body of literature focuses on institutional frameworks compatible with rational ignorance. Central concerns range from understanding the role of the public, experts, and government officials in political institutions (Dalton, 1977; Delli Carpini and Keeter, 1996; Salam, 2003; Murakami, 2008) to the viability and appropriate form of “democracy” (Young, 1996; Somin, 2013; Weinshall, 2003; Talisse, 2004), and compatible treatment of economic issues including the size of the government budget (Downs, 1960; Friedman, 2005; Kirzner, 2006; Somin, 2013). The use of ignorance in these expositions themselves is worth studying as one of the contemporary uses.

Without a doubt, the Downsian framework effectively accounts for the cost or price of ignorance in some contemporary contexts. It even recognizes that the existing institutional mechanisms, such as the electoral system, enforce ignorance. However, this conventional political science conception of ignorance as rational choice cannot explain fluctuations in the value of ignorance within historically evolving parameters of how ignorance works, changes, and could change with respect to political order, financial, health, environmental regulations, and racial discrimination. It cannot explain the changing range of possibilities of what ignorance can do, the foreclosed possibilities, how ignorance can and cannot be used, how its contemporary use differs from preceding uses, and how its framework can still change.

The Downsian framework is incapable of linking ignorance with social and political

objectives beyond self-interest. Such a socio-political objective can for example be to protect a vulnerable group against hate speech. For this reason, some states particularly concentrated in Europe have laws against the denial of the Holocaust and states like Canada have prosecuted for hate speech those who publically deny the holocaust, and more importantly attempt to impart their views on others. Through legal measures, states endeavor to regulate what people know well and what—often deemed to be false and harmful to vulnerable groups—should be excluded from the public sphere and public discourse.

By prohibiting the teaching that Holocaust did not happen and by prosecuting whoever expresses and spreads such views publicly, such legislative and legal measures attempt to enforce public ignorance of these views. Such views are deemed inadmissible in the public sphere and should not be visible. While of course preserving the discourse on the prohibition of such knowledge and its value, the prohibition influences the demarcation of what counts for knowledge and attempts to impede the spread of a false claim, the message that the Holocaust did not happen. Little can be done about individuals finding what the state considers as hate speech on the internet, but it can exert at least some control in some public spaces, like the classroom.²

The payoff of seeing legislation and institutional demarcations in terms of the enforcement of ignorance, rather than or just as much as an issue concerning hate speech and freedom of expression is that it brings to the fore the utility of the enforcement of ignorance in combination with knowledge, where before only knowledge was seen as a beneficial tool. If at

² See for example the case of James Keegstra in Canada who was stripped of his teaching credentials and tried under hate speech laws for teaching high school students that the Holocaust was “created by Jews to gain sympathy”. Cf. Bercuson and Wertheimer 1986.

the bottom it is an epistemic issue, it is worth asking why epistemic tools for protecting vulnerable groups are limited to the establishment of knowledge, and the regulation of ignorance is not likewise considered a useful tool. After all, it is someone's conviction in the truth of their knowledge either that some race is inferior or some group is making up events to gain sympathy that spills into or justifies violence. Why could the enforcement of ignorance not be a circuit-breaker?

The United States unlike Canada and some European states neither has laws against the denial of the Holocaust nor does it prosecute the denial of the holocaust as a crime against an identified group. The denial of the Holocaust falls under the protection of the freedom of expression. Scholars including (Fronza 2005; Altman 2012; Chomsky 1981), oppose laws against the denial of the Holocaust in the United States and other states on the grounds that education rather than legislation effectively protects groups against hatred. This conviction that knowledge alone will defeat ignorance—regardless of whether it appears as an individual deficiency or more organized expression of hate—is difficult to detach from the Enlightenment narrative that ignorance is bad and knowledge is good. Yet is the conviction or faith in the power of knowledge on its own, and in light of past tragedies, a sufficient justification for excluding other tools such as the regulation or enforcement of ignorance through legal means?

Why not combine education and faith in the triumph of truth with legal enforcement of ignorance to protect vulnerable groups from harm? Does one cancel out the other? The value of ignorance enforcement as a strategy for protecting various parties as well as its creation of exceptions from sharing in ignorance for some and not others should come under closer

scrutiny.³ The Edward Snowden affair is another example that brings to the fore enforcement of ignorance as tool for protecting vulnerable groups and individuals.⁴ The rationale for keeping some information labeled secret out of the public sphere in part is that making such sensitive information publically available would put in danger the lives of people whose identity and location in dangerous places it is imperative to keep secret. Contrary to the Enlightenment narrative in this case, enforcement of ignorance can appear as something good and knowledge as something bad. Is the enforcement of ignorance in such situations not necessary for protecting various groups and individuals or must they rely solely on the mantra that knowledge is good, ignorance is bad? Instead of relying on knowledge with the hope of eliminating ignorance as numerous scholars argue closer attention to how ignorance works may render possible a more robust combination of education and practices of ignorance to achieve certain goals.

I am not arguing that Holocaust denial should be permitted or prohibited in the public sphere or that Edward Snowden's release of secret information into the public sphere was right or wrong. Rather, I raise these issues to insist that the enforcement of ignorance should be more

³ There are plenty of examples in the legal system, whereby the enforcement of ignorance, is supposed to protect various groups and individuals. The presumption of innocence is one examples that forces the court to consider a person's guilt or innocence, not using already accumulated evidence, but starting from not knowing that the person committed certain acts, from the ignorance that unless it is without a doubt replaced with knowledge, protects the person's innocence under the law. Various claims to admit or dismiss evidence in court are also epistemic in nature, in that each claim contests whether it is best to accept something as available knowledge or enforce ignorance. Outside the courtroom, laws supporting equal pay regardless of gender force employers to pay employees equally without taking into account knowledge of the employees' gender. Factoring in the knowledge of an employee's gender to pay them less, to disadvantage them, would be subject to prosecution.

⁴ In 2013, Edward Snowden released thousands of previously secret CIA documents into the public sphere. He later acknowledged that the release of some of the documents may have been harmful.

explicitly contested, justified, and understood with respect to its potential benefits and drawbacks. The regulation of ignorance should not be a priori rejected due to the conviction that knowledge is good and ignorance is bad.

The anti-Holocaust denial legislation and the Snowden Affair broach the more general concern this project addresses with the political uses, restraints on, and challenges to, ignorance. It addresses the absence of a conception of ignorance that accounts for its shifting framework. The existing language to analyze ignorance is adequate for measuring *the extent* to which people are in ignorance of certain facts, but incapable of understanding the various pressures and tensions that the practice of ignorance is subject to. The existing language cannot support discussions focusing on if and why people should be forced to practice ignorance, how has this been done before, how it can be enforced compared with how it has been enforced before, how to challenge the ignorance and on what basis.

II. Taking A Genealogical Approach

My project broadens the conventional limited conception of ignorance. I take a genealogical approach to better understand the parameters of what contemporary ignorance does, can do, and cannot do, compared with what it did, could do, and did not do in the past. Distinct from historical study of concepts and practices historians undertake, genealogy is not intended to establish causality or set of causes for events, and neither is it defined just by describing contingency and complexity.⁵ Colin Koopman, whose *Genealogy as Critique* (2013) comes the

⁵In a brief exposition of the genealogical approach in “Nietzsche, Genealogy, History” Foucault is adamant that, “A genealogy of values, morality, asceticism, and knowledge will never confuse itself with a quest for their "origins," will never neglect as inaccessible the vicissitudes of history. On the contrary, it will cultivate the details and

closest to systematizing the genealogical method, notes that often someone claiming to use the genealogical method, when asked to distinguish their method from historical work, gives a response that embraces the contingency of the change in practices, as opposed to the history of a subject that aims to eschew contingency. He later adds that genealogy does not just show the emergence of something as contingent, but more importantly “how the present has been contingently constructed” (Koopman 2013: 140). Indeed, showing the emergence of a present phenomenon or problem as contingent, rather than metaphysically necessary, and how it emerged as such, in part defines the genealogical method and distinguishes it from a historian’s approach. Yet there is more to the genealogical method than just describing the contingent construction of a present problem that could have been constructed otherwise.

Genealogical inquiry does not adopt the usual themes of historical inquiry such as the economy or the law. It explains how we think about what has emerged as a problem in a particular way rather than another. This inquiry does not assume that the subject of inquiry is entirely constructed nor does it aim to describe the objective reality of the subject of inquiry in full accuracy. The practices in question are real and their problematization has been constructed in a particular way, could have been and has before been constructed otherwise. What appears natural, or naturally as a problem in a particular way, is a real problem, but has been constructed as such and it must not have necessarily been constructed as it has been.

The most accessible way to differentiate the method from other forms of historical inquiry is through illustrations of its application. Several decades ago, Michel Foucault applied the

accidents that accompany every beginning; it will be scrupulously attentive to their petty malice; it will await their emergence, once unmasked, as the face of the other” (Foucault 1984: 80).

genealogical method to analyze knowledge/power, but did not do the same for ignorance. Unlike English, French has two different words that mean to know—*savoir* and *connaissance*. Foucault's investigations including those of the history of knowledge, jurisprudence, sexuality, disciplinary structures show that knowledge (*connaissance*) rests on a historical way of knowing (*savoir*). He explains that,

When I use the word 'knowledge' (*savoir*), I do so in order to distinguish it from a knowledge (*connaissance*). The former is the process through which the subject finds himself modified by what he knows, or rather by the labor performed in order to know. It is what permits the modification of the subject and the construction of the object. *Connaissance*, however, is the process which permits the multiplication of knowable objects, the development of their rationality, while the subject doing the investigation always remains the same (Foucault 1991: 69-70).

Knowing in the form of *connaissance* is possible only within the scope of *savoir*—this ordering, organizing historically specific knowledge.⁶ For example, if in earlier centuries religious knowledge (*savoir*) underpinned knowledge (*connaissance*) of how to treat internal demons, today we call these psychological problems and the knowledge (*connaissance*) of treatments falls under psychiatric (*savoir*) jurisdiction. Foucault examined transformations of *epistemes*, which are the dominant historical arrangements of knowledge/power with different *saviors* (knowledge/power) historically replacing one another and producing new subjects, new problems, and new possibilities. A subject embedded in one *episteme* would sense the world around them, discourse about it, and act, in accordance with the *savoir* of the time.

What counts as a fact changes as one *savoir* historically replaces another in non-linear fashion. This means that history is a series of phases of one transforming into another through

⁶ That knowledge (*savoir*) organizes and changes subjects and dominates in some historical periods and not others occupies much of Foucault's work. See Power/Knowledge (1980); The Order of Things (2002); The Archeology of Knowledge (2012); Discipline and Punish (1977); and The Will to Knowledge: History of Sexuality vol. 1 (1998).

complex and contingent processes and not a progress forward, constant improvement. *Epistemes* differ in their conditions of possibility, the tensions that sustain and undermine them, and in the problems inseparable from each one of them.

What Foucauldian genealogy does is “inquiry into the conditions that make possible problems such as modern sexuality and modern punishment” (Koopman 2013: 6).⁷ The method can be further differentiated from a history of concepts and practices in that it addresses the present and our understanding of ourselves, by asking “what are the conditions of possibility of present problematization”? How does something become a problem? How do we come to know something as a problem? What are its conditions of possibility and how have they changed? How have the problems, treatment and strategies around something changed? Through what channels has the problematization occurred, and what are the loci of decision-making concerning what becomes problematized? To use the example of Foucault’s study of knowledge, while historical inquiry may describe and link what we know (evidence, statements, data, etc.), or new evidence historians uncover that serves as the solid basis for altering a historical narrative, genealogy focuses on how we come to know (*savoir*) what we know (*connaissance*) and yet could have come to know it otherwise—as a problem. The knowledge (*connaissance*) that becomes so

⁷Madness and knowledge are two more modern problems Foucault examines through the genealogical method. Applying Foucault’s genealogical method to categories, concepts, and institutions, which appeared as permanent states, Judith Butler ([1990] 2011) shows that gender is constructed through practice and is not a permanent condition and genders are not in a binary opposition. Talal Asad (2009) has applied the method to study religion, showing that no Archimedean point exists to neutrally study the subject, the secular and religious are not polar opposites and religious practices go through historical transformations making it difficult to reduce them to an essential truth.

natural as the knowledge (*connaissance*), that must be known, that can be used to write history ceases appearing as necessarily true.

Foucault's insight into the operation of knowledge qua *savoir* lays the ground for inquiry into ignorance at a scope wider than *connaissance*, the level corresponding to the facts people are can and are supposed to know. From a Foucauldian perspective, to take an example from my own discipline, the conventional political science understanding of ignorance as an economic choice to not know political facts rests on an overly restrictive assumption that knowledge grasps the reality that is objective, present and available. For Foucault, "there can only be a relation of violence, domination, power, and force, a relation of violation. Knowledge can only be a violation of the things to be known, and not a perception, a recognition, an identification of or with those things" (Foucault 2000: 9). It is not a state or universal structure. Instead it is a historical practice or a continuous struggle of imposing power that (re)produces itself (Foucault 2000: 14).

A practice is an activity that sets limits for what is un/acceptable, or put otherwise, refers to a productive set of rules and relations regarding what can and cannot be said and done.⁸ Adherence to this set of rules—that itself is a product of power—renders certain strategies, claims and contestation of claims possible while others impossible. Foucault exceptionally exposes that knowledge is a practice resulting from power struggle, "there cannot be any knowledge in itself" and "in reality, knowledge is an event that falls under the category of activity. Knowledge is not a faculty or a universal structure" (Foucault 2000: 13-14). In similar vein, the belief that knowledge is a practice, unlike ignorance, should not be firmly held. It is a

⁸ According to Michel Foucault, practices can be discursive or non-discursive, as for example pedagogical or institutional practices.

mistake to think of ignorance as a lack or absence of a faculty or of a universal structure. Ignorance is not a lack and when studying it as a lack, it is nonsensical to examine its distribution, how it works, and its regulation. In other words, not studying ignorance as a lack leads to better understanding of what it does, how it works and how it has worked, instead of the foreclosing fruitful inquiry by misidentifying it as a lack that cannot be studied.

More than that, if we accept John Caputo's proposal that "Foucault's thought is best construed as a hermeneutics of not knowing who we are" (1993: 117), what we do not know, and how we do know are at the heart of what Foucault was exploring all along. The not knowing here is an activity, rather than a truth statement. Rather than proclaiming the essential truth of human beings, Foucault only defines who we are negatively, in the process stressing the historicity of our understanding of ourselves that preserves the freedom to define and re-define and experiment (cf. Caputo 1993: 128). Through his genealogical approach to knowledge/power, Foucault gestures at ignorance precisely in showing that that what we take or what others have taken for true knowledge, or a universal structure, is an activity, a struggle of imposing power. He does not address ignorance directly though in any substantial study. Applying the genealogical method to ignorance enables analyzing it as a historical, subject to change practice that differs historically with respect to its effects, the parameters of how it works and what it can be used for, the particular ways of challenging its operation and the problems around it—its emergence as a problem.⁹

⁹ If one is looking to situate this genealogy within one of the three domains or axes of genealogy Foucault identifies in one of his late interviews, it comfortably fits within the first domain:

Three domains of genealogy are possible. First, a historical ontology of ourselves in relation to truth through which we constitute ourselves as subjects of knowledge; second, a historical ontology of ourselves in relation to a field of power through which we constitute ourselves as subjects acting on others; third, a historical ontology in relation to ethics through which we constitute ourselves as moral agents(Foucault 1984: 351).

A history of ignorance, in contrast, would inquire into what we do not know and why do we not know it. An excellent example of such a historical inquiry is Robert Proctor's Cancer Wars: How Politics Shapes What We Know and Do Not Know About Cancer (1996) and Agnotology: The Making and Unmaking of Ignorance (2008). These studies are part of an inquiry into ignorance, the study of ignorance he calls Agnotology. Concentrating on the ignorance that tobacco is a cancerogen, that there is a clear link between smoking and lung cancer for example, he asks why did we not know? It is not that there was no evidence at all. There were some studies linking the two, but there was also significant doubt about the findings of such studies generated by scientific evidence supposedly disproving the link and enough experts that would claim that there is no link between smoking tobacco and cancer. Doubt is not a firm ground to claim to certainly know something, but it is firm enough to claim that we simply do not know—we are working with ignorance. Proctor in detail accounts for how tobacco companies financed expert opinions and studies that generated the ignorance, and how aggressive defense in court, that also generated enough doubt to prevent even one court ruling against a tobacco company from the 1950s into the 1990s, made it even easier to reinforce the ignorance of the link.

Proctor starts with a clear real problem and it requires looking at a certain set of sources to arrive at a complete enough historical account. There is something we did not know, and the task is to deal with the problem—describe it using the historical records and find the causes. Through such historical study, what remains quite natural and unquestioned is the role of the court in perpetuating and correcting ignorance. In contrast to this historical approach, the task of the genealogical study is to inquire into the conditions of possibility of how the problem

emerged—how its emergence as a problem in the way that it did in both legal contestation and scientific contestation circumscribes the discourse around the problem in particular ways rather than other ways. A genealogical study does not take for granted the problem, in that it does not treat it as natural, and therefore causality becomes a secondary concern. In inquiring into the conditions of possibility, it would, for example as part of the study, look at the role of the law and the legal framing of the issues around ignorance that make the problem or appearance of lack thereof emerge as a legal issue in the first place. Not only does it emerge as a legal issue instead of a strictly scientific issue, but its legal framing empowers tobacco companies themselves to exert significant influence over the reception of the issue and legal decisions around it.

Foucault's distinction between how we come to know (*savoir*) and knowledge (*connaissance*) as well as other terms, including his description of *epistemes*, underpin thorough genealogical study. Yet the language for carrying out the genealogical study of ignorance could be better tailored for such study. In several essays over the past decade, Jacques Ranciere picked up on Foucault's study of *epistemes* and began to furnish the direly needed vocabulary for expanding the conception of ignorance in his theorization of "distribution of the sensible" "aesthetic ignorance" and "practice of ignorance" (2006; 2009). Foucault's influence is unmistakable. Foucault's distinction between *savoir* and *connaissance* aligns *savoir* with the *sensible* that renders what can and cannot be seen, known and said, much like Ranciere's "distribution of the sensible". The objects seen and discussed in accordance with a particular distribution of the sensible, the *savoir*, correspond to Foucault's understanding of knowledge qua *connaissance*. For my purposes, there is little difference between what Foucault describes as *savoir* and Ranciere's "distribution of the sensible". What we sense—which includes what we know, what we choose to know, what we see, what we ignore, and cannot see—rests on how we

sense, or how we frame what we sense. This framing negotiates what becomes subject to ignorance and what must not be subject to ignorance.

In Politics of Aesthetics: Distribution of the Sensible, Ranciere explains that aesthetics can be understood in the Foucauldian sense “as the system of a priori forms determining what presents itself to sense experience” (Ranciere 2013: 13). Political activity or politics and aesthetics were never and are not separate. Politics is

A kind of aesthetic activity, a framing of what is given and what we can see. If you take the example of ‘weapons of mass destruction’: ...What is fascinating is that it is very easy to impose the existence of something which does not exist at all. This is very easy with some words; it doesn't demand a massive effort of documentation, argumentation, and persuasion. You are framing what is given, what is visible (Ranciere and Lie 2006).

The framing of what we sense, what we know and see, and what we subject to ignorance is a political activity. At the same time, Ranciere's reference to distributions gives the term a double meaning, a play on meaning, that in my analysis I will separate into two different terms in order to minimize confusion.

For my study of ignorance, I find the term “the distribution of the sensible” less useful than what I call the “distribution of ignorance” which I take to mean the arrangement of sharing or not sharing in various historical practices of ignorance. It enables analysis of historical differences in its production, effects, and problems. The other meaning of distribution has to do with the underlying sense in which *savoir*, the how we come to know something, underlies *connaissance*, as the object of knowledge. This sense of the “distribution of the sensible” is congruent with what Foucault takes as the subject of genealogy—the conditions of possibility of the emergence of a problem in contemporary form. Not to confuse the first meaning of the distribution of the sensible that has to do with sharing and not sharing in practices or what I call the “distribution of ignorance”, with the latter meaning of the distribution of the sensible, the

latter I will refer to as the “framework of ignorance”. It refers to how we frame ignorance, and allows to analyze the changes in reference points of the framework and what approaches within historical frameworks of ignorance become possible, impossible, and through what channels the distribution of ignorance and what ignorance can do can be challenged during a particular period.

Uncovering the true meaning of ignorance is not my concern in this project. The distinction between ignorance and ignoring loses relevance with the realization that what has been identified as ignorance depends on the (political) “distribution of ignorance” at the time, how we frame it, what we think we must be in ignorance of, what we think we can ignore, what we agree and reject to practice ignorance towards. During any particular era, just as one participates in knowledge, which is an activity, one practices a type of ignorance whether one does not know something or must ignore what one knows, intentionally or unintentionally, willingly or unwillingly. One participates in the “distribution of ignorance” and this experience is framed based on the underlying “framework of ignorance”—the way it is framed in a particular period that leads people to practice it and approach it in a particular way rather than another way. The experience of living under a regime where people and institutions subject race to ignorance either because the category is as insignificant as freckles or because ignorance of race is enforced, is distinct from the experience of living in a racial regime where the recognition of differences between races, the high sensitivity to race, influences the unequal distribution of benefits and disadvantages. Such scenarios are hardly hypothetical considering that at various points in time noble birth, race, gender, knowledge of economics, religious beliefs, and other features signified that various parties must share in ignorance or enjoy exceptions from it.

The genealogical approach enables analyzing the differences between historical frameworks, distributions of ignorance, and what ignorance can do. It supports examination of

changes in the forces and tensions involved in (re)producing the distribution of ignorance during different eras; who enjoys exemptions from ignorance; on what basis; and how those claims can and cannot be challenged. In other words, through the genealogical method, I expose the contemporary framework, synonymous with conditions of possibility of ignorance, and identify what it can and cannot do within this framework. The method enables observing how the political problems involving ignorance change and various distributions of ignorance relate to the political order—how they come to contribute to sustaining and/or undermining stability, equality, and liberty.

The historical role ignorance plays in proposals for justifying or changing the existing political order cannot be overestimated. The objective of charting contemporary ignorance's conditions of possibility does not warrant consulting Socratic Dialogues. I limit the scope of the study to the Anglo-American political scene and tradition from King James I, through Thomas Hobbes, Adam Smith and finally John Rawls, because this range is sufficient to record how ignorance's reference points have changed up to the present. My contention is not that each of the thinkers whose work I discuss intentionally develops a conception of ignorance. Rather, I use the conceptions of ignorance in their work, and expose what their texts record about the changes in the reference points or ignorance's framework.

On first glance, the four primary texts are no more than random historical snapshots with tenuous connections. From King James I's Trew Law of Free Monarchies to John Rawls's A Theory of Justice, there is no consistent methodical or impeccable, rationale for choosing those texts as opposed to others. Foucault asserts that the genealogical method "demands relentless erudition" (1984: 77). Genealogy does not rest on systemic selection of texts, but this does not mean that they are random or the selection lacks rigor. The claim to vast knowledge works for

Foucault as he effortlessly and without much explanation in his brief genealogy of governmentality in “governmentality” (Foucault, Burchell, Gordon and Miller 1991), or from Sophocles’s play Oedipus Rex to the Middle Ages and onto Nietzsche in his genealogy of the juridical form and the examination as modern problem in “Truth and Juridical Forms” (2000).

In large part though, the choice of texts is guided by the subject and scope of the inquiry. Sophocles’s Oedipus Rex describes the contestation of what counts as knowledge, whether this is the text’s intention or not and thus for Foucault it serves as both a convenient and valid window through which to locate and observe the development of the changing conditions of possibility of knowledge contestation. The text, if I may note, also opens a window onto the ancient Greek framing of ignorance and its relation to power. The text is working out the relations between vision, power and ignorance. The Greek root of both ignoring, perhaps even when something is in front of one’s eyes, and ignorance, is *gnosis*. Ignoring, not seeing or refusing to see, and ignorance, are joined at the root. Ignorance appears as a problem when the king sees and by the end, he gains knowledge and loses his sight or vision. There is no natural alignment of knowledge and power in this ancient story.

In seeking to describe the contemporary emergence of ignorance as a problem, must the present study examine ancient texts? It must go back only as far as necessary to gather the necessary threads of the contemporary framework of ignorance. Yet the question remains, why those particular texts? Indeed the texts could have been different and perhaps there are better choices, but it is difficult to deny that choices in this dissertation are sufficiently appropriate. Ultimately, the choices are based on which texts work, and which texts capture the pulse of subject under genealogical investigation during the period. After surveying the discursive field, it is clear that some of the other texts under consideration also made valuable contributions, and

those contributions will be discussed in the study. This is manifest in this study nowhere more than in chapter four on Rawls's "veil of ignorance" at which point I distinguish his appeal to ignorance from those of his contemporaries—John Harsanyi and James Buchanan. The work of these other two great thinkers could have substituted for Rawls's, but it would have been more difficult to gather the threads of the changing framework of ignorance. While they fit the story's trajectory, they consider less the contemporary parameters of ignorance—what is possible—than address one possibility that filters ignorance through economics. Rawls's A Theory of Justice offers a larger and a more elaborate window onto the contemporary framework of ignorance that considers the economic approach to ignorance in comparison with other approaches.

The choices were also not driven by selection from the canon of political theory. Hobbes's Leviathan emerges as an important text, but what it tells about the changes of conditions of possibility of the emergence of ignorance as a problem in the middle of the seventeenth century becomes properly accessible by starting with a sketch of ignorance's framework and distribution before Hobbes, and for my purposes in King James I's Trew Law of Free Monarchies. These texts do not exist in a vacuum. They defend, propose, critique, reflect and are inseparable from other texts, practices, and institutions of the time. They are an entrance point into what Foucault refers to as *dispositif* or the

...thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic propositions—in short, the said as much as the unsaid. Such are the elements of the apparatus. The apparatus itself is the system of relations that can be established between these elements (Foucault

1980: 194).¹⁰

They are texts that in relation to other texts at the time, historical events, and previous texts and events offer a window onto the changes in the conditions of possibility of ignorance at the time, how it and the problems around it are framed, and how the framing changes.

The first chapter will draw attention to how King James's claim to "divine right" or the claim that he is like God among people, buttresses his exercise of the royal prerogative to decree who can know and be in ignorance of what and for example what new technological knowledge may and may not enter the realm he rules. In other words, his approach to ignorance within the framework of ignorance supports justifies his role in the distributing ignorance. The subsequent chapters examine the way the texts bring out the connections between the framing of ignorance and executions, empowerment, educational institutions, colonial governing, market forces, institutional treatment, risk management, and more.

What the texts—their rhetoric and logic—have difficulty in accomplishing, images may be more capable at. Besides textual evidence, images consistently record historically shifts in ignorance's framework. Images—at times better than textual arguments—push and constrain the imagination, the questions that can be asked and the possibilities that can be considered. For

¹⁰ Although, the aim of my genealogical inquiry is not to describe the *dispositif* but examine what is sufficient for describing the emergence of the contemporary framework of ignorance. On this point, I am not in complete agreement with Colin Koopman, because even though inevitably a genealogical inquiry describes aspects of the *dispositif*, it does not take it as its subject. The subject of genealogy is the emergence of a contemporary problem. If we take the distinction between the different axes of genealogical inquiry Foucault distinguishes (1. Ontology of ourselves in relation to truth; 2. Ontology of ourselves in relation to a field of power and 3. Ontology of ourselves in relation to ethics), they should not be seen as separate, but neither must they all be described when focusing for example just on prisons).

King James I, many-headedness, or the many-headed monster represents the ignorance confronting his well-ordered royal body. The frontispiece of Hobbes's Leviathan posits the many-headedness as the well-ordered body of the sovereign supporting the head. In the reception of Adam Smith's Wealth of Nations, the invisible hand metaphor, displaces the head-body metaphors in conjuring the image of ignorance and advancing inquiry concerning what ignorance does and can do to and in a political order. And finally, John Rawls's "veil of ignorance" is one of the latest visualizations exerting influence over how we think about the parameters of what ignorance can do. This visualization, around which an extensive body of literature has developed in the past four decades, initiates the audience into the practice of ignorance that is supposed to level differences impeding broad agreement on how institutions should treat various parties. It is quite remote from the early seventeenth century English image of ignorance as a many-headed monster threatening political order—a monstrosity to be pacified or avoided.

In combining analysis of texts with images in this genealogical project, I situate the inquiry within the "the aesthetic turn" of political thought. Recent attempts to reconsider political thinking at the intersection of politics and aesthetics, or what has been called "the aesthetic turn" of political thought, have generated fruitful new directions for orienting political thinking on the implications of the aesthetic dimensions of Hannah Arendt's conception of judgment, Franz Fanon's writings on colonialism, and others (cf. Norval 2010; Frank 2007; Panagia 2006; 2010; Kompridis 2014). Aesthetic devices in the work of political theorists and political discourse more generally, as Linda Zerilli shows, lead audiences to think about and possibly agree on something they may not have been inclined to before, "because they are brought to see something new, a different way of framing their responses to certain objects" (Zerilli 2005: 144). The supplanting of old images associated with ignorance by new ones reflects shifts in ignorance's framework,

and what is included in and excluded from the frame. I account for these differences by focusing on the images that become associated with ignorance and eventually wane in importance.

I grant that a more detailed study of each time period would give a more accurate historically sensitive picture. But there is value in broad brushstrokes of a genealogy as for example Foucault's genealogy of forms of jurisprudence has shown. The identification of broad shifts in reference points should not be underestimated and invites later in-depth inquiry. The texts combined with visual and other types of evidence in each case serve as an opening onto the changes in the framework, people's thinking about what it could and could not do at the time and how that could be challenged, though which channels.

III. The Argument

Ignorance is not a pejorative condition, but a historical practice affecting political order and by distinguishing it from its previous renditions we can better understand contemporary political realities. This is the argument that will unfold in the subsequent pages. What ignorance is and what it does should not be taken for granted. The practice is political and historical, which means that its framework shifts over time contingent on complex processes and forces. Various strategies for contesting how ignorance works and how it is distributed become viable and impossible with changes in ignorance's framework.

Three significant historical shifts in ignorance's framework garner particular attention within this genealogical account: (1) the shift from ignorance's unequal distribution that revolves around the royal prerogative to the equalization of the distribution through the rule of law; (2) the secularization of ignorance that disassociates it from sin but does not completely overturn the pejorative meaning of ignorance; and (3) the discursive shift from metaphysical framing of ignorance to economic framing with time or lack thereof at the core.

An elaborate dynamic framework circumscribes the possibilities of what ignorance can do and I find troubling the insufficient contestation of ignorance's contemporary operation. In this respect, I support the argument put forth by sociologists of knowledge including Linsey McGoey (2009; 2012), Michael Smithson (2012), philosophers such as Jacques Ranciere (2006; 2009), and critical race theorists like Shannon Sullivan (2007) that ignorance can work, or can be practiced, in more than one way. As William Davies and Linsey McGoey aptly put it, "if economists are slow to recognize ignorance when it is staring them in the face, sociologists and political theorists are generally guilty of failing to explore the myriad ways that ignorance is not simply a social or political liability..." (2012). The way ignorance works does not have to be subject to cost-benefit calculations, economic models economists develop, be algorithmically regulated, appear as a liability, or as the lack of knowledge of "facts" political science scholars identify. My genealogical investigation substantiates these contentions and supplies them with historical understanding of the contemporary sites and grounds of contestation.

For the contemporary framework, Adam Smith's Wealth of Nations is a critical juncture. The text, I argue, prepares the ground for the tensions between the understanding that situates the market as the central decision-making mechanism within the framework and the understanding with contestation of laws and their amendments under the rule of law at the core of the framework. The former emerged as the dominant understanding since the middle of the twentieth century, but the latter remains viable and the site of contestation. In other words, it may be difficult to see ignorance as anything else but a choice subject to cost-benefit time-sensitive analysis, regulated by the market and the study of which is best left up to economists or those

taking an economic approach.¹¹ I show that (1) whether the operation of ignorance is organized primarily around economic or legal mechanisms, (2) whether economists or another group should enjoy exemption from ignorance and (3) whether the distribution of ignorance should be equal or unequal, all remain open questions subject to disagreements. Contesting ignorance's distribution under the rule of law within the contemporary framework of ignorance is essential for determining what it does, exemptions from ignorance, who can benefit from it, and how its distribution affects the political order's stability and equality. This contestation, I suggest, is an alternative to the prevalent economic approach that places time and market mechanisms at center of the framework which frames issues concerning ignorance as apolitical, and subject to economic algorithms.

IV. The Plan

To record and analyze shifts in ignorance's framework, each of the chapters is organized around a central question. In the first chapter, the question is "what are the problems with how King James I attempted to distribute the practice of ignorance?" Relying on King James I's The True Law of Free Monarchies (1598), historical patent records, and analysis of the image of the many-headed monster James associates with ignorance, I examine the religious, political and economic aspects of the seventeenth century breakdown of what I call the monarchic distribution of ignorance through the royal prerogative. I study the problems with the royal arbitrary enforced decisions, supposedly resting on divine Truth regarding who should enjoy exemptions from

¹¹ Friedrich Hayek, Thomas Friedman, James Buchanan, Anthony Downs, other economists, and rational choice theorists use this framing. In political science, Bryan Caplan, Jeffrey Friedman, and Ilya Somin are some scholars who generally adhere to this language.

ignorance and who should practice ignorance even regarding what they already know, how this affects political order and the population's material being.

First chapter's analysis of ignorance's reference points prior to Thomas Hobbes's writing of the Leviathan, in the second chapter leads me to ask "how does Hobbes treat ignorance in the Leviathan?" Based on a close reading of Hobbes's masterpiece, combined with analysis of how the frontispiece of Leviathan changes the image of many-headedness from a threat to the support of political order, I investigate ignorance's shifting frame of reference. I argue that Hobbes documents the secularization and politicization of the practice of ignorance and its new volatile relation to political authority and political order.

In the third chapter I ask "what does sharing in ignorance mean in the Wealth of Nations?" Based on analysis of Adam Smith's Wealth of Nations, patent court cases, and the "invisible hand" metaphor, I contend that by the end of the eighteenth century the rule of law largely replaced the royal prerogative in the distribution of ignorance, and the association of ignorance with time or lack of time becomes stronger at the expense of the association with Truth. The change in who or what enjoys exceptions from ignorance and how that is decided under the rule of law unhinged from Truth, affects the power of the sovereign, individuals, the means to remedy wrongs, and political order, thus raising the value or danger of ignorance under certain conditions.

In light of the three shifts, the last chapter asks "what is ignorance doing in the 'veil of ignorance' and what is it supposed to do according to John Rawls's A Theory of Justice?" The resultant analysis challenges the dominant view that ties its value to the overbearing Rawlsian framework, in which it is the ideal condition—devoid of supposedly morally irrelevant knowledge—for choosing principles of justice. I argue that Rawls's approach to ignorance

innovatively opens up a myriad of pressing questions concerning what the practice of ignorance does with respect to institutional arrangements today. Specifically, it highlights the value and difficulties with extracting this value of ignorance for achieving desirable goals ranging from economic to racial and gender equality in the contemporary political order—now that the practice of ignorance is secular, distributed through the law, and tied to time more than before.

V. Summary of Contributions

What takes shape in this dissertation is the counter-narrative to the Enlightenment narrative that depicts knowledge as good and ignorance as bad. It challenges the pejorative characterization of ignorance, that knowledge must defeat ignorance, and reinforces the possibility that ignorance is useful for maintaining and improving the political order. The story I tell is historically sensitive to the changing framework of ignorance that brings out the complexity of problems and possibilities around ignorance and its distribution.

The investigation contributes to the scholarship on each of the thinkers in focus by establishing the role that understanding of ignorance plays in their political theories. Just as importantly, the genealogical route enables me to lay out the contemporary alternative approaches to the operation of ignorance and call for more vigorous contestation of its operation for instance with respect to how practices of ignorance play into institutional treatment of various parties or how governments practice ignorance towards actors' financial activities.

The analytic tools I develop should comprehensively address pressing questions current frameworks cannot adequately approach. For example, should the people's ignorance extend to the process by which governmental forces deal with financial crises, simply because they are in no position and have no time to "know"? Or, should they apply ignorance to the imperative to

practice such ignorance and through this ignorance of ignorance disturb the existing arrangement of those who have and do not have the capacity to make politico-economic decisions? Can the practice of ignorance be mobilized for democratic ends? If differentials in knowledge produce inequalities, can a practice of ignorance act as an equalizing force, when race, gender, and other distinctions are subject to ignorance under certain circumstances?

CHAPTER 1: The Monarchic Distribution of Ignorance

"Yet if cattle or horses or lions had hands and could draw/
And could sculpt like men, then the horses would draw
their gods/ Like horses, and cattle like cattle, and each
would then shape/ Bodies of gods in their likeness, each
kind, of its own"

-Xenophanes, *Fragments*
(Diels-Kranz B 15)

I. On Metaphors

This investigation of ignorance's shifting framework opens with analysis of King James I's True Law of Free Monarchies (1598) because if we are to record any shifts, starting at the height of the epistemic crisis, when the old order disintegrates during the English Civil War (1642-1651) is too late. The crisis goes by several names. Some scholars for example call it the crisis of the common law (Burgess 1998), others called it the general crisis (Trevor-Roper 1959; Parker 1997), the crisis of the constitution (Judson 1949), or the crisis of political obligation (Kahn 2009).¹²

Certainly, ignorance of legitimate authority and proper scriptural interpretation characterized the Civil War, and specifically its epistemic dimension. Some people shared in ignorance in terms of being uncertain about who holds or should hold legitimate authority, but uncertainty generated by what is not certainly known is only a small fragment of the picture. In addition, actual active ignorance of the others' claims, and enforcement of ignorance—the

¹² For a comprehensive discussion of the various dimensions and elements of the crisis, see especially Kahn 2009.

distribution of ignorance—captures the wider epistemic sense of what the English were dealing with.

Recognition of these issues' acuteness during the Civil War often leads political theorists to examine the history of the epistemic crisis beginning with Hobbes's intervention in the form of his Leviathan (1651) at the war's conclusion. Numerous accounts of public reason and political judgment begin with Hobbes's political theory —the solution he offers, whether it is geometry or a consent-based social contract (cf. Ivison 1997). As I will argue, not in this but in the next chapter, Hobbes develops a nuanced understanding of the epistemic crisis hinging on his developed conception of ignorance. Such a crisis involving ignorance does not occur without something happening to ignorance's framework and distribution prior to the crisis. Therefore, to better understand the epistemic crisis and the problem to which Hobbes responds at its peak, it is necessary to extend the historical timeline back and inquire as to the framework and distribution of ignorance before the Civil War.

In this chapter, I pay special attention to King James I, who forty-five years before the Civil War gives an exemplary account of what he thinks ignorance does and how to deal with it in his True Law of Free Monarchies (1598). Written by the King of Scotland just five years prior to becoming the King of England and Ireland, this treatise rationalizes unequal distribution of ignorance that sets the monarch apart from others. This defense of the “divine right of kings”—the doctrine that a monarch rules by divine right and is the “God's lieutenant on earth”, unlike ordinary humans—is more normative in character than descriptive. It makes a case for the concentration of the process of distribution of ignorance in the hands of the sovereign on the basis of divine Truth, which mean that the king has, with God's favor, exclusive access to the Truth that ordinary individuals, not in the king's position do not have. King James I used the

Reformation—that marks the weakening of the influence of the Roman Catholic Church in England—to consolidate political power on religious basis, arguably more than his predecessors. Ruling England and Ireland for twenty years, King James I had ample time to adjust to his claimed divine superiority the exercise of the royal prerogative, the mechanism a monarch uses to make decisions and decree new policies and laws, at times including the decisions concerning who must know what and who must share in ignorance, with his or her own discretion.

