

RESPONSES

WHAT THE TWINS SAW

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Anthony Kronman's essay presents us with a fundamental question: Does justice exist in some transcendent sense? Or is justice merely a matter of taste (more specifically, a taste for power)? I take Kronman's thesis to be that there is such a thing as "justice" in the Socratic—which is to say the Platonic—meaning of the word. However, he emphasizes that our knowledge of justice can never achieve the certainty available within the realm of pure reason, most clearly manifested to us when we apprehend the truths of mathematics and geometry.

Kronman thus defends the position of Gorgias, who holds that rhetoric is an honorable art, precisely because the passions must be engaged if men are to be inspired to right action. The uncertain counsels of reason are by themselves insufficient to this task, because the demands of justice are rarely as clear as the transcendent truths of mathematics. The lawyer, Kronman argues, is the archetypal rhetorician. Caught in that middle earth between the transcendent and the merely sensual, he is neither a disinterested pursuer of the truth nor a nihilistic worshipper of power. He is therefore emblematic of the essential human condition, in a way that the pure philosopher and the pure politician could never be.

Kronman's account of the situation seems to me to be on the whole correct. In what follows, I will explore a few of the implications of this view.

First, we might begin by noticing a certain assumption that is routinely embedded in arguments about whether concepts like justice have some sort of transcendent metaphysical status, as Socrates argues, or are themselves merely rhetorical devices that are employed by those who seek power for its own sake, as his opponent Callicles claims. This assumption, which is rarely made explicit, nevertheless has a considerable influence on these sorts of metaphysical disputes. It is that, if justice is not merely a matter of social convention and individual taste, we can achieve certain knowledge of it. Or conversely, it is assumed that, if we cannot achieve such objective knowledge of what justice is, it follows that justice in the transcendent sense must be an illusion.

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Of course, neither of these conclusions is in any way logically entailed by whatever beliefs we might have about the nature of justice. They are in fact classic illustrations of the rationalist tendency to confuse the epistemic with the ontological: to confuse our ability to know about a thing with assertions about the existence of that thing.

This tendency is so pronounced in modern thought that it often gives birth to metaphysical arguments of such a crude nature that it is difficult to believe otherwise intelligent persons could make such claims. For example, it is routinely argued that the universe must be assumed to be