The body politic metaphors, the scriptural interpretation that King James I uses, and their material ramifications, require particularly close examination. The king does not rely on the strength of his physical body to make the claim for monarchic rule as much as the metaphorical body, or the fusion of the mystical immortal body with his physical body. The substantiation of his claimed exemption from sharing in ignorance and the righteousness of a monarchic political order with him as the sole legitimate ruling authority, the knowing head, just as the claim that the people share in ignorance and cannot rule were all based on metaphors central to seventeenth century conflicts. Metaphors and images served to naturalize, legitimize and conversely undermine the existing political order. As Victoria Kahn observes (2009), fiction rather than some material factor underpinned claims to legitimacy and authority. This means that fictions, or more precisely metaphors, dictated *what* is un/natural, ab/normal and also *how* to sense that—through fiction.

Legitimacy of the existing monarchic political order and the authority of the monarch relied on the particular way of saying, seeing, and doing that the metaphor dictated. To a large extent, I concur with Linda Zerilli's general observation that metaphors help formulate new responses to problems and think in a novel way (2005). The proper body politic, at least for King James, appears no different from an ordinary white male body of the time. The most important

aspect of this body is that it could have only one head, and coincidentally monarchic political order also usually has one supreme ruler. As James I put it, “monarchy is the true pattern of divinity” (James 2002: 52). The head must be the king and there can be no alternative.

The underside of thus deploying a metaphor that appears to concern Zerilli less is that it also restricts the viability of some responses. In particular, as I will argue in this chapter’s first two sections, as much as the metaphor naturalized the rule of the king-head-knowledge over the people-body-ignorance, it also precluded seeing as natural the rule of the people-body-ignorance. Questioning if the people have consented to the monarch’s rule, or better yet even raising the issue of consent makes as little sense as seriously contemplating whether or not the neck has given explicit consent to support the head. That must be the argument if exclusively this metaphor—or rather the thinking prompted by this metaphor alone—supports and undermines the political order. From Kantorowitz’s The King’s Two Bodies (1957) to David Hale’s The Body Politic (1971), scholars have focused on the evolution of this one body politic metaphor alone.

While this enables recognition and interpretation of the tensions *in the metaphor*, it prevents identification and analysis of the tensions *of the metaphor*, especially as these make possible and restrict what ignorance does and does not do, what it can and cannot or could not do. The monarchic body politic for James I defined itself against the Hydra metaphor—a monstrous being with a multitude of heads, the embodiment of ignorance. In a departure from existing literature on the body politic metaphor, given the focus of my study, I will stress the significance of the antithetical relation between these two metaphors.

Exclusively attending to the body politic metaphor as a human body, or two human looking bodies, means accepting the normative implications of restricting the model to a white

male body with one head. The king himself deploys it to eliminate the possibility of considering a body politic that looks any different—one that perhaps has a multitude of heads, or one that has no head and does not require one. A body politic in which knowledge does not rule ignorance, from this perspective, becomes unnatural and unthinkable beyond its impossibility. Putting the two metaphors in the same frame draws attention to this restrictive power of the body politic metaphor and what it naturalizes.

The understanding of the source of the king's legitimate authority to distribute knowledge and ignorance in that political order cannot rest on the specifics of the one metaphor and must include the relation between metaphors. What posed a challenge to the legitimacy of the monarch's distributive power, and in very material terms the adverse and benign effects of the monarch's distribution of ignorance come to light. The crisis of legitimate authority associated with the general crisis, including the English Civil War, then involves not just the tensions in the (human) body politic metaphor. It also concerns the tensions between this metaphor and the Hydra metaphor, and between the metaphors and what they actually materially supported. As I will show in the chapter's third section, the distributive power that the king wielded on a fictional basis, hardly proved or could prove that he enjoys a natural or true exception from sharing in ignorance.

This undertaking illuminates ignorance's framework at the time that circumscribes what ignorance can and cannot do vis-à-vis the political order. At issue is what possible relation they had at the time, and what those who interpreted it wanted others to believe was impossible. There are three features of ignorance's framework prior to the English Civil War that I highlight in this chapter and in later chapters observe how these change: (1) Relying on the deployment of conflicting religiously-inflected metaphors, supporters of monarchic rule *naturalize* the king's

legitimate authority to distribute knowledge and ignorance in that political order, or the monarchic distribution of ignorance, as I call it; (2) *Divine right of kings*, expressed in conflicting metaphors, supports the claims that the king's distribution of ignorance is natural, that the king enjoys a *natural exception* from ordinary human ignorance; and (3) On this basis, the king and the monarchic distribution of ignorance in general function through the *wielding of the royal prerogative*, or the power belonging to the monarch alone to legislate by decree. That the monarch has asymmetrical power in this distribution, including the power to decide who must practice ignorance or ignore what, means that the monarchic distribution of ignorance is inherently *unequal*. Those who enjoy an exception from ignorance, or those who know the Truth in more positive terms, supposedly know how to properly organize and sustain the right order, to produce and to distribute ignorance. In short, I focus on what I call the *framework of the monarchic distribution of ignorance, this unequal distribution in which the monarch enjoys a natural exception from ignorance on religious and metaphorical bases and distributes ignorance through the royal prerogative*.

I contend that the tensions in and between the metaphors as well as tensions between the metaphors and the monarch's actual distribution of ignorance are highly problematic in that they both sustain the monarchic distribution and contribute to its unraveling toward the English Civil War. In the first section, I focus on how James I's depiction of the people as a Hydra is useful for denying that people can rule, and at the same time the metaphor's inaccuracy in defining monarchic rule's problem limits the scope of potential solutions. In the second section, I show that the Reformation both substantiates and undercuts James's use of the monarchic body politic metaphor to counter the Hydra, his claim to exceptionality from ignorance, and the legitimacy of the royal prerogative. In the third section, I examine how the monarchic exercise of the royal

prerogative to distribute ignorance hardly proves the exceptionality the monarch claims as the distribution produces both benign and adverse material effects.¹³ Besides expanding the understanding of how conflicts between metaphors underlie claims to legitimate authority, and the issues around ignorance leading up to the English Civil War, the exposition of the framework of the monarchic distribution of ignorance in this chapter begins to challenge the pejorative meaning of ignorance and record ignorance's integral role in political order.

II. The Problem of Ignorance or the Many-headed Headless Monster

For James I, one of the central problems his monarchic rules must face is quite simple. I examine his identification of the many-headed monster, the metaphor for ignorance, as the problem he confronts, how he and supporters of monarchic rule use it, what the metaphor does, and its inaccuracy. By inaccuracy I mean that it is merely the preferred image of those intending to exclude the people from holding power. It contributes to preventing people from changing the political status quo and renders the possibility that ignorance is anything more than a violent force threatening political order unthinkable. At the same time, the caricaturing of a growing population of those who do not neatly fit the monarchic political order as a monstrous abomination limits the scope of potential remedies.

¹³ By saying that ignorance has material effects, I draw attention to the effects of epistemic distributions. As long as subjects practice ignorance in the way prescribed by the monarch, order is more likely in the realm. As long as the monarch maintains a certain ignorance of technological advancements for example in the economic sphere, unemployment is unlikely to rise. As long as the threat of an ignorant monstrous multitude appears real and imminent, those in the political arena will conduct themselves in a careful and disciplined manner.

The framework of the monarchic distribution of ignorance and the problem it supposedly remedies come through in King James I's own words in the True Law of Free Monarchies. The text begins with an account of the monarchic distribution of ignorance King James insists on to confront a supposedly dangerous ignorance. The problem to which the tract in part responds, appears right at the outset: "...So hath the ignorance, and (which is worse) the seduced opinion of the multitude blinded by them, who thinke themselues able to teach and instruct the ignorants, procured the wrack and ouerthrow of sundry flourishing Common-wealths; and heaped heauy calamities, threatening vtter destruction vpon others" (James 2002: 53-54). In this discourse it is unfathomable that ignorance could be productive without James's strict supervision. The people's destructive ignorance and their seduced opinion appear as a problem threatening to disintegrate order and entail disaster and calamity.¹⁴

Seduced opinion is worse than ignorance in so far as people do not just share in ignorance, but their ignorance easily becomes subversive rather than subservient to the monarch. Without ignorance, seduction of opinion would not be so easy, and hence these are not really two separate problems that James points to. Seduction of opinion aggravates the problem of

¹⁴ The conflict between monarchy and the Hydra is a pervasive theme during this period. John Abbott echoes James I's words in 1623: "This Monster hath a Cockatrices breath, Threatning to Monarkes, and all Kingdomes death: No DIONS novv, no BRVTI liue againe, Detesting lavvlesse tyrannie should raigne" (Abbott 1623). Robert Allott associates the Hydra with the disagreeable in society: "Vnto this Hydra are we subiect still, Who dares to speake, not caring good or ill. Better it is without renowne to be, Then be renownd for vile iniquitie" (Allott 1600 [1812]: 101). In 1624, in the "Tragedy of Nero", the problem that the Hydra, poses to order appears thus: "What multitudes of villaines are here gotten/ In a conspiracy; which *Hydra* like, /Still in the cutting off, increaseth more./The more we take, the more are still appeach, /And euery man brings in new company. /I wonder what we shall doe with them all, /The prisons cannot hold more then they haue," (Tragedy of Nero [1624] 1919).

ignorance. Ignorance generally speaking is not the issue, and in fact as I will show the monarch's position rests on the people's ignorance conducive to his or her rule. Only when the sharing in ignorance, embodied by the people, aligns itself with subversive forces does it become dangerous. When the people do not attempt to rule or challenge the monarch, ignorance is subordinate to and under the monarch's control, kept at a distance, and hardly appears problematic.

James is quite explicit about the gendered and moral Christian aspects of the problem. At the time, it was very common to portray ignorance as a seductress, an immoral beast preying on innocent men. It appears as an immoral force, a sexual disfigured body to be avoided or at best tamed by pious wise men. In this imagery, ignorance is personified, it is active and it does things. The most graphic depiction of the alternative consequences of the deteriorating situation James put forth in these words:

And for the similitude of the head and the body, it may very well fall out that the head will be forced to garre cut off some rotten members (as I haue already said) to keep the rest of the body in integritie: but what state the body can be in, if the head, for any infirmitie that can fall to it, be cut off, I leaue it to the readers iudgement (James 2002: 65).

The clear-cut choice is between a body that cannot survive without a head and a head with a body that can survive without a limb or two.¹⁵ The people are a headless body, "a headlesse multitude", except when they do not subject to ignorance their allegiance to the monarch (Cf. James 2002: 53; 68). James sets up a clash between the monarchic body politic metaphor and the

¹⁵ This is not the first time that the body-head problem of monstrosity is posed. In the Catholic Church, the problem of the temporal and spiritual bodies of the monarch were already leading thinkers at the time to ask which monster would be created, one with two bodies and one head or two heads and one body (Avis 2006: 26).

Hydra metaphor. The choice, according to him is between the possible living body and the impossible, dead on inception monstrosity.

The image of the people as a headless multitude or more precisely a many-headed headless monster, a Hydra, was pervasive during this period. The people have force in raw numbers, and at the same time cannot have any power and cannot be called a body without a head, without coordination and guidance. They have to be told by those with power and knowledge what to know, and what they must be or become in ignorance of, as strange as this sounds, regardless of their knowledge or lack thereof. In the words of Sir John Fortescue, whose writings in the fifteenth century contribute to the metaphor's evolution,

A people does not deserve to be called a body whilst it is acephalous, that is, without a head. Because, just as in natural things, what is left over after decapitation is not a body, but what we call a trunk, so in political things, a community without a head is not by any means a body. ...so a people that wills to erect itself into a kingdom or any other body politic must always set up one man for the government of all that body...(1997: 20).

A certain imagery of the body-head relation underlies the subordination of the body—including the heart and stomach—to the head (cf. O'Niell 43). The image excludes the possibility of the common people holding power, because that would be a contradiction. A body cannot survive without a head and hence the head is indispensable. The clash between the metaphors forces to focus inside the body politic metaphor, and yet leaves relatively open *who* will or should be in power—be the head.¹⁶

The many-headed monster, the Hydra, is a terrifying creature that threatens those vying for power and as they struggle for dominance, it serves to restrain hostilities. Lacking a single

¹⁶ I should also mention that despite the ambiguity, the image precludes accepting a female head ruling the body. It was specifically a male body and a male head as A.N. McLaren (McLaren 1999: 54) and Christine Coch (2010) remind us.

head to keep the many heads in control, the monster is a volatile being easily unleashed on those in power (Cf. Hill 2012: 27). Traditionally, James is correct, most often the king was the head and control of the body belonged to him. However, seventeen short years after James's death, Parliament made apparent how the meaning of the image can be reversed on itself and turned against the monarch (Kontorowitz 1957: 21).¹⁷ Considering the unfathomability of handing over power to the people, at stake was possession and control of the body by either the monarch or parliament.

The image of the people as a headless body could not be used to legitimize a particular form of power, or appear as anything except a violent force (Canovan 2005: 96).¹⁸ This prevents consideration of equality as a form of order by those using this image. For example, Thomas Forde and John Quarles defending the monarch, King Charles I, James I's son, apply the label of a hydra-headed monster to popular sovereignty, a monster that sacrifices order—devours order—for greed and lust (Lacey 2003: 106). The headless body could not lend itself to legitimize

¹⁷ This image increases in complexity once we add that the king has two bodies, the mortal and the immortal, but the head still remains one. This image leaves little room for a different interpretation and at first it is difficult to see how the king's opponents could use it to their advantage. In 1642 Parliament declared that the immortal body of the king resides in Parliament and overrules objections by the physical body of the king. To whoever belongs the body and whoever controls it must be the head. They struggled over the proper body of the King, because if the place of this body is uncertain, the likelihood that it deteriorates and becomes monstrous increases. Losing control of the proper body with legislative powers would be a relinquishment of control over the monster, and unleash the monstrous body.

¹⁸ Ian Munro adds some complexity to this image by reminding his readers that the monstrosity did not always refer to the people, and at times referred specifically to what happens when people gather into a collective (Munro 2005: 113).

positive formation of a more equal order than the monarchic hierarchical one.¹⁹ So it appears destructive to order in general even though more precisely this force of ignorance, embodied by the multitude of people rarely moving in the same direction, saying the same thing or expressing one thought, threatens the inequality of the sort persisting at the time. As Christopher Hill put it, leading up to the civil war “poverty was increasing, and the natural rulers were desperately anxious not to provoke the Many-Headed Monster, already seen as straining at the leash” (Hill 1974). At first glance, it is an immediate, approaching, threat that could overturn the existing order.

However, as useful as the metaphor may have been to those in power, to assume that it is an accurate representation of the people would mean unreflectively taking the elites at their word as Hill and Munro remind us (Munro 2005: 113). It is after all, lest we forget, an image of a prospective nightmare unleashed by the king’s eulogists to warn about what would happen if the king was deposed (Lacey 2003: 106). The beast, one argument goes, was brought into existence by the nobility itself and this creation threatens its keeper (Owens 2005: 191). This particular framing of ignorance, and its personification and the limits set on what it can do, owes much to the elite’s fears. On the one hand, the problem of the headless beast as a looming menace and reference point is necessary for the reproduction of the existing order in two ways: (1) it restrains the hostility between parliament and the king and (2) it maintains the (semiotic) distinction and mutual dependence between the body and head that give them meaning in the human body

¹⁹ To gesture towards a development I will discuss in the third chapter, what this deployment of the many-headed monster did not allow in at least the first half of the seventeenth century is the following type of proposition appearing in an 1815 pamphlet:

If the many-headed Monster [the people] is thus to guard the Constitution, and become Viceroy over its Sovereign Parliament, —if in short it is to be invested with a legislative Veto, better would it be to appoint Tribunes at once. The interposition of such a Magistracy might soften the exercise of this tumultuary power (Valpy 1815: 440)

politic metaphor. On the other hand, the problem of the headless multitude is the force that threatens to unravel and reconfigure the *prevailing* arrangement and it should not be assumed that the reconfiguration would necessarily devolve into chaos.

The image representing that rendition of the problem of ignorance that the monarch confronts is at best reductionist and few will understand this better than Hobbes as I will show in the next chapter. If one strips away the monstrous characterization of the people and specifies that the elites worry only about those who could potentially subvert the existing order, the category of those likely to practice or embody subversive ignorance, subject to ignorance allegiance to the existing order, shrinks considerably. Hill classifies the likely candidates represented by the image up until and including the English Civil War under six categories of “masterless men”. So not all but most of these collections of individuals over whom reigns no master appeared before James I wrote Trew Law of Free Monarchies. By the sixteenth century, the crumbling feudal hierarchy and increased mobility among other factors contributed to a growing number of these “potential dissolvents of society” (Hill 1984: 39-40). In the next chapter, I will more thoroughly address the theoretical formulation of the challenge that individuals pose to sovereignty, but for now Hill’s description should suffice.

According to Hill, countryside rogues, vagabonds and beggars included in the first category in general belonged to no social group, did not attend church on Sunday, were not shy of breaking the law, but ultimately, “were incapable of concerted revolt” (Hill 1984: 40). The London poor growing at an alarming rate and their rural equivalent make up the second and third categories of masterless men. Protestant sectarians and the itinerant trading population are another two distinct categories. The final group of masterless men, the New Model Army, formed just six years before the publication of Hobbes’s Leviathan. This collection was “the

most powerful, the most politically motivated, but also the shortest-lived” (Hill 1984: 57). While the image of the “headless multitude” had its uses for formulating the problem of ignorance, it is far from an accurate image to represent the claims of the above groups and others as well subsumed under subversive ignorance—the people not knowing the Truth or sharing in ignorance that induces them to rebel against the existing order.

The attribution of ignorance to these groups and its extension to the population at large does more than reduce their various complaints and claims to monstrous ignorance. This metaphoric characterization leaves few options of how to formulate solutions to the supposed problem. Thinking based on the body politic—many-headed monster dichotomy, severely constricts the available options and certainly changing the existing body and accepting what is monstrous is not viable. Such discourse renders anyone who does not fit into the existing order monstrous and rather disposable, as a limb that requires amputation in order for the body to survive.²⁰

III. Divine Legitimation and the Crisis of Authority

James I insists that solely monarchic rule, the monarchic body politic with him as the head, can defeat or at least keep at bay the many-headed monster. His claim to legitimate authority rests on a theological, metaphorical basis, or the supposed natural combination of his physical body with the mystical immortal body, his own person and God embodied in the same body.

²⁰ In attaching the label of the “many-headed monster” to expressions of discontent, this discourse dehumanizes opponents. One has to look no further than Sam Keen’s *Faces of the Enemy*(1987) to grasp how perceiving others as subhuman enables to treat them as subhuman, and reduce the moral culpability for violently and indiscriminately eliminating the inhuman threat.

Since God is omniscient, the conflation of the king with God exempts the king from sharing in ignorance that marks the Hydra. The legitimacy of monarchic authority by means of this conflation appears true, natural and not political at all—not subject to contestation. One cannot question how much *time* the monarch spent becoming acquainted with the *Truth*. The anchor of James I's framework of ignorance is Truth, theological Truth. The supposed exemption from sharing in ignorance divinely legitimizes the monarch to exercise his royal prerogative. God, the Truth itself, should determine and legislate who already shares in ignorance, who enjoys an exemption, and who should practice ignorance with respect to what.

On the one hand, the Reformation, having eliminated any institutionalized mediating power, namely the Roman Catholic Church, between God and the individual, strengthens this image of the monarchic body politic. It supports the monarch's claim to being exempt from ignorance—God and king are one without mediation. On the other hand, the same Reformation affirms that any and every individual head or mind can know the Truth without mediation, and thus ferments democratic change (cf. Wolin 1960: 167-8; Maddox 2012). The Reformation thus also supports rejection of the monarch's claim that he knows the Truth and enjoys exemption from ignorance compared with the many other heads. In what follows, I lay out the implications of establishing exemption from ignorance, and distribution of ignorance, on theological-metaphorical basis. I point to how without amending the pejorative religious meaning of ignorance, the Reformation equally supported and undermined both claims that the king enjoys exemption from ignorance (the monarchic body politic metaphor) and that the people share in ignorance (a Hydra).

The attribution of ignorance to the people can be understood in terms of sharing or not sharing in ignorance to highlight that the claim is constructing rather than describing the Truth as King James claims. Taking this into account, in restating James's position, I try to stay closer to

his language that describes people as ignorant, as if it is their true nature and natural state. Balancing the restatement of his formulations with the analytic terms I find useful for studying ignorance, enables me to describe how he tried to portray ignorance as a natural attribute of his subjects and at the same time expose that ultimately it is a useful political construction that can be and has been challenged. At stake are the authority's legitimacy and the exercise of the royal prerogative based on an exemption from ignorance. While the scope of what the monarchic metaphor can do comes under close scrutiny, the many-headed "monster" metaphor continues to monolithically threaten political order at least until Hobbes's intervention.

The demand in James's eyes in Trew Law of Free Monarchies is quite simple: ignorance embodied by the multitude, the many-headedness, a problem threatening to disintegrate order, must be kept in check. His solution, which as king he tried to enforce in the first quarter of the seventeenth century, rests on two exceptions to ignorance mutually reinforcing each other. The first exception is that the people may be ignorant in many respects, he insists, but especially in a monarchy they must not be ignorant of the knowledge of God and their allegiance to the monarch (James 2002: 53). The people cannot be ignorant of their ignorance with respect to other matters. James portrays the relation between the monarch and subjects as the relation between God's Lieutenant on Earth and mere humans, the head's relation to the body, and a father's relation to his children. Upon his royal inauguration in 1603, he proclaims that

"What God hath enjoyned then, let no man separate. I am the Husband, and all the whole Isle is my lawfull Wife; I am the Head, and it is my Body; I am the Shepherd, and it is my flocke; I hope that no man will be so unreasonable as to thinke that I that am a Christian King under the Gospel, should be a Polygamist

and husband to two wives; that I being the Head, should have a divided and monstrous Body...” (quoted in Harvey 2007: 24).²¹

Any of the subordinates’ ignorance of ignorance in the face of God, head, father, Shepherd, and husband endangers the existing order.

The second exception is that the monarch enjoys exceptional status in the sense of not operating with a mere human’s ignorance. Again, James tries to make this exemption appear as natural as possible. After all, he wants to leave little doubt in the above statement that just like Jesus Christ, he is “the Shepherd, and it is my flocke”. The exemption, the qualitative difference between the monarch and the people, the shepherd and the flock, is not based on the monarch having exponentially more time than the subjects to discover the Truth. Neither is it based on the monarch having the best advisors to make decisions unlike ordinary subjects. Rather, the exemption rests on the claim that monarchic proclamations are the Truth because they are divinely guaranteed. It relies on a religious difference between Truth and ignorance that conflates Truth with the Good and ignorance with sin and lack or privation.²²

The Catholic exposition of these associations finds some of the most unambiguous expression in the writings of Thomas Aquinas. Aquinas delves into the relationship between ignorance and sin in Question 76 of *Summa Theologica* without arriving at definitive answers

²¹ The godly body metaphor in contrast with the monstrous body metaphor in his proclamation appears to reference the geo-political unity of Great Britain, rather than an egalitarian popular resistance. Even though he does not overtly refer to subversive groups, he would not lose territory if not for popular uprisings.

²² Thomas Aquinas defines ignorance as privation of knowledge (Aquinas 2007). The word privation carries a Christian meaning as absence, and godlessness. Regardless of how secularized the *Encyclopedia* ([1765] 2016) was supposed to be and treat knowledge secularly, ignorance is still defined as privation, maintaining some of the religious pejorative meaning (*Encyclopédie* [1765] 2016). The *Encyclopedia*, with is supposed to be one of the masterpieces produced by the Enlightenment movement acting as a vessel for Enlightenment thought.

(Aquinas 2007). What is certain is that he gives no consideration to the link between ignorance and the Good. The religious pejorative meaning of ignorance and its association with sin divert attention from the possibility that it has power and that it operates and produces. With very few exceptions, it only appears as a nuisance to be dealt with.²³

The Reformation in England does not alter the treatment of ignorance and instead maintains its connotation with sin even though the theological-political configuration changes. The Reformation displaces the intermediating function of the Pope in guaranteeing monarchic authority and allows for monarchs to claim “divine right of kings” directly from God—the king’s body and God’s are one (cf. James 2002: 54). Nearly a century before James’s ascentation to the throne, Henry VIII initiated state-reformation at an opportune moment when the Church was divided, weak, and under attack (Lindberg 2011: 447). Under the circumstances, the king’s takeover of the Church, in effect becoming the head of the Church, was a welcome development. Pursuant to this move, the monarch without mediation from the Catholic Church, and on the basis of the monarchic body politic metaphor, can attribute legitimacy, Truth, and authority to himself and ignorance, and illegitimacy to his opponents.

James’s Trew Law of Free Monarchies conveniently anchors the monarch’s power in theological authority. God instills monarchs in their thrones and only God can legitimately dethrone monarchs, James insists (James 2002: 57). The theological guarantee of the monarch’s place also extends to the power that comes with the position. Hence, disobeying the king’s word is no different from disobeying the word of God.²⁴ The conflation of God and king in the body

²³ Nicholas of Cusa and his idea of “learned ignorance”, or the humbling acknowledgement that God is infinite, and it is wise to realize the finitude of human knowledge, is a notable exception (cf. Of Learned Ignorance, 2007).

²⁴ Believing that he channels the word of God, that his words are God’s, he made sure to dictate every word published under his name (Sharpe 1993: 124-125).

politic metaphor is complete. This fusion empowers the king to wield power by his word alone. Just as God is not subject to laws, so the king should be free to exercise the royal prerogative without legal limits. In a very limited sense, this could be interpreted to mean that the king retains the power to break laws and to an extent even King James's contemporary and at times adversary Attorney General Edward Coke could agree with this approach, as long as this power to break laws and the limits of this power is enshrined in the law (Waite 1959: 150). James, however, prefers a wider, bolder, interpretation. The king (*rex*) made and makes laws (*lex*) rather than vice versa (James 2002: 62). If the king wishes to strike down any law or write any law, James explains, he should not need to justify himself, because his word is God's word (cf. Zaller 2006: 622; Waite 1959: 151).

Moreover, as Sir William Blackstone, the famed jurist of the eighteenth century remarks in his discussion of the royal prerogative—a discussion that even after over a century for Blackstone must refer to James I's notion of the royal prerogative—the prerogative is etymologically before (*prae*) asking (*rogo*) and thus it is unique and eccentric (Blackstone 1803: 238). The prerogative reproduces a qualitative difference between the monarch and the subjects, in that the former has an exceptional position and knowledge that is above and before the law and the latter's natural ignorance or in more constructivist terms, sharing in ignorance according to this understanding is guaranteed by not enjoying such exceptionality. At the very least, James I makes a formidable attempt at consolidating theological and political markers of certainty in his own person. On the basis of the Reformation, James exonerates himself from ignorance he attributes to others and concentrates power in his own hands (cf. Bourdin and Pickford 2010:

6).²⁵ At first glance the divine right of kings, replaces Papal authority. The move that imbues royal proclamations with divine authority imparts no such authority on the people.

Yet the same transformational force of the Reformation supporting his claim to legitimate exemption from ignorance unravels it. Graham Maddox grasps this paradox of the Reformation best when he writes that “the Reformation began as an attack on a particular authority, but slid headlong into the dethronement of authority itself” (Maddox 2012: 134). The Reformation adds to the legitimacy of the monarchic body politic metaphor—the fusion of the king’s body with the mystical body and the exercise of the royal prerogative on that basis—without intervening Papal authority. However, it does not stop there, and also legitimizes the individual’s release from authority in general and those who claim to channel God’s authority, thus releasing the many heads from subordination to the one head. The same force involved in the reconsolidation of politico-theological markers of certainty contributes to their destabilization and dissolution.

The Reformation’s effects on resistance to authority could not be controlled or limited just to and just as the monarch replaces Papal authority. Reformation grounded refusal of mediation between the word of God and individuals renders possible resistance to political authority that private individuals deem to go against scripture.²⁶ This could create an array of political effects including the empowerment of individuals, reconsideration of political authority’s basis, outright resistance to political authority or even suppression of the Reformation

²⁵ Bourdin and Pickford (2010) suggest that this move shows that the underpinnings of monarchic authority are already political rather than theological. In other words, the theological ground does not give way with the beheading of Charles I, the separation of the immortal and mortal bodies, but has already taken place by the time James I politically uses theological metaphors.

²⁶ Lack of agreement on the true meaning of what the scripture did indeed say presents a serious obstacle to relying on the word of the Bible to either authorize political obedience or disobedience (cf. Hill 1997: 328).

movement. One does not have to look far beyond the words of John Calvin and John Knox—two of the movement’s leading thinkers—to gauge the awareness of political consequences of the Reformation.

Navigating the political implications, Calvin struggles with his repudiation of disobedience to political authorities on the one hand and his delegitimization of ungodly rulers on the other hand (Maddox 2012: 125-126). Knox took a more principled approach than Calvin and refused to extend authority to any power that defied the scriptures. In his words, kings too can exhibit ignorance and it is “blasphemy to say that God hath commanded kings to be obeyed when they command impiety” (Knox 1831: 389, cf. Maddox 2012: 127).²⁷ He thus resists the unquestionable fusion of God and king in the monarchic body politic metaphor. The Reformation breeds skepticism of political authorities and the claims that rulers make (cf. Maddox 2012: 149). It produces tensions between the Reformation empowered authority-skeptical individuals and monarch’s claim to authority resting on the exception from ignorance entrenched in the same Reformation. Whether these individuals could be less skeptical towards their own correct reading of the scripture compared with others whose authority they dismissed is a question that works to only deepen the paradox—a paradox that Hobbes astutely picks up on to assess potential resolutions to the unraveling framework of ignorance and its actual distribution through the royal prerogative.

King James I could not or would not have to assert what his subjects cannot be in ignorance of unless he was aware that ignorance of his assertion was a viable option. Ignorance is hardly set in stone, as King James and various parties including the people struggle over who

²⁷ Maddox notes that “Knox stayed Calvinist enough not to allow ordinary citizens to initiate rebellion as individuals; still less would he trust the mob to take over” (Maddox 2012: 127).

must share in ignorance and who enjoys an exception from it. As long as the scope and matter of ignorance remain controversial, the monarch's authority is disputable. James deploys the head-body metaphor and the impersonation of God in part to naturalize and thus depoliticize ignorance, which would allow him to dictate without challenge the scope, matter, and remedy of ignorance in order to sustain and even reinforce the existing political order. The people would thereby be naturally excluded from making judgments for themselves, and those who do not fit the mold would be treated as the monstrous Hydra threatening the existing order. The alternative consists of the people relying on their own conscience to make judgments.

IV. Empirical Distribution of Ignorance Through the Royal Prerogative

Issues surrounding the legitimacy of the monarchic exercise of authority are not antecedent to the exercise of power through the royal prerogative James rationalizes. In fact, as these issues persist, the exercise of the royal prerogative empirically exposes and exasperates the contentious aspects of the monarchic distribution of ignorance and its framework. The exercise of the royal prerogative maintains, reproduces, and changes the distribution of ignorance. I draw attention to the epistemic dimension of the royal prerogative, and more than that chronicle its tendency to produce both benign and disastrous effects in the economic sphere.

When James *rationalizes* the superiority of the king over the laws (James 2002), he is grounding the politico-economic power in the religious conflation of the monarch with God. Yet the actual *exercise* of James's royal prerogative, the use of the monarch's word, rests less on the religious source of its legitimacy and more on the pattern of ignorance distribution through patent granting set during Elizabeth I's reign. The way patents, synonymous with monopolies,

were understood back then is somewhat broader than the way they are understood today. In the words of Sir Edward Coke monopolies were:

“Institution[s] or allowance[s] by the King by his grant, commission, or otherwise to any person or persons, bodies politic or corporate, of or for the sole buying, selling, making, working or using of anything whereby any person or persons, bodies politic or corporate, are sought to be restrained of any freedom or liberty that they had before, or hindered in their lawful trade” (Coke 1797 [1664]: 181).

My By this definition, monopolies are aimed at granting and restraining economic activities. My claim is not that patents or any legislation or decree that permits, prohibits, or otherwise regulates something is first and foremost or even in some form always a form of enforcing or distributing ignorance. A patent granted to hire a certain number of employees in one industry or to regulate the quality of manufactured products address activities and have little do with the distribution of ignorance. Ignorance can be taken as the prohibition of knowledge that sometimes comes with the prohibition of various activities or the prohibition of knowledge and its proliferation that preempts various forms of activities or types of behavior.

The allowances and prohibitions from participating in various ventures under certain circumstances impinge on who must share in ignorance and who enjoys an exemption from it. The rejection of a patent for a technological invention does not just prohibit making products with the help of the invention. It also maintains, enforces, or protects an equal sharing in ignorance of a more efficient or otherwise better way of making a product. The word of the monarch prohibits the knowledge of the new technology within his or her realm, which amounts to enforcing ignorance. At other times, when the monarch by decree grants a monopoly for a new technology, only the party holding the monopoly enjoys an exemption from ignorance, while others must continue to share in ignorance of a more advanced technological knowledge. In this

scenario, the monarch's decree produces an unequal distribution of ignorance, whereby a party is exempt from the ignorance others share in.

With a nuance, it is quite common for a monarch to grant monopolies or patents for activities and behaviors that were widely allowed. In other words, if producers in a particular industry were already quite accustomed to a certain production process, or the participation in a particular production process, a monarch could decide that from this point in time only one party would be allowed to participate in the production or to practice a craft, while all others who have already been doing so, would be prohibited from an activity. If there were dozens of bakers in the industry, the monarch could try to use the royal prerogative to grant a favored party the monopoly over the production of bread and prohibit all bakers who have hitherto baked bread from this activity. Indeed such a monopoly could be granted to regulate industrial activity; it could be done to ensure profit for the monarch's friend considering that everyone would then depend on this patent holder's bakery for their bread. The patent also enforces a very asymmetrical distribution of ignorance. Those who have been advancing or perfecting the knowledge or practice of baking bread by experimenting with baking new kinds of bread or new processes, are left with no legal choice but to practice ignorance of bread-making. Their knowledge, the know-how, at least in theory, becomes irrelevant, useless, and impractical.

Using his or her word for grant, reject, permit, and prohibit, the monarch decrees who must continue to share in ignorance, who must begin to share in ignorance, and who may enjoy exemptions from sharing in ignorance. Whether or not those who do not have or lose monopolies affecting the distribution of knowledge and ignorance actually become ignorant of their craft or lose their expertise would be fascinating to study, but would tell us little about the changes in ignorance's framework that I am trying to put in focus. What concerns me is how this attempt at

distributing ignorance, even as a byproduct of the exercise of the royal prerogative to grant patents, becomes a problem, and what recourse is available to those wishing to contest the enforcement of ignorance.

During Elizabeth and James's reigns, the granting of patents and monopolies operated through the royal prerogative and patents letters were granted on the basis of royal privilege, as "a matter of grace and favour" (cf. Bracha 2004: 10). The applicant had to demonstrate that the service or product would be beneficial to the Crown and the Commonwealth at large (Mossoff 2000: 1275; Bracha 2004: 10; cf. MacLeod 2002: 158-81). The particular way in which ignorance is distributed through royal privilege comes into sharp view by briefly comparing it with how ignorance is distributed through the rights based system that succeeds it. In accordance with the rights based system, exceptions to ignorance are granted based on equal burdens placed on the applicants who can assert a right to patent having met certain conditions. In contrast, the privilege system revolves around the monarch's word as the last resort of ignorance distribution. In the economic realm, the monarch attempted to retain and concentrate power over the distribution of who must practice ignorance and who must not in practical terms.

Queen Elizabeth's rejection of William Lee's knitting machine perfectly demonstrates the control that the monarch asserted over the reproduction of ignorance. Exercising her power, in 1571 Elizabeth decreed that all her subjects must wear knitted caps and at the time the manufacturing industry depended on hand-knitting. William Lee seeing an opportunity for profit in 1589 invented the "stocking frame", a machine that would become the primary method of knitting for the next two centuries. He tried to capitalize on knowing what others do not and asked Elizabeth to grant by her grace a patent for the technology. In his appeal to Elizabeth, he could not assert his right in a system in which the applicant had no ground to assert truth of

invention and property of ideas in any court. Elizabeth refused to issue the patent reportedly telling him “Thou aimst high, Master Lee. Consider thou what the invention could do to my poor subjects. It would assuredly bring to them ruin by depriving them of employment, thus making them beggars” (quoted in Robinson and Acemoglu 2012: 182-183). Elizabeth asserted her royal prerogative to prevent an invention and the new knowledge that comes with it from entering her realm. Thus, using just her word, she prohibited an activity and maintained the ignorance that was keeping her subjects employed.²⁸

She in effect refused to grant William Lee a patent and exemption from ignorance for the common good of her subjects. After Elizabeth’s passing, William Lee received the same response underpinned by the same rationale from King James. Through granting or rejecting of patent claims, the monarch would attempt to reproduce the distribution of ignorance that would be most beneficial to the common good. Since the rights based system is more procedure-centric, it makes such arbitrary monarchic distribution of ignorance for the “common good” much more difficult.

One of the underlying purposes for granting patents for Elizabeth was undoubtedly to cultivate industrial development. Taking stock of the list of patents Elizabeth granted, E. Wyndham Hulme notes that her policy aim was to cultivate industries and production of goods that would decrease dependence on imports (Hulme 1896: 152). Chris Dent classifies patents that were granted in four categories: 1. Patents for invention; 2. Patents for operating industries regardless of statutes banning these industries; 3. Patents for regulating existing industries; and 4.

²⁸ The objective of increasing employment through patents most likely also has a moral and religious dimension. In a later patent dispute during Elizabeth’s reign that also took into account employment, both reports of the case cite passages from scripture to highlight the importance of employment (Dent 2007: 13).

Patents for regulating behavior (Dent 2009: 417-20).²⁹ Some of these patents were granted on the condition that patentees train apprentices, others included product quality qualifications, and some required the patentee to employ English workers (Dent 2009: 419). It would appear that the monarchic distribution of ignorance through the exercise of the royal prerogative—whenever it concerns what and how some people should know or subject to ignorance—promotes the “common good” of England and the English people.³⁰

It does so, however, only as long as the monarch puts the good of the people above his or her own, as long as the monarch shows good will, as long as the monarch is not financially pressured to repurpose patents, or as long as accidents do not change the way that the distribution of ignorance works. If the arbitrariness inseparable from the royal prerogative can benefit the people, it can just as easily harm the people and financially benefit the monarch. Royal and patentee profit, industrial restraint, and disastrous monopolization of necessities are the direct effects of the monarchic distribution of ignorance that tend to blemish any benefits for the “public good”.

Under Elizabeth I, in the second half of her reign, the monarchic distribution of ignorance took a drastic turn away from the “public good” and towards the private good of the monarch and patentee.³¹ Since Elizabeth could not use funds from her revenue to reward her servants and

²⁹ For an excellent discussion of the regulatory effects of patents cf. Dent 2007.

³⁰ Very few recent studies of the history of patents in England give as much attention to the malfunctioning of the privilege system and the patent abuses as the structural changes from the privilege system to the rights system.

³¹ Commenting on a pivotal case I will shortly discuss, Edward Coke affirms that patents were awarded primarily for the private profit of the patentees Calabresi and Price 2012: 13); Patents also served to supplement royal income (Dent 2007: 439). The Queen herself affirms though that patents should primarily benefit the people, and it is a

courtiers, much more than her predecessors Elizabeth gave them patents for monopolies (Adams 1995: 39-41; cf. Federico 1929: 28). Some of the servants and courtiers who were rewarded with patents would then resell the patents, and so either the original patentees or the new owners of the patents could control the prices of services and goods and charge as much as they wanted (Hume 1854: 374-378). As a result, the price of the patented products would rise from 10 to 1500 percent (The Oriental Herald 1829: 431).³²

As the price of the products and licenses increased, so did the rents or royalties that the crown earned from their sale (The Oriental Herald 1829: 431; Federico 1929: 28; Nachbar 2005). For instance, when Elizabeth granted a monopoly for vinegar to Richard Drake, it was partly to control the industry, if elimination of Drake's competition through the patent counts as industry regulation, and the monopoly, like many other monopolies, included a clause to raise much needed revenue for the crown (Hulme 1900, 50). Hence this particular monopoly forced those already producing vinegar into ignorance because through the monarchic distribution, only Drake may claim an exemption from ignorance. Such exemptions from ignorance came with very lucrative profits. For others, the knowledge of how to produce vinegar became something best subjected to ignorance—they were prohibited from practicing the knowledge which amounts to being forced to practice ignorance in this case. They lost the privilege to own the knowledge, use it, improve it, or profit from it.

grievous matter when they do not. In her words, “[t]hat my Grants should be grievous to my People, and Oppressions to be privileged under Colour of our Patents,” (quoted in Nachbar 2005: 1331).

³² These figures appear to be the most concrete estimations in the scholarly literature, although surely consultation of the archives could arrive at more accurate numbers. David Hume recounts how “the price of salt rose from sixteen pence a bushel, to fourteen or fifteen shillings” (Hume 1854: 375). The case Hume cites is of particular interest because the patent stipulates that the price should not rise (see Hulme 1900).

Some of the patents granted for regulation of an industry or production of a certain commodity would enable oppression through patent privilege enforcement powers. Overall, Christopher Clay's evaluation that "it was a system wide open to abuse" is difficult to dispute (Clay 1984: 237). The patent for the production of saltpeter issued in 1589 for example included a clause that also grants "inquisition powers and rights of entrance upon lands conveyed" (Hulme 1900, 49). As David Hume recounts, patentees exercised these powers to extort money, terrorize the population, enter any premises under the pretense of suspecting that their monopoly is being violated and create havoc there (Hume 1854: 376).³³ Suspected exhibition of prohibited knowledge was thus ruthlessly punished. In short, the exclusivity of the exemption from ignorance the patentees enjoyed was violently enforced.

With little beyond her own royal prerogative holding the Queen back, she granted patents for anywhere from seven years for importing starch to thirty years for making sulfur, brimstone and oils (Hulme 1900, 47-49; Bracha 2004: 12; cf. Tyacke 547). If the length of patents seems arbitrary, the list of patents she awarded exhibits this quality of the exercise of her royal prerogative even more clearly. She did not shy away from granting monopolies for common necessities of life for everything from salt to vinegar, pots, and bottles. Hume finds evidence that "when this list was read in the house, a member cried, 'is not bread in the number?' 'Bread!'", said every one with astonishment: 'Yes, I assure you', replied he, 'if affairs go at this rate, we

³³ "As Adam Smith later described in Wealth of Nations, the punishment for violating grants of monopoly privileges was sometimes severe. Smith wrote that:

Like the laws of Draco, these laws may be said to be all written in blood ... the exporter of sheep, lamps, or rams, was for the first offence to forfeit all his goods for ever, to suffer a year's imprisonment, and then to have his left hand cut off in a market town upon a market day, to be there nailed up; and for the second offence to be adjudged a felon, and to suffer death accordingly" (WN IV.viii).

shall have bread reduced to a monopoly before next parliament” (Hume 1854: 75).³⁴ The monopolization of necessities forced many of those who were already producing these basic necessities into active ignorance. They had to ignore that they know how to produce what they did not have the “privilege” to know how to produce. Whether they did not know how to produce salt or had to ignore that they knew how to do it, the outcome was identical in that they had to practice ignorance instead of practicing the craft of making salt. This is not merely the prohibition and regulation of an activity, it is the prohibition of the knowledge necessary for carrying out the activity. They had to share in ignorance, to practice it because they did not enjoy the exemption from ignorance granted through the royal prerogative. The parliamentarians at the time were dismayed that given the pattern of how the royal prerogative is exercised to distribute ignorance, soon people will be forced into ignorance even of how to bake bread.

The monarchic distribution of ignorance through the royal prerogative also unsurprisingly led to crises. As the words of another parliamentarian attest: “I cannot utter with my tongue, or conceive with my heart, the great grievances that the town and country, for which I serve, suffereth by some of these monopolies. It bringeth the general profit into a private hand, and the end of all this is beggary and bondage to the subjects” (The Oriental Herald, 431). The monarchic distribution of ignorance burdened the subjects with excessive ignorance, reduced the availability of goods and plunged them into poverty and misery (Ammori 2002: 305; Coke 4 Darcy v. Allen, 11 Co. Rep. 86b 77 Eng. Rep. 1260 [K.B. 1603]). The abuses and protests over the abuses already hint at the problems with trying to manage ignorance, or thinking of it as a tool that can be deployed and used at will and enforced.

³⁴ Hume here is quoting D’Ewes 1974.

Almost until the last six years of Elizabeth I's reign, the royal prerogative to grant patents was unchallenged.³⁵ Parliamentary debates, from which I cite above, beginning in 1597 put pressure on the Queen to limit her royal prerogative or at least revoke some of the patents. Parliament, however, is far from a unified force or alternative "head" resisting the monarch and it would be wrong to paint a picture of two monolithic forces facing each other. As Max Weber and others remark, members of parliament in the sixteenth and much of seventeenth century were not professional politicians (1968). In 1571 for example, while some members of parliament were representing the interests of certain trading companies with monopoly rights, other parliamentarians were elected to represent interest these companies' opponents (Dent 2009: 423). Based on the evidence, Dent concludes that "the lack of cohesion amongst parliamentarians in both the late 16th and early 17th centuries suggests that the complaints about monopolies in Parliament were not the result of a coordinated attack on the Crown but more an expression of particular interests" (2009: 424). Further complicating the picture, members of the Queen's Privy Council—a council charged with the administration of patents on the monarch's behalf—were members of Parliament, which allowed them to both guard the Queen's interests in Parliament and act as liaisons between the Queen and the oppositional forces (Dent 2009: 422).

Nonetheless, a Parliamentary Bill, to revoke the granted monopolies, proposed in 1597 and then revised in 1601 did challenge and put pressure on the Queen. To preempt the passing of the Parliamentary Bill in 1598, the Queen decided to examine some of the patents instead of, in the words of her defender in Parliament, giving up "her royal prerogative, which is the chiefest flower of her garden and the principal and head pearl of her crown and diadem" (Federico 1929: 29). Considering that the Queen did not follow through on the promise she made, the stage was

³⁵ The noteworthy exception is the parliamentary resistance in 1571.

set for a subsequent confrontation in 1601 when another Parliamentary Bill to bring patents under the jurisdiction of the common law system was set to pass with sufficient support. The Queen then announced that she herself would reform the abuses, and immediately revoked the most “odious patents” to retain her power and preserve the other patents (Federico 1929: 29).³⁶ The monarchic distribution of ignorance and its framework are not immune to various pressures expressed in Parliament including constituent complaints, and powerful private interests.

Together with this parliamentary resistance to the monarchic distribution of ignorance, the “Case of Monopolies” as it is commonly known, or the Darcy vs. Allen case (1601-1603) set a memorable confrontation between Queen Elizabeth I and the opponents of how she exercises her royal prerogative. In 1596, the Queen granted a monopoly over the production of playing cards to Edward Darcy. In 1598, Darcy initiated the court case in an attempt to protect his monopoly against infringement by one Thomas Allen. Considering that the patent focuses on the production of playing cards, and the court case alleged that someone engaged in the production of this product, a prohibited activity, it seems unnecessary to filter the situation through an epistemic dimension and interpret it as a distribution of ignorance, that is being enforced and challenged. The patent does not prohibit from the Queen’s realm an invention and the knowledge that comes with it. Showing that card-making is more akin to the activity of making salt or bread than a new invention would enable me to reiterate that before the patent, card-making is a process well and widely known to those interested in it. It also adds little to say that Darcy’s patent grants him the exclusive exemption from the ignorance of making playing cards and

³⁶ Regardless of some of the recent scholarship on parliamentary factions I discussed above to complicate the picture, the Queen in her speech makes evident that the private interests some parliamentarians represent did not move her. Rather, she suggests that she was responding to parliamentarians who in the name of the country voiced the complaints regarding particular patent abuses in specific locations in her realm (Dent 2007: 429).

forces others, who have hitherto produced playing cards like Allen, into ignorance. The broadly understood epistemic dimension of this situation appears no more significant than what is right on the surface, the regulation of behavior or actions.

Yet there is value in interpreting some patent grants and court cases compared with others precisely in epistemic terms, because they are profoundly about the regulation of who must share in ignorance, who enjoys exemptions from it, how this is decided, challenged, and how the sharing and exemptions become a problem, and how these problems disappear or change into contemporary form. In the *Darcey v. Allen* case, what appears like a mundane tangential epistemic dimension emerges as a significant site of confrontation and shows the value of addressing how the granting of patents affects the distribution of ignorance. This confrontation before the courts emerges over card-playing—a rather unlikely issue compared with patents granted for the necessities of life.

The court could not pass judgment on the infringement without passing judgment on the lawfulness of the monopoly the Queen granted to Darcey in the first place. One would expect the monarch's ability and qualifications to adjudicate patent claims to become the subject of such a court case over patents granted for basic necessities—vinegar or salt. “Does the Queen really know what is best for her subjects? Does she know what the granting of a patent for salt-making will do to her subjects? How can she grant exclusive privileges to one party to produce the necessities of life, while forcing those who have been using the knowledge into ignorance effectively?” The granting of patents for necessities certainly made up the background of the case, but instead, the Queen's qualifications to make decisions on regulating industries, on how the distribution of ignorance will work, come in question in a case over playing-cards.

In the court case, one voice reached the heart of the matter in seeing that the resistance was trying to reconfigure the politico-economic order on the grounds “that “common-weals are not made for King’s [sic], but Kings for common-weals” (Quoted in Bracha 2004: 192).³⁷ The confrontation concerned the particular patent, as much as the sovereign’s jurisdiction over the economy—whether or not the sovereign knows what is in the Commonwealth’s best interest, and what power the sovereign should wield in economic matters on that basis. This case is one of the points in time when an attempt is made to tell the sovereign that they also share in ignorance, that the production of ignorance through the royal prerogative distributes ignorance excessively unequally, exasperates economic inequalities and stifles national prosperity.

On the one hand, the decision in the case appears rather tame in the sense that it does not affect immediate monumental tangible shifts in the exercise of the royal prerogative (Nachbar 2005: 1327). The decision had an effect on the particular disputed patent and it had more general consequences for adjudication of cases over patent disputes. With regard to the specific patent for importing playing-cards, the court invalidated Darcey’s patent for the good of the Commonwealth, on the ground that the patent infringed on economic “liberty of the subjects” by preventing people, and Thomas Allen in this particular case, from working on a trade (Nachbar 2005: 1336-7). Given that one of the primary purposes of granting patents is to maintain and increase employment, striking down patents counterproductive to this objective does not come as a surprise. At the more general level, the decision had two significant formal consequences: it transferred jurisdiction over patent granting from the monarch’s privy council to the common law system and it also defined criteria for differentiating between legitimate and illegitimate

³⁷ The original citation comes from Fuller’s statement in support of Allen in *Darcy v. Allen*. 74 Eng. Rep. 1131, 1135 (K.B. 1603).

patents (Bracha 2004: 22). The decision only refers to invalidation of patents on the grounds that they could not have been granted. There is no mention of rights or rights to receive patents in the first place.

On the other hand, the shift on the epistemic plane of the court case and the decision is far from tame. In the Queen's "defense", the court decided that the Queen was *deceived* in granting the patent (Federico 1929: 30).³⁸ This is a far cry from pronouncements of the monarch's infallibility and it is a point of contention that would allow future confrontations to exalt the monarch, and at the same time reiterate the monarch's mistaken sensibility in economic matters. The epistemic qualifications, and that the monarch had to be on the same level as the prosecutors in court signal the readjustment of the sovereign in the face of global affairs. The case is one of the opening acts in a drama that would last well into the eighteenth century at which point and time Foucault, as I will argue in the third chapter, correctly interprets Adam Smith reporting on the pronouncement of the sovereign's ignorance almost two centuries in the making.

Inheriting this situation from Elizabeth I, James I released the "Book of Bounty" in 1610 that paid lip-service to the original conditions for granting patents, as in practice he continued to grant patents not solely based on these conditions (Calabresi and Price 2011: 14; cf. Tyacke 545; cf. MacLeod 16). Outdoing Elizabeth, James issued what Pasquale Federico calls "illegal patents" so quickly that one of his contemporaries remarked how "at the King's coming in there were complaints of some eight or nine monopolies then in being, they are now said to be

³⁸ This section of the decision in more details reads as follows: "[t]he Queen was deceived in her grant; for the Queen, as by the preamble appears, intended it to be for the weal public, and it will be employed for the private gain of the patentee, and for the prejudice of the weal public" (11 Coke at 86b-87a, 77 Eng. Rep. at 1263-64).

multiplied by so many scores” (quoted in Federico 1929: 31). Whenever serious disagreements between the King and Parliament arose, he dissolved the Parliament (Calabresi and Price 2011: 15). His annoyance with Parliament and Parliamentarians he also at least on occasion expressed using the body politic and a headless body metaphors, asserting in 1614 that,

The House of Commons is a body without a head. The members give their opinions in a disorderly manner. At their meetings nothing is heard but cries, shouts, and confusion. I am surprised that my ancestors should ever have permitted it to come into existence. I am a stranger, and found it here when I arrived, so that I am obliged to put up with what I cannot get rid of (quotes in Davies 1959: 18).

Leading up to a showdown with Parliament in 1621, James tried to increase his revenue by issuing, revoking, and re-issuing the same patents; and extending powers for search and arrest to patentees while at the same time the administrative mechanism over patents was miserably failing (Nachbar 2005: 1346). The result was chaos, mismanaged patents, and very little revenue for James.

Even the 1621 “Statute of Monopolies” that ensured the revocation of some monopolies and laid the groundwork for a move towards a rights based patent-framework did not change the distribution of ignorance in practice (cf. Bracha 2004: 16). The effects of the monarchic distribution of ignorance through the royal prerogative remained practically unchanged under the rule of James’s son, King Charles I up until the outbreak of Civil War (Harris 2000: 47). There is an uncanny similarity of the dismay expressed by Parliamentarians over patents at the end of Elizabeth’s reign and Parliamentarians during the Long Parliament. One Parliament members in the 1640s expressed the sentiment regarding patents for monopolies in vivid language:

They are a nest of wasps—a swarm of vermin which have overcrept the land. Like the frogs of Egypt they have gotten possession of our dwellings, and we have scarce a room free from them. They sup in our cup; they dip in our dish; they sit by our fire. We find them in the dye-fat, wash-bowl, and powdering-tub. They share with the butler in his box. They will not bait us a pin. We may not buy our

clothes without their brokerage. These are the leeches that have sucked the commonwealth so hard that it is almost hectical.³⁹

The monarchic production and distribution of ignorance as part of some of these patents, through the royal prerogative exposes its own shortcomings. The arbitrary power to enforce the ignorance of the majority of the English people, while granting exception to few, lends itself to abuses, accumulation of private profit at the expense of the majority of the people, oppression, and causes damage to the national economy. These detrimental empirical effects of the monarchic distribution of ignorance reinforce concerns over the monarchic claim to legitimate distributive power on religious basis.⁴⁰ Problems with the actual distribution raise concerns about the underlying framework of the distribution. Do monarchs actually enjoy an exception from the ignorance of ordinary people or do they redistribute ignorance as it suits them in political, economic, and religious realms? Do monarchs know what is best for the people better than the people know? Do monarchs have access to some Truth unavailable to the people? Given the problems with the distribution of ignorance on the basis of monarchic royal prerogative and knowledge, what superiority does knowledge hold over ignorance? Should ignorance be distributed so unequally through arbitrary power and if not, how equally should it be distributed by whom or through what?

³⁹ Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 47 (1872) quoting speech of Sir John Culpeper during the Long Parliament (Quoted in Calabresi and Leibowitz 2011: 2001).

⁴⁰ Analyzing the situation in hindsight during the eighteenth century, Sir William Blackstone observes that “the enormous weight of prerogative, if left to itself (as in arbitrary governments it is) spreads havoc and destruction among all the inferior movements...” (Blackstone 1803: 240).

Conclusion

The exposition of the framework of the monarchic distribution of ignorance, its unraveling, and problems with the monarchic distribution of ignorance, drew attention to the tensions between the body politic and the many-headedness metaphors that legitimate it, undermine it, and limit the range of responses to the *problem* of ignorance. Without qualms, the king distributed ignorance through the royal prerogative, used it in practice, and yet in the discourse on ignorance treated it almost exclusively as a problem. Leading up to the English Civil War, ignorance appears as a nuisance or threat to the existing political order and in the religio-metaphorical discourse could not appear to be anything else. Within this framework, ignorance could not possibly generate power, or create political relations. The people's practice of ignorance supposedly prevented them from ruling.

Requiring remedy, to be controlled, its metaphorical framing necessitated the monarch's management. The monarch alone, in accordance with this conception of ignorance, by virtue of being the embodiment of God on Earth, the knowing exceptional head of the body politic, enjoys exemption from ignorance. This legitimates the monarch's supervision of ignorance and the unequal distribution of both power and ignorance with the parameters of the monarchic distribution of ignorance's framework. Those supposedly exempt from ignorance, are in position to distribute and control it. When insubordinate to the monarch, the people's ignorance could be nothing but a threat to political order. When under the monarch's control, if this is possible, it plays no positive role in the political order, for it is not ignorance, but the monarch's Truth that underlies the configuration of the political order.

The monarch's claim to legitimacy on the basis of the existing framework of ignorance and the actual distribution of ignorance through the royal prerogative achieved little in resolving

the supposed problem. The formulation of the problem of the people's ignorance, and the imagery of the many-headed headless monster attached to the problem facing the body politic, was far from an accurate account of the problem as I began to point out. Religious legitimation of the solution and monarch's enforcement of the distribution of ignorance, inherently could not withstand resistance to all authority. Finally, the empirical distribution of ignorance through the exercise of the royal prerogative was fraught with defects. By 1649, Charles I, James I's son, was beheaded temporarily taking the monarchy and the corporeal metaphor with him (Attie 2008: 498). What Hobbes at least had two years before writing the Leviathan, was this moment when the practice of ignorance is exposed and requires a new framework and distribution, simply because the monarchical one unravels.

CHAPTER 2: Hobbes's Treatment of Ignorance in Leviathan

“But as for certain Truth, no man has known it,
Nor will he know it; neither of the gods,
Nor yet of all the things of which I speak.
And even if by chance he were to utter
The final truth, he would himself not know it:
For all is but a woven web of guesses”

-Xenophanes, *Fragments*
(Diels-Kranz B 35)

I. On Certainty and Paradoxes

The exposition of the unraveling monarchic distribution of ignorance and its framework in the previous chapter supplies the reference points of ignorance's framework subject to change. Namely, the focus was on the framework that underlies the *unequal distribution in which the monarch enjoys a natural exception from ignorance on religious and metaphorical bases and distributes ignorance through the royal prerogative*. Paying close attention to its features, I ask how does Hobbes treat ignorance in the Leviathan (1651)? Hobbes's status as a transitional thinker—leaving behind the pre-modern, feudal, “divine right of kings”, way of thinking and nearing a modern way of thinking—is reflected in his approach to ignorance. The itinerary of the practice's genealogy cannot but thoroughly examine Leviathan as the exemplar of its shifting framework in England.

Many scholars acknowledge that the Leviathan addresses epistemic issues. Epistemic problems of the seventeenth century have been located at the core of his concerns (cf. Sorell 1986; Burgess 1998; Paganin 2015; Lund 1992; Popkin 2003; Tuck 1993; Strauss 1965; Lloyd 1992; Wolin 1990; Newey 2008; Panagia 2006; Dietz 1990; Johnson 1990), and his response has

also been cast in epistemic terms (Pocock 1971; Newey 2008; Sorell 1986; Ryan 1992; Lloyd 1992; Johnson 1990).⁴¹ That he partly blames universities for the English Civil War and finds a multitude of opinions at times dangerous is clear enough from his texts and this has garnered plenty of attention (cf. Dietz 1990; Strong 1993; Collins 2009). That ignorance, what ignorance does and can do, is central to his canonical treatise and the famous many-headed being adorning its frontispiece, is less clear.

Immediately attending to his conception of ignorance departs from and at the same time addresses the enduring and textually well supported reading of Hobbes as a political thinker of certainty. The interpretation explains that Hobbes's concern with certainty, or as Quentin Skinner puts it "Hobbes's drive towards demonstrative certainty" (2008: 299) shapes his political thought (Gauthier 1997; Newey 2008; Shapin and Schaffer 1985; Kahn 2015; Pettit 2009; Remer 1992; cf. Springborg 1995). This interpretation has several implications and two in particular I want to bring out.

First, his work appears as an attempt to approach politics in a scientific manner, when starting with the position that for Hobbes certainty is at the core of his political study and proposals for structuring political life. This interpretation is hardly unwarranted as this is a link Hobbes himself expresses a desire to establish: "Geometry therefore is demonstrable, for the lines and figures from which we reason are draw on and described by ourselves; and civil philosophy is demonstrable, because we make the commonwealth ourselves" (Hobbes 1840:

⁴¹ Glenn Burgess refers to the issue that Hobbes addresses as the crisis of the common law (roughly from 1600 to 1642), or a period when the law had difficulty setting the boundaries and remedying the wrongs the king committed. Not knowing whether the king or parliament make laws was central to this crisis. Others, including Leo Strauss, Sheldon Wolin, Glenn Newey, and Alan Ryan recognize that Hobbes is dealing with epistemic issues with particular attention to what they see as Hobbes's epistemic resolution in the form of constructed Truth.

187).⁴² If we make something ourselves we can know it, its causes and effects. The same certainty that can be achieved through geometry cannot be achieved with respect to something we have not made, like nature, the physical world around us. We cannot create nature and therefore cannot certainly demonstrate the truth. The study of the natural world through physics can only yield hypothetical and not certain knowledge. Geometry, in contrast, is the model science and it is Hobbes's goal to extend the certainty of geometry into politics and organize the study of politics and construction of political relations in the pattern of geometry (cf. Strong 1993).⁴³ As Kahn points out, Hobbes extends geometry by analogy as language into the study and construction of political structures (Kahn 2015: 87). What we do with geometry in defining, describing and constructing objects, by analogy language can do in politics and with the same certainty. The study and construction of politics can imitate geometry, or as Aloysius Martinich advances this line of thought, imitates the mistaken attribution of certainty to geometry in Hobbes's political analysis (2013: 169).

The Leviathan appears to lend itself to the interpretation that Hobbes is on a quest for demonstrative certainty in politics. In the opening chapters of the text he insists on settling the

⁴² In the Leviathan he also repeats that "the only science that it hath pleased God hitherto to bestow on Mankind" (Hobbes 1998: 23). In chapter 5 he also explains to the reader that the careful determination of definitions of terms "is a method that hath been used only in Geometry; whose Conclusions have thereby been made indisputable" (Hobbes 1998: 30).

⁴³ Tracy Strong suggests that for Hobbes "God-given geometry is the model of and for power to which none on earth compare" (1993: 147). The purpose of linking geometry to God is to highlight the link Hobbes saw between a science that allows to know through creating and God's creation of the Earth, which no one can know better than God. The theological undertones of Hobbes's appeal to geometry in this way, for Strong, help to understand the importance of texts, the use of words, how people should engage in political discourse and what the pivotal role that Leviathan as a text is supposed to play in this scheme.

proper names of what is under discussion and proceed from there inductively. In other words, having established the proper names, and constructing the right relations between them, the political discourse and political structures that emerge bear the mark of certainty. The terms and relations are constructed, they are accurate, and therefore generate certainty in political sphere akin to the demonstrative certainty of geometry. This sets the trajectory for excellent studies on language and rhetoric and their relation to science, etc.

The other implication of this interpretation that revolves around certainty, opens with the concern for certainty, is that it conditions the relevance of ignorance for Hobbes and it becomes difficult to see ignorance as anything more than a nuisance that a correct, scientific, construction of politics resolves or eliminates. Ignorance thus appears as a secondary problem after determining what it is that people are supposed to know—the constructed truth about politics patterned on geometry—and do not know. From here, it is possible to look at education or sovereign construction of meaning to bridge the politics that Hobbes envisions and bring people out of their ignorance. But what if Hobbes thought about ignorance differently? What if we do not start with his attempt to marry science and politics, and instead start with his approach to ignorance?

Using the understanding of ignorance unfiltered through his writings on certainty as the cornerstone of a reading of his political work, allows to re-evaluate the foundation of his political thought—his understanding of authority formation, political order, and more. This reading situates ignorance at the core of Hobbes's political concerns instead of certainty, emphasizes the role that ignorance plays in politics as he envisions it and challenges the view that for Hobbes ignorance can and should be eliminated through science. In other words, Hobbes was not aiming for certainty in his political thought. For Hobbes, an erroneous doctrine and not ignorance is the

opposite of true science and ignorance is the gray area between the two extremes (Hobbes 1998: 24). In reframing his political thought around his understanding of ignorance, helps to understand his view of the rich area between erroneous doctrine and true science, where dis/agreements, rhetoric, claims to authority and power, could de/stabilize any political order.

I contend that Hobbes's Leviathan records shifts in ignorance's framework. In other words, his text describes the framework's changing reference points setting the parameters of or conditions of possibility for ignorance's production, distribution, and function vis-à-vis the political order. It describes the framework's move away from theological toward secular underpinnings and the destabilization of ignorance's metaphysical framing around Truth that naturally bestows exceptions from ignorance. In following Julie Cooper's distinction, I hold that "a theory is secular if it conceives the political as a realm of human agency, independent of divine oversight or authorization" (2013: 3).⁴⁴ Human agreement on what to subject to ignorance enters the picture and displaces the supposedly divine command or the communication of the truth that one is ignorant.

His treatment of paradoxes, I suggest, points to the centrality of ignorance to his political thought. Scholars recognize the epistemic character of the paradoxes they find Hobbes discussing and hardly ever leave them in unresolved form.⁴⁵ These authors often describe what

⁴⁴ This is also congruent with Richard Flathman's image of Hobbes (1993). For him, "Thomas Hobbes is first and foremost a theorist of individual human beings as the Makers of themselves and their worlds. He is also and equally a theorist of failed attempts at making, of mismakings, and of unmakings, and of unmakingings and destroyings" (Flathman 1993: 1). He thus situates human activity at the core of Hobbes's theorization.

⁴⁵ Matthew Kramer's "Hobbes and the Paradoxes of Political Origin" is a notable exception. Using the "paradox highlighting method", he identifies the paradoxes at the core of Hobbes political theorizing without resolving them. He goes no further, aside from interpreting these paradoxes as proof of the incoherence of Hobbes's political

appear to be paradoxes in Hobbes's thought—from the paradox of the necessary and impossible tyranny (Kavka 1986: 254), the paradox of authorizing sovereignty without sovereign power to authorize (Abizadeh 2013), to the paradox of political authority which rests on legal authority, which rests on political authority (Dyzenhaus 2004). Instead of letting these remain in the form a paradox, scholars find consistency and coherence or insist that Hobbes is using rhetoric to disguise his genuine argument. They explain away the inconsistencies, and the paradoxes. Hobbes, a thinker so profoundly concerned with and on a quest for certainty, could not possibly contradict himself and say both X and not-X at the same time.

There is something sinister attributed to paradoxes, as if a theorist of his stature could not have made such a mistake, or he is more intelligent than to contradict himself. I do not deny that the Leviathan is replete with paradoxes. Against these interpretations, I do however suggest that the paradoxes do not have to be resolved and unraveled. It is not necessary to move beyond Hobbes's paradoxes and thus determine the definitive truth, bearing the mark of demonstrative certainty that Hobbes imparts on the reader, when in fact these paradoxes are the climatic points of Hobbes's theorization. Instead of covering up the indeterminacy concerning what Hobbes

theories. Aloysius Martinich also notes Hobbes's appreciation of paradoxes in "Interpreting the Religion of Thomas Hobbes: An Exchange" (2009). He does not discuss the Hobbes-Bramhall debate I focus on, and instead relies on an interpretation of Hobbes's letter to Edmund Waller of July, 1645:

"My odd opinions are baited. But I am contented with it as believing I have still the better, when a new man is set upon me that knows not my paradoxes but is full of his own doctrine, there is something in the disputation not unpleasant. He thinks he has driven me upon an absurdity when 'tis upon some other of my tenets and so from one to another till he wonder and exclaim and at least finds I am of the antipodes of the schools' (Hobbes 1994: 124). The key word in Hobbes's letter is paradoxes, by which he means "A statement or tenet contrary to received opinion or belief; often with the implication that it is marvelous or incredible; sometimes with unfavourable connotation, as being discordant with what is held to be established truth, and hence absurd or fantastic; sometimes with favorable connotation, as a correction of vulgar error" (Oxford English Dictionary).

means, I propose that these paradoxes are just there and Hobbes makes little effort to resolve them into the neat theories elaborately woven out of his work by later theorists.

That Hobbes formulates paradoxes is not a new charge. During his own lifetime, Bishop John Bramhall accused him of maintaining and spawning paradoxes. Hobbes's reply challenges theorists who assume that he deals with a specific problem and formulates a solution, almost in geometric fashion, and it is the reader's task to decipher the meaning of the solution. More than that, his reply binds ignorance to paradoxes and positions ignorance at the center of his concerns. In retort to Bramhall, Hobbes writes,

The Bishop speaks often of Paradoxes with such scorn or detestation, that a simple reader would take a Paradox either for Felony or some other heinous crime, or else for some ridiculous turpitude: whereas perhaps the judicious reader knows what the word signifies; and that a Paradox is an Opinion not yet generally received. Christian Religion was once a Paradox; and a great many other opinions which the Bishop now holdeth were formerly Paradoxes: insomuch as *when a man calleth an opinion Paradox, he doth not say it is untrue, but signifieth his own ignorance: for if he understood it, he would call it either a Truth or an Error. He observes not that, but for Paradoxes, we should be now in that savage ignorance which those men are in that have not, or have not long had Laws and Commonwealth; from whence proceedeth Science and Civility*" (Hobbes 1812: 202; *Emphasis added*).

Hobbes embraces the paradoxes that political thinkers try to absolve him of. He does not shy away from paradoxes in treating the paradoxes he addresses. In this particular debate with Bramhall, the question of whether humans are free or determined anticipates the paradox of determined freedom, and Hobbes refuses to offer a clear-cut response one way or the other.

In the above quote he himself puts the state of nature and the social contract on epistemic ground in the expansive sense that includes sensibility. What in the Leviathan he calls the state of nature prior to the establishment of a Commonwealth, without hesitation in the above debate he refers to as "savage ignorance". The central problem of the Leviathan, of how to transition out of the state of nature, was and is tantamount to how to transition out of "savage ignorance".

However, he does not claim to resolving ignorance through Truth or establishing certainty akin to certainty in geometry. He affirms that he formulates paradoxes. These paradoxes, and their identification, Hobbes explains to Bramhall, signify ignorance. They are synonymous with ignorance and he cannot call them “either a Truth or an Error”.⁴⁶ This positioning of paradoxes between Truth and Error is significant because in the Leviathan he likewise tells the reader that “between true science, and erroneous doctrines, ignorance is in the middle” (Hobbes 1998: 24). But what does this paradox, this ignorance, respond to if not “savage ignorance”? Hobbes entertains the idea that not Truth, not certainty, but ignorance can respond to ignorance. One framework of ignorance replaces another, and this treatment of ignorance is neither marked by Truth nor Error. Ignorance before the Commonwealth is not the same as ignorance in a Commonwealth. They are different in terms of who decides, how ignorance is distributed, and what ignorance can do. The conditions of possibility for the range of what ignorance can do in a Commonwealth do not exist in the state of nature. Not being the Truth, the single True resolution, means that there is a range of possible choices. The distribution of ignorance that Hobbes prescribes in response to “savage ignorance” is but one option, one that Hobbes cannot be certain in, and not necessarily the one that historically replaces the theologically-based monarchic distribution.

To explicate his treatment of ignorance, I turn to how he frames ignorance in the Leviathan, and his complication of the conception of the individual into a paradox. In the second section, I argue that Hobbes approaches the epistemic crisis differently than James I, because he treats the audience differently and instead of giving a reductionist account that situates the many-

⁴⁶ His association of ignorance with religion in this exchange and others did not endear him to his critics. William Lucy, for one, repudiates Hobbes for not recognizing that religion and ignorance are “enemies” ([1663] 1996).

headed monster at the core, he situates self-interested individuals at the center of the problem. The focus on individuals influences (1) the scope of the audience Hobbes addresses, (2) the complexity of his theorization of individuals given that they cease appearing exclusively as a monstrosity, and additionally (3) the focus itself on individuals, as opposed to the focus on “divine right” marks the abandonment of the religious discourse James I relied on for legitimating the monarchic distribution of ignorance. Through analysis of the above consequences, I hope to draw attention to both, Hobbes’s movement away from King James’s religious framework of ignorance to a more secularized framework and Hobbes’s (re)politicization of ignorance.

I suggest that Hobbes appeals to a wide English audience and this complements his complication of the conception of individuals in Leviathan, as I will show in the third section. In doing so, I reject the position that Hobbes was writing for a very narrow audience of the elite as the work of Mary Dietz (1990), Jeffrey Collins (2009), and others insinuates. The implication is that if Hobbes was not writing just for the elite, insultingly referring to his English readership as a many-headed-headless monster or an ignorant multitude would not be wise. Just like the Levellers, Hobbes makes an effort to avoid James I’s religious language that would not appeal to a broad audience and adopts Grotian language of self-interest also deployed by the Levellers to reach ordinary individuals.

I note in the fourth section that Hobbes does not stop there. He further complicates the conception of individuals, to whom he appeals, by incorporating both self-interest and ignorance. Highlighting Hobbes’s theorization of individual ignorance, in this this section, I extend recent interpretations of Hobbes’s conception of individuals and their ignorance formulated by Samantha Frost, Vickie Sullivan and Edwin Curley. What emerges is an individual whose self-

interest is paradoxically combined with ignorance. Thus in re-formulating the epistemic crisis, Hobbes combines the ignorance, many-headed heedlessness, with the paradox of authority spurred in large part by the Reformation as I discussed in the previous chapter.

The ignorance that individuals share no longer appears just as a destructive force like many scholars suggest, but could also legitimize and support the formation of political order, political power, and authority. Hobbes, in effect, allows for the reversal of the image of the headless multitude from a destructive force to a potential force of legitimacy and this is closely linked with the abandonment of religious language that legitimated the monarchic distribution of ignorance for James I. The analysis culminates in a reinterpretation of *Leviathan*'s frontispiece as the expression of shifting coordinates of ignorance Hobbes affects—both secularization and politicization. In other words, it shows how he approaches ignorance, politicizes it, and at the same time raises questions about how to politically redistribute it. Accustomed to seeing the monarch confront ignorance in images of this nature, this image encourages the audience to contemplate the “impossible”—that ignorance supports the sovereign.

II. From the Many-Headed Headlessness to Self-Interested Individuals

King James's religiously grounded solution to the epistemic problem fails to resolve one of its own paradoxes in expecting proper understanding and obedience from the same subjects to whom it pejoratively attributes ignorance. In this language game, ignorance was the opposite of understanding and opposite of divine Truth accessible to the monarch alone. It was a natural condition, but one according to the knowing monarch, which the people could not themselves understand, which meant that it had to be kept in check.

Hobbes, I argue, offers an alternative approach, both because he approaches his audience and the problem differently. The logic for treating both differently appears to be circular and therefore at least two inseparable entrance points are possible. First, since Hobbes seeks to reach and convince individuals to think, sense, and judge differently than they do, he refrains from caricaturing them. A more complex and paradoxical characterization of the individual emerges in the Leviathan as a result. Hobbes questions what it is about individuals that exasperates the unruliness or “savageness” of ignorance and what redress would be most effective. The anchoring of this issue in individuals signals the abandonment of divine right and theological grounding more generally. This trajectory gets us from appreciating Hobbes’s audience to his view of individuals. The second path reverses the itinerary. Since Hobbes does not caricature “subversive” individuals and instead locates the epistemic problem in particular aspects of how individuals think, sense and judge, he reaches out to individuals who are key to its containment. Besides the secularization of ignorance, another implication of Hobbes’s moves is the retreat from James’s conviction that the ignorant people are necessarily a monstrosity. In the Leviathan, the individuals and their shared ignorance could become either a monstrosity or a source of the authority’s legitimacy—the support of a new distribution of ignorance.

Hobbes is acutely aware of the audience’s power. For whom does Hobbes write Leviathan, or for whom could he not write it? The stakes of this question are over the power to reconfigure the distribution of ignorance, the power to affect ignorance. If Hobbes writes for an elite audience, then he still addresses an epistemic problem, but does not have to appeal to individuals. In that case, he extends the power to remedy “savage ignorance” exclusively to the elites and rejects the possibility that ordinary individuals can wield power as can the elites or the monarch. There is affinity of this perspective with the elite model of opinion formation and

dissemination (Zaller 1992), which posits that elite discourse influences and more precisely informs mass opinions. This limitation of Hobbes's readership also circumscribes the boundaries of inquiry to belief systems, errors in beliefs and opinions and how someone in power can change and enforce them. Given that by enforcing or constraining beliefs from an elite position already takes care of ignorance, one does not have to address the ordinary individuals' ignorance directly. More than that, if "extraordinary" individuals are his audience, the characterization of ordinary individuals requires little complication.

The above position is widely held in explicit and implicit forms.⁴⁷ Mary Dietz for instance dismisses ordinary individuals as an audience in her interpretation of the civic virtues Hobbes devises in response to the epistemic problem he addresses. She holds the view that Hobbes addresses educators and sovereigns, given that people are "manipulable and easily seduced" by demagogues (Dietz 1990: 93), the public is "ignorant of its duty" (Dietz 1990: 93) and minds of the common-people are "like clean paper" (Dietz 1990: 107), she cites Hobbes writing in the Leviathan. There is ample evidence for her position in the Leviathan and other texts. For example, in Hobbes account of the turbulent decade leading up to the Civil War, he

⁴⁷ Collins advances one of the most succinct expressions of this position. He explains that Hobbes "was very explicit about his hopes that *Leviathan* would "fall into the hands of a Sovereign," who would judge it without "any interested or envious Interpreter", and "convert this truth of speculation, into the utility of practice" (Hobbes 1998: 244). *Leviathan* was self-evidently a book intended for an elite audience. For the "common people"—who "know nothing of right or wrong by their own meditation"—Hobbesian doctrines were to be preached from the pulpits. In this way would the people accept a new 'captivity of understanding'" (Collins 2009: 177). Gary Shapiro (1980: 151) similarly limits the intended audience to the sovereign. Tracy Strong (1993: 131) sees the universities as *Leviathan*'s intended audience and Deborah Baumgold (1990: 75) and Keith Thomas (1965 :191) single out the passions of the elites.

explicitly charges universities as the epicenter of seditious teaching (Hobbes 1990). To deal with the epistemic problem then, Hobbes addresses those who have power—the power to school and guide towards the internalization of civic virtues (Dietz 1990: 110). In fact, the possibility that ordinary individuals could serve as the readership of the Leviathan virtually becomes impossible. They are relegated to the position of powerless receptors of the teachings, while Dietz’s Hobbes exalts universities as one of the “cultural modes of political communication” par excellence for controlling people (Dietz 1990: 110). Ordinary individuals recede into the background as passive powerless rather simple subjects in this formulation of the epistemic problem that concentrates on proper channels of political communication to eliminate conflicts of opinions and interests.

Dietz astutely observes that universities and civic virtues are integral to Hobbes’s project and her analysis in this respect fills in a significant gap in understanding how Hobbes seeks to reinforce the sovereign’s authority. I disagree, however, that Hobbes bypasses ordinary individuals in both identifying who contributes to the epistemic problem and the audience that could remedy it. In other words, Hobbes addresses a wider audience, including ordinary individuals. The expansion of the audience to include individuals signifies that he entrusts some of the power over the re-distribution of ignorance to individuals.⁴⁸ That Hobbes writes Leviathan in English instead of Latin is far from an irrelevant caveat. Immediately after finishing Leviathan he declares that “I finished a book in my native tongue so that my Englishman could read it often & use fully” (Hobbes Malmesburiensis vita (OL I: xv) quoted in Wright 2006: 4). In the English context, like some of his contemporaries vying for the public’s attention, Hobbes works with and

⁴⁸ Quentin Skinner agrees that Hobbes was addressing a wider audience: (1996: 426). The interest in Hobbes’s audience must be limited somewhere and so while Geoffrey Vaughan (2001) puts forward a convincing argument that the intended audience is even wider and includes future readers like ourselves, such an argument has little bearing on how Hobbes tried to deal with ignorance during his age.

targets individuals in the Leviathan. In so doing, he increases his chances of reaching a wide audience of those drawn to positions embedded in thought that does not adhere to religion-monarchic belief system. He cannot afford to address his ideas solely to the elites running educational and political institutions.

The literary terrain Hobbes navigates after Parliament's lifting of censorship in 1641 is distinctly more crowded than before and may have served as the impetus for reaching out to a wider readership beyond the elites, in English that is.⁴⁹ The end of censorship contributes to the dissolution of the old markers of certainty, and ordinary people correspondingly gain power—their voices, their views matter more than before (Keeble 2001: 2; Haller 1995: vii-viii; Lund 1992). Various views compete over how to channel this power or keep it at bay. In this atmosphere of proliferating ideas, Royalists, those on the king's side, just as their opponents do not shy away from appealing to the masses, the ordinary English people. In Royalist eyes, ignorant are only those who disagree with the Royalist argument (McElligott 43-44). The form

⁴⁹ The meaning of the claim that there was wide readership in England, in English, or in Latin for that matter must be understood in light of the historical context. This claim cannot be off-hand refuted with a statistic that shows that only forty or thirty or even just twenty percent of English people were literate. A more nuanced understanding of the literacy level of the ordinary English person should not underestimate their ability to engage with texts and the culture of print. As Sharon Achinstein put it

Historians have estimated that 30% of adult males could read, with a much lower rate for women. The figure may be considerably higher in London, with an estimated 60% of adult male literacy. Despite this rate which may appear low by today's standards, on the contrary, England's was the rate across Western Europe. More could read than could write and the many interconnections between oral and printed culture gave rise to the overlapping genres of the ballad, newsheet, sermon, and metrical psalm. In many ways then, even without achieving full comprehension, English men and women could participate in a culture of print. The spread of the printed word down the social scale is a remarkable story of the early modern period (2001: 53).

For a more comprehensive account of the literacy levels and print culture in England at the time, see Sharon Achinstein (2001).

that the power of the multitude of individuals, the many-headed headlessness, could and should take is an intensifying concern at the time. Is the many-headed headlessness something that could either become for instance a monstrosity, a force supporting the existing hierarchical order, a democratic force that legitimates the configuration of a more equal order, or a democratic force that nonetheless cannot avoid being monstrous to an extent?

Some attention to the language Hobbes uses in treating this question in the Leviathan further points to how he approaches his readers. If on the spectrum of responses at one extreme we find the already rehearsed assertion that the many-headed headlessness is a monstrosity threatening the existing hierarchical order, at the other extreme we find the view that the people, the collection of individuals, is a democratic force spoken of in the most glowing terms. For the former, the many-headedness is the destructive force of the multitude, and for the latter, it is an insult directed at equal sovereign individuals. Hobbes's genius partly lies in forging his discourse using the language of the latter camp to support the existing hierarchy (cf. Skinner 2008: 209). If Hobbes relied solely on King James's religious language we find in Trew Law of Free Monarchies, and depicted people as a "headless monster" he would certainly have had a much more select readership. In spite of Hobbes's royalist, or at least anti-democratic inclinations, he abandons theological, monarchic language to deal with the unraveling monarchic distribution of ignorance.⁵⁰

Hobbes's Grotian language—as one of the indicators of Hobbes's target audience—is strikingly similar to the language of some of his democratic rivals and especially the Levellers

⁵⁰ Noting the democratic current in Hobbes thought, Robert Filmer who shares some of Hobbes's political views, remarks that "I consent with him about the Rights of exercising government, but I cannot agree to his means of acquiring it...[I] praise his building, and yet mislike his Foundation" (Filmer 1949: Preface).

for whom the individual was focal.⁵¹ This comparison suggests, in addition to other implications I will shortly discuss, that Hobbes's description of individuals is hardly eccentric during this period.⁵² At the core of the Leveller's challenge to monarchic rule was the insistence on equality and inalienable self-interest. Richard Overton, sitting in Prison of Newgate during the Civil War, forcefully articulates this position in the opening paragraphs of pamphlet "*An Arrow shot from the Prison of Newgate into the Prerogative Bowels of the Arbitrary House of Lords*":

To every individual in nature is given an individual property by nature not to be invaded or usurped by any. For every one, as he is himself, so he has a self-propriety, else could he not be himself; and of this no second may presume to deprive any of without manifest violation and affront to the very principles of nature and of the rules of equity and justice between man and man. Mine and thine cannot be, except this be. No man has power over my rights and liberties, and I over no man's. I may be but an individual, enjoy my self and my self-propriety and may right myself no more than my self, or presume any further; if I do, I am an encroacher and an invader upon another man's right — to which I

⁵¹ Quentin Skinner quite convincingly advances the argument that Hobbes is using the languages of the democrats he opposes (2008). James Martel similarly points out that Hobbes moves away from the theological language (Martel 2004: 90-91). That Hobbes's language is Grotian, in the emphasis of equal individuals and self-interest as the organizing concepts, is an argument Richard Tuck advances (Tuck 1990: 99-122; 1993: 306). Peter Zagorin (1993; 2000) disputes Tuck's argument that Hobbes was heavily influenced by Gortius, by focusing on natural law, and natural rights, but the observation of differences in their theories does little to dispel the view that Hobbes borrows Grotian *language* focusing on equal individuals looking out for their self-interest. Other scholars have made similar observations as Tuck (Wootton 1986: 18). The similarity between the language of self-interest used by Grotius and the Levellers has come to the attention of Koetsier (2003: 148); (Mendle 2001: 11); (Hunt 2007: 4).

⁵² This assertion is also made by Kinch Hoekstra (2013), and he also makes the case that Hobbes shares the language of the Levellers. His exploration of what people are equal in for Hobbes considers various possibilities, rejecting equality in epistemic abilities and settles on equality in natural liberty. While I agree with his characterization of individuals equal in liberty, his rejection of equality in epistemic abilities—knowing and reasoning—is warranted only in so far as equality in ignorance or ignoring is not seen as an epistemic practice humans can be equal in.

have no right. For by natural birth all men are equally and alike born to like propriety, liberty and freedom ([1646] 1976:1).

Civil and political rights are ultimately rooted in the individual, in “self-propriety” which is a natural right *equally* shared by all individuals. Equally shared self-interest in the Levellers’ discourse could not be infringed upon by any other individual and certainly not by the monarch. Individuals, through civil rights, challenge the monarch’s distribution of knowledge and ignorance. In effect, the monarch is told “you do not know any better than the individual what is in the best interest of the individual. The individual knows his own self best. Individuals render the sovereign superfluous”. In their tracts, the Levellers increasingly abandon religiously rooted arguments in favor of secular arguments and only use the religious language when addressing wider audiences to attack their adversaries (Tuttle 1998: 71).⁵³ They issue a challenge to the monarch and associated monarchic distribution of ignorance presupposing equal, self-sufficient individuals—equally sharing in knowledge and ignorance, although the ignorance they prefer not to claim. The Levellers were of course willing to negotiate and contract with the monarch, but

⁵³ Alternatively, the possibility that Hobbes is affected by skepticism to move away from religious justification cannot be dismissed. He was familiar with, and actually a prominent interlocutor in debates around skepticism. During his trips to the continent and his exile in Paris in the 1640s he took part in the debates of the Mersenne Circle, which was occupied with skepticism. To hyperbolic doubt, or Cartesian universal doubt, as Richard Tuck points out “Hobbes had a much more robust answer, and indeed his importance within the Mersenne circle consisted in the fact that he was able to take on board the hyperbolic doubt without having to turn to the proof of God’s existence as a solution to it” (1993: 293-294). Hobbes took on doubt without resorting to theological beliefs. For discussions of Hobbes affinity with skepticism, see Tuck 1993. For how Hobbes fits in the tradition of skepticism see also Popkin 2003; and Flathman 1993.

only when it served their self-interest and therefore without submitting or forfeiting it.⁵⁴ Self-interest and the claim of equality supplied the grounds for deposing monarchs (cf. Wood 2012: 220).

Hobbes adopts this language in his own discourse. In Chapter Thirteen of Leviathan, for example, we read about individual equality that prevents grounding subjection of one individual to another in natural difference:

Nature hath made men so equal, in the faculties of the body, and mind; as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he (Hobbes 1998: 82).

In the next chapter, Hobbes asserts that each human, each individual, equally has the right of nature that endows them with the ultimate liberty to determine what is in their best interest: “The right of nature, which writers commonly call jus naturale, is the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life; and consequently, of doing anything, which in his own judgment, and reason, he shall conceive to be the aptest means thereunto” (Hobbes 1998: 86).⁵⁵ These equal individuals have the natural right to pursue their own self-interest, their own preservation.

This is the language Hobbes turns against itself, as I will argue in the next sections, to

⁵⁴ For example cf. Richard Overton making this point in “An Appeal From The Commons To The Free People” (1647). Reprinted in Woodhouse and Piggot 1938.

⁵⁵ he continues here that: “By LIBERTY, is understood, according to the proper signification of the word, the absence of external impediments: which impediments, may oft take away part of a man's power to do what he would; but cannot hinder him from using the power left him, according as his judgment, and reason shall dictate to him (Hobbes 1998: 86).

stymie the challenge to the sovereign's authority. He uses it to reach a wide audience of the English population who would otherwise be less likely to pay attention to royalist rhetoric that reduces to disposable monstrosity many complaints of those not fitting well with the existing order. Hobbes uses this language to describe individuals in Leviathan and to appeal to individuals at large, but shows that the conclusions democratically inclined thinkers reach using this language are not inevitable truths as the democratic thinkers assert.

III. Individuals Are Self-Interested and Equal in...

Hobbes's employment of Grotian language, that puts weight on equal individuals looking out for their own self-interest, has at least two implications for how he treats ignorance. First, it marks the shift from theological to more secular, individual based, theorization and treatment of the epistemic problem, which entail the secularization of ignorance. Leo Stauss alerts the reader to the fact that before Hobbes, "the term "state of nature" was at home in Christian theology rather than in political philosophy" (1965: 15).⁵⁶ Hobbes's secularization of the "state of nature", in line with the discourse of his democratic rivals, does not leave intact the theological element of ignorance's framework either, to which also attests Hobbes's interchangeable use of the secularized notion of the "state of nature" and "savage ignorance" in his exchange with Bishop Bramhall. Second, Hobbes's attempt to reach a wide audience using this language, forces him to abandon the alienating characterization of the multitude as ignorant, as a many-headed monster, for a more generous depiction of the people, or collection of individuals taking into account self-

⁵⁶ Hobbes may not be the first to abandon the theological basis in this way. Isaiah Berlin (1979) insists that Machiavelli's conception of virtue epistemically abandons the theological framework of discussing political power and order for a secular one.

interest and equality—equality in ignorance to be precise. The emerging characterization of individuals, as I will argue in this section, turns on a paradox: individuals are both self-interested and equal in ignorance—in the authority to practice ignorance with respect to both what may be in their interest and against their interest. Their self-interest drives ignorance and ignorance obstructs their self-interest.⁵⁷ This complication of the conception of individuals demands that he reevaluate the approach to ignorance, the distribution of ignorance, and what ignorance can do and I examine how he goes about doing so in the second-last section of the chapter.

The first shift of the center of gravity from theological underpinnings to individual-centered treatment of the epistemic problem has gained acceptance in Hobbes scholarship in response to the Taylor-Warrender Thesis associated with the work of A.E. Taylor (1938) and Howard Warrender (1957; 1960) back in the 1960s (cf. Curley 1990: 190). The question they were occupied with is how do people know what and whom to obey or what is the basis of obligation? The Taylor-Warrender thesis interprets *Leviathan* through a religious lens and posits that Hobbes's theory of obligation is religious, rather than rational, or up to individuals themselves. This perspective has difficulty fitting with Hobbes's strong appeal to self-interest and his own understanding of obligation (Barry 1968; Brown 1965; Plamenatz 1965; Skinner 1964; Skinner 1972).⁵⁸ Martinich (2003) attempts to reconcile the positions in part by arguing

⁵⁷ While he does not identify this as a paradox, in the discussion of Hobbes's affinity with the skeptics, Richard Popkin expresses a similar view. "Self-preservation is basic, but can one tell what helps self-preservation?" (Popkin 2003: 206), he asks in his reading of Hobbes and taking into account Richard Tuck's interpretation of Hobbes's skepticism.

⁵⁸ For example, the Taylor-Wallender Thesis cannot be easily reconciled with Hobbes's numerous declarations similar to this one: "there is no such *finis ultimus*, utmost aim, nor *summum bonum*, greatest good, as is spoken of in the books of the old moral philosophers. ... Felicity is a continual progress of the desire from one object to another

that self-interest does not contradict divine command. This I do not dispute. Together with Richard Tuck (1993; 1988), however, I cannot but see Hobbes's serious engagement with skepticism preventing him from resting his theory on religious doctrine. That self-interest at times coincides with "the word of God" hardly proves that Hobbes's approach of thought is religious.⁵⁹

Like the Levellers and skeptics, Hobbes is aware of the insufficiency of grounding authority and obligation on religious Truths. Leviathan's section on "Man" resituates the collective organization of individuals not as a monster to be kept at bay, but as a potential source of legitimacy. This section strategically precedes the discussion of commonwealths or Christianity and in so situating it, Hobbes rejects the Great Chain of Being and the place designated for humans in this chain.⁶⁰ The individual's displacement of the divine in the treatment of the problem denaturalizes and politicizes the basis of authority, in large part by affirming the variety of competing bases of authority. Some features of individuals allow them to form the basis of authority and political order. Thus Hobbes disassembles the Hydra and allows for individuals—and perhaps their ignorance although I will hold off claiming this just yet—to become either the foundation of authority or a monster. This choice signifies the politicization of human "matter".

In terms of the second aspect, the shift towards individual-centered theorization involves complicating the understanding of how individuals think, judge and sense beyond the assertion

... I put for a general inclination of all mankind a perpetual and restless desire of power after power that ceases only in death" (Hobbes 1998: 73).

⁵⁹ A similar view of Hobbes as a skeptic is also advanced by Richard Flathman (1993).

⁶⁰ In his analysis of the debate between Bramhall and Hobbes, Nicholas Jackson notes Hobbes's refusal to even mention the Great Chain of Being (2007: 120).

that they are ignorant and any opinion can be easily impressed on them. An individual's thinking for Hobbes, just as it is for the Levellers is tethered to self-interest. The mere mention of self-interest with reference to the discourse of the time, and the way that Hobbes understands individuals' thinking has become controversial. The urge to mistakenly equate the conception of bourgeois man in an industrialized market society and the Hobbesian conception of human beings found in the Leviathan has proven too tempting for some theorists. C.B. MacPherson's "possessive individualism" thesis (cf. McPherson 1962; 1965) falls into this anachronistic pit in the 1960s and the Cambridge School historians from Keith Thomas (1965) to Thomas Dunn and Quentin Skinner discredit such an interpretation (cf. Carens 1993; Miller 1982). Hobbes could not have been describing a market society, because it simply did not exist yet, and bourgeois men described so well by Adam Smith and Karl Marx in the late eighteenth and into the nineteenth century could not have inhabited the mercantilist society that did exist.

Hobbes and his contemporaries could not have had the same conception of interest as eighteenth century theorists. Unlike the later thinkers, as Harvey Mansfield (1995) masterfully shows, seventeenth-century political theorists use the term interest primarily in the pejorative sense and align it with passions. I do not claim that the meaning of the word interest in the writings of Hobbes and others in the seventeenth century is the same as the meaning of the word interest in later centuries. In fact, Hobbes's use of the term interest is not at issue here. I do, however, insist that when Hobbes and his contemporaries stress the power of individuals, individual liberties, and individual rights, or hold self-preservation fundamental, they express views on self-interest in the broad intellectual sense of egoism or self-interest that Michael Oakeshott (1975) and later Alan Ryan (1992) associate with Hobbes's individual. For him, "egoism...turns out to be neither moral nor a defect; it is only the individuality of a creature shut

up, without hope of immediate release, within the world of his own imagination” (Oakeshott 1975: 59). Unlike the more developed conception of self-interest associated with homo-economicus, or economic man, in the writings of Smith, this seventeenth century expression of self-interest is broader than narrow economic self-interest and comes with the lack of indisputable authority beyond the individual. Consequently individual choice also neither appears solely in economic terms nor isolated from other considerations. Yet there can be little doubt that it is this upholding of individual authority as supreme that the images of the Hydra in part reference in the English context.

The problem is not so much that individuals engage in self-interested thinking as their equality in doing so without an undisputed or legitimate authority defining the limits. The substance of this equality, whether it is equality in knowing or in practicing ignorance, how it relates to self-interest and what it entails require clarification. For the Levellers, this equality buttresses equal, democratic, distribution of power, knowledge and ignorance—although they do not mention the individuals’ ignorance and neither do most contemporary theorists who discuss the seventeenth century epistemic issues exclusively in terms of knowledge, beliefs and opinions.

Given that equality of knowledge, to refer to a very broad epistemic resource, absorbs almost all of the attention, some interpretations of Hobbes’s work erroneously attribute this belief to him as well. In other words, for these mis-readings, Hobbes primarily grapples with the problem of individuals who are equal in sharing knowledge, a valuable resource. John Pocock’s reading for example takes a more systematic than historical approach to the epistemic problem Hobbes confronts. Through a “process of discovery”, Pocock’s Hobbes takes knowledge available to individuals—science—extends it to the conscience and this way “we discover the necessity for a representative sovereign...” (Pocock 1971: 157). A positive knowledge equally

discoverable, this valuable resource, inevitably leads to the necessity of an unequal distribution of power and knowledge.

Alan Ryan advances a similar but a more elaborate argument of Hobbesian order formation that also exclusively attends to equality of knowledge and self-interest. In his interpretation, Hobbes is a theorist deeply impressed with individual self-sufficiency. Since for Ryan's Hobbes "authority stands in the way of knowledge", in the Leviathan he locates an "anti-authoritarian theory of knowledge" (1992: 210). To support this interpretation, he quotes Hobbes as writing "he that takes up conclusions on the trust of authors and doth not fetch them from the first items in every reckoning, which are the significations of names settled by definitions, loses his labour, and does not know anything, but only believeth" (Hobbes 1998: 29). Individuals have sufficient valuable resources to answer most questions on their own and authority is necessary only when deciding questions individual human reason cannot. More than that, self-interested individuals can attain the right knowledge of how to regulate their relations through the right individualistic method of thinking and this method for Hobbes, Ryan suggests, is geometry (1992).

Again, just like in Pocock's account, here Hobbes begins just with knowledge equally available to all individuals, and through geometry arrives at political rules that any individual should be able to confirm for him or herself. Hobbes formulates an epistemic solution, according to this account, but there is hardly an evident epistemic pressing problem—or a historical epistemic crisis I might add—as Hobbes advances from a precious epistemic resource abundantly shared to its operationalization in the political sphere. Judgment and political judgment more precisely, becomes governed by general rules of geometry or science, and hence it is neutralized or taken out of the individual's hands.

Ryan's interpretation goes a long way to showing the link between epistemology and authority in Hobbes's work. Its weakness and perhaps what renders it unsustainable is that Hobbes attends exclusively to science and equality in knowledge neither in the Chapter Five nor in the rest of Leviathan. In that same chapter that Ryan quotes from, Hobbes offers an alternative:

But yet they that have no *science*, are in better, and nobler condition, with their natural prudence, than men, that by mis-reasoning, or by trusting them that reason wrong, fall upon false and absurd general rules. For ignorance of causes, and of rules, does not set men so far out of their way, as relying on false rules, and taking for causes what they aspire to, those that are not so, but rather causes of the contrary (Hobbes 1998: 32).

Science or knowledge is not the only potential recourse that sets individuals on their way, to use Hobbes's language, given that ignorance could do the same.⁶¹ The view, that for Hobbes humans are equal in the *superior* power of knowledge, makes assumptions that he himself does not.

Following Vickie Sullivan's interpretation, I find it more plausible that Hobbes believes in "equality of vulnerability", rather than "equality in knowledge", synonymous with superiority. In her reading of Hobbes, "it is a fundamental facet of his project to transform an equality of belief in superiority to an acceptance of equality in vulnerability" (Sullivan 2006: 88).⁶² As long as all individuals equally judge themselves to be superior to others and not vulnerable like

⁶¹ In Reason and Rhetoric in the Philosophy of Hobbes, Quentin Skinner very promisingly briefly contemplates the "collision between reason and interest" (Skinner 1996: 429) This leads him to learn from Hobbes that "faced with interest and ignorance, reason and science have little chance of being heard" (Sinner 1996: 433). I suspect that Skinner's commitment to reason prevents him from recognizing that this alignment of interest and ignorance is not necessarily destructive, and Hobbes charts an alternative path to political order through this alignment of interest and ignorance.

⁶² Julie Cooper recently reiterates this view, but instead of vulnerability, she puts this in terms of pride and humility (Cooper 2013: 44-69).

everyone else, no reason exists for them to enter any social or epistemic contract (Sullivan 2006: 89). When individuals assume that they possess a resource others do not, namely superior epistemic ability, there is hardly any impetus to change the distribution. This is what she reads Hobbes as saying when he writes that when individuals deem themselves superior to others in epistemic terms, “this proveth rather that men are in that point equal, than unequal. For there is not ordinarily a greater sign of the equal distribution of any thing, than that every man is contented with his share” (Sullivan 2006: 90; Hobbes 1998: 82). If individuals are not struggling over the distribution of epistemic resources, they are abundant and have little value. If everyone claims an exemption from ignorance for themselves, no one is exempt from equally sharing in ignorance. More than that, neither reason, nor judgment nor knowledge is an advantage.

Hobbes’s opposition to the belief in supremacy must include, perhaps even against the prejudices found in other parts of the text, the rejection of the belief of various forms of supremacy.⁶³ Hobbes both accords individuals a pivotal role in the Leviathan and at the same time disarms them of any advantages in the distribution of knowledge and abilities. He reaches out to individuals at large to convince them of their equality in vulnerability and this depreciation of epistemic ability allows Sullivan to turn away from epistemic questions to the operation of the passions. In my view, she breaks off the analysis too early and I go further in the epistemic direction to argue that in the depreciation of knowledge, Hobbes also shows an appreciation of ignorance. Ignorance has not been adequately addressed yet and cannot be dismissed from

⁶³ This rejection must also include racial supremacy. Charles Mills’ attribution of “white ignorance” or the belief in the racial superiority of whites to Hobbes’s theory does not account for the impediment Hobbes himself sets to the institution of “white ignorance”. How Hobbes deals with the equal sharing in ignorance is another question, but the affirmation of this equality lends itself to the recognition of vulnerability and rejection of white supremacy.

Hobbes's theory of order formation as a shared and distributed resource that can be more or less efficiently distributed among various parties and institutions.

IV. The Paradoxical Individual and Ignorance

As much as Hobbes shares the language of the Levellers, he noticeably complicates the characterization of individuals challenging the existing political order. Moving away from James I's description of the epistemic problem—and contra what some later commentators who believe he wrote for an elite audience would have the reader believe—for Hobbes, individuals are not simply “a headless many-headed monster”, an ignorant multitude in the pejorative sense. The individuals he studies, the ones that concern him, are either not subjects in a well-ordered Commonwealth with a well-defined, well-functioning distribution of ignorance, or they are not attuned to this political order and thus pose obstacles to it. They could very well be individuals experiencing first-hand the unraveling monarchic distribution of ignorance I examined in the previous chapter. They are self-centered individuals, more or less equal in reason, appetites and beliefs. Supposedly, they need no authority beyond themselves. If the characterization was complete, a democratic regime would ideally suit such individually. Unlike the Levellers, who advocate for a democratic political order, Hobbes does not stop at this and develops the understanding of individuals even further, which prevents him from exalting democratic regimes compared with other regimes.

For Hobbes, individuals are paradoxical. They are self-interested and equally share in ignorance and not just in knowledge. Richard Flathman identifies this same problem in his reading of Hobbes and to a very large extent my interpretation is congruent with his (cf. Flathman 2002). I concur with him that for Hobbes, individuals share in ignorance of what words

truly mean, constantly construct the meaning of words and there is a problem when people do not share the same understanding of words and what they refer to. However, besides the resolution Flathman identifies, namely agreement on the meaning of words based on conventions of interpretations (Flathman 2002: 40), there is at least one more option. Flathman points out that Hobbes's individuals can learn, reason, and teach each other meaning of what is true. This is indeed so, but this interpretation does not account for the other side of the coin, that to even arrive at conventions and to interact with one another based on delimited meaning, individuals somehow have to come to an agreement on what to apply ignorance to and continue to practice ignorance towards the other possible meanings, to refrain from constructing other worlds when little stops them from doing so.

Driven by self-interest, authorities unto themselves, these individuals maintain and dispense with ignorance, without central societal structures for its production and distribution, such as the royal prerogative. Out of self-interest, it is up to individuals how to practice ignorance. In other words, in the hands of self-interested individuals, the distribution is more or less equal. In this section, I examine what ignorance can do according to Hobbes's approach—an approach or understanding that records the secularization of ignorance in being linked to self-interested individuals instead of theology and its politicization in the sense that what it does is subject to contestation and not just a threat to political order. This complication entails both the upholding of the issue—how to deal with ignorance—James I confronts and its transformation. Indeed, out of self-interest and equality in ignorance, in deciding how it works, individuals may authorize and empower a variety of wrong bodies, give the wrong meaning to words and identify the wrong consequences of these words. This may be intentional or unintentional. What matters is that they are equal in doing so. The combination of self-interest and equality in ignorance may

likewise authorize and empower the right bodies, reinforce the correct meaning of words, and their consequences. That ignorance is not bound to work in one way and not another is a problem for Hobbes, which cannot be resolved by discovering indisputable Truth (cf. Lund 1992: 58-59). A certain distribution of ignorance compatible with a commonwealth will have to supplant “savage ignorance”.

Individuals are quite positively disposed to use ignorance in a myriad of ways.⁶⁴ In Chapter Eleven of Leviathan, Hobbes explains that “ignorance of causes” is at the heart of individual’s reliance on authority of others, trusting the wrong people (Hobbes 1998: 69). “Ignorance of signification of words” is at the root of trusting errors, giving different names to the same thing, inability to distinguish between actions of many men and one multitude, trusting precedents or superstition, attributing all events to the immediate (Hobbes 1998: 70), believing what is impossible (Hobbes 1998: 70), believing, inventing and telling lies (Hobbes 1998: 70), and finally fearing that which does not exist (Hobbes 1998: 72). This rogue and at the same time normal individual marked by ignorance disturbs the monarchic distribution of ignorance—one ignorance confronts another. The same Reformation in England that authorizes monarchs to distribute ignorance more or less as they please, authorizes the individual’s resistance to the monarchic distribution of ignorance, by using it more or less as they please.

On first glance, this ignorance has devastating effects. Hobbes references concrete examples of what ignorance affects in Behemoth, his account of what led to, and the events of the Civil War. Through the voice of A in the dialogue, Hobbes objects to the trial and execution of the Earl of Strafford in 1641. A expresses his dismay that he does not, “understand how anything can be treason against the King, that the King, hearing and knowing, does not think

⁶⁴ Hobbes’s understanding of the problematic nature of ignorance is discussed by Glenn Newey (2008).

treason. But it was a piece of that Parliament's artifice, to put the word traitorously to any article exhibited against any man whose life they meant to take away” (Hobbes 1990: 67). Were those obeying the king traitorous in obeying him and in disobeying him, taking orders from Parliament, were they somehow his good subjects? Or were those obeying parliament against the king’s interests traitorous or good subjects?

The issue is not simply that there were conflicting opinions. Rather, Hobbes insists that no determination is adequate when the word so easily puts lives in danger without any basis in either the king’s word or preceding legislation. “Ignorance of the signification of words”, the ignorance that “treason” could only refer to certain acts and not any act enables Parliament to use the charge of “treason” against any act.⁶⁵ This is not to say that the Parliamentarians, or anyone at the time who found this ignorance useful, did not know what they were doing in accusing others of treason. The practice of ignorance expressed in the inconsistent signification of words remains the same regardless of whether someone could not know the meaning of the word, could know but did not find out, or simply ignored the dominant meaning.

These are far from purely theoretical scholastic debates on epistemology and ignorance. During the Civil War, Hobbes witnessed how “ignorance of signification of words” incited violence, put lives in danger, and in some cases ended them. In those years, Hobbes himself went into exile fearing arrest. Besides the 1641 trial and execution of Earl of Stafford, in 1644 Hobbes saw the demise of William Laud, whom he partly defends in *Behemoth*, and of course Charles I’s beheading in 1649—all three were tried for treason. The latter trial and beheading for treason is more egregious than the others on account of its illegality, as the king was found guilty of

⁶⁵ Alan Orr points out that the framework for determining what qualified as treason was very vague at the time (2002: 11). For a more historical treatment of treason trials during the English Civil War, cf. Alan Orr 2002.

committing treason against the sovereign.

For Hobbes, ignorance of causes was no less historically dangerous than the ignorance of the signification of words. Ignorance of causes, very abstractly he tells the reader in Leviathan, pushes individuals to trust the wrong people. In Behemoth, he gives this claim some substance. “There is nothing that renders human counsels difficult, but the uncertainty of future time”, A tells B. This ignorance of the future, of what causes the future empowers, fortunetellers and false prophets. His prime example is William Lilly, a prominent Leveller, in Hobbes’s words, this “cozener, to get maintenance from a multitude of ignorant people” (Hobbes 1990: 188), who “prophesied all the time of the Long Parliament” (Hobbes 1990: 187). Hobbes’s point is that sharing in ignorance of the causes, people trust those who purport to be exempt from ignorance, thus empowering these fortunetellers to produce the self-fulfilling prophecy.

Exemption from sharing in ignorance ceases to rest on natural, divine exceptionality as in the James I’s monarchic distribution of ignorance. Instead, exemption is gained in one of two ways: either (1) individuals exempt themselves, which as Sullivan shows for Hobbes only proves that they are all equal in sharing in it, rather than “equality in knowledge”, or (2) by agreement—when others agree and believe that someone does not share in their ignorance. Ignorance of causes necessary for such fortunetellers as Lilly to gain trust and power in Hobbes’s example exasperates the rifts between those who eventually enter into Civil War. Hobbes’s historical examples delineate how ignorance affects the political order, and how some rely on ignorance in the political sphere. In so far as this is so, his work contains analysis of how ignorance works within the parameters of a framework in which ignorance becomes unfastened from its confines as a term that primarily refers to the opposite of religious Truth.

The above historical examples I cite are admittedly rather calamitous—they refer to trials, executions, and civil war. If this were the scope of what ignorance does or what its use leads to, it would certainly deserve the pejorative characterization often attributed to it. I think the above examples tell only half of the story. Extending Edwin Curley’s thought, I argue that ignorance is also conducive to the formation of power relations more generally in Hobbes theorization of political order (cf. Curley 1990: 233). Yet the irreducibility of ignorance’s contribution to the formation of power relations is hardly ever considered by the scholarship on Hobbes.⁶⁶

Samantha Frost for example accomplished a remarkable feat of increasing the understanding of Hobbes’s individual by taking seriously his materialist metaphysics. Through close textual analysis, she shows how Hobbes did not share the view that subjects are in full control of their thoughts (Frost 2008: 39). Instead, his conception of individuals’ turns on what she best describes as embodied thinking and therefore scholars have to be more attentive to the relationship between thoughts, individual experiences, and individual perceptions formed through interactions with others (Frost 2008: 142-143). Frost locates the ground of power and actions not in the individual as an agent, but in the social—in perceptions, desires, opinions, and knowledge formed *between* individuals. It is this knowledge, these opinions and perceptions, which facilitate formation of power relations according to her reading of Leviathan.

⁶⁶ Gabriella Slomp’s “On Ambition, Greed and Fear” (2009) is an exception. She argues that without ignorance of the people, the ambitious and greedy would not have been able to gain control over them. Her focus on Behemoth rather than Leviathan where the discussion of ignorance is more extensive, should not be overlooked. This might in part explain why given the careful attention to the text she speaks of exploitation of ignorance and does not consider the more active political deployment of ignorance.

Frost's interpretation focuses just on the above "content" that shapes the way individuals acquire power and does not consider how ignorance works to both facilitate and hinder power acquisition; and how ignorance that is also socially shared underlies perceptions and opinions for Hobbes. In spite of this blind-spot in her interpretation, Frost's insight into the sharing of perceptions, desires, opinions, and knowledge reinforces and helps to understand the assertion that ignorance is also socially shared and distributed. There is no reason to dismiss the role that ignorance plays on par with, if not more pivotal than, the other aspect of the embodied thinking of Hobbesian individuals and how they acquire power.

In his study of Hobbes, Curley astutely recognizes that ignorance facilitates acquisition of instrumental power, or power over others. Specifically, clergy who purport to know the causes and foresee the future gain power over others, and the acknowledgement of exemption from ignorance, not because of their actual knowledge, but because individuals share in the ignorance of causes (Curley 1990: 232). Devoid of such shared ignorance, those who hold power would not have been able to acquire it. It is true that Hobbes explicitly differentiates between two kinds of speeches and actions: that which is grounded in practices of reason and that which is grounded in ignorance. The former he equates with power and calls honorable and the latter he considers dishonorable, the opposite of power (Hobbes 1998: 62). This gives the impression that it would be counterintuitive to attend to how ignorance works in order to understand power relations. For Hobbes, loss, just as ignorance, is dishonorable and victory just as science is honorable (Hobbes 1998: 61). It is difficult to conceive how by losing or forfeiting a battle, one could gain power.

Nonetheless, the loss or forfeiture of a battle between two armies by one of the sides is impossible without the other army winning. The winning and losing of power, honor and dishonor, are intrinsically related. By understanding how someone gives power through

ignorance, it is possible to understand how someone else gains that power. After all, for Hobbes, one's worth, what others would give to use one's power, is not absolute, "but a thing dependent on the need and judgment of another...the buyer determines the Price" (Hobbes 1998: 59). The analogy is far from perfect, though. The ignorance that empowers clergy claiming to foretell the future does not necessarily give way to science. The shared ignorance of causes enables anyone sufficiently good with speech and actions to benefit from what others do with their own ignorance of causes supporting their power while themselves sharing in the ignorance.

In this situation, the claim to exemption from ignorance rests on agreement, which does not guarantee and could not guarantee that those claiming exemptions actually do not share in ignorance. The agreement to exemption nonetheless enables—those like Lilly who helped bring about the Long Parliament—to produce proof that they are exempt from ignorance. Agreement, the Hobbesian approach to ignorance suggests, replaces divine right as the basis for claimed exemptions from ignorance. From this perspective, even if someone claims exemption from ignorance based on divine right, this claim more importantly hinges on others agreeing that indeed one has divine right and that it exempts from ignorance of causes and of words.

At the same time, certain uses of ignorance could just as well hinder political order formation and authorization because ignorance allows individuals to disagree, to give the same words different signification. Or better yet, the same ignorance of signification of words can engender such fear that it encourages the formation of an oppressive regime that will relieve subjects of the same ignorance that underlies the formation of the regime. Unlike the Levellers, Hobbes affirms the equality of individuals without assuming that this entails the necessity of a democratic or a monarchic regime. The indeterminacy of which political order rather than another is compatible with individuals who are paradoxically marked by self-interest and

equality in ignorance—rather than knowledge—defines Hobbes’s reformulation of and concern with the what ignorance does and can do. He addresses the equal distribution of ignorance that emerges between the failing religiously-based monarchic distribution of ignorance and whatever distribution of ignorance he will devise to organize the production of ignorance and its effects intended to diminish vulnerability, regulating the power formation.

V. What Does Ignorance Do in Leviathan’s Frontispiece?

The frontispiece of the Leviathan both records the shifting framework of ignorance and urges the audience to think about ignorance and what it can do in a particular way. That for Hobbes, fictions and metaphors shape thoughts and actions has been established by Johan Tralau (2013) and Patricia Springborg (1997) among others. Fictions—metaphors and their images—are hardly less significant to Hobbes’s political thought than his seventeenth century contemporaries.⁶⁷ Hobbes’s full participation in designing Leviathan’s frontispiece, down to the smallest details referring back to the text hardly anyone but the author himself read by that time, only attests to his realization of the power of metaphors and their visual depictions.

Before his intervention, as I described in the previous chapter, metaphoric thinking, and the contrast between the body politic and the many-headed monster metaphors specifically, served to support and undermine what ignorance can do vis-à-vis the political order and claims to authority. Without or rather in addition to the cogency of a logical argument, metaphors and

⁶⁷ The frontispiece of Leviathan, and other elements of his work, have prompted scholars, especially in the last half-century as part of the rhetorical and aesthetic turns of political theory, to pay close attention to Hobbes’s metaphorical thinking and his use of metaphors to understand his political theories and arguments (Johnson 1986; Prokhovnik 1991; Skinner 1996; Shulman 1989; Carver 2004).

the images they conjure entice the audience to agree that something is possible, or that something is a problem, or even resolves a problem. While incapable of expressing the content of a well-crafted argument, and rarely reflecting the argument with precision, metaphors and images can propose, affirm, or persuade where a logical argument would not have such potency. Hobbes's reconfiguration of the body politic and many-headed monster metaphors alters what ignorance can do in and to the political order. In recent years, scholars relied on the contrast between the Leviathan and other metaphors to gain better insight into Hobbes's political theory.⁶⁸ Yet the significance of the depiction of the many-headedness in the frontispiece has not been adequately accounted for in these explanations, especially in light of the threatening role that many-headedness played leading up to and during the Civil War. Perhaps not recognizing the significance of the many-headedness in Hobbes's contemporary discourse, some scholars studying the frontispiece see no reference to a monster in the image (cf. Bredekamp 2006).⁶⁹

I situate the depiction of the many-headedness as an intervention in the discourse that preceded it on the relation between ignorance and the political order. The frontispiece combines the images of the many-headedness and the monarchic body politic in one and through this fusion of metaphors opens a nuanced way of thinking, which the previous clash of metaphors that legitimized a particular order did not permit. In Hobbes's treatment of many-headedness, of ignorance in the frontispiece, it ceases being a monstrosity and instead forms the unremarkable

⁶⁸ The image of the Leviathan has been contrasted with Jean Bodin's reference to the Leviathan in his discussion of sovereignty (Evrigenis 2014). It was also juxtaposed with the image of the Behemoth on the frontispiece to Hobbes's work by the same name, as the Mortal God that defeats the monstrous Behemoth (Neocleous 2014).

⁶⁹ Kristiansson and Tralau (2013) have looked very hard for the monster, and through various measurements of bodily proportions and other clues, suggest that the Leviathan's lower body is most likely that of a fish, and hence there is a hidden sea monster in the image.

body of the commonwealth. It appears less as a problem, or even a violent threat, and more as the support of political order. The frontispiece depicts ignorance as powerful and well organized. The arrangement of the many-heads in Leviathan's body is so well organized in fact, that it appears absurd.

The contrast between Leviathan's frontispiece and the clash between the body-politic and Hydra metaphors records the shift in coordinates of the understanding of ignorance—its secularization and re-politicization. The sovereign's head rests on the many-headedness rather than a claim to divine right. Unlike some earlier and later depictions of a sovereign in England, the Leviathan neither has angels hovering over the figure to give the authority an aura of religious legitimacy nor does an inscription that attributes the sovereign's ruling to "divine grace" accompany the etching. Katherine Attie convincingly argues that regardless what purpose Hobbes and those around him used the metaphor for, they all tried to endow the body politic with immortality through it (2008: 498). He uses the metaphor to obtain the people obedience by making the convincing non-religious analogy between the micro and the macro (Attie 2008: 500). Just below the image of the Leivathan appear the words, "Leviathan, or, the matter, form, and power of a commonwealth, ecclesiasticall and civil". The inscription at most combines the civil and ecclesiastical elements without giving the religious elements precedence over the civil. The head of the "Mortal God" rests on the shoulders of the many-headedness, which takes the form of the body compared with the body's head.

The inscription's scientific ring is also difficult to overlook. By referencing matter and form Hobbes seeks to tap into the claim to certainty that he attributes to geometry. He does so from the outset rather than subsequent to properly showing proof that the audience before them sees the matter and form of the commonwealth. He omits all the necessary intermediary steps to

arrive at demonstrable certainty and the audience is simply presented with the fully constructed finished product. Does it work? The audience is seduced to believe that what they see before them and perhaps what is to come once they open the manuscript is a scientific demonstration, to frame their judgment of it not just as another proposal, a guess, but as the image of certainty. Between the inscription and the powerful image, with little immediate scientific proof binding the two, the frontispiece both exposes the viewer to the possibility that what they are looking at is certainly the image of the Commonwealth and betrays that it is no more than a guess. Neither the image nor the inscription offer sufficient proof either way and as such, the frontispiece presents the audience with a paradox, “an opinion not yet generally received”, but one that could become recognized as the Truth. Considering that the frontispiece’s possible claim to representing Truth is dubious, this does not mean that the frontispiece represents Error. It does strengthen the interpretation that the frontispiece confronts the audience with, or exposes it to, ignorance—between Error and Truth. More than any words could, the frontispiece predisposes the audience to lower its guard against ignorance, and at least disabuse it of the prejudice against ignorance as something dangerous that must be eliminated.

In addition to the secularization of ignorance, the image points to the re-politicization of the relation of political order and ignorance. Unlike the many-headedness of the Hydra, here it does not apparently threaten the sovereign head. On the contrary, the many-headedness props up the head, it makes-up the body on which the head rests. It leaves open the question of consent to particular authority, be it a monarch, or parliament, based on ignorance. Yet in depicting a head on the shoulders of many-headedness, it also closes off the possibility to think about political order without a supreme head (cf. Onuf and Onuf 2006: 131). In integrating the two metaphors, the one head set above the body, be it a body composed of many heads, remains intact as a body

with a head. Hence this image marks the reversal of oppositional relationship represented by the Hydra, or the many-headed headlessness of the multitude, appearing separately from the monarch. Ignorance of the individuals represented by their many-headedness no longer necessarily poses a threat to sovereignty and potentially, if not actually, acts as its basis.

Given the Biblical portrayal of Leviathan as a sea monster that devours its prey, some scholars contend that the frontispiece depicts the already devoured and paralyzed subjects making up the Leviathan's body (Jacobson 1998: 1). This interpretation suggests that the monster's violence binds the commonwealth together, rather than agreement to practice ignorance based on the conventions the sovereign dictates. Considering that ignorance can both threaten and support the political order, and the significance of paradoxes to Hobbes's thought, the basis is hardly firm to argue that the many-headedness is necessarily violently incorporated into the body politic rather than through consent-based submission. Hobbes enables ignorance, which previously was only depicted in images as a monstrosity, to become the source of an authority, its bodily strength. The body of the many-headedness ceases to express the grotesque signs of deformity attributed to the Hydra. This re-signification of ignorance associated with the many-headedness re-politicizes it. It denaturalizes the threatening characterization of ignorance and in combination with the image of the Hydra opens at least two possibilities for how ignorance operates—as a threat to or support of authority.

The image, as any observer can see, does not depict this contingency and exclusively shows the many-heads supporting the one head. How this many-headedness of individuals paradoxically defined by both self-interest and ignorance transforms into the body of a hierarchical political order, serves as its body, is itself a paradox—and yet there it is, neatly depicted in one image. In other words, in spite of and by way of their ignorance, individuals

paradoxically materialize into the body of the Leviathan. The image both confronts the viewer with the paradox, and perhaps more importantly, makes it thinkable and acceptable.

Considering the contingency of how ignorance works and that its operation is contentious, Hobbes's attempt to naturalize it, to incorporate it into a natural looking, and what he describes as "artificial" body, must be seen as a contention.⁷⁰ Recognizing the volatility of ignorance or more precisely what it can do when individuals for themselves decide how to use it, he encourages to agree that it should be organized as if it is natural, knowing that this might not happen. The image proposes to maintain the unequal distribution of ignorance on a new, secular basis of agreement, perhaps gained through force, in which the one who distributes does not share in the ignorance. The head set above the body is not equal to the tiny heads making up the body. The frontispiece records the move away from the theological framework of ignorance, and just as importantly urges the audience to recognize and accept the viability of many-headedness turning into the political order's support.

⁷⁰ Dyzenhaus recognizes that Hobbes's explanation of political and legal authority avoids the liberal problem that values are agreed upon which must be reasonable, but this reasonableness is defined by conformation to values—what liberals see as "camouflage for ideology". He concludes that Hobbes's "explanation is somewhat paradoxical. It requires appreciating both that the origins of all political power likely lie in a naked grab of power and that to be successful as an authority, such powers have to comply with conditions that render them legitimate." (Dyzenhaus 2004).

Conclusion

In Hobbes's discourse, ignorance is problematic, but in a different way than in James I's discourse. The problem for Hobbes is that ignorance can either threaten or support political order. The framework of ignorance becomes more secular, ceases to be framed in theological terms, and no longer appears as nothing more than a monstrosity. Given that individuals equally share in ignorance as Hobbes recognizes, and there is no higher authority, exemptions from ignorance become either self-exemptions or exemptions based on agreements between individuals, rather than based on divine Truth, as they were in James's monarchic distribution of ignorance. As such, it becomes apparent to Hobbes that ignorance, as a practice individuals rely on when its production is primarily up to individuals, it can contribute to the formation of political relations. It empowers, leads to disagreements, weakens authority, and ultimately can threaten the political order.

The reason for the wide and contradictory range of what it can do for Hobbes is the paradoxical nature of individuals, that they are both self-interested and equally share in ignorance. They pursue their self-interest without determined parameters of how to attain their objectives and therefore may rely on the use of ignorance against the established meaning of various courses of actions, to create new ones, or to conform to someone else's directives. The indeterminacy of the production, distribution and productive power of ignorance means that what it does and how it works is subject to contestation. Whom it empowers, who enjoys exemptions, and how to ensure that it supports rather than threatens the political order, are all central concerns to Hobbes's discourse on ignorance. This reading focusing on his approach to ignorance suggests that certainty is not the primary concern in Hobbes's political thought. Hobbes is not looking to put political order on a scientific basis marked by certainty. Instead, his

text invites political thinkers to confront paradoxes and the political possibilities—between the truth of science and erroneous doctrine—without the refuge of certainty. It brings to the fore the question of how to regulate ignorance so that it either threatens or does not threaten political order.

His exposition of the paradox that animates the distribution of ignorance within the underlying framework does not prevent him from making normative claims as to how it should work. He considers unviable the sustainability of an equal distribution of ignorance and based on his approach ignorance can only support a hierarchical, unequal, political order. In effect, on the basis of his understanding that ignorance is highly political, in the sense that it is contested and subject to disagreements, he theorizes that it should be put in the service of a new secular basis (cf. Bowle 1969). The frontispiece to Leviathan makes this argument visually by organizing the many-headedness that before Hobbes only appeared as antithetical to the existing hierarchical order, as its well organized body. The frontispiece makes a significant alternation to the monarchic body political metaphor, and specifically what supports it, thus encouraging the audience to re-think the basis of the political order.

Aside from how well organized the many-heads appear in the image to the point of absurdity, the frontispiece avoids betraying what Hobbes admits to Bramball several years after the publication of Leviathan—that he does not know how ignorance will work in the future, but hopes that it will work in accordance with his vision. On the one hand, his elaborate proposals for political arrangements with respect to political judgment authority and obedience in the Commonwealth are hardly consequential for this investigation of the genealogy of ignorance, considering that as Hobbes suspected, historically the hierarchically based distribution of ignorance he envisioned is not the one that replaced the monarchic distribution of ignorance and

its underlying framework. This I will show in the next chapter. On the other hand, the importance of his realization that approaches to ignorance and the distribution of ignorance are highly political and fundamentally subject to agreement, rather than geometric certainty, cannot be overstated. The contingency that lies at the bottom of any distribution of ignorance—that it is subject to contestation and ultimately rests on agreement—is a feature of all frameworks and distributions of ignorance to this day.

CHAPTER 3: The Rule of Law Distribution of Ignorance

*“ipse se nihil scire id unum sciat” or
“scio me nihil scire” or “scio me nescire”
-Socrates (?)⁷¹*

I. On Sharing in Ignorance

Hobbes’s Leviathan records ignorance’s shifting framework. In the Leviathan ignorance can both support and undermine the political order leading people to entrust established or rebellious leadership, and expand the meaning and use of various charges, such as treason. It can be distributed both equally and unequally. What effect ignorance has on a political order is not definitive and Hobbes’s theory of an order where the sovereign distributes knowledge and ignorance, or a new monarchic distribution of ignorance on a firmer basis, is just a proposal. Historically, the distribution of ignorance and the concerns around it, the way it is framed, do not change according to Hobbes’s plan. In part, this is because Hobbes did not see the problems with the monarchic distribution of ignorance I describe in the first chapter in the same way.

In this chapter, I am not interested in reprimanding Hobbes for not accurately foreseeing the future. If his Leviathan records the shifting reference points of ignorance’s framework, it helps to understand the distribution that eventually materializes—the possibilities that were available, the ones that ceased being viable, how problems with ignorance were resolved, changed form, new problems emerged and further changes of the problems around ignorance. In

⁷¹ As mentioned in the Introduction, this Latin statement is ascribed to Socrates by Cicero in *Academica*, Book I, Section I (Cicero 1961). What Socrates actually said and whether such a statement has positive or negative meaning is unclear: there is a significant difference between translating this statement as “I know that I do not know” or as “I know that I know nothing”.

Hobbes's time, the distribution that would replace the monarchic one was quite unclear, and the more visible change would take another century or so to become visible. Hobbes's proposal that did not materialize concerns me less in the scheme of the project, than the eventual changes in the framework and distribution and what it can do in contemporary form and this chapter focuses just on that shift.

In a certain passage in Chapter IX of Book IV of Adam Smith's Wealth of Nations (*WN*), Michel Foucault and other scholars locate Smith's announcement that the sovereign, in the ordinary sense of a sovereign actor, must be ignorant. This supposed announcement of ignorance garners plenty of interest in Economics (cf. Buchanan 1991; Ver Eecke 1999; Minowitz 2004) but little scrutiny from political theorists.

Such an announcement coming from one of the leading figures of the Enlightenment, of the Scottish Enlightenment if one wants to be geographically specific, has not yet been integrated into the contemporary complex understanding of Smith within the Enlightenment movement. None of the Enlightenment luminaries, not David Hume Edmund Burke or Immanuel Kant neatly fit in the Enlightenment project. They are either associated with national Enlightenment projects, or sentimentalist Enlightenment putting emphasis on emotions and imagination or rationalist Enlightenment, which insists on the power of reason. Smith is no exception as a figure that uneasily fits in the Enlightenment.

Charles Griswald firmly situates Smith within the Enlightenment movement and its features (1999). Smith's effort to free humanity from repressive regimes, superstition, and his advocacy for the liberty of religious belief epitomizes the progress from darkness to light that comes to characterize the "Enlightenment Age" (Griswald 1999:11). "Science is the great antidote to the poison of enthusiasm and superstition" (*WN* V.i.23), writes Smith in the Wealth

of Nations, in a statement that both, helps to establish his credentials as a luminary in the Enlightenment movement and could stand for a definition of the Enlightenment. At the same time, in the past thirty years, scholars have begun to recognize that Smith's enthusiasm for the Enlightenment was tempered by his awareness of its problems that have come to the fore more sharply in the last century.

For one, Smith did not believe that humans can enact their will in the world as they desire. In other words, he did not embrace the image of individuals, associated with the Enlightenment, as rational reasoning beings who can use their own reason to dispel and achieve their rational objectives (Smith 2010; Winch 1996). Even if humans were completely rational and proficient in the use of reason and freed themselves from the shackles of religion and superstition, actions have unintended consequences that Smith was well aware of and concerned with. Unintended consequences occur when people will something particular, but their actions towards that end produce something independent of their will. This is what Smith means by unintended consequences and they may be benign or malignant. For example, a doctor's administration of a medicine to cure a particular malady, to make a patient healthy again, may actually against the doctor's intentions produce an allergic reaction that takes the patient's life. Milgate and Stimson (2011) make a point of distinguishing unintended from unforeseen consequences. In principle, the doctor could foresee or know that the medicine could have adverse effects, but administers it not intending to produce those effects with the knowledge that the administration of the medicine is supposed to cure the patient. The consequences are sometimes separate from the doctor's knowledge and intentions. Hence, the practice of knowledge has its limits, it is no sure way to achieve one's objectives, and understanding of ignorance—the understanding that we do not know what the consequences of actions we intend

will actually be—must be accounted for, dealt with, accommodated, and adjusted to. This way of including ignorance into the Enlightenment discourse treats it not as a problem that should be or can be eliminated, but as a problem that demands from scholars and actors to adjust to the ignorance based on how they account for it. Jerry Muller in his evaluation of the Wealth of Nations has gone as far as to argue that “indeed the book is almost an encyclopedia of the effects of unintended consequences in human affairs, a phenomenon (or an analytic perspective) which fascinated Smith” (1995: 83). Smith respects ignorance and grapples with it, instead of dismissing it with a brash belief in the power of knowledge, which should not automatically supplant unreflective appeals to superstition to deal with and treat ignorance.

This respect for ignorance, which recognizes the inadequacy of superstitious or religious treatment of ignorance and at the same time the limits of knowledge, also colors Smith’s criticism of colonialism. In the past decade, scholars have begun to overturn the image of Smith as an advocate of colonialism who held a hierarchical understanding of various peoples, and instead emphasize that he recognized the limits of understanding other peoples and therefore refrained from passing judgment as if his European ability to reason entitles him do so (Pitts 2009: 43; Pitts 2015: 5; Hall and Hobson 2010). The new image can be interpreted as unsettling the dichotomy between knowledge and ignorance, whereby knowledge is good and ignorance is bad. Recognizing one’s own ignorance with respect to the customs of other peoples, instead of claiming to be exempt from ignorance on account of being European, to an extent redeems ignorance, while putting aside the religious or metaphysical belief in the superiority of some people over others. Those ways of framing ignorance put aside, the question becomes whether or not this ignorance can be overcome, should it be overcome and this hinges on how the understanding of this problem becomes framed.

Some of the clearest signs that Smith's work is particularly attuned to the changing framework of ignorance—that the Enlightenment movement attempts to throw off the vestiges of unquestioned tradition—appear in his writings on epistemology, as shown in Warren Montag and Mike Hill's The Other Adam Smith (2014). Against the sharp images of Smith as the father of economics, a supporter of free-markets, liberalism, and Enlightenment ideals, the text “sets out to read him as the conflicted interlocutor and sometimes the initiator of a far-reaching set of discourses concerning the production of knowledge, affect, freedom, and markets, as well as social and economic justice” (Hill and Montag 2014: 9). They open their ambitious re-interpretation of Smith's image with a substantial reflection on his appreciation of ignorance in his writings on epistemology. In the opening chapter “The Pleasing Wonder of Ignorance”, they pause to underscore Smith's observation in “Of the Imitative Art” that, “the pleasing wonder of ignorance is accompanied with the still more pleasing satisfaction of science. We wonder and are amazed at the effect; and we are pleased ourselves, and happy to find that we can comprehend, in some measure, how that wonderful effect is produced” (Smith 1795: 188). Smith, at least in this essay, does not cast ignorance as an intolerable deficiency that knowledge must immediately supplant for the sake of Enlightenment. More clearly than in his reflection on unintended consequences, which can be interpreted as nuisances, and his consideration of inter-cultural relations, ignorance here appears in more positive light. Warren and Hill welcome Smith's appreciation of ignorance in his understanding of it as a surprise or an interruption, a wonder that is processed into knowledge, and finally as a something that produces pleasure (2014: 28). Its appearance in such light makes it difficult to assert that Smith was an Enlightenment thinker preoccupied with knowledge. Instead what emerges is a more complex image of Smith as a thinker of knowledge and ignorance, highly aware that ignorance does not only play a

destructive role, at least in scientific pursuit. His work specifically is worth looking for that transition in how the problem of and decision-making around ignorance changes, for he presents not the simple story of knowledge replacing ignorance, and his rich work offers an exemplar for examining changes in the framework and distribution of ignorance, and the problems around ignorance.

His insights into unintended consequences, scientific study and his views on intercultural relations alone are insufficient for the task. What brings all of the threads together, the decisions concerning how to approach all of them, is at the core not a religious, metaphysical, scientific discovery or revelation, but as I suggest in this chapter, a political transformation. If in all of the areas, the monarch, the sovereign head of the state in political and epistemic terms played a central role before, what happens to the problem and decision-making when this political power is told that it shares in ignorance? What does this ignorance mean?

In this chapter, I ask what does sharing in ignorance mean in The Wealth of Nations? I set out to examine the sense in which the sovereign is ignorant according to Smith, what the metaphorical announcement references historically, the changes in the distribution of ignorance Smith's insights point to, and how various parties adapt to ignorance with varying success to achieve their objectives within the parameters of the new framework and distribution. In other words, how does the announcement affect the framing of the problem of ignorance, what ignorance can do, how it can be used, how to challenge its and how this helps us understand the contemporary framing of ignorance. What emerges is not simply a tale of "ignorance...arbitrarily rewarded or not" (Pitts 2015: 2).

Analysis of the metaphorical announcement helps to account for ignorance's shifting framework, and it intervenes in Smith scholarship debates around the omnipotence of the market,

Smith's comparative analysis of political institutions, and the re-evaluation of Smith as an Enlightenment figure. In the chapter's second section, I support the interpretation that Smith's proclamation is precisely that the sovereign becomes ignorant, that the sovereign shares in ignorance and this cannot be turned into a statement to the effect that the Market knows best. I correct the simplistic market-centric assumption prevalent in Smith scholarship, and draw attention to the centrality of the concern with ignorance and its relation both to the Market and the rule of law in the WN. To grasp the meaning and ramifications of the sovereign's sharing in ignorance, in the next four sections, I turn to the medium of metaphors as well as to the historical legal and geo-political channels through which the metaphorical proclamation is announced. Thus an alternative reading emerges that clarifies the tensions inherent to ignorance's framework that continue to affect its contemporary distribution and what it can do.

Through changes in legal mechanisms and Acts of Parliament, the sovereign is told that s/he cannot distribute ignorance through the royal prerogative. The sovereign, in the framework and distribution, just as other parties under the rule of law, enjoys no natural exemptions from ignorance. At the same time, the announcement of the sovereign's ignorance is made through geopolitical channels, as the distance separating the sovereign from the overseas colonies renders the actor ignorant. Even if the sovereign knew the Truth, imposing it on the far-away colonies becomes problematic because by the time the monarch's word reaches the overseas continent, it is most likely obsolete. A political system organized around the rule of law in this situation proves more compatible with geo-political conditions than a political system organized around the royal prerogative, the monarch's word. Ignorance need not be replaced or smothered with knowledge. The understanding of their dichotomous relation gives way to the understanding of

ignorance vis-à-vis the political order, apart from knowledge or rather not merely as an afterthought or secondary concern.

The shift from the monarchic to the rule of law framework is also reflected on the metaphorical plane, as the clash of head-body metaphors gives way to the “invisible hand” metaphor. If the survival of the body without a head was unthinkable for James I, and even if Hobbes entertained the idea to expose its absurdity and undesirability, in WN the body without a head is precisely what develops. The change in metaphors prompts a nuanced way of thinking about the problems of the rule of law distribution of ignorance and its underlying framework, removing emphasis from the knowing head, and stressing the practice of ignorance.

The framework of the monarchic distribution of ignorance—this *unequal distribution in which the monarch enjoys a natural exception from ignorance on religious and metaphorical bases and distributes ignorance through the royal prerogative*—is supplanted by the framework of the rule of law distribution. The rule of law distribution is an *equal distribution through the law, in which various parties enjoy exceptions from ignorance on legal and time-sensitive bases*. Within the framework, the distribution of ignorance becomes equal, and the rule of law replaces the royal prerogative as ignorance’s distributive mechanism. The link between equality and ignorance re-activates the latter for realizing the ideal of the former without clearly defining a way of ensuring how the sharing in ignorance could not be harnessed for achieving political, economic and other forms of inequality. The relation between the distribution of ignorance and the stability of the political order remains indeterminate and hence subject to the pressures of various forces.

Exemptions from ignorance are no longer anchored in theology, and Truth, and instead claims are framed in terms of time—who discovered something first, who is in better position to

make timely decisions, and in principle, albeit not in practice, there are temporal limits to exemptions under the rule of law. Ignorance's framework moves away from Truth, and economization becomes crucial. Within this emerging framework, unemployment for example becomes insufficient for challenging someone else's monopolization of resources based on the rule of law distribution of ignorance. The grounds for challenging monopolization and the channels for countering efforts at monopolization become ambiguous, detached from truth, but not necessarily from agreement. These are the new conditions of possibility of ignorance's emergence as a problem and what ignorance can do.

II. Establishing Ignorance and Its Meaning

Michel Foucault locates the precise place or moment when Adam Smith announces the sovereign's ignorance. In Foucault's words, "that the sovereign is, can and must be ignorant is what Adam Smith says in Chapter 9 of Book IV of the *Wealth of Nations*" (Foucault 2008: 281). In this section, I take Foucault's interpretation as the starting point and acknowledge that Smith does not specifically use the term "ignorant" to describe the sovereign. I then locate the widely-cited passage where Foucault and other scholars find Smith's announcement and argue that indeed it is very plausible to interpret the passage as Smith's announcement of the sovereign's ignorance. However, very broad interpretations of the passage go too far in claiming that in the same passage Smith does not only announce that the sovereign must be ignorant, but that the sovereign's ignorance has congruent meaning with the omniscience of the Market or the separation of the political and economic spheres. Against such misunderstandings, I side with scholars who argue for a much more reserved interpretation that refuses to convert a statement about ignorance into one about knowledge or separation of knowledges. This allows focusing on

the meaning and implications of the sovereign's ignorance without speculating as to the location of Truth and who truly knows what.

An astute reader will find Smith ascribe ignorance—that specific term—to the sovereign neither in the pivotal chapter Foucault references nor the rest of *WN*. Smith deliberately does not call the sovereign “ignorant”. On the occasions when he does reference ignorance, he rarely misses a chance to highlight its pejorative meaning in pairing it with “stupidity” (I.ix.79; V.i.189), “negligence” (V.v.35), “simplicity” (I.v.77), “meanness of mercantile prejudice” (V.vii.192), and “misinformation” (V.ii.106).⁷² In this text, ignorance carries a pejorative meaning for Smith. It is not surprising that Smith does not use that word—an insulting characteristic—to describe the sovereign, precisely because he does not want to associate the meaning it holds in his vocabulary with state power.

Even if Smith does not say, in his exact words, that the sovereign becomes ignorant, this does not invalidate a reading of what he does describe as the announcement of the sovereign's ignorance in the broad sense of not knowing or not sensing something. The passage in Chapter IX of Book IV of *WN* that most closely approximates the announcement of the sovereign's ignorance in the above sense declares that,

The Sovereign is completely discharged from a duty, in the attempting to perform which he must be exposed to innumerable delusions, and for the proper performance of which no human wisdom or knowledge could ever be sufficient; the duty of superintending the industry of private people, and of directing it towards the employments most suitable to the interest of the society (IV.ix.51).

⁷² In citing from the Wealth of Nations, I follow the usual practice of listing the book, chapter, and paragraph number.

This passage records the announcement of the sovereign's ignorance—the sovereign does not know what no human wisdom or knowledge could ever attain.

Scholars highlighting this particular passage recognize its epistemic nature, but beyond that remain deeply divided over its meaning. The common interpretation holds that in it, Smith indicts state intervention in the economy on the grounds of the government's or sovereign's ignorance. It is as if ignorance has no place in guiding the economy. This interpretation takes a few forms. Some cite this passage as the declaration of the separation of politics and economics (Endres 2002). For others, including James Alt and Alec Chrystal, Smith's words mean that there is "no direct role for the government in private economic relations" (1983: 15; cf. Buchanan 1991: 19). This interpretation hinges on the description of the duty from which the sovereign is discharged. If the duty in question is the oversight and control of the entire economic field, being relieved of this heavy duty that requires the sovereign to know what it cannot, does not mean that the sovereign has no other duties in the economic and political spheres.

In fact, the announcement of the sovereign's ignorance leads directly into the discussion of the sovereign's remaining duties. The sovereign remains in charge of protecting society against internal and external violence, the administration of justice, and superintending public institutions and public works, which are necessary but in private hands would not prove profitable as Smith discusses in detail in Book V. All of these duties necessitate that the sovereign continues to play a very active role in the economy. As Warren Samuels and Steven Medema note, "someone paging through Book V of the *Wealth of Nations* cannot help but be struck by the expansive set of tasks elaborated by someone who is considered the godfather of *laissez-faire*" (2005: 223). The interpretation that the declaration of the sovereign's ignorance in

a very broad sense signifies complete ignorance and exclusion from the economic sphere tends to exaggerate the ignorance.

Some scholars cite the announcement in Smith's exact words as direct evidence that all allocations and distributions should be left up to the market (ex. Ver Eecke 1999). This interpretation requires one to overlook particularities or distinctions of what the sovereign must practice ignorance towards, and reject the comparatively more modest conclusion of the separation between politics and the market. Instead it settles on the conclusion that the sovereign's ignorance, regardless of the subject of that ignorance, must mean the wisdom or omniscience of the market. Particular readings of Smith's entire corpus, such as those Chicago School affiliates advance (Freidman [1962] 2009; Stigler 1971; Samuelson 1962), may lend support to this view. Approaching a paradox, one might ask with Smith if in exalting the market's operation, have these scholars attained the kind knowledge or wisdom beyond human capacities necessary for "superintending the industry of private people, and of directing it towards the employments most suitable to the interest of the society"?

This question is not hypothetical, given the economists' and especially the Chicago School economists' efforts to model ignorance since the 1960s—to plan and regulate it (McGoey 2008). In fact, knowledge of economics that others do not have becomes the basis for claiming an exemption from sharing in ignorance, just as the monarch was supposedly exempt from ignorance on theological basis. Ultimately underlying both types of claims, as Hobbes alerts the reader, is the kind of agreement by others that indeed that knowledge exempts from ignorance and this agreement empowers those who claim an exemption to realize their predictions.⁷³ In the case of economists, this partly means accepting the broad interpretation of Smith's

⁷³ On the role of economists in not just studying but shaping the market cf. Callon 2007.

announcement of the sovereign's ignorance as meaning that the market itself decides allocations and distribution of resources and outcomes.

Narrower interpretations of the passage zero in on the sovereign's capacities, or more precisely, cognitive incapacities to highlight the ignorance of those holding political power, when it comes to superintending the market (Roth 2007: 55; Fleischacher 2009: 99; Brown 2002: 140). This modest assessment delimits the scope of the sovereign's ignorance and suggests that if no human wisdom is sufficient for this duty, it means that in this respect, members of the political and economic order share in ignorance. This is precisely the interpretation that Eleanor Courtemanche reaches in her reading of the passage (2005: 73).

The glaring announcement of ignorance in the passage concerns ignorance and there is no reason to turn it into a statement about knowledge. At most, it blurs the distinction between those who share in ignorance and those who do not—not because everyone knows, but because everyone shares in ignorance. Questions concerning how ignorance relates to equality, affects the power of various parties, and their institutional treatment cease being a byproduct of questions about knowledge and how to properly apply it. Instead, ignorance emerges as a force on its own. The teaching of some contemporary economists and public choice theorists that actors profit in the market and political sphere not from knowledge, but from the ignorance of others, is just one residual effect of this shift (Downs 1957; Kirzner 2006; Somin 2013).

The sovereign ceases to be exempt from the ignorance shared by all other humans. The thinking about the issues involving ignorance must adjust to the sovereign's dislocation from the center of the framework and distribution mechanism of ignorance.⁷⁴ For one, it raises the

⁷⁴ Colin Koopman reflects on the meaning of this ignorance, but his interest in "Markets and Morals: Liberal Democracy Through Dewey and Hayek" (2009) is not epistemic, and so he has no reason to draw out the

prospect that relying solely on knowledge is not necessarily the best or at least not the only strategy in domestic and international affairs. If an actor shares in ignorance, it may be possible to use it to one's advantage, just as one uses knowledge when one shares in it (cf. Ranciere 2006; Marder 2015; Smithson 2015). It becomes a valuable resource one shares in. The sovereign ceases to be central in the tensions around who can use ignorance, to what end, and how its use may be contested.

III. The Historical Legal Declaration

Metaphors are useful, and I will come back to them, but it is essential not to get lost in them and forget what they actually refer to. The announcement discharging the sovereign of the duty is itself a metaphorical scene, which stands for a process that took centuries over great distances. The announcement is certainly not a sudden dramatic event that Foucault depicts for effect in his lecture course. Moreover, I make a connection that Foucault, with his focus on governmentality, had little interest in thoroughly exploring, but one which is critical for understanding the changing framework of ignorance and what ignorance can do.

The statement materializes specifically through at least two channels—the legal and the geo-political—and in this section I concentrate on the first channel. It partly emerges through changes in the British patent granting system over more than two centuries between the late

implications of the new epistemic arrangement: “By dictating patterns of capital employment to the market, the sovereign undermines the tacit knowledge of efficiencies embodied in market processes. This is because the sovereign planner rationalistically imposes itself on a process that relies on forms of knowledge that no agent external to market processes could ever possess. Smith’s argument was also a skeptical one. His mentor, recall, was David Hume” (2009: 161).

sixteenth and early nineteenth centuries. When Smith penned WN in 1776, the shift was sufficiently pronounced yet not complete (Bracha 2004). Smith's WN situates the sovereign's ignorance within the framework that emerges toward the end of the process.

I will suggest that the slow move away from the royal prerogative to common law as the anchor of the patent granting system is indicative of the changes in the framework and distribution of ignorance—what the sovereign can decide. The process marks a shift away from the distribution of ignorance through the royal prerogative, to the distribution of ignorance through the rule of law based on patents or monopolies as rights rather than privileges. The distribution and production of ignorance become in principle equal under the law within the framework. Ignorance is produced and distributed through the law and the way to attain exemptions from ignorance becomes subject to the tensions of legal and economic interests.

My discussion of the legal principles and framework challenges the dominant reading of the WN that accentuates Smith's economic considerations at the expense of political and legal ones. The effect of the reading I challenge is that it naturalizes ignorance in the economic discourse and suppresses political and legal contestation of what ignorance can do by framing issues around ignorance exclusively in economic terms—how market forces affect ignorance, how to profit from ignorance, how to gain exemption from ignorance.

Beyond this, there are at least two problems with a reading that overemphasizes economic issues and the statements he makes concerning the market. The first is that it underappreciates his understanding of the role that the law plays conditioning economic interactions, distribution of ignorance, and its implications. The second is that it misses the tensions between the legal framework and economic interests that affect how ignorance relates to the politico-economic order. Justifying and sustaining monopolization under the rule of law, in

theory, becomes more difficult than in a system in which the royal prerogative outweighs equality and economic efficiency. This component of the monarchic distribution of ignorance's framework I examined in the first chapter was not central in Hobbes's treatment of ignorance.

The law is hardly a marginal concern in the WN, even though it is seldom seen as such. Smith promised that in another treatise he will “give an account of the general principles of law and government...”, a treatise that he ultimately never completed or at least prevented from being posthumously published. Yet a year before his death, on the title page of WN, he wrote that he “partially executed this promise, at least so far as concerns policy, revenue and arms” (quoted in Dietze 1985: 99).

Taking this into account, it is fitting that Smith prefaces the “sovereign's ignorance announcement” passage with an assertion that, in accordance with his intentions, takes some of the emphasis off the individual's free pursuit of interests in the market and puts it on the law and justice. He writes that “every man, as long as he does not violate the laws of justice, is left perfectly free to pursue his own interest his own way, and to bring both his industry and capital into competition with those of any other man, or order of men. The sovereign is completely discharged from a duty...” (WN IV.ix.51). The sovereign's ignorance does not invalidate the “laws of justice” conditioning interactions between individuals or other entities and leave all allocations of resources and goods up to market forces. In other words, the sovereign becomes ignorant, and the laws of justice—for Smith synonymous with the rule of law—continue to condition and set the parameters for interactions, including economic ones.⁷⁵

⁷⁵ For a strong interpretation that for Smith liberty only exists within the scope of the law, and cannot exist without it, see Dietze 1985: 111. Milgate and Stimson also recognizes that “Justice, in the *Wealth of Nations*, was concerned with the institutions of the rule of law, the police, and the defence of the citizenry, not with how annual production was distributed” (2011: 23).

I understand the rule of law here very broadly as the application of laws that is predictable and treats everyone under the law equally. This conception Smith upholds in his distinction between “irregular” “partial” “defective” administration which protects the rich and powerful and “regular” “impartial” “exact” administration of justice (WN IV.vii. 139-140; WN I.xi.42).⁷⁶ The rule of law is diametrically opposed to arbitrary rule. The distinction between the operation of the patent system under the rule of law and the royal prerogative does not mean that they cannot coexist, especially for Smith. Dennis Rasmussen clearly shows that the royal prerogative can guarantee the rule of law (2008: 148). Since the Magna Carta (1215), ideally the royal prerogative is supposed to be exercised within the bounds prescribed by the law. In practice, monarchs including Elizabeth I, James I, and Charles I wielded the royal prerogative to grant patents with little regard for the law.

What cannot in principle coexist is the predominance of arbitrary rule which occurs with the exertion of unchecked royal prerogative simply based on the monarch’s desires and the predominance of the rule of law—the “regular” and the “irregular” administration of justice.⁷⁷ In principle, only one can be supreme, and the shift in ignorance’s framework I note based on Smith’s framing of the sovereign’s ignorance involves the diminishing significance of the royal

⁷⁶ For a very broad overview of Smith’s understanding of the rule of law, and support for the rule of law, relying on all of his writings and not only the Wealth of Nations, see Dietze 1985.

⁷⁷ As Oren Bracha explains, “more learned theoretical references to patents began to construct an elaborate ideological justification to a system in which the sovereign did not make case specific policy decisions in the grant of patents” (2004: 207).

prerogative and a clear principled supremacy of the rule of law, expressed in court cases being decided in English common law courts.⁷⁸

The 1621 Statute of Monopolies, a prominent Act of Parliament, marks an early stage in the process of passing some of the powers over monopoly or patent granting from the monarch to the court system—albeit only on paper. In practice, the monarch is discharged of these powers gradually as the patent granting system undergoes drastic changes. The transformation in the legal system covers monopoly grants for inventions as well as monopolies on trade, colonial trade, and grants to companies charged with sole control of vast swaths of colonial lands. Again, as I explain in the first chapter, not all patents regulate ignorance, but some do. Three changes in particular affect the framework of ignorance and the distribution of ignorance.

First, in the emergent framework, patents are granted as a matter of right, instead of a matter of the monarch's grace under the royal prerogative system, with a significant dose of arbitrariness (Bracha 2004; Calabresi and Leibowitz 2011). Grace is replaced by right on the basis of finding or inventing something new. In this respect, the differences between patents for inventions and monopolies on imperial enterprises are minimal. Granting a monopoly to a merchant company endeavoring to establish an industry and colony in the New World,

⁷⁸ This does not mean that personal connections in the Whitehall and Westminster did not tip the balance in the favor of one side over another, but in principle the process ceased being arbitrary. That Smith shows favor for the regular administration of justice over the irregular, the rule of law over the exercise of arbitrary power, at least when it comes to commercial relations, he clearly indicates:

Commerce and manufacturing can seldom flourish long in any state which does not enjoy a regular administration of justice, in which the people do not feel themselves secure in the possession of their property, in which the faith of contracts is not supported by law, and in which the authority of the state is not supposed to be regularly employed in enforcing the payment of debts from all those who are able to pay. Commerce and manufacturing, in short, can seldom flourish in any state in which there is not a certain degree of confidence in the justice of government (WN V.III.i).

is the easiest and most natural way in which the state can recompense them for hazarding a dangerous and expensive experiment, of which the public is afterwards to reap the benefit. A temporary monopoly of this kind may be vindicated upon the same principles upon which a like monopoly of a new machine is granted to its inventor, and that of a new book to its author (WN V.i.119).

To those for whom Smith is the iconic defender of the free market and fervent critic of monopolies, this defense of monopolies is not easy to explain. The emerging rule of law framework for the distribution of ignorance is not inherently counter-monopolist.

Smith devotes many pages to criticizing the harmful effects of monopolies.⁷⁹ Yet this does not prevent him from accepting and even endorsing exemptions from ignorance, the right to know something others must remain in ignorance of, something that for others must forcefully remain a secret, when there is a standard and equally applicable criteria for all to receive the right. That standard is newness (cf. Sa Yu 2009: 17; Bottomley 2014: 85).

Retrospectively, in light of the arbitrariness inherent to the old framework, even some of the monarch's patent grants through the royal prerogative no doubt meet the criteria, especially in granting charters to merchant companies for new colonial enterprises. The distribution of ignorance through the royal prerogative however was "irregular" "partial" and "defective", even when the monarch sometimes got it "right". Considering that the process ceases being so arbitrary, this also means that patents could no longer be granted for any already existing enterprises, such as for example salt-making. In the new rights-based system, the patent could

⁷⁹ For example, he observes that "a monopoly granted either to an individual or to a trading company has the same effect as a secret in trade or manufactures. The monopolists, by keeping the market constantly under-stocked, by never fully supplying the effectual demand, sell their commodities much above the natural price, and raise their emoluments, whether they consist in wages or profit, greatly above their natural rate" (WN I.v.26).

only be granted for an invention that meets defined criteria.⁸⁰ The rights based system standardizes the distribution of ignorance. If an invention meets the criteria set out in law, the patentee receives an exception from ignorance of reproducing the invention as a right for fourteen years at the time when Smith was writing, while ignorance is evenly distributed for everyone else.

Second, the framework moves from fundamental inequality in the distribution of ignorance under the monarchic system, to one of fundamental equality under the rule of law, where protection does not depend of favor from the monarch, but on equal protection under the law. The importance of the head, the sovereign, wanes in this system, as the law regulates the circulation and processing of claims. This distribution could be more or less efficient, to which attests Charles Dickens's short story "A Poor Man's Tale of Patent" (1850) satirizing the patent system. The procedure of obtaining a patent became standardized along with the exorbitant fees an applicant had to pay in the process of submitting the application at various stages to seven different administrative bodies.⁸¹ The rule of law framework is not necessarily a more efficient system of distribution of ignorance.⁸² The shift does change the terrain on which various parties

⁸⁰ In this respect, the monopolies for colonial enterprises and new inventions slightly diverge. As various colonial projects fail, either the parliament or the monarch grant new monopolies for the same territory. On the one hand, this means that monopolies were given not exclusively for new enterprises. On the other hand, the dangers and risks the new colonial enterprise must encounter in taking over for the failed projects remain uncharted, new, and call for the granting of a monopoly as if it was new.

⁸¹ It is also worth mentioning that apparently Dickens's story had an impact on the authorities and in 1852 the Patent Law Amendment Act was passed uniting all of the functions necessary for granting a patent in one administrative body.

⁸² That the move to the market does not necessarily create any kind of efficiency or better distribution is shown by the patenting of the Watt steam-engine. The 1782 patent prevented both competitors and James Watt himself from

must make their claims, the possibilities for mitigating exploitative monopolies, and justifying equal distribution or exemption from ignorance.

For example, during the time of Elizabeth I and James I, resistance to patent granting and outrage over their granting had to be directed at individuals and specifically at the monarchs who had to respond to pressure. Once patents can be claimed as rights, the struggles become more procedural and procedural tensions on the legal terrain with the scope of rule of law become paramount (Bracha 2004). The right to an exception is equally available to everyone under the law and there is no single individual who decides on the basis of their own arbitrary discretion to grant or not to grant. Hence one way to gain an exemption from ignorance becomes not theological, but procedural and rule-based. One of the consequences is that whether or not someone has the chance to profit from ignorance, the potential to draw out value from an invention, becomes widely available. At the same time, this change in decision mechanisms signifies the abolition of the readily available procedure Elizabeth I used to deny patents on the grounds that it would cause unemployment. The common good no longer figures as prominently as before in granting patents or at least becomes redefined with respect to ignorance and how either exemptions or sharing in ignorance directly affects national objectives and the general common good.

Third, the way in which patents or monopolies generates revenue for monopolists changes. The royal prerogative system within the monarchic framework of ignorance distribution guaranteed revenue for the patent holder. In possession of a patent on an existing product, such as developing more fuel efficient and more mechanically efficient engines. The patent set limits on improvements that Watt could make to his design without losing the patent and the competition was limited to making improvements to engines without infringing on Watt's design. Hence the improvements they could all make were marginal and after the patent expired, the production and efficiency of engines grew exponentially (Boldrin and Levine 2008).

as salt or vinegar, the patentee was guaranteed no competition in the sale of a much-needed product. Within the new rights based rule of law framework an inventor wins a patent for an invention that may or may not generate revenue. In his Lectures on Jurisprudence, Smith observes that

The inventor of a new machine or any other invention has the exclusive privilege of making and vending that invention for the space of 14 years by the law of this county, as a reward for his ingenuity, and it is probable that this is as equal an one as could be fallen upon. For if the legislature should appoint pecuniary rewards for the inventors of new machines, etc., they would hardly ever be so precisely proportioned to the merit of the invention as this is. For here, if the invention be good and such as is profitable to mankind, he will probably make a fortune by it; but if it be of no value he also will reap no benefits (Smith 1978).

I wholly agree with Oren Bracha's interpretation, that Smith "celebrated the very lack of governmental discretion in the grant of patents" (Bracha 2004: 208). Smith lauds the move away from the privilege-based patent system for confronting the volatility that comes with governmentally determined compensation for patents unanchored from market value.

Unlike Bracha and many others reading this passage, I cannot accept without reservation that for Smith the cause for elation was distinctly that it "was the market rather than government that determined the inventor's compensation" (Bracha 2004: 208).⁸³ If solely the market was the mechanism compensating inventions, the patent would be unnecessary. The inventor's compensation, as Smith stresses the underlying legal conditions, in large part rests on the enforced fourteen year exemption from ignorance for the inventor and the enforced ignorance for everyone else in accordance with the patent grant. The compensation an inventor gains through the market hinges on this legally enforced exemption from ignorance that the inventor claims by right as a reward for the invention. Without legally enforced ignorance, the market would not reward inventors. There is paradoxically a greater degree of uncertainty in the rights-based

⁸³ The same view is expressed by Plomer 2013: 68.

system with respect to revenue than in the previous system, which hinged on the arbitrary “grace” of the royal prerogative. The revenue depends not just on the ignorance ensured by the patent, but also the demand for the patented invention, competition from existing products and other economic factors.

In essence, it takes several centuries to discharge the monarch of the duty of deciding, on the basis of little more than monarchic discretion and political pressure, which patents to grant, on which products, to whom, where to create monopolies, and who should be exempt from ignorance, whose ignorance should be enforced, and how ignorance should be distributed. The framework and distribution move away from the sovereign’s monopoly over the political power, in terms of decision-making. Smith explains to the reader just before the announcement of the sovereign’s ignorance that individuals enjoying an “impartial” “regular” “exact” “administration” of justice render the sovereign’s decision-making superfluous. The declaration that immediately follows discharges the sovereign from duties that are superfluous in the emerging system and incompatible with it. Because of this shift, the monarch must share in ignorance. There is simply no duty to know what will be beneficial for the commonwealth in granting patent and what will not.

IV. The Invisible Hand Replaces the Head-Body Metaphor

With the decline of the royal prerogative, fade the monarchic body politic and the many-headed heedlessness metaphors. I concur with Emma Rothschild that Smith’s “invisible hand” metaphor is no more than a minor detail in his theory. However, it has been amplified since the publication of WN and its meaning overextended, I suggest, because it is useful for thinking about this new framework of ignorance and the new problems that emerge with it. Metaphoric

thinking no longer underlies claims to exemption from ignorance as they did during James I's and Hobbes's time, yet the "invisible hand" metaphor replaces the clash of the preceding metaphors, to advance reflection on the new framework.

Until recently, the metaphor of the invisible hand was at the center of the interpretation of Smith's thought on the political economy, or taken as a summary of his arguments, even though this image, if an image of an invisible hand may be sensed, is mentioned only once in WN and only twice more in the rest of Smith work. Analysis of the three references leads Emma Rothschild to conclude that Smith does not use the invisible hand seriously. She finds the other two references ironic, and the one in WN is similarly ironic in the sense that Smith expresses his amusement with the idea that an invisible hand, like divine providence he likewise does not take seriously, leads individuals (Rothschild 2001: 117). She might be entirely correct regarding the first reference, but there is little indication that the next two references are also ironic (Smith 2006: 13).

The body metaphor in general is pervasive in WN, as Smith deploys it to discuss the health of the commonwealth and commerce in terms of the blood vessels of the body (Cremaschi 2002). Hence much of the analysis—whether the metaphors are used for the benefit of those who cannot understand his complex analysis or included to stretch the thought even of those who understand his ideas—must be serious. More than that, considering that "the invisible hand" has been used previously in scientific explanations, I agree with Stimson and Milgate (2011: 91) that the image of invisible hand is conjured in seriousness.

However, this reference must be limited to the subject of the discussion and it is not a general rule or stands for Smith's central thesis (Fleischacker 2009: 139). Since the invisible hand ensures that "every individual necessarily labours to render the annual revenue *of the*

society as great he can” (WN IV.ii.9), it does not ensure that self-interest will distribute outcomes justly—it has little to do with the market allocating benefits. Rather, as Milgate and Stimson argue, the widest and most plausible interpretation is that the invisible hand expresses concern with reconciling the self with national interest (2011: 22-23). The metaphor has been stretched beyond the bounds of the circumscribed discussion it appears in.

This is likely because the image stimulates the imagination on issues concerning the distributions of outcomes, unintended consequences, and ignorance.⁸⁴ In spite of the inaccurately broad interpretation, I view the stretching of the metaphor as a reflection of the new problems arising with the proclamation of the sovereign’s ignorance. The preoccupation with protecting the body politic against the many-headed headless monster and settling whether the monarch or parliament can be the head give way to concerns with invisibility and ignorance scaffolding the stability of the emerging political order. The historical shift in images associated with ignorance, the problems of ignorance, records the changing nature of the thinking about the problems—how the old problems around the body politic, the role of the head, and its compatibility with ignorance become resolved or rather transformed. The image, by itself and in relation to the preceding images of ignorance, tries to do something that the arguments and explanations in the voluminous Wealth of Nations have more difficulty in doing. Through one image, it helps the

⁸⁴ It is useful to keep in mind the difference between the way Smith uses metaphors and the way that the “Invisible Hand” metaphor has been taken up by later interpreters. As Sergio Cremaschi puts it in “Metaphors in the Wealth of Nations” (2002), “Adam Smith worked with a blissful combination of metaphors, a combination that helped in widening the scope of economic theory, imagining counterintuitive connections among separate fields, and shaping new hypotheses to be tested” (89). Taking the “invisible hand” metaphor for merely a summary of his arguments does not do justice to the way Smith uses metaphors to say more than his logical arguments can (cf. Stimson and Milgate 2001: 94).

audience imagine the complexity of what Smith explains and find common ground on how to approach the problems he raises. The invisible hand is closer to a tool for handling problems than a solution. They are not resolved in the sense that a true solution is found, but resolved into thinking around a new set of problems the invisible hand image leads the audience to think about: the marginalization or absence of the head, the absence of an agent, invisibility and foresight.

The shift metaphorically reflects the anxiety of not knowing the relation between justice and commerce, not knowing the role of the sovereign, not knowing the future, and the changes in the parameters of ignorance that comes with all of these. It helps to think about these problems in a different way than before—not using the head and body image. The invisible hand metaphor is useful in the sense that there is no appeal to the head that knows how to go about economic affairs, and instead a part of the body, the hand, relates to the body itself without the premise that it is separate from the body or qualitatively different.

V. The Historical Geo-political Declaration

The “invisible hand” metaphor activates or supports wide-ranging scholarly consideration of issues involving the “ignorance of the sovereign” metaphorical declaration. Yet Smith’s own analysis more often remains grounded in historical and geo-political materiality. The announcement for Smith, I suggest, partly materializes in the context of the British imperialism through the slow realization that the sovereign cannot properly *oversee* the overseas colonies. Combining analysis of Smith’s writings on changes in the patent granting system and European imperialism, gives a better, albeit I do not claim complete, understanding of the ignorance marking the sovereign. This account is sufficient for examining the announcement’s implications

for political order and the relation between ignorance and the political order. Its meaning becomes legible through a comparison of British and French granting of patents or monopolies for colonization projects in North America.

Certainly, the rising power of merchants, changes in letters patent systems, domestic politics, the consolidation of the capitalist system—and here I do not set out to enumerate all of the factors—play significant roles in the diminishing power of the sovereign. Inquiry focusing on why the sovereign must share in ignorance however cannot overemphasize the role played by the distance between the European countries and their North America colonies. Smith's view of global politics is not necessarily an extension of his view of domestic politics (van de Haar 2013: 419), and hence just examining how distance globally forces the sovereign to share in ignorance amply supports a discussion of the ignorance's implications. Doing so, I also see along with Emma Rothschild "criticisms of empire as the very center of [Smith's] concerns" (2012: 188).

In this section, I suggest that for Smith, distance is a critical factor conditioning the power and broadly conceived epistemic abilities of various parties in politics. Given the sovereign's distance from the colonies, it has difficulty seeing and hearing them. Hardly seeing and hearing them, how can it know what is right for them, and even if it does, how does it know that its wise prescriptions are properly carried out in the colonies far away? Under such circumstances, does knowledge remain the only resource or is the sovereign forced to share in and rely on ignorance? Smith's insights into what it means to share in ignorance in global politics come into view by paying attention to the geo-political concerns driving his analysis,

instead of assuming that the economic or ideological notions he has become associated with underpin his investigation and insights.⁸⁵

Distance is such an obvious factor in European imperialism that it is at times overlooked. Sankar Muthu's recent interpretation of Smith's view of global commerce, by omission, points to the necessity of incorporating distance-induced ignorance into an understanding of Smith's perspective on global affairs. In "Adam Smith's Critique of International Trading Companies" (2008), Muthu offers a nuanced account of Smith's view of global commerce taking the corporation as the unit of analysis (2008: 186). He points to how Smith criticizes not exclusively monopolizing activity of corporations, but more generally the activity of corporations which feed on the profit they make from colonial exploitation. Thus Muthu shifts the focus away from the usual juxtaposition of monopolization and free market to a framework that recognizes the problems that corporations generate. He recounts the great influence corporations exert domestically and internationally. Along with Smith, he laments how these companies dictate commercial interactions (Muthu 2008: 192), have a dehumanizing effect in their restriction of communication (Muthu 2008: 192), generate waste, abuse and corruption (Muthu 2008: 196), and act as sovereigns in the colonies (Muthu 2008: 199).⁸⁶

⁸⁵Doing so, I follow Edwin West's interpretation that in WN, Smith primarily focuses on the "legal, institutional and general environmental conditions upon human progress" (1990: 19) and Donald Winch's refusal to filter Smith's analysis of colonialism through an economic framework that relies on a very selective reading of his work (Winch 1996). Hence I also cannot agree with Christopher Berry that Smith's interest in the colonies was primarily economic (1997: 109). For an in-depth critique of the Chicago School's interpretation of Smith's work see Milgate and Stimson (2011).

⁸⁶ For more historical accounts of how merchant companies affected domestic politics, see Buchan and Hill (2007), Curtis (1978) and Lieberman (2006).

According to his interpretation, Smith sees corporations as such a problem that ultimately the alternatives are to either get rid of the colonies entirely to weaken corporations, or to improve communication of knowledge between the people of the Old and New Worlds (Muthu 2008: 205). Removing the corporations' restraint on the mutual communication that comes with global commerce would empower the oppressed to challenge corporations. This conclusion is somewhat surprising. Do the corporations act as sovereigns in the colonies and influence domestic and international affairs only due to their restraint of mutual communication? Muthu does not comprehensively explain the problem of communication in the imperial context, perhaps because he squarely focuses on corporations and does not want to put the spotlight back on the European imperial powers or structural causes and thereby absolve corporations.

Nonetheless, that mutual communication is the proposed solution by omission points to a critical factor affecting communication in intercontinental affairs. At a time before the availability of today's information and communication technologies, distance conditioned intercontinental communication—its speed and content. Smith was well aware of how distance affects communication, what the sovereign cannot know, and the governing of colonies (cf. Buchan and Hill 2007; Miller 2004: 183-187). This factor puts in question the possibility that better mutual communication would be a viable solution to either the activity of corporations or the global imbalance of power.

A corporation does not dictate the distance between the European powers and their colonies and weakening corporations will not reduce or eliminate the colossal distance. Smith explains that, the colonies'

Great distance from Europe has in all of them alleviated more or less the effects of this dependency. Their situation has placed them less in the view and less in the power of their mother country. In pursuing their interest their own way, their conduct has, upon many occasions, been overlooked, either because not known or

not understood in Europe; and upon some occasions it has been fairly suffered and submitted to, because their distance rendered it difficult to restrain it (IV.vii.28).

Distance conditions the relationship between the mother-country and the colony and prevents the sovereign from superintending over the conduct of all far away individuals, corporations and other entities.⁸⁷ The above statement is a more concrete and substantive proclamation of the sovereign's ignorance shortly preceding the one we read in chapter IX of the same book. The announcement in the imperial context helps to understand in very material terms the sharing in ignorance to which the sovereign must adapt. What becomes less practical than before, given the distance, is the sovereign's monopolistic distribution of knowledge and ignorance. Distance and the diversification or the separation of locales reduce the likelihood of the sovereign's monopolistic tendencies' successful satisfaction. The new circumstances bring to the fore concerns over how to factor in the separation in time into political decision making, organization, and policies. The colonies are so far away that their conduct is out of sight, or "overlooked" as Smith says. The issue of how to grapple with visibility or lack thereof, is at the core of the invisible hand metaphor which concerns that which is beyond sight. This invisibility, beyond the reach of sight, indicates that truth is not easily come by under the circumstances.

Having full information from various states or other sources would alleviate some of the sovereign's and other actors' ignorance. The goal is no longer to alleviate ignorance, however. Distance affects communication of knowledge in at least two ways. First, even if the sovereign had loyal subjects in the colonies, distance still forces the sovereign to share in ignorance because by the time an order is sent the conditions on the ground change. Once a report comes

⁸⁷ For a comprehensive discussion of the effects of distance on empires and what the British thought about the issue, see Miller (1994). For a much more succinct discussion see Rothschild (2004).

back it is already outdated. Quicker, almost instantaneous, communication would make distance a non-issue for the sovereign, and this is not what Muthu has in mind, because of the anachronistic nature of such a solution. Second, even if the sovereign could exchange advanced knowledge with the colonies, the kind of advanced knowledge that comes with global commerce that Muthu gestures towards, distance still renders it useless. Smith recognizes that distance occludes sovereigns from knowing and competently imposing knowledge of “ideal” political and other arrangements on people living under exceptional conditions an ocean away (cf. Hall and Hobson 2010).

Distance forces the sovereign to share in ignorance regardless of the merchants, and poses a problem as significant if not more serious than merchant companies. It strengthens the link between ignorance and time at the expense of the link between ignorance and truth, which shrinks in significance given the distance. In itself, agreement on what constitutes the truth, as Hobbes proposed, also becomes less viable as an option that can actually overcome the great time it takes for any truth to reach a different continent. Under these conditions, the sovereign’s attempts to claim an exemption from sharing in ignorance become untenable. Its attempt at monopolizing the production and distribution of ignorance and resources on that basis becomes difficult. At the same time, the conditions facilitate the merchant companies’ attempts at monopolizing the same. Being closer to the developing events in the colonies, serves as the merchant companies’ basis for claiming exemptions from sharing in ignorance.

Distance, in short, conditions the power of merchant companies and the problems that they generate. Smith writes that his intention is not

...to throw any odious imputation upon the general character of the servants of the East India Company...it is the system of government, the situation in which they are placed, that I mean to censure; not the character of those who have acted in it. They acted as their situation naturally directed, and they who have

clamoured the loudest against them would probably not have acted better themselves (IV.vii.193).

The clout of merchant companies, Smith suggests, must be understood in the context of the political situation they operate in.

The situation is more complicated than an arrangement in which those who share in ignorance due to distance do not rule and those enjoying less of a share in ignorance rule. “The situation in which they are placed” is one of mutual dependency within the new framework of ignorance. The sovereign cannot but depend on the merchant companies for their power, or even semblance of power, and the merchant companies depend on the sovereign to guarantee or at least protect their claimed exemption from ignorance in the first place. Smith laments that in this situation, “of the greater part of the regulations concerning the colony trade, the merchants who carry it on, it must be observed, have been the principal advisers” (IV.vii.71). In turn, European powers extended to the companies “diplomatic backing within Europe, as well as granting companies war-making and diplomatic powers beyond what was customary for governing merchant groups” (Grant-Costa and Mancke 2005: 373). The sovereign paradoxically helps maintain the situation in which its share in ignorance does not shrink. The sovereign grants secrecy to merchant companies (I.vii.26), and therefore agrees to guard the merchant company’s claim to exceptionality, rather than stand in the way of the merchant companies’ claim. What they know, no one else should know.

In this situation conditioning the power of merchant companies, for these companies to relieve the sovereign of its ignorance goes against their interest. The sovereign must share in ignorance. In fact, the merchant companies compound the ignorance shared by all but them, a situation which maintains their own power to add to the sovereign’s ignorance and ensures that the sovereign practices ignorance rather than action based on knowledge (cf. Leng 2013: 98).

When merchants did share information freely, they did so to affirm that they alone have the skills and knowledge to properly interpret it for profit (Leng 2013: 102). With the sovereign's waning ability to arbitrarily grant and revoke monopolies, the mechanisms for deliberately countering monopolization of resources through the (re)distribution of ignorance require reconstruction within the modified framework.

Unlike scholars who identify the invisible hand as Smith's ultimate solution, I agree with scholars who insist that it is just a metaphor, not sufficiently developed, and responds to only a particular issue in the text (cf. Stimson and Milgate 2011; Rothschild 2012). At best, it is a metaphor supposed to raise awareness of the missing solution, the sovereign's hand being gone, and an actual mechanism out of sight, invisible. It is supposed to spur to develop a solution, rather than limit the imagination to an actual invisible hand that could counter monopolization.⁸⁸

The problem mercantile power poses and Smith's disdain for it (Muthu 2008; Rothschild 2012: 187) must be viewed in the context of the ignorance tied to time and distance that opens space for corporations to operate. In this section, I have established that in this emerging distribution of ignorance marked by time/distance, it becomes imperative for the sovereign to share in and work with ignorance in the way they relate to merchant companies, colonies and the role they play in legal decision-making. This does not mean that all sovereigns either accept that they share in ignorance or work with ignorance in the same way. If ignorance and its production contribute to the power of merchant companies, it is not exclusively a deficiency, but a resource the sovereign could also wield. As I will argue in the following section, Smith's analysis of

⁸⁸ It appears that either a return to arbitrary intervention is necessary or such a mechanism needs to develop within the framework of the rule of law. This mechanism would need to be secular, anchored in time, and operate through the rule of law. As I will argue in the next chapter, such a mechanism in contemporary form develops in John Rawls's *A Theory of Justice* (1971).

European imperial projects rejects the dichotomy between knowledge that engenders power and ignorance that engenders powerlessness. The sovereign's ignorance does not necessarily render it powerless. Without minimizing ignorance through knowledge, the sovereign may draw on its share in ignorance to engender power and use it to serve its various interests in global politics.

VI. From Knowledge to Ignorance at the Core of Political Institutions

Smith is acutely aware that the distance between European imperialist powers and their colonies in North America is too great to overcome by transmitting and imposing knowledge from the European continent. Distance and the shift to the distribution of ignorance through the rule of law render the sovereign ignorant. In his analysis of the intercontinental political relations, some sovereigns adapt to ignorance more successfully than others precisely by accepting rather than rejecting ignorance—their more or less equal sharing in the distribution of ignorance. My reading of his admittedly abbreviated comparative investigation of colonial projects in chapter VII of Book IV of *WN* signals that Smith's approach to global affairs does not entirely hinge on promoting and enforcing liberal structures central to liberal internationalism. Rather, closer to realist analysis, as Andrew Wyatt-Walter (1996) has noted, he evaluates all available options to reach the desired objective.

Smith goes to great lengths to differentiate between the English and other colonial projects in *WN*'s chapter VII of book IV. In that discussion, the reader finds an examination of how political powers—all sharing in ignorance by virtue of distance from the colonies and only some also by virtue of the legal system that exists—adapt quite different epistemic strategies that either lead to the prosperity of the colonies or to failure. Dispelling earlier images of Smith as an advocate of imperial expansion (cf. Palen 2014), scholars have recently highlighted Smith's

criticism of imperialism (Buchan and Hill 2007; Hall and Hobson 2010; Rothschild 2012; Pitt 2009; Pitt 2015). Yet few have seriously taken into account his distinction between English imperialism and the other European projects.⁸⁹ Discarding the misrepresentation of Smith as a supporter of imperialism should not preclude closer examination of the distinctions Smith makes between European colonial projects. Attention to his discussion of the differences between these projects strengthens Andrew Wyatt-Walter's observation that realist elements are central to Smith's conception of global politics (1996). As Wyatt-Walter observes, understanding of the complexity of global politics, "prevented Smith from elaborating any hard and fast rules on statecraft in this area" (1996: 13).

Setting aside the reasons for Smith's blanket criticism of imperialism, his comparative discussion of imperial projects touches on several substantial questions: if all of the sovereigns inevitably share in distance-induced ignorance, how do the colonies of some sovereigns prosper and expand more rapidly than the colonies of other sovereigns? Is sharing in ignorance under the rule of law necessarily a liability? Could a political order that merges the rule of law and ignorance be stable? Smith compares the speed at which colonization progresses and finds that "there are no colonies of which the progress has been more rapid than that of the English in North America" (IV.vii.37). With a sovereign who must share in ignorance, the question is how do the English colonies outgrow the others?

Some sovereigns it turns out deal better with their ignorance than other sovereigns and it is not merely a matter of colonies managing their own affairs due to distance as Duncan Bell suggests (2009: 67). In agreement with Andrew Skinner, I highlight how the English way of

⁸⁹ Some scholars who do pay close attention to the distinctions include Johnson 2010, Skinner 1996: 119, van de Haar 2013, and Greene 2009.

dealing with distance factors into the progress of English colonies (Skinner 1996: 119). In my reading, I suggest that Smith is more narrowly concerned with the epistemic dimension of distance, the distance-induced ignorance. Smith's discussion points to how in crafting imperial strategy, various organizations must consider whether to impose knowledge and practice ignorance towards distance or to respect distance and work with ignorance. In this section, I first emphasize how Smith's analysis of the shortcomings of colonies besides the English sheds light on both (1) the problems with a sovereign who shares in ignorance, but refuses to practice ignorance sufficiently in international affairs and (2) a sovereign's acceptance of ignorance, as reluctant as it is, may be conducive to its imperial or other aspirations.

Smith attributes the differences in the success of colonies to structural causes.⁹⁰ His view is that,

Plenty of good land, and liberty to manage their own affairs their own way, seem to be the two great causes of the prosperity of all new colonies. In the plenty of good land the English colonies of North America, though no doubt very abundantly provided, are however inferior to those of the Spaniards and Portuguese, and not superior to some of those possessed by the French before the late war. But the political institutions of the English colonies have been more favourable to the improvement and cultivation of this land than those of any of the other three nations (IV.vii.38-9).

The intuitive interpretation would be that the English adapted *laissez-faire* policy—they let the colonies go and stopped intervening.⁹¹ First, granting merchant companies letters patent, granting

⁹⁰ At the end of the chapter on colonies, Smith rhetorically asserts that Europe may boast with respect to the colonies, “in one way, and in one way only, it has contributed a good deal. Magna virūm Mater! It bred and formed the men who were capable of achieving such great actions, and of laying the foundation of so great an empire...” (IV.vii.86). I say rhetorically, because his preceding analysis is much more finely attuned to the structural differences between the European colonial projects.

⁹¹ The general positions that what Smith is saying is that he is advocating for minimal governmental interventions are summarized in Samuels and Medema (2005). This position is for example expressed by Kenneth Waltz, who

colonists certain rights, having them expand under the flag of the British Empire and militarily protecting them is hardly letting them be or “*laissez-faire*”. Second, he does not insist that economic policy is at the core of the question. He distinguishes between two possible primary factors of English prosperity: (1) political institutions and (2) the abundance and superiority of land. He singles out the former factor as critical.

For Smith, the approaches of the European imperial powers significantly differed in the way they influence the political systems of the colonies that facilitated or hindered the colony’s growth. Thus bringing to the fore Smith’s political analysis and relegating his economic theorizing to the background, is consistent with Edwin West’s observation that *WN* is a “systemic study of the effects of legal, institutional and general environmental conditions upon human progress” (1990: 19).⁹² The brevity of the comparison between the political institutions by no means diminishes its importance. It does signal that to appreciate Smith’s short systematic analysis of political institutions, in how they show the sovereign’s adaptation to distance-induced ignorance, requires filling in the relevant background information.

argues that non-intervention “laid the formal foundations of English liberalism” (Waltz 2013: 86). Samuels and Medema call it the minimalist view. For them, this view cannot be sustained when reading the corpus of Smith’s writings.

⁹² This is also in line with the well-established view that before his death Smith was in the process of completing a manuscript on Jurisprudence, which together with the Theory of Moral Sentiments (1759) and *WN* would have underscored his concern with issues in politics and administration of justice (Cooke 1935). Perhaps because this work on Jurisprudence was still to come, immediately subsequent to announcing his thesis on the prosperity of English colonies I quote above, he devotes paragraphs 40-72 to discussing the use of land, the less relevant factor, and only paragraphs 73-79 to the pivotal differences in political institutions.

Smith clearly states that the absolute government, arbitrary rule, afflicted the colonies of Spain, Portugal, and France, but not of England is a major difference (IV.vii.74). Unlike the English system anchored in the rule of law, and the associated distribution of ignorance, the political systems of the other colonies, in Smith's view, were far too centralized and reliant on sovereign power (IV.vii.74).⁹³ To distinguish English colonial administration from the others, to understand what he means, I take the French political administration of its colonies as the representative of the absolutist model. That Smith was well informed with regard to the French system and inevitably had it in mind is apparent from the extensive material in his library on France, its political institutions, and New France (cf. Mizuta 2000).⁹⁴

The French charter system was subject to contentious royal court politics, but charters were granted as a matter of royal discretion and stipulated in detail the colonies' administration. The 1627 Charter of the Company of New France specified that this private profit-seeking company must bring 4000 new settlers to New France in fifteen years; they must all be Roman Catholics; and the company must maintain three priests at the company's expense at each settlement (Elson 2011: 20; McIlwraith and Muller 2001: 72; Colby 1921: 60). Successive French private merchant companies failed in their North American enterprises and in 1633 King Louis XIV took direct control of colonial administration and designated New France a royal province (Pickett and Pickett 2011: 220). This approach to colonial administration signifies the resistance to distance-induced ignorance by rigidly extending the sovereign's "knowledge" across the ocean, as if the sovereign does not share in ignorance. The government became even

⁹³ I must note that here, the evaluation of the progress of colonies concerns their prosperity and growth focusing on the colonists. Smith also makes a strong argument that for slaves arbitrary government is better than the rule of law (IV.vii.76). For his stance on slavery see for example Salter 1996.

⁹⁴ For a general comparison of the legal aspects of French and English Imperialism, see Slattery (2005).

more centralized than before with a strict chain of command stretching from the king—who delegated specific responsibility to his subordinates—at the top, to the lowest colonial officials at the bottom (cf. Eccles 1971: 5; MacInnis 1969: 48-49; Stewart 1996: 12).

Before the annual freeze-up cut off the colony from France for six or seven months, colonial officials sent detailed dispatches sometimes reaching nearly one-hundred pages. They summarized events and requested approval or decisions on specific issues from the minister in France. On the left-hand side of the page, the minister replied to the colonial officials and “frequently one word sufficed: ‘*Non*’” (Eccles 1971: 6). Then the dispatch was sent up to the king for further comments or the forging of the king’s signature. This dispatch sailed to New France in the spring or early summer, if there were no unforeseen delays and annually “ten months or more would elapse between the sending of a dispatch and the receipt of a reply” (Eccles 1971: 7).

Those who enjoyed colonial appointments in New France were already of noble status and journeyed overseas primarily because a position in the colonies was an opportunity to increase their profit and their status back in France (Stanbridge 1997: 43-44; Miquelon 1987: 247). They took orders from and were accountable to their superiors in France rather than the colonial population (Stanbridge 1997: 43). Montesquieu perfectly expresses this absolutist strategy to overcoming distance when he writes that “ruthless execution of orders is the “supplement” that compensates for distance” (quoted in Mosher 2012: 115). Except that, according to Smith, this system which I describe in more detail than he does, did not overcome the great distance and hence it did little to reduce the sovereign’s share in ignorance.

This system could not limit the power of colonial rules to the extent that a system under the rule of law could do so. In Smith’s words, “the discretionary powers which such

governments commonly delegate to all their inferior officers are, on account of the great distance, naturally exercised there with more than ordinary violence” (IV.vii.74). Such political systems did not adjust well to distance-induced ignorance from Smith’s perspective. While the sovereign has little interest in abusing his far away subjects, the sovereign is just too far away to become aware of and deal in timely fashion with the abuses his/her subordinates perpetrate (IV.vii.74). Smith regrets that “the government of the English colonies is, perhaps, the only one which, since the world began, could give perfect security to the inhabitants of so very distant a province” (IV.vii.74). The sovereigns of Spain, Portugal, and France on the whole do not integrate measures in their policies to offset this distance-induced ignorance and under their patent systems remain the only resort of those suffering abuses in the colonies. The political policies he describes are exemplary of what I call the sovereign’s refusal to share in ignorance.

The practices that encompass the antithesis of this refusal, I suggest exemplify the sovereign’s ignorance—using ignorance as a resource—rather than resisting ignorance or one’s share in ignorance. More specifically, this occurs when (1) instead of the sovereign’s arbitrary imposition of knowledge under absolutism, it practices ignorance under the rule of law; (2) instead of imposing a strict hierarchy that crosses the ocean, the sovereign practices ignorance with respect to the internal political arrangements in the colonies; and (3) taking distance into account, instead of dealing with colonial injustices in the mother country, they are dealt with in the colonies, under the rule of law.

English colonies enjoy “liberty to manage their own affairs” and superior “political institutions of the English colonies” because the sovereign’s ignorance is integrated into the English patent system anchored in the rule of law. Within the framework of this system, especially towards the end of the eighteenth century when Smith was writing, the charter or

patent rested on the rule of law which applied in the mother country and the colonies equally, rather than the arbitrary discretion of the sovereign and her representatives in the colonies who could exercise power with near impunity (cf. van de Haar 2013: 425).⁹⁵ The rule of law accustomed the sovereign to share in ignorance and forced the sovereign to practice ignorance even when it knew or thought it knew better. The King could not arbitrarily overrule the decisions of colonialists. As Francis Bernard, the Royal Governor of Massachusetts Bay put it in a 1765 letter, “in a difference so very wide who shall determine? the King? He is bound by charters, or constitutions equal to charters, and cannot declare against his own grants” (quoted in Stanlis 1976: 192). Unlike in the absolutist model, the law prevented the sovereign from imposing its knowledge on the colonies. The sovereign could do little else but perfect the practice of ignorance, to share in ignorance according to the law.

The English sovereign’s acquiescence to ignorance under the rule of law, to exercise it with respect to the colonies’ internal political arrangements, opened the space for colonists to manage their own affairs. They took the liberty to interpret their colonial charters as their own constitutions, with emphasis on how the colonial charter structure colonial political arrangements similarly to how the Magna Carta structured the political arrangements in Great Britain (Wills 2002: 38). In various colonies, that the colonists elected their own governor, appointed the revenue officers, and set up governments with republican characteristics (IV.vii.73) affirmed the sovereign’s acknowledgement of distance-induced ignorance. With no perceptible irony Smith notes that,

In everything, except their foreign trade, the liberty of the English colonists to manage their own affairs their own way is complete. It is in every respect equal to that of their fellow-citizens at home, and is secured in the same manner, by an assembly of the representatives of the people, who claim the sole right of

⁹⁵ On the shift to a patent system anchored in the rule of law see Bracha 2004.

imposing taxes for the support of the colony government (IV.vii.73).

The English sovereign could not claim to know better than those in the colonies how to most efficiently or successfully respond to the evolving conditions and the colonists' needs.

Through the patent system, the English colonies also had little reason to inherit the arbitrary rule, the royal accumulation and production of knowledge, that Great Britain was moving away from, and instead adopted a political system anchored in the rule of law. With this institutional framework, English colonists did not have to worry about abuses of colonial rulers. In contrast with the colonists under absolutist rule, “the most obnoxious [English] colonist, as long as he obeys the law, has anything to fear from the resentment, either of the governor or of any other civil or military officer” (IV.vii.73). This equality under the law—and not equality in the eyes of the far-away king who must first be made aware—relieved English colonists from reliance on the king's poor sight to remedy wrongs. Their political system was not reliant on the power of the sovereign as much as on the rule of law, which affirms that no ruler is sufficiently wise under the circumstances to wield arbitrary power. These are the political institutions Smith credits with the prosperity of the English colonies.

Smith's evaluation is thought provoking. All European powers share in distance-induced ignorance and the English adapt to ignorance more successfully than others due to their political institutions. Their colonies prosper, to put Smith's view in epistemic terms, precisely because the English sovereign accepts its ignorance more readily than the French and the other sovereigns who in spite of sharing in ignorance impose truths on the colonies. In other words, under certain circumstances, building ignorance into a strategy, or organizational structure rather than knowledge may be a viable option. Since an actor shares in ignorance, they or the organization as a whole may use practices of ignorance to gain an advantage. These practices are not better in

principle than practices of knowledge and their effects and parameters emerge through practice. Fostering conditions for the prosperity of colonies is one matter and finding a way to keep *all* of them is another matter, to which attests the American Revolution.

Conclusion

In this chapter, I have put Smith's announcement of the sovereign's ignorance in the same frame with his analysis of political institutions in WN and European imperialism in the chapter on "Colonies" to learn from his insight into how some powers adapt to a new framework of and problems concerning ignorance more successfully than others. The sovereign, according to Smith, must share in ignorance not because the market knows best or because there should be some split between governmental decision-making and the economic sphere. Rather, the sovereign must share in ignorance due to the evolving legal system and the great distance separating the imperial powers and their overseas colonies. The emerging framework and distribution of ignorance involving the sovereign's sharing in ignorance, sets a new terrain for attaining and challenging exceptions from ignorance, for how the distribution can advance various forms of equality, inequality, and monopolies on valuable resources.

The English deal with a new framework of ignorance successfully, in the sense that their colonies prosper more than those of the other powers, because in contrast with the resistance to ignorance built into the political institutions of others, the English integrate it into their political institutions. Smith's historical comparative analysis at least suggests that reduction of one's share in ignorance is not always desirable, and a priori rejection of ignorance is impractical for it deprives the actor of a potential advantageous resource. The reception of the invisible hand metaphor, and especially the over-extension of its meaning beyond Smith's very narrow use of it,

I suggested points to the indeterminacy of what ignorance can do within this framework and encourages to think anew about it.

Smith realized that to efface or control what ignorance can do through knowledge is not an imperative. Ignorance is at the core of institutional arrangements and it can be more or less effectively integrated into the political system. At least in the Anglo-American tradition, the rule of law and time displace the royal prerogative and Truth as pivotal in the framework of ignorance. In theory, exceptions from ignorance become equally available to all and must be gained through the legal system. That Smith's WN records all of these shifts becomes clear when his comparative discussion of the political institutions, legal systems, and colonial projects is read against the background of the historical framework of ignorance and without filtering the text through an economic lens. Treating the text exclusively as an economic treatise produces a different approach to ignorance that recognizes its central role in institutional arrangements and that time displaces Truth in determining who practices ignorance with respect to what. This approach, disregarding Smith's politico-legal analysis, makes a profound impact on economic analysis and influences the political order including the political system, legal and financial institutions, the relation between them and the way they treat various parties.

CHAPTER 4: Rawls's Treatment of Ignorance in A Theory of Justice

“If I knew something useful to me, and harmful to my family, I would reject it from my mind. If I knew something useful to my family, and not to my country, I would try to forget it. If I knew of something useful to my country and harmful to Europe, or useful to Europe and harmful to Mankind, I would look upon it as a crime”.

(Charles de Secondat, Baron de Montesquieu, Pensées, 1720-1755)

I. On Dis/agreements

The historical trajectory of ignorance's framework I have sketched accounts for changes in the viability of what ignorance can do and in the problems involving the distribution of ignorance. The understanding that ignorance can be both a liability and an asset becomes more viable than the conception of ignorance merely as a threat to political order. The perception of ignorance exclusively as a threat required cleansing the political system of it, supplanting it with Truth, which within the monarchic-theological framework was synonymous with the word of the monarch. The shift in this framework loosens the relation of ignorance with Truth and time anchors concerns with ignorance and its problems. Are those in position to make timely decisions necessarily exempt from ignorance? What political arrangements take advantage of ignorance anchored in time? How does the unlinking of ignorance from Truth affect the role of the sovereign? Taking time into account, on what ground can claims to exemption from ignorance be challenged?

With the waning role of the sovereign in the rule of law framework and distribution of ignorance, the question also becomes how are these issues to be resolved? If before the scope of

agents making decisions was restricted to the sovereign, parliament or the people, Smith's discussion, depending on how it is read, offers at least two possible responses. One possibility is that the market is the central decision-making mechanism and the other possibility is that contestation of laws and their amendments under the rule of law are at the core of ignorance's distribution.

For Smith, contesting ignorance's distribution under the rule of law is essential for determining what it does, what people ignore, who enjoys exceptions from ignorance, who can profit from it, and how its distribution affects the political order's stability. Hence, if the first response that focuses exclusively on market mechanisms is not entirely erroneous, it is at least reductive. The implication of settling on the first response is that it tends to naturalize ignorance with respect to market forces, as an underlying systemic variable subject to calculation and prediction. It severely restricts the discourse on ignorance and its relation vis-à-vis the political order to economic truth claims and thus posits the truth about what ignorance does and how it works beyond politics.

Consider the contemporary discourse on ignorance in political science. The overwhelming majority of arguments rely on some form of Anthony Downs's definition of ignorance or "rational ignorance" as an ordinary individual's economic choice to ignore political knowledge. This understanding—owing much to the economic approach—explains that people naturally lack the time and motivation to acquaint themselves with political knowledge and it would be irrational for them to invest in such knowledge as opposed to investments that yield more immediate and substantial benefits (cf. Downs, 1957: 207-254). In other words, people find knowledge in the political domain too expensive to acquire in light of the minimal benefit they can draw from it and make a choice to maximally ignore political affairs. Within the

circumscribed scope of this conception's explanatory power, scholars show concern for how this affects the political order, when ignorance is a natural, economic, choice; how to raise the cost of ignorance for ordinary individuals; and who benefits from the price of ignorance.

Is ignorance merely a variable subject to economic calculation? As I discussed in the second chapter, Hobbes arrives at an insight regarding ignorance's framework that helps to put the contemporary political science conception of ignorance in perspective. Due to ignorance of causes, he explains, people believe and act upon what is not true, and through their actions create the truth. The prime example for Hobbes is William Lilly. Within any given historical framework of ignorance, how it works is subject to agreements and disagreements. The only general characterization of ignorance my historical study allows is that it is a practice of ignorance regardless of intention and not just narrowly the opposite of not knowing.

Historically, the "ignorance of the sovereign" does not necessarily signify that economics underlies how ignorance works within the contemporary framework, because it leaves at least two possibilities—market mechanics and contestation of laws under the rule of law. Narrowing the discourse on ignorance to market mechanisms best understood by economists—and even treating ignorance economically in the discipline of political science—forsakes the second possibility and its implications, and must be seen as a highly political attempt aimed at dissolving ignorance's inherent political character. Thus it also fails to account for the ways in which ignorance affects and can affect political stability and how institutions treat various parties. The choice, as I will elaborate in this chapter, is not between a political and economic or between a moral and economic approach to ignorance, because the economic approach is just one political, moral approach that does not oppose politics or morality.

Hobbesian and Smithian insights provide the grounds for contesting the economic approach to ignorance within the contemporary framework of ignorance. Hobbes's discussion of ignorance exposes that many of the aspects of the practice from its production to its effects are subject to dis/agreements. The truth as to who should decide and through what mechanisms is not intrinsically located in the economic domain. Using Smith's Wealth of Nations, I showed in the previous chapter that his text prepares the ground for disagreement between the approach that situates the market as the central decision-making mechanism and the approach with contestation of laws and their amendments under the rule of law are at the core.

In this chapter, I situate John Rawls's "veil of ignorance" within the genealogy of ignorance and especially the Smithian strain that refuses to conflate the economic *approach to ignorance* with the *framework of ignorance* without contestation. Taking the genealogical perspective, Rawls appears as a theorist who treats questions of how to break down monopolies, how ignorance should affect institutional arrangements, and how sharing in ignorance should be organized as political concerns and not issues that can be worked out exclusively through economic models.

Over four decades after the publication of A Theory of Justice (*TJ*), Rawls's project enjoys iconic status in a constellation along with the work of Robert Nozick, Michael Walzer, Jurgen Habermas, Michael Sandel, Amartya Sen and other social justice theorists and critics. General references to his ideas or studies relying on his theory are far more common today than they were in the immediate years after the work came out. This trend facilitates conflation of his ideas with the ideas of others and oversight of details that shrink in significance compared with the overall project.

I take a fresh look at one component of his theory, namely the operation of ignorance as part of the “veil of ignorance”, to disentangle it from the overbearing Rawlsian frame of reference, and recover its significance. The dominant interpretation of the “veil of ignorance” is that it is a device of representation parties in *TJ* are initially induced into in order to choose enduring principles of justice without knowledge of supposedly morally irrelevant facts. Given that ignorance too often carries pejorative meaning, even in today’s discourse when the framework is no longer religious, it is quite surprising that in discussing the veil of ignorance in *TJ*, scholars have so far both implicitly accepted and thoroughly neglected the rehabilitation of ignorance—its possible links to equality, the rule of law, and institutional arrangements, just to name a few.

For Rawls, as for many sociologists of knowledge, some economists and critical theorists, ignorance has power.⁹⁶ What does ignorance do or what is it supposed to do based on Rawls’s theorization of the veil of ignorance?⁹⁷ This is the question I ask in this chapter. I am interested neither in what ignorance does for Rawls’s theorization of justice nor in defending fairness as justice—this is not the focus. Hence I relate ignorance and the veil of ignorance to other components of Rawls’s project and debates it continues to generate only in so far as that is necessary to better understand the contemporary framework and distribution of ignorance.

⁹⁶ In the past couple of decades, scholars increasingly attend to the ways in which ignorance is a resource (McGoey 2012), a form of resistance against colonialism (Sullivan and Tuana 2007) and a practice supporting the perpetuation of racism (Mills 2007).

⁹⁷ To avoid confusion and to not get entangled in the myriad of problems and debates Rawls’s later writings have generated with respect to earlier ones, I limit the study of Rawls’s theorization of ignorance to *TJ*, with few references to later works.

I flesh out the purpose of the practice of ignorance in Rawls's *TJ* and I insist that what ignorance does should be a contentious issue in political science and not just largely left up to economists. Rawls approaches ignorance historically different from what others immediately preceding Rawls's intervention have suggested ignorance and the veil of ignorance approach, and since the publication of *TJ* what ignorance can do has not been fully realized.⁹⁸ Particularly scholars in Economics and Public Choice conflate Rawls's veil of ignorance with John Harsanyi's original position relying on ignorance and James Buchanan and Gordon Tullock's "veil of uncertainty" (cf. Gajdos and Kandil 2008; Imbeau and Jacobs 2008).⁹⁹ Both alternatives are formulated by Nobel Prize winners in Economics who have had tremendous impact on approaches to economic and political decision-making through their groundbreaking studies of game theory, constitutional rules, and taxation. In the first two sections of the paper—before discussing the aesthetic dimension of ignorance in the third section—I distinguish Rawls's veil of ignorance from the other two. This is not an exercise in passing judgment on any of the principles and rules they arrive at, as I concentrate exclusively on the framework and distribution of ignorance. I will show that the other two veils of ignorance or approaches to ignorance are not actually dealing with the distribution of ignorance unlike Rawls's veil. In Harsanyi's case, equal probabilities are equated with ignorance and in Buchanan's case it is narrow individualism that is at the core of the veil and what it does.

⁹⁸ This history could go back to Socratic ignorance or as sometimes Rawls prefers to Kant. This frame of reference is too extensive and for the purpose of this paper I restrict the scope to Rawls's and his contemporary's attempts to operationalize ignorance.

⁹⁹ Ignorance figures prominently in the writings on justice of other prominent twentieth century thinkers including Friedrich Hayek's Law, Legislation, and Liberty (2012) and Richard Posner's The Economics of Justice (1983: 8).

In the immediate reception of TJ, economists more so than political theorists have objected to how ignorance works as part of the veil of ignorance. It is unrealistic and useless *some* of them said. They rejected Rawls's approach especially because it eschews quantifiable variables that can be easily inserted into mathematical equations to generate algorithms for either distribution of wealth, other goods or an algorithm for justice itself (Lyons 1972; Harsanyi 1975; Gardner 1975; cf. Ballabon 1979).¹⁰⁰ After all, an algorithm—"a set of rules that precisely defines a sequence of operations" (Stone 1971) or simply strict rules based on algorithmic reasoning (Alexander 2013)—cannot be generated and calibrated in the absence of necessary quantifiable variables or probabilities.

And yet, for various reasons discounting the friction between Rawls's approach to ignorance and algorithms that replace judgment, scholars continue to assert that his veil of ignorance produces an algorithm (Binmore 1998; Bellamy 1997: 182; Mouffe 1988: 195; Alexander 2013). Not only is this assertion untenable, it also fails to appreciate how his approach to ignorance may put in question and *re-politicize* the deployment of certain algorithms. The economic approach—the application of algorithms, to create and resolve financial crises, housing issues, to manage risks and governance—politicizes ignorance in spite of or through its attempt to depoliticize and naturalize ignorance (De Goede 2004). In this chapter, my central argument is that Rawls's approach to ignorance in its divergence from the other approaches politicizes what ignorance can do within the contemporary rule of law framework differently, thus raising the possibility of re-purposing ignorance vis-à-vis institutional arrangements.

¹⁰⁰ Algorithms are rules for conduct or operation which, in the form of software or models, with little to no human intervention order and divide service and product distribution. The formula determines when, to whom, and how to provide which services and allocate which goods (Graham 2005; Hayles 2006; Beer 2009). Nigel Thrift aptly describes algorithms as the "technological unconscious" (2004).

Although this may not be his own primary concern, his approach to ignorance offers political scientists a contemporary way of challenging the equation of ignorance with an algorithm, to examine what ignorance does, what it is supposed to do, and its effect on how institutions treat various parties.

To understand how it does so, in the fourth section of the paper I focus on what it does as part of the *veil* of ignorance to highlight its aesthetic aspect, how it frames what we sense.¹⁰¹ The deployment of Rawls's veil of ignorance does not support the truth of a single set of principles and instead facilitates sensation of the politicized approach to ignorance within the contemporary framework, which also includes the politicized economic approach of ignorance.

Through analysis of the aesthetic aspect of the veil of ignorance, which after all is a veil that aestheticizes sensibility through ignorance, I suggest that its deployment does not determine definitive answers regarding the competing distributions of the sensible and institutional arrangements. Instead it opens up a myriad of questions concerning what ignorance does or is supposed to do (1) for parties behind the veil of ignorance, (2) with respect to institutional arrangements and (3) in scholarly debates. In so far as the veil of ignorance innovatively politicizes what ignorance does, it is neither a form of "aspirational ignorance"¹⁰² nor a form of

¹⁰¹ Jacques Ranciere points out that politics or political activity and aesthetics were never separate. Politics is "a kind of aesthetic activity, a framing of what is given and what we can see. If you take the example of "weapons of mass destruction": I was in the US at the time of this huge emphasis on weapons of mass destruction...What is fascinating is that it is very easy to impose the existence of something which does not exist at all. This is very easy with some words; it doesn't demand a massive effort of documentation, argumentation, and persuasion. You are framing what is given, what is visible" (Ranciere and Lie 2006).

¹⁰² Linsey McGoey associates Rawls's veil of ignorance with "aspirational ignorance", which she defines as ignorance that is idealistic and highly impractical (McGoey 2012: 5).

epistemic abstinence as some argue (Raz 1990; Kukathas 2003; Landemore 2013). Ignorance aestheticizes and politicizes sensibility differently than before, with the design to break down monopolistic distributions of senses, and institutional arrangements that maintain monopolies on the basis of contingent characteristics. Greater contestation of what it does should impinge on whether ignorance supports or undermines monopolies, and whether it is reduced to an economic algorithm or it acts as a framework for exposing the political nature of algorithms and challenges some of them.

II. Harsanyi and Rawls on Ignorance

Certainly the purpose of the veil of ignorance is closely bound with its design. However, if the veil of ignorance is not even a veil of *ignorance*, what it is designed for matters little. Taking this into account, I first examine the veils of ignorance with little regard to their particular purpose—be it justice, constitutions, or wealth distribution—and simply take the broadest intentionality towards the way institutions treat parties.

In this section, I distinguish between Rawls's and Harsanyi's appeals to ignorance to question Harsanyi's reduction of ignorance to equal distribution of probabilities. Expanding on Rawls's criticism of Harsanyi's appeal to ignorance I point to some of the dangers of reducing the framework of ignorance to an algorithmic formulation—to one approach. While Harsanyi's conflation proves conducive for deriving workable algorithms, it is erroneous and in its application does not set the parameters that the framework of ignorance sets for institutional arrangements. Unlike reliance on equal probabilities, Rawls's approach to ignorance avoids supporting master-slave arrangements. The articulation of elegant mathematical formulations under the guise of ignorance is a political approach that politicizes both ignorance and

institutional arrangements in just one of the possible ways while claiming to be economical, purely numbers-based, above politics. The submission of ignorance to economic, mathematical, algorithmic thinking enables economists to claim a natural exception from sharing in ignorance based on their expertise in mathematical-economic models. They supposedly have exceptional knowledge that naturally separates them from ordinary individuals who share in ignorance. The comparison of Rawls's and Harsanyi's approaches to ignorance underscores the political nature of ignorance and thus exposes the political side of the economical, mathematical take on ignorance.

Behind Rawls's veil of ignorance, the parties ignore or are supposed to not know a long list of particular facts that otherwise would nullify decision-making hinging on the practice of ignorance. In Rawls's words,

First of all, no one knows his place in society, his class position or social status; nor does he know his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like. Nor, again, does anyone know his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology such as his aversion to risk or liability to optimism or pessimism. More than this, I assume that the parties do not know the particular circumstances of their own society. That is, they do not know its economic or political situation, or the level of civilization and culture it has been able to achieve. The persons in the original position have no information as to which generation they belong. These broader restrictions on knowledge are appropriate in part because questions of social justice arise between generations as well as within them, for example, the question of the appropriate rate of capital saving and of the conservation of natural resources and the environment of nature. There is also, theoretically anyway, the question of a reasonable genetic policy. In these cases too, in order to carry through the idea of the original position, the parties must not know the contingencies that set them in opposition. They must choose principles the consequences of which they are prepared to live with whatever generation they turn out to belong to (Rawls 1999: 118-119).

In addition to these particular facts, there are more general facts that the parties do not know behind the veil of ignorance, especially facts about probabilities I will shortly address, but for now, just another addition suffices:

The veil of ignorance is interpreted to mean not only that the parties have no knowledge of their particular aims and ends (except what is contained in the thin theory of the good), but also that the historical record is closed to them. They do not know, and cannot enumerate, the social circumstances in which they may find themselves, or the array of techniques their society may have at its disposal. They have, therefore, no objective grounds for relying on one probability distribution rather than another, and the principle of insufficient reason cannot be invoked as a way around this limitation (Rawls 1999: 160).

Given these stipulations, the veil of ignorance is almost complete and in this form it is ready for a comparison with the other supposed veils of ignorance.

Rawls credits Harsanyi with describing a very similar version of the original position to his own almost two decades prior to the publication of *TJ* (Rawls 1999: 118).¹⁰³ In Harsanyi's scheme,

A value judgment on the distribution of income would show the required impersonality to the highest degree if the person who made this judgment had to choose a particular income distribution in complete ignorance of what his own relative position (and the position of those near his heart) would be within the system chosen. This would be the case if he had exactly the same chance of obtaining the first position (corresponding to the highest income) or the second or the third, etc., up to the last position (corresponding to the lowest income) available within that scheme (Harsanyi 1953: 434-435).

Harsanyi designs the original position to determine the ideal arrangement of social welfare measured in income.¹⁰⁴ Unlike Rawls who has his eye on institutional structures in general,

¹⁰³ I should add that Rawls began developing a thought experiment quite similar to the veil of ignorance already in the 1950s (Rawls 1951). Moreover, in a 1991 interview he cites Frank Knight's Ethics of Competition as one of his influences (Rawls 1991). The party's ignorance behind the veil of ignorance indeed resembles the individual Knight describes (cf. Knight 1997: 329)

¹⁰⁴ Neither in (1953), (1955) nor the restatement of this thought experiment in Rational Behavior and Bargaining Equilibrium in Games and Social Situations ([1977] 1986), does Harsanyi use the term "veil of ignorance". In fact, by 1977, subsequent to the Rawls's popularization of the veil of ignorance, he mentions ignorance only in passing and not as a device. Instead, Harsanyi speaks of games and uncertainty, which I will show is different from

Harsanyi focuses specifically on the arrangement of social welfare and the sole dependent variable is income distribution. This difference from Rawls's project notwithstanding, the device Harsanyi describes at first appears quite similar to Rawls's veil. Parties in Harsanyi's original position, choose an income distribution prior to entering society.

What ignorance the parties share in Harsanyi's scheme is quite unclear in spite of his insistence that they decide "in complete ignorance" of their position within the chosen distribution. The characterization of ignorance as *complete* is rather odd under the circumstances. Could the parties be ninety-five, eighty, or thirty-seven percent ignorant? Could someone be almost ignorant or half ignorant in Harsanyi's terminology? He quickly adds that the party would be in "complete ignorance" if he or she "had exactly the same chance of obtaining" any of the available positions. The equal probability Harsanyi assigns to each possible position contradicts the complete ignorance he purports to attribute to the parties. The parties are not in complete ignorance or ignorance at all if they are privy to their chances of landing in any of the positions. Harsanyi's original situation and his income distribution model rely on equal knowledge of equal probability and not the parties' ignorance (Rawls 1999: 144-6; Kurtulmus 2012). His device, regardless of his benevolent intentions, more aptly deserves to be called the "veil of probabilities".

Rawls's rejection of the veil of probabilities sets up his own veil as a veil of ignorance.¹⁰⁵ In addition to the previous items subject to ignorance behind Rawls's veil, I can now add probabilities and equal probabilities in particular. If one practices ignorance of various individual ignorance—especially considering that uncertainty for Harsanyi actually means that the parties know that they have *equal* probability of landing in any societal position.

¹⁰⁵ Kukathas and Pettit describe this as a controversial move, an observation that should be properly accentuated (1990: 40).

characteristics and particular facts about one's society behind the veil of ignorance, this practice cannot possibly lead one to assume equal chances of being anyone, and hence there is no ground to estimate the probability of any institutional arrangement (Rawls 1999: 134).

Contrary to the charge of being unrealistic, Rawls's two-fold rejection of probabilities behind the veil of ignorance is more realistic than Harsanyi's assumption of probabilities. Rawls's first line of argumentation is that nothing guarantees equal chances of being assigned to any of the available positions in any society (Rawls 1999: 144-6). If a society is made up of three hierarchical classes, the assumption that one has an equal chance of being born into any of the three classes is unrealistic, especially if the most exclusive and well-off class is just five percent of the society and the worst-off class makes up eighty percent of society. Even if there are just two classes, assuming equal probabilities does not take into account that the one-percent might be ruling over the ninety-nine percent.¹⁰⁶ It is highly doubtful that someone faced with the possibility of living in a society where the one-percent rules the rest would make an assumption, or take the risk of making the assumption, that they have an equal chance as anyone else of landing in the one-percent and they would find such an arrangement desirable. Being ignorant of the class arrangements of society—and these may and do change over time—it is simply unrealistic to assume equal probabilities of attaining any of the available positions and call it

¹⁰⁶ Rawls notes that when such knowledge of "equal" probabilities is not subject to ignorance, "the state of ignorance on the basis of which these prior probabilities are assigned presents the same sort of problem as the situation where one has a lot of evidence showing that a particular coin is unbiased" (Rawls 1999: 146). To put it in institutional terms and give another example, assuming equal probabilities, medical patients may as well flip coins to determine the order of treating their illnesses, as if this procedure puts everyone on equal footing and is not biased against those who need urgent treatment and do not have sufficient time to keep flipping coins.

ignorance that may help underpin how actual institutions will or should treat parties.¹⁰⁷ What cannot be relied upon in actuality (i.e. mathematical certainty when it comes to social relations) should not be “hypothetically” assumed behind a veil of ignorance to (re)organize institutions in actual society (Rawls 1999: 145).

Rawls’s second line of argumentation is that a situation based on the assumption of equal probabilities makes even a society of slaves and masters attractive. The assumption of equal probabilities is far from an economic choice and instead it is a political choice that demands scrutiny. It is a choice because seeing that there are some in society who are well-off and others who are not, the assumption simply averages the potential benefit of a society for anyone and no one in particular, as if anyone in society is an equal quantifiable unit as anyone else. Rawls’s rejection of the assumption of probabilities underlies his aversion to evaluating institutions based on the average principle of utility supported by Harsanyi. The principle underpinning this approach is the maximization of societal utility, which is synonymous with maximization of profit.¹⁰⁸ A society of masters and slaves could have a high average utility and in Rawls’s words,

¹⁰⁷ Since Rawls is concerned with justice and not just the distinction between how ignorance operates in hypothetical and actual situations, he frames the argument with a view to consent, duties, obligations, and principles of justice: “We cannot have it both ways: we cannot interpret the theory of justice hypothetically when the appropriate occasions of consent cannot be found to explain individuals’ duties and obligations, and then insist upon real situations of risk-bearing to throw out principles of justice that we do not want” (Rawls 1999: 145)

¹⁰⁸ Rawls is comfortable playing Harsanyi’s game only up to a limit. Harsanyi, who won the Nobel Prize in Economics, treats the way individuals are treated by institutions as a game—a game where there are winners, and losers, and everyone desires to win the most. Rawls does not even assume that behind the veil of ignorance parties all want to win the most. Institutional treatment of individuals is not a game he reminds the reader: “The idea of a

A slaveholder when confronted by his slaves attempts to justify his position to them by claiming that, first of all, given the circumstances of their society, the institution of slavery is in fact necessary to produce the greatest average happiness; and secondly, that in the initial contractual situation he would choose the average principle even at the risk of its subsequently happening that he is justifiably held a slave (Rawls 1999: 145).

The assumption of equal probabilities under the guise of ignorance is a political choice essential to the computation of an algorithm that may support the institution of slavery, even against Harsanyi's intentions. It is difficult to see how ignorance of probabilities would similarly surrender political choices of institutional arrangements to an "equal probability" algorithm.

On the one hand, the beauty of assuming equal probabilities to drive (re)distribution of income aligns it with the rule of law, in the sense that equality and predictability that come with the use of equal probabilities are also essential features of the rule of law. On the other hand, the assumption paradoxically, just like the rule of law, stands in stark contrast with arbitrariness, and at the same time it is an assumption, a political and *arbitrary* one, and other assumptions are possible. Predictability may neither necessarily be mathematical, nor does it have to be based on equal probabilities. Not making this assumption deprives economists of the ground to claim exemption from ignorance based on their expertise in economics.

Through the device they present as ignorance, within the parameters of the rule of law, Harsanyi and other thinkers—including Rawls—are negotiating the subject of predictability and the nature of equality. If the rule of law is based on equal probabilities, the application of laws could still be predictable and enable equal treatment of individuals under the law—in a society of masters and slaves. It is yet to be seen how not equating ignorance with equal probabilities

game does not really apply, since the parties are not concerned to win but to get as many points as possible judged by their own system of ends" (Rawls 1999: 124).

affects the negotiation, but the approach to ignorance with an eye towards equality and predictability hints at the value rather than destructiveness of ignorance.

III. Buchanan and Rawls on ignorance

Like Harsanyi's original position of ignorance, Buchanan's "veil of uncertainty" also at first appears almost indistinguishable from Rawls's veil of ignorance, even in name. Some theorists, including Buchanan himself go as far as to use the two veils interchangeably in their writings (Voigt 2015; Imbeau and Jacobs 2015; Beaumont 2009; Buchanan and Congleton 2006). Buchanan sees his own veil of ignorance as a thinner version of Rawls's thick version (Buchanan 1987; Vanberg and Buchanan 1989). That uncertainty marks one veil and ignorance marks the other is of little consequence to him. So effectively does he conflate the two veils that in correspondence with Rawls subsequent to the publication of *TJ*, Rawls puts up few objections to this move (Rawls 2009).

The difference between the veils though is stark and through the examination of the two-fold difference I will both affirm that in contrast with his contemporaries Rawls alone theorizes what ignorance does and can do, and defend Rawls's veil of ignorance against communitarian criticism. Briefly, the difference I refer to is between ignorance and uncertainty, and at the same time this is the difference between positing ignorance or the assumption of individualism at the heart of the veil of ignorance. On the one hand, I am not denying the proximity of ignorance and uncertainty in this discourse and in fact the repeated interchangeable use of the two points to their growing affinity in late modernity. Ignorance is not having *certain* profitable knowledge in this language-game. That the degree of uncertainty appears as the measure of ignorance dispenses with any qualitative differences between ignorance and uncertainty. On the other hand,

the practice of ignorance does not easily fall on the quantitative scale anchoring (un)certainty, which means that in analysis of ignorance it would be a mistake to overlook qualitative distinctions between the two.

In Buchanan and Tullock's Calculus of Consent, parties behind the "veil of uncertainty" are supposed to choose stable constitutional rules under uncertainty of the future. Since the text appears nine years before Rawls's publication of *TJ*, Rawls had an opportunity to distinguish his veil from Buchanan's veil. In his words, unlike the aim of the Calculus of Consent, his own "aim is to characterize a just constitution and not to ascertain which sort of constitution would be adopted, or acquiesced in, under more or less realistic (though simplified) assumptions about political life, much less on individualistic assumptions of the kind characteristic of economic theory" (Rawls 1999: 173). Rawls expresses his discomfort with Buchanan's assumptions about political life and more importantly rejects the individualistic assumptions. This is the same Rawls whom Sandel and other communitarians criticize for making individualistic assumptions (Sandel 1998: 148; MacIntyre 1984; cf. Okin 2008; cf. Mulhall and Swift 2003). Even if the critics correctly note that Rawls resists taking individuals embedded in communities as his unit of analysis, this does not necessarily mean his ideas essentially relies on individualistic assumptions.

Years after publication of the Calculus of Consent and *TJ*, Buchanan—while continuing to appeal to the two veils interchangeably—concur with Rawls that the assumption of individualism distinguishes the two veils. He appears to mention this only in so far as to strengthen his own theory, even though the difference has more profound significance for

understanding how the veils work.¹⁰⁹ Through his exposition, the more precise nature of the assumption of individualism also becomes clearer:

The "veil of uncertainty" may be approached, if never fully realized, if persons are modeled as though they were faced with choices among rules of social order that are generally applicable and guaranteed to be quasi-permanent. By comparison, the Rawlsian "veil of ignorance" is an idealized normative construction, the appropriate starting point for persons when they consider making choices among basic principles of justice. Two objections have been raised to this construction. Can real persons choose as if behind such a veil of ignorance when, at another level of consciousness, they realize who they are? And does the construction have empirical bases in the commonly held feelings of justice? The partial veil of uncertainty, which we use and which was initially introduced in *The Calculus of Consent* (1962), is not subject to comparable criticism. It does not require persons who enter into the constitutional dialogues to shift moral gears. Persons are modeled *as they are*. The design of the choice alternatives must, however, affect their behavior, and in the limiting case, the veil is equivalent to that described much more fully by Rawls (Buchanan 1999; *emphasis added*).

In Buchanan's scheme, people are modeled "as they are", the individuals that they are in two senses, both of which Rawls contests.

In the first sense, Buchanan's individuals behind the veil of uncertainty retain the *present* sense of their prejudices, their social and economic statuses, gender, their race and other characteristics. Herein lies one of the significant differences between the two veils. Behind Buchanan's veil, individuals are not uncertain about *being* a man or a woman, *being* White, Black or Native, disabled or not, or any other characteristics they sense about themselves presently. Their "individuality" remains intact at least preliminarily. From Buchanan's perspective, there is no need to discount sensation of the present characteristics because uncertainty of the future sufficiently mitigates and neutralizes the sensation of present

¹⁰⁹ In a later statement, he puts the difference down to his appeal to rational choice every self-interested individual may use to arrive at a position of "an anonymous member of a group" and what he sees as Rawls's reliance on reasonableness, which eschews rationality and requires a "normative leap" (Buchanan 2002: 489).

characteristics (Buchanan 1991: 56). We, as the individuals we supposedly are, can be ninety-five or eighty percent certain that tomorrow the constitution will not drastically change, and we will not find ourselves in dramatically different positions than today.

Uncertainty appears to work on a quantifiable scale and has a much stronger association with the distant future than the present. We can be much less certain, perhaps less than fifty percent certain that the constitution will remain the same in forty or fifty years and the value of our positions as they are today will be the same with the passing of time. Individuals “as they are” are uncertain about the future, just as you and I cannot foretell the future or the future constitution more precisely—and supposedly this uncertainty is realistic. The unpredictability of the future drives thinking about predictable constitutional arrangements that would treat individuals equally—regardless of differences that give some more influence, opportunities or a bigger share of any other goods based on contingent characteristics and circumstances. Such arrangements would be in line with the rule of law that aims at equal treatment—however it is defined—and predictability based on the assumption about unpredictability of future constitutional arrangements.

The comparison between Rawls’s and Buchanan’s devices exposes that divorced from the Truth, there is more than one way of anchoring practices of ignorance in time. Even this relation should be subject to contestation and dis/agreement. Rawls’s veil of ignorance overlaps with Buchanan’s veil of uncertainty in so far as the future remains unpredictable. Yet Rawls’s rejection of the assumption of narrow individualism stemming from his insistence on ignorance of characteristics one usually senses, is one of the ways he sets apart his veil from Buchanan’s veil. More than that, this sets ignorance apart from uncertainty. While behind Rawls’s veil of ignorance the parties are *ignorant* of their present characteristics and more, behind Buchanan’s

veil of uncertainty, individuals “as they are” are *uncertain* about their position in a future society. Ignorance of one’s gender, race, class and other characteristics is not just the usual uncertainty of what one is usually uncertain about. It makes no sense in the economic language-game that Buchanan plays to suddenly become uncertain about something as basic and present as one’s age as it is possible in Rawls’s language game to do this. This temporal restriction of what becomes subject to ignorance should not be taken for granted. It rests on an unfounded conflation of ignorance and uncertainty, this form of ignorance that grows in strength in correlation with the distance from the present, which cannot be subject to ignorance. Rawls’s veil of ignorance puts ignorance, the deliberate practice without quantification, at the core of the model. One either practices ignorance or does not. There are no degrees, no sixty-percent ignorance, and no thirty-percent ignorance. This marks the qualitative difference between the parameters of what uncertainty and ignorance can do and how they affect sensibility. Moreover, the differences indicate that ignorance can be variously anchored in time.

Given that Buchanan’s veil of uncertainty attempts to eliminate the salience of individualistic characteristics from the decision making-process even while keeping intact the contractors’ *present* individualism, it initially seems well-disposed to activating a very high degree of uncertainty—even perhaps approaching or at least being mistaken for ignorance—at the core of the device. Yet this is far from how it actually works. Behind the veil of uncertainty, Buchanan’s persons retain not uncertainty, but another, a second sense of individualism—narrow individualism—a more economical and Capitalistic sense of individualism than the one attached to personal characteristics (cf. Brennan and Buchanan 2006; cf. Kirschgassner 2014). The uncertainty Buchanan envisions is supposed to leave intact narrow individualism limited to self-interest and pursuit of profit, while reducing the salience of one’s personal characteristics

(Callahan 2012: 62). Buchanan's veil turns on the presupposition that an individual is a "selfish brute who devotes himself single-mindedly to maximizing the present value of his measurable wealth" (Brennan and Buchanan 1980: 16). Such narrow individualism assumes that individuals are self-regarding rather than other-regarding at the core, without attention to the actual variance or historical and cultural differences.

Rawls rejects such twofold sensibility in his model and thus diminishes the significance of individualism. At the same time, this overt attempt to control for individualism renders individualism that more significant. It raises a host questions concerning the necessity of assuming individualism, the possibility of conceiving parties practicing ignorance otherwise, and the dominance of the economic approach that puts the assumption of narrow individualism at the core of analysis and the operation of the rule of law (cf. Weithman 1999; Nagel 1973; Teitelman 1972; Bankovsky 2011). The veil of ignorance does not demarcate sensibility so as to leave profit-maximization and self-interest at the center of the model.

Rawls does not present the veil of ignorance separately from parties, from individuals, and their psychological propensities. Those behind the veil are marked *primarily* by ignorance. Even in the organization of the *TJ*, the section on the "veil of ignorance" appears immediately before the section on "rationality". Ignorance precedes and conditions any one particular mode of rationality. What is more, in the discussion of rationality Rawls insists that rationality includes the capacity for a sense of justice—a sense of justice that has not been arrived at yet and with regard to which at this point, the party is in ignorance (Rawls 1999: 125). Hence ignorance, the potential of ignorance to produce this sense is pivotal to the conditioning of the parties' rationality. As it stands, ignorance permeates the veil of ignorance through and through, neither

debilitating nor tipping the balance toward individualistic tendencies, equal probabilities, or historical circumstances.

The difference between the two veils also suggests that the communitarian criticism of Rawls's veil of ignorance as being individualistic is an easier charge to mount against Buchanan's than Rawls's veil. Very broadly, communitarians view the veil of ignorance as the quintessential demonstration of Rawls's prioritization of the individual over the community and charge him with positing a self prior to the community—an impossibility in their eyes (cf. Mulhall and Swift 2003). For Sandel, who advances the communitarian position most formidably, Rawls's individuals behind the veil of ignorance are “radically situated [and disembodied] subject[s]” (Sandel 1998: 21). Without rootedness in a community, Rawls's individuals are indistinguishable and quite inhuman. Their representation behind the veil of ignorance renders them incapable of deliberation and making decisions. Sandel's objections, within the broad debates concerning justice, make an indispensable contribution to understanding the complexity of factors that require negotiation in justifying and modifying relations between community-embedded individuals. His criticism of Rawls's individuals, however, does not fully appreciate that for Rawls ignorance outweighs both starting with individuals before community and individuals embedded in a community. Rawls's parties behind the veil of ignorance subject to ignorance both individualistic self-interest on one end and any particular individual's rootedness in a community. Ignorance of rootedness in community does not necessarily mean that individualistic self-interest prior to a community anchors the veil of ignorance.

At most, this indicates that *ignorance's distribution and the underlying framework are political choices and should as far as possible be a highly contested ones*. This framing of what ignorance does thus far has at least three implications that require immediate attention. First, the

veil of ignorance effectively rehabilitates what ignorance does. Ignorance emerges as valuable for undermining and supporting institutional arrangements. From various angles, scholars have vehemently objected to the characterization of parties behind the veil of ignorance, and what the veil of ignorance does in terms of erasing history and perpetuating domination (Mills 2015; Weber 2010; cf. Gutmann 1980; Jaggar 1983). Yet there has not been significant resistance to the veil of ignorance, or scholars have not loudly dismissed it because ignorance itself is inadmissible practice. While hierarchizing knowledge makes it difficult to reconcile competing claims, some reliance on ignorance may facilitate agreement—undercutting differences that entrench inequalities.

Second, there should be no illusions about what ignorance produces for it is no magical practice. What ignorance does may be conducive to equality—however it is defined—under the rule of law whenever ignorance is not reduced to an algorithm, such as a formula on the basis of equal probabilities. It may also support hierarchical treatment of parties under the rule of law when conflated with algorithms. In other words, the link between ignorance and equality, if equality is desired, is not guaranteed, and in fact it is most often thwarted when narrow individualism or some other sensibilities disguise themselves as ignorance (cf. Ranciere 2009).

“Ignorance is strength”, in the words of George Orwell. He, of course, uses this slogan pejoratively and somewhat mischievously to alert the reader to the absurdity of the claim that “ignorance is strength”, when it is knowledge that is strength, and anything else is a contradiction. In the context in which he uses it in 1984, he worries that ignorance facilitates authoritarian control without resistance from those living under the regime. The formulation in hindsight is too simplistic in assuming that ignorance is a weakness and that knowledge remedies ignorance. Upon consideration, Michael Smithson’s assertion that “knowledge is power, but so is

ignorance” (Smithson 2010) or Linsey McGoey’s numerous studies (cf. 2007; 2012) treating it as a valuable “resource” is more apt.

The third implication, and I will deal with it in more detail in the next section, is that ignorance appears as a political choice. This framing, quite liberal in its assumption, makes it seem as if an agent really chooses and has control over the practice, when this is a somewhat inaccurate description of how it works. To an extent, certainly, what ignorance does is subject to choices, be they individual or collective, but these choices are severely constrained by distribution and the underlying framework of ignorance that leave little room for maneuvering—regardless of this practice’s value.

IV. Aesthetic Aspect of The “Veil of Ignorance”

Having established in the previous sections that indeed ignorance is at the core of Rawls’s veil of ignorance in comparison with the other veils, in this section I take up the question of “what does ignorance do and what is it supposed to do?” anew. This concern is firmly within the frame of reference Harsanyi, Buchanan and Rawls all try to rely on ignorance for, namely ensuring or evaluating the way institutions treat parties under the rule of law. More than this, they appeal to ignorance because, just as or perhaps more so than various knowledges, it has the potential to breakdown monopolies on scarce resources, if of course, such breakdown is desirable.

It does not take great effort to notice that monopolization of resources and institutional arrangements have been and in some cases continue to be organized around contingent characteristics, such as gender, skin color, and others (cf. Rawls and Freeman 1999: 246). Given the unequal, exploitative, distribution of resources based on such characteristics, all three

thinkers in their intentions—regardless of the flaws of Harsanyi and Buchanan’s actual devices—endeavor to undercut the epistemic, broadly understood to include sensation, basis of monopolization. Suppose that a White Anglo-Saxon woman in Bramendia that restricts voting rights exclusively to White Anglo-Saxon Bramendians ignores that she is a White Anglo-Saxon Bramendian. Perhaps she is East-Asian or Native, or she is Bramendian with brown skin. Even this circumscribed practice of ignorance already pushes for a multifarious sensation rather than a sensation exclusively through one’s own limited sensation of one’s skin. Those who deploy ignorance or the veil of ignorance expect that—having, successfully, undercut that woman’s sensation of the characteristic at the base of resource monopolization through ignorance which means she cannot assume to possess these characteristics—when asked whether or not she would want voting rights to be extended exclusively to White Anglo-Saxon Bramendians, it would be impossible for her to support monopolization of voting rights based on these characteristics.

Through ignorance, these thinkers intend to redistribute sensation and undermine the epistemic basis of institutional arrangements and institutional treatment of parties that maintains unwarranted monopolies on resources. Of course ignoring that others are excluded from the education system on the basis of having a different religion or gender than one’s own group could also help maintain the existing monopoly on educational resources one enjoys (Mills 2007). Ignorance is not determined to break down monopolies, but it can help do just that. A distribution of senses that supports a male’s sensation of being a male enjoying patriarchic institutional arrangements is conducive to fighting for maintaining one’s lion share of the resources or at this sensation at least has to be overcome. Knowledge, as a kind of sensation, does not necessarily remedy ignorance and ignorance may or may not oppose another ignorance or knowledge.

It is quite difficult to examine what ignorance does and can do, how it affects sensibility and resource distribution as part of the veil of ignorance without inquiring into the aesthetic aspect of ignorance and the veil of ignorance. In this section, I focus on this aesthetic dimension, as it is intrinsic to Rawls's approach to ignorance for addressing institutional arrangements and institutional treatment of parties. The aesthetic aspect means that ignorance facilitates sensation.¹¹⁰ It's distribution frames sensation and any political judgments reached on the basis of that particular framing.

Those who approach the veil of ignorance as an aesthetic idea often tie it to Kantianism (Cornell 2007: 28; cf. Cornell 2005; Panagia 2013). The veil of ignorance, according to this reading, produces a neutral frame, rather than one biased by race, gender or any other characteristics. It therefore facilitates objective principles-of-justice selection. This interpretation effectively underscores how the veil of ignorance fits in a long tradition on moral reasoning through the veil's framing-activity. However, in my view, the conflation of the veil with neutrality or an objective position is unwarranted. While ignorance is compatible with privileged, quantifiably distinct, and other positions, the conflation *a priori* invalidates ignorance's compatibility with positions other than neutrality.

In the previous sections, I showed that Rawls's veil of ignorance neither restricts sensibility behind the veil of ignorance to probabilities nor to individualism characterized by profit-maximization. In fact, the veil of ignorance does not restrict sensibility as much as it aestheticizes and politicizes sensibility differently than before, with the design to break down

¹¹⁰ Kukathas and Pettit allude to this aesthetic aspect in their discussion of the contractual device as whole, which "serves to *make vivid* the constraints on the concept of right...to keep this fact vividly before our minds" (1990: 64; *my emphasis*).

monopolistic distributions of senses, and institutional arrangements that maintain monopolies on the basis of contingent characteristics. The veil of ignorance is an aesthetic (re)distributive device given that it filters how the parties sense through it.¹¹¹ The veil of ignorance is a “device of representation”, Rawls repeatedly tells the reader subsequent to *TJ*'s publication (Rawls 1985; Rawls 1993).

Notwithstanding ignorance's potential to break down monopolies, what it does and can do is not entirely uniform with respect to overlapping problems, or indices of problems it operates on. First, it works differently for the reader than it does for the parties behind the veil in the original position. For the reader and especially for the scholarly community, that device or practice induces a different sensibility or framing as a result of a different starting point from the parties practicing ignorance behind Rawls's veil of ignorance. Second, it also works differently *on* a field of sensibility than *in* a field of sensibility and Rawls primarily politicizes the former in different way than it was politicized before. Finally, what ignorance has done and can do vis-à-vis the treatment of parties under the rule of law varies—be the focus on the arrangement of institutions at the most general level or on very particular instances. The variation of what ignorance does across these indices is worth further study. The scope of inquiry in this chapter into what Rawls's veil of ignorance specifically does allows to sufficiently note the differences and at the same time prohibits general and in-depth enumeration of what ignorance does and can do across these indices in general schematic terms.¹¹²

¹¹¹ Similarly concluding that the veil of ignorance is inclusive rather than restrictive of many perspectives, Cynthia Townley aligns it with feminist concerns (Townley 2006: 39).

¹¹² While reference to these indices is useful for the inquiry in this chapter, it has not always been useful as a “framework of inquiry” into what ignorance has done and does. This in large part is due to the historical rather than

The parties for whom Rawls's device of representation, the veil of ignorance, is intended in the original position prior to society in *TJ* see the veil differently than the reader of the text who has a different perspective of or through the veil than the parties. Unlike the reader, those in the original position are entirely behind a veil of ignorance. As anyone who stands behind a veil, rather than a theater-curtain or a wall—usually meant to block the view completely—the subject sees *through* the veil. The veil induces those behind it to see through it. The veil aestheticizes experience of the world. It is after all a device of *representation*.¹¹³ Being behind the veil of ignorance neither means that the world is cut off from view, or that it is distorted. Such a proposition would assume that without the veil, people sense the world accurately—without distortions. If that were the case, and crystal clear sensation was possible without the veil, the veil would be superfluous for working out institutional arrangement choices. In short, the veil of ignorance enables sensing the world with *refreshing* sensation.

The ignorance Rawls describes works on the field or distribution of the sensible and itself is a sensory practice. Two aspects of how ignorance can work on the distribution of the sensible stand out. First, there is more than one level of sensibility and with significant implications, the ignorance Rawls discusses works on the level of the distribution of the sensible at which (re)distribution and monopolization happen instead of the level of the what I call the “already distributed”, or the “algorithmic level”.¹¹⁴ Second, ignorance does not necessarily lead to

structural nature of the project that takes its queue from changing frames of references and not static categories into which to trim the historical material. In other words, the usefulness of such categories should not be overestimated.

¹¹³ For a discussion of how parties behind the veil may be little different from actual ones cf. Sen 2011: 147.

¹¹⁴ Others have similarly examined the veil of ignorance as a whole as an aesthetic idea—that is as something that stands in for imagination (cf. Kelly 1996; Cornell 2005: 215; Ankersmit 1996: 269; Scarry 2013; Townley 2006; Michael 2008).

Rawls's two principles of justice for the same reason that it opposes monopolization of resources. It allows various ways of sensing and as such—contrary to those who insist that Rawls predetermines institutional arrangements, allocation of resources, and theorizes perfect justice rather than procedural justice—it opens rather than closes questions.

With respect to the first aspect of how ignorance working based on Rawls's approach, ignorance does not remain within the economic framework of knowledge and ignorance of facts. It works on the distribution of sensibility rather than what is “de-facto” sensible in the field of sensibility. Like a camera with an array of settings and lenses, the veil makes available an assortment of sensations to filter the world through and each of the sensations distributes what is sensed differently than others. Yet the veil or camera is not bound to any one of the sensations more than another. The purpose of the veil of ignorance can be the breakdown of monopolistic sensation, but it does not have to be, because in the hands of some practitioners, the device's use is reduced to a single lens. At that point, it stops operating as a veil of ignorance, and both Buchanan's and Harsanyi's approaches to ignorance are instances in which the device is reduced a single lens.

Rawls's veil of ignorance itself is beyond quantification. Too often his aim at principles through the veil of ignorance has led to resistance and rejection in favor of mathematical or economical models (Sen 1976; Roemer 2012; Kurtulmus 2012). It is as if the preference for particular economic approaches are themselves not embedded in particular principles or aesthetic choices; as if economics works at the same level as principles; as if principles and economics offer competing algorithms; and as if ignorance and equal probabilities are equivalent choices, when none of this is the case. A camera is incomparable with the lenses. If the veil of ignorance is an aesthetic device, a device of representation, economics constitutes but one aesthetic choice

the device applies to. Scholars make a mistake when they compare Rawls's ignorance-centered framework with other frameworks at the algorithmic level (cf. Roemer 2012; Kurtulmus 2012; Larry 2013). An erroneous comparison though normalizes the comparability of the choices. The dichotomy between political principles and economics is enforced, rather than being necessarily true and if or more precisely when economists defend algorithmic (re)distributions, they still do so, albeit without always being explicit, based on a choice of political principles.

The mathematical vision some scholars have tried to fit the veil of ignorance into is one of the ways to sense through the veil, but it is hardly the only way. The aesthetics of the veil of ignorance is far richer than mathematical formulas. In departing from the ordinary sensation of personal characteristics, the veil of ignorance works with the assumption and affirms that people can sense in various ways, be it through mathematics, Kantianism, utilitarianism, a combination of these or any other sensibility (cf. Scanlon 2003:154; cf. Rawls 1985).

This should have been evident from Buchanan's and Harsanyi's approaches to ignorance, but it is not. Their approaches to ignorance are designed produce only one way of sensing—through probabilities or on the basis of narrow individualism. Rawls's veil is the one that appears to them unrealistic when it does what the veil of *ignorance* is supposed to do, which is highlight the aesthetics of political thinking, non-monopolistic sensation and the array of possible sensibilities, rather than advancing an intervention through the highly restrictive economization of senses. In reducing sensation to mathematics, their interventions, which claim to be apolitical, are in actuality thoroughly political. This is something that is quite on the surface in *TJ*. Rawls is content with recognizing that his approach to the veil of *ignorance* is political, in the sense that it does not commit “us to a metaphysical doctrine about the nature of the self than our playing a game like Monopoly commits us to thinking that we are landlords engaged in a desperate rivalry,

winner take all” (Rawls 1985: 239). In differentiating it from the other veils similarly shows that there are various ways of sensing. One approach within a framework is not congruent with the entire framework.

This precisely means that the principles Rawls defends through the veil of ignorance should not necessarily be the principles underpinning algorithms more than other principles (Rawls 1999: 581; Rawls 2009: 410; cf. Nagel 1973; Scanlon 2003; Parfit 2011). The opposite interpretation requires disassociating the veil of ignorance from the other veils and attending to it exclusively within the confines of the argument of *TJ* or the long tradition of social contract theories. This way it would be easy to miss what ignorance does differently than algorithms, its political nature, and how it affects and can affect institutional arrangements. I cannot but read the veil of ignorance in relation to the other veils and the economization of ignorance preceding the veil of ignorance. As such, its deployment does not support the truth of a single set of principles and instead facilitates consideration of various politicized approaches to ignorance, including the politicized economization of ignorance.

In his criticism of Rawls, Sen is adamant that he “find[s] the lure of the ‘original position’ distinctly resistible since it seems very unclear what precisely would be chosen in such a situation. It is also far from obvious that prudential choice under as if uncertainty provides an adequate basis for moral judgment in un-original, i.e., real-life, positions” (Sen 1980: 201). This attribute of Rawls’s veil of ignorance that Sen describes so well, aside from confusing ignorance and uncertainty, is what other theorists desire to ascribe to their own devices and are unable to do so. The veil of ignorance attracts because ignorance, unlike other distributions of sensibility, is

not bound to determine choices (cf. Rawls and Freeman 1999: 246).¹¹⁵ In so far as it works thus, it breaks down monopolies. It opens up questions with regard to the competing distributions of the sensible and institutional arrangements rather than insisting on an automated pre-determined response system.

What ignorance does or what the veil of ignorance produces through its scholarly reception is far from a foregone conclusion, in spite of the critics' claims to the contrary (Chambers 1996: 67-73; cf. Gutmann 1980: 120; cf. Kukathas and Pettit 1990: 39).¹¹⁶ In scholarly debates, the veil of ignorance has the effect of breaking down monopolies on conceptualization of ignorance. Some scholars take the polar opposite interpretation to Sen's and assert that Rawls calculatingly designs ignorance, that his approach pre-determines the outcome (Alexander 2013, Chambers 1996). These scholars find him theorizing perfect rather than procedural justice, in a highly contested debate. Yet their own criticisms reflect the myriad of questions that Rawls's approach to ignorance generates.

Consider for a moment Jurgen Habermas's criticism of the "veil of ignorance" for predetermining the outcome, or trapping citizens. In his view,

The higher the veil of ignorance is lifted and the more Rawls's citizens take on flesh and blood, the more deeply they find themselves subject to principles and norms that

¹¹⁵ Thomas Scanlon articulated a similar point. He argued that the veil of ignorance does not determine principles, as much as it helps considered judgments fit together with principles without assuming that they fit (Scanlon 1973: 1023). In a reply to Musgrave, Rawls affirms that his theorization fulfills a mediating role, rather than one that defends a position arrived at a priori (Rawls and Freeman 1999: 243).

¹¹⁶ A helpful distinction here is between (1) the sensibility the veil of ignorance furnishes for the parties in the original position described in *TJ*, (2) the application of supposed knowledge of what ignorance does to debates on immigration, taxation and pensions and (3) what ignorance generates in scholarly debates, including resistance to ignorance in feminist debates. In this part of the paper, I discuss the latter two operations of ignorance.

have been anticipated in theory and have already become institutionalized beyond their control. In this way, the theory deprives the citizens of too many of the insights that they would have to assimilate anew in each generation. It is not possible for citizens to view this process as open and incomplete, as the shifting historical circumstances nonetheless demand. They cannot reignite the radical democratic embers of the original position in the civic life of their society, for from their perspective all of the essential discourses of legitimation have already taken place within the theory; and they find the results of the theory sedimented in the constitution (Habermas 1995: 128).

Habermas's point is that Rawls's veil of ignorance determines the conclusion and closes off debate, rather than allow ordinary citizens to make decisions, or allow the veil of ignorance to be open enough to lead to the kind of agreement different persons would arrive at. However, Habermas's own response to what ignorance does and can do points to the questions that Rawls's approach to the veil of ignorance opens up regarding what should be ignored, how ignorance should work and how it should be distributed within the contemporary framework. Given the scope and depth of debates the veil of ignorance has been integrated into—from debates on racial justice (Mills 2007; Mills 2015; Shelby 2003a; 2013b) to feminist debates (Okin 1989; Baehr 1996, Townley 2006) to environmental politics (Thero 1995; Hartley 1995; Perreault 2014) and more—what the veil of ignorance does remains an open question. The discussion around it, as Habermas himself inadvertently shows, and with greater focus on its framework, must inevitably address what should be subject to ignorance and how ignorance should be distributed.

Conclusion

I have argued that unlike Harsanyi's and Buchanan's approaches to ignorance, Rawls approaches ignorance without equating it to either equal probabilities or narrow individualism. The consideration of what ignorance as part of his "veil of ignorance" does and the significance

of what it does must inevitably include a reflection on the aesthetic aspect of the device, namely how it frames sensibility through ignorance. The investigation of the veil's aesthetic aspect turned attention to how rather than constricting sensing, it facilitates different ways of sensing (1) for parties behind the veil of ignorance, (2) with respect to institutional arrangements and (3) in scholarly debates. In summary, from this perspective, what it does when someone like Rawls employs it instead of either Harsanyi or Buchanan, Rawls ascribes to one of his principles of justice in that "it transforms the aims of the basic structure so that the total scheme of institutions no longer emphasizes social efficacy and technocratic values" (Rawls 1999: 87). He makes ignorance available to various scholars unsatisfied with algorithmic thinking, studying race, gender, and how institutions treat parties in general.

The account—consistent with the recent changes in attitude towards ignorance primarily in sociology—highlighted ignorance's significance as a valuable resource without the pejorative quality often attached to it. Considering that this resource may equally support the monopolization of benefits¹¹⁷ as well as the breakdown of the monopolies, and counter algorithmic distributions of benefits, Rawlsian and political science scholars more generally should be concerned with its distribution, its framework and our approach to them.

Its distribution on the basis of the underlying contemporary rule of law framework should be as contentious if not more contentious for political scientists as it is for economists, given that the stakes are quite high. The urgency of drawing more systematically on Rawls's insights into the array of approaches to ignorance and what it can do is underscored by the role that William

¹¹⁷ I use the term benefits here so as not to confuse different meanings of a resource. A resource may be a strategy for example when it describes ignorance, or it may be something one draws on, such as a good or a service. The word "benefit" refers here to the second meaning of a resource.

Davies and Linsey McGoey (2012) ascribe to ignorance leading up to the 2008 financial crisis. According to their account, the economical, mathematical, modeling of ignorance's distribution and its effects, used for regulation of financial institutions that affects millions of lives was in the hands of economists without sufficient scrutiny of political scientists (Davies and McGoey 2012). In their words,

If economists are slow to recognize ignorance when it is staring them in the face, sociologists and political theorists are generally guilty of failing to explore the myriad ways that ignorance is not simply a social or political liability; it is an asset that is strategically exploited in a myriad different ways that are themselves quite usefully difficult to ascertain because the question of whether someone acted in bad faith or actually did not know any better is itself a commodity to the individual in question (Davies and McGoey 2012: 78).

What economists were seeing were their own algorithms and mathematical models equated with ignorance. Rawls's approach to ignorance offers political scientists a way of challenging the equation of ignorance with an algorithm, to examine what ignorance does, what it is supposed to do, and its effect on how institutions treat various parties.

CONCLUSION

I. Refocusing on Ignorance

In what way is the substitution of economic algorithms for ignorance, as if ignorance is a can be modeled and as if it a quantifiable resource or liability, different from a monarch's claim that by Divine right they alone are qualified to make decisions dealing with ignorance? Surely the algorithmic approach is more accurate and captures the Truth, compared with a claim that rests on tradition and metaphors.

Without this or that framing, ignorance means little to nothing. Each approach is a way of framing ignorance, its frame of references, its meaning, what can and cannot do, and how to challenge what it can do. Instead of locating the true definition of ignorance, in this dissertation, the narrative attended to historical changes in the parameters and tensions of ignorance's framework. I cast the contemporary framework or the contemporary conditions of possibility of the emergence of ignorance in relation to political order against the background of past renditions. Drawing attention to the ways in which ignorance was framed and how monarchs, political theorists, economists and others thought about what it did and does offers an alternative to the narrative associated with the Enlightenment that portrays ignorance as just darkness that must be done away with. As I showed, even one of the key figures of the Enlightenment, Adam Smith, espoused a much more complex understanding of ignorance that instead of pejoratively dismissing it, appreciated its integration into political arrangements. Alternatives—to the dominant approach or approaches to ignorance within a particular framework—are always available. It should be difficult to justify foreclosing or not considering the alternatives that could

help reach certain desirable objectives, such as political stability or fair institutional treatment of various parties.

Interventions on the basis of algorithms, regardless of their claim to indisputability, do not nullify interventions on other bases. In other words, the algorithmic lens is but one filter, other filters are available, and Rawls's operationalization of ignorance demands contestation of which filter to apply instead of conceding to the economists' algorithms. On the one hand, Rawls's veil of ignorance puts in question monopolization of the operation of ignorance, and brings into focus the grounds for legitimate claims to exclusion from equally sharing in ignorance—be these claims made for economists or those with political power. On the other hand, it cannot assume the superiority of an equal distribution of ignorance and treats skeptically the desirability and operation of equal distributions of ignorance as well. If one senses through the veil of ignorance, his text asks, on what basis should institutions treat parties? Values underlie any intervention and they require close examination and working through dis/agreements. That the distribution of ignorance, hinging on how its framing, affects how institutions treat parties is beyond doubt and aligning ignorance with technocratic or liberal values carries their own implications. Letting economists rather than political theorists, the public, or other political bodies determine a resolution is certainly one option.

Michael Sandel in his Tanner Lectures What Money Can't Buy: The Moral Limits of Markets (2012), which he recently published in more popular form after the 2008 financial crisis, worries about the increasing commodification and surrender to the market. He urges the audience to have a public debate on what should and should not be left to the market. Turning to public discourse is certainly one solution, yet Sandel does not identify the ground for discussion. Should Rawls's approach to ignorance for instance underpin such discussion? His conviction that what

the market does and what is left up to the market is up to the decisions of individuals or groups should also not be firmly held. In sharing his concern, my study insisted on not overextending the discussion so broadly as to ask “what should the market decide?” Instead the focus should be on a more specific aspect of what enables the over-commodification Sandel worries about. Namely, greater attention should be given to the insufficient contestation of the dominant approach to ignorance, to how ignorance works, within the contemporary framework that relegates this question to the economic domain.

In other words, if the correct answer to what should be left up to the market is illusive, at least the deregulatory economic policies, which enforce governmental ignorance of financial transactions and intuitions, should be met with greater opposition. Why should the government share in ignorance of transactions that affect the stability of the political order or that can cripple the banking system, lead to unemployment, or the dispossession of many citizens to whom the government is at least partly responsible?

Take for example the failure of the Monte Carlo Simulation models of risk. These simulations, widely used by economists and financial institutions, create millions of potential scenarios to calculate risk based on the existing sample of infrequently occurring events (Mooney 1997; Glasserman 2003). The probability of infrequent events, such as for example a stock-market crash or the simultaneous collapse of three major banks is extremely low based on the existing historical sample. Economists thus generate algorithmic answers or models for ignorance of the future. Algorithms substitute for ignorance. The issue is not what ignorance is, but how it is framed that affects how people think and how they know what it may be. Ignorance is reframed as an algorithmic formulation. Even before the 2008 financial crash, Nicholas Taleb pointed to the glaring problem: “how can we logically make claims about the unseen based on

the seen?” (Taleb 2007). If we have not seen some events very frequently, this does not mean that we will not see them much more frequently in the future. The actual occurrence or nonoccurrence of events is not equivalent to the estimated probabilities of such events. As the authors of one textbook on risk management put it, the Monte Carlo Simulation “can prove...that the Grand Canyon does not exist” (Van Deventer, Imai, Mesler 2013).

These algorithms, standing for ignorance, offer assurance of the predictability of the future as long as the government does not intervene in the market—as long as the government does not enjoy an exemption from ignorance that other actors also share. There should be minimal to no *oversight* by governmental agencies—to use the metaphor of vision that Taleb employs in the discussion of algorithms and one that alludes to the millennia old connection between ignorance and sight that connects them at the root, *gnosis*, and endows the verb, to ignore, with a connotation to ignorance/knowledge. The algorithms support the risky decisions financial institutions make, the setting of interest rates, determining environmental and health risks (cf. Poulter 1998). They frame future events and preparedness for future events as an algorithmic, mathematical, economic issue rather than a political one.

The failure of these models can be dealt with in at least two ways within the contemporary framework of ignorance: either allow the market to point the way forward or enforce legislation affecting how ignorance works and what it does. The former approach recognizes the shortcoming of the algorithms and attempts to adjust them based on the changes that occurred in the sample of events used to calculate the frequency of future events. No political intervention is necessary, considering that this is purely an economic modeling problem. The latter approach recognizes that the way ignorance works and what it does is subject to the law and the operation of ignorance must be contested through legislation. The effects of various

ways of framing or approaching ignorance must be thoroughly probed, and hence if the economic models do not work, there need to be firm legal constraints on the kind of transactions that financial actors make. This would affect what ignorance does. It would cast questions concerning both the possibility of the collapse of banks and the implications of governmental oversight as political rather than just economic issues.

Ignorance of the future lacks significance without its framing and how it affects political order, stability, and distribution of rights, privileges, and equality. At issue is, how much faith is put in models that substitute algorithms for ignorance. It is also an issue of putting ignorance, the contemporary conditions of possibility of the emergence of ignorance as a problem vis-à-vis the political order at the forefront instead of attending principally to regulation or the economic models. Rather than choosing what one wishes would be the best forum or field of contestation over this concern, it is necessary to intervene in the fields of contestation affecting what ignorance means and how it is distributed, namely (1) the economic market and the associated models economists develop and (2) legislation within the parameters of the rule of law. It is imperative to communicate about ignorance—about what its framing and what it can possibly do—through the proper channels.

In “Ecology of Ignorance” (1998) the prominent sociologist Nikolas Luhmann expresses a similar concern with lack of attention to how we deal with and communicate about ignorance. We formulate plans and produce predictive models precisely because we do not know the future. We propose various courses of action because of what he describes as the “ecology of ignorance” or this contemporary condition defined by risk and contingency. Competing plans and courses of actions would be impossible if people did not share in ignorance. In other words, ignorance is necessary for the calculation of the future, for planning and acting that all take into

account not knowing the future. Finding Luhmann's framework useful, Paul Rabinow insists that we have a "responsibility to our ignorance" (Rabinow 2008: 62), in the way that we debate, in the way that we pursue the unknown, and it is not an issue of removing the unknown and or replacing it with the known (Rabinow 2008: 61). Indeed, more thought should be devoted to how to best be responsible to what becomes subject to ignorance, the refusal to sense, or what cannot be sensed for a variety of reasons.

Both Luhmann and Rabinow stress the newness of this ecology of ignorance. Luhmann observes that "in descriptions of the cosmos or the creation of nature there was once an inexplicable moment of order...today ignorance is at the same the other side of knowing" (1998: 81). Rabinow for his part re-affirms that "we moderns...move in a situation of systemic ignorance" (Rabinow 2008: 60). I concur with Luhmann and Rabinow that ignorance is historical in the sense that it is imperative to examine its modern form. I have shown how ignorance's modern form is tied to time as well and examined the movement of ignorance from an external threat to a central feature of political order. I also share their recognition of ignorance as an indispensable resource with a range of uses, which means that it should not carry a pejorative meaning or be seen as a liability.

However, going as far as to assert that it is a purely modern phenomenon, emerging only recently, or that its centrality to modern accounts is unique is unwarranted. In short, that before people did not live in and have accounts of an "ecology of ignorance" is incorrect.¹¹⁸ Even in

¹¹⁸ Agreeing with Luhmann that the "Ecology of Ignorance" is a modern condition, Rabinow points to what can only be taken in his account as modern consequences that were not possible before: "Acknowledging an ecology of (partial or permanent) ignorance would have important consequences. First, it would further deflate the authority of those making futuristic pronouncements..." (Rabinow.2008: 61). I doubt that this consequence of acknowledgement of an ecology of ignorance is unique. Hobbes, as I showed in the second chapter recognized the

King James I's account of order in The Trew Law of Free Monarchies, the moment of order, as Luhmann would call it, is balanced by or at least haunted by the ignorance he frames and addresses at the treatise's outset. My contention in this investigation has been that what Luhmann, Rabinow and others refer to as the ecology of ignorance had previous renditions that opened up and closed off possibilities. People were differently "responsible to their ignorance" to use Rabinow's language and this responsibility was expressed in historically specific ways within the existing framework.

Without genealogical understanding of the differences between contemporary and previous renditions of ignorance's framework, only very broad insights into the parameters of ignorance's operation are possible. Rabinow for instance notes that, "if we were to be responsible to our ignorance then we would have to think differently. If we did so, there would be problems translating such structural ignorance and a principled responsibility to it into the kind of technical rationality that our bureaucracies demand. But those problems would be worth struggling over" (Rabinow 2008: 62). This conceptualization is well-suited for recognizing and speculating about monumental transformations but not incremental changes. It helps to broadly reflect on systems of thought, but not more narrowly on historical specificities in distributions of ignorance and the differences in sites of contestation.

For their part, anthropologists and sociologists have produced excellent studies of ignorance in both historical and contemporary settings that show how it can be used in different ways. Alison Bailey (2007), Shannon Sullivan (2007) and Lorraine Code (2007) point to the strategic uses of ignorance. As Sullivan illustrates, it has been used by oppressed groups

role of ignorance in a political order, and more specifically how both "ignorance of words" and "ignorance of causes" empower some to make claims about the future that lead others to grant them authority.

including Puerto Ricans to redistribute wealth from the US to the island and it has also been used to perpetuate social and racial hierarchies in the nineteenth century as Code expounds (2007). It is integrated into bureaucratic systems, such as the bureaucratic system around health care (McGoey 2007), and the operation of financial institutions (Davies and McGoey 2012). These are all excellent studies focusing on isolated uses of ignorance, but not the historical patterns. They do not see the practice itself as historical within a particular tradition. Instead, it appears as a “universal structure”.

Nonetheless, the glimpses of linguistic changes being adapted in anthropology and sociology in recognizing its strategic deployment, that it does not have to be replaced with knowledge, and not treating it as a pejorative condition, are all significant developments in the approach to the study of ignorance in the social sciences that requires reinforcement. This interdisciplinary effort together with the repurposing for the study of ignorance the language Foucault furnished for the study of knowledge, are necessary to counter the study of ignorance as a universal state or structure insensitive to historical conditions.

In this investigation, I examined the historical changes in ignorance’s framework—what Foucault calls *savoir* in his genealogical analysis of knowledge and for the purposes of my investigation focusing on ignorance, I refined to mean the contemporary conditions of possibility of the emergence of ignorance in relation to political order. This enabled me to discuss changes in the reference points of ignorance’s framework, how the framing underlies the framing and operation of the distribution of ignorance, exemptions from sharing in ignorance, grounds for exemptions, consequences, and political effects. I set the task of explaining the differences in what ignorance does and can do vis-à-vis the political order in contrast with what it did, could and could not do before in the Anglo-American political scene. Recognizing together with

Foucault, who in his genealogical project argued that changes in knowledge result from contingent and complex causes, I was not interested in mapping the continuity as much as the differences that alter the framework of ignorance's operation.

I argued that already by the time Hobbes wrote Leviathan, the understanding of ignorance was becoming more secular and this marks one shift in ignorance's framework. Towards the end of the eighteenth century, the rule of law distribution of ignorance slowly replaced the monarchic distribution. The monarchic distribution was an *unequal distribution in which the monarch enjoys a natural exception from ignorance on religious and metaphorical bases and distributes ignorance through the royal prerogative*. The rule of law distribution that comes into view or emerges with these listed changes is an *equal distribution through the law, in which various parties enjoy exceptions from ignorance on legal and time-sensitive bases*. In principle, under the rule of law, the distribution of ignorance becomes equal, and the rule of law replaces the royal prerogative as ignorance's distributive mechanism.

The link between equality and ignorance re-activated the latter for realizing the ideal of the former without clearly defining a way of ensuring how the sharing in ignorance could not be harnessed for achieving political, economic and other forms of inequality. Exemptions from ignorance ceased being anchored in theology, and Truth, and instead claims are framed in terms of time—who discovered something first, who is in better position to make timely decisions, and in principle, albeit not in practice, there are temporal limits to exemptions under the rule of law. Ignorance's framework moves away from Truth, and economization becomes crucial. Within this framework, the grounds for challenging monopolization and the channels for countering efforts at monopolization become detached from Truth, but not necessarily from agreement. Regardless of whether economics, divine truth, or a ruling under the law serves as the basis for

exceptional status that comes with the claim to authority over how to treat, re-produce, distribute, and manage ignorance, ultimately these claims are not beyond disagreements and various pressures.

How and through which channels the distribution of ignorance can be challenge historically vary. The theologically, metaphorically rooted discourse leading up to the English Civil War severely constrained the site of contestation by casting ignorance as the many-headed-headless monster, a threat to political order. The reference to ignorance in this discourse was therefore primarily to stimulate the discussion of a very limited set of problems concerning the head that will be in/capable of protecting the body politic. At the end of the civil war, Hobbes's Leviathan records the shift in framework and scope of what ignorance can do through both metaphorical and political channels. The framework of ignorance becomes more secular and ignorance could both support and undermine political order. Ignorance's distribution and what it can do is hardly beyond disagreements and its political nature, the need to politically contest how ignorance works, becomes paramount. More specifically, who or what decides the meaning of words and rules, and how ignorance must work, who must practice ignorance towards what, depends on formed agreements rather than natural exceptions. The Wealth of Nations, I argued records the closing off of the option that a sovereign could arbitrarily decide how ignorance will work. The rule of law and the economic market, as well as those who study both fill in the space that the sovereign vacates. Within this framework of ignorance, in contrast with the monarchic one, the contestation of what ignorance can do consolidates around challenges to its production, distribution, and operation through legislative measures and legal challenges on the one hand and financial activity in the market, financial regulation, and economic modeling of ignorance on the other hand.

I conclude by briefly identifying three specific contemporary sites, besides the regulation of financial institutions, where the practice of ignorance, who share in it, who enjoys exceptions, and how it is distributed should be more vigorously and overtly contested with the contemporary framework or based on what is allowed by the contemporary conditions of possibility of the emergence of ignorance in relation to political order. I point to these sites so as to highlight the stakes of either leaving the framing and distribution of ignorance consigned to the background instead of openly contesting it or when it is at the fore, yielding to amendments to how it works without resistance through the proper channels. How it works is inseparable from its aesthetics or its framing—what comes under its purview and what does not, whether the practice is relegated to the background or not. The objective is not to map the full-fledged alternatives. Rather, it is bring to the fore issues concerning its framework and distribution that have hitherto remained peripheral and yet influence the distribution of rights, benefits, and the parameters of public discourse.

II. Public Discourse

Certain topics or issues cannot legally be subject to public discussion regardless of whether people think they are sufficiently knowledgeable as in the case of Holocaust Denial or they could not know as in the case of information deemed to be secret being excluded from public discourse before Edward Snowden's revelations. These are two different bodies of knowledge or two types of sensibilities that I briefly discussed in the Introduction and that prohibited from public discourse through the law, amount to the same practice of sharing in ignorance circumscribing public discourse. Based on what values is the distribution of ignorance regulated? Should these values be the same? Examining these questions would require another

manuscript. I draw attention to this site of contestation though to lay the ground for a more robust integration of the practice of ignorance, the sharing of ignorance, framed within the contemporary framework of ignorance, to protect vulnerable parties and set the boundaries for public discourse.

Such an approach would have to abandon the narrative associated with the Enlightenment that ignorance and knowledge are opposing forces or entities and only the latter has value. It would have to consider the possibility of combining and balancing transparency, educational projects, and sharing in ignorance that is useful for protecting either political stability of various individuals and groups. It would have to challenge the framing of ignorance as something subject to time the value of which will eventually be determined by the market. The market does not have to determine the value of ignorance when the value of upholding certain societal values other than market freedom could support the legal enforcement of sharing in ignorance under the rule of law. There is more than approach to the regulation and distribution of ignorance that is available within the contemporary framework of ignorance. Yet these approaches should be more clearly articulated and more widely understood in the public discourse that then influences the demarcation of public discourse itself.

III. Racial Discrimination

The legal discourse around racial discrimination is another contestable site for how ignorance is framed and how it works and similar issues simmer underneath the debates over colorblindness as the debates on the parameters of public discourse. Legal distribution of ignorance configures or affects how people are treated based on their race.

Over the past decade, Charles Mills (2007; 2009; 2015) and Tommie Shelby (2003; 2013) have been locked in a debate over the usefulness of John Rawls's "veil of ignorance" for racial justice. Charles Mills criticizes the "veil of ignorance" as a white, ahistorical insidious project perpetuating what he calls "white ignorance" or a systemic ignorance supporting white supremacy. In his response, Tommie Shelby asks: if one sets out to judge the "veil of ignorance" or any other basis for deciding what principles should underpin how institutions treat parties and more specifically how to remedy racial injustices, how else would one do this if not using a "veil of ignorance"? Mills's proposals, he points out, are not as incompatible with the appeal to a "veil of ignorance", as Mills would like the reader to believe.

Neither Shelby nor Mills sufficiently understand what contemporary ignorance can do within the existing framework. In the disagreement both thinkers tie ignorance with racial injustice and its possible remedy, but offer no rigorous historical understanding of the relation between ignorance and racial in/justice in the United States. Taking a historical perspective, it is imperative to understand how in the United States practices of ignorance have become anchored in the rule of law—rather than the exercise of the royal prerogative to decide who must practice ignorance and who enjoys exceptions from ignorance and for what purpose, as was the case in Great Britain under King Charles I for instance.

Taking a historical approach that recognizes the changing parameters of ignorance under the rule of law has significant implications for the Mills-Shelby debate. It leads to reservations regarding the historicity of Mills's claim that ignorance is bound with racial injustice and not justice. It increases awareness of ignorance as a valuable resource, which means that scholars including Mills and Shelby should contest what it does and how it works under the rule of law to engender racial in/justice, rather than a priori discard it. If laws were used to perpetuate white

ignorance, it is curious why the same mechanisms cannot be reversed, rather than relying on the market.

IV. Democratic Politics

In democratic theory, ignorance predominantly appears antithetical to democracy. Few attempts have been made to expand the conception of ignorance and show its possible comportment with democracy. As an exception, Jacques Ranciere insists that ignorance does not relate to democracy in a singular way (2006; 2009). Ignorance or rather various frameworks of ignorance could both facilitate and undermine democracy.¹¹⁹ Even applying ignorance to political facts, if this defines ignorance in politics according to the rational choice approach, could both support and subvert political regimes. Meeting the Levellers and other advocates of democracy on their own theoretical terrain, Hobbes showed acute awareness of practices of ignorance that undermine monarchic rule—when people subject to ignorance the strict established meanings and democratize the interpretation of words and the law.

In his recognition that there is more than one way to practice ignorance, Ranciere's insights remind of Hobbes. In his reflections on the relation between ignorance and political arrangements, he theorizes that there are several qualitatively different ways of ignoring, resting on opposing irreconcilable principles (Rancière 2006; 2009). With the existing regime he

¹¹⁹ Democracy could mean both a form of regime that goes by the name of democracy or a moment of disruption of the existing hierarchical arrangements. Ranciere argues that ignorance could be aligned with both the regime that goes by the name of democracy but assumes that some in that regime are unequally qualified to say, see, and do compared with others in that regime, and the democratic moment when the differences between those who can see, say, and do, are blurred through the enactment of democracy synonymous with equality.

associates the first kind of ignorance that Lev Marder calls “ethical ignorance” (2015). This is the ignorance that accompanies the demarcation of jurisdictions, the ethical order as Rancière calls it, and the demand that people maintain ignorance of what they are not in position to see (Rancière 2006). A construction worker is in no position to see beyond what her work allows, cannot see how the banking system works, especially at the international level. Therefore, she must continue to work within her jurisdiction and ignore economic policy-making, leaving it to those in the right positions.

The alternative form of ignorance—*aesthetic ignorance*—Rancière associates with democracy (Rancière 2009: 8; 2006). *Aesthetic ignorance* is the ignorance of ethical ignorance that requires people to restrict themselves to their own jurisdictions and ignore what they are supposedly unqualified to deal with. The example that Rancière often gives is the 1989 “We Are The People” protest in Leipzig. At that moment, he argues, the people refused the distinction between the representing government and the represented people that accompanies the demand to leave political decision-making to those in the legal position, those occupying governmental positions (Rancière 2009). They challenged the representation of the people, and momentarily disrupted the distinction between those qualified and unqualified for ruling by declaring “We Are The People”. By showing that the masses declaring “We Are The People” represent themselves in that statement, they put in question the rationality of the rules by which those in power claim to represent the people. *Aesthetic ignorance* turns on the principle of equality or the belief that anyone can do, see, and say as anyone else (Rancière 2014[2009]: 48–9).

Political facts and meanings are hardly static and establishing who practices ignorance and the effect this has on the existing system must be only one part and not the whole of the scholarship on ignorance in democratic regimes. Other aspects of the relation between ignorance

and democracy require attention: who or what decides exemptions from ignorance, what differences count and do not count, whether or not the distribution of ignorance promotes equality, and how democratic and undemocratic practices of ignorance work.

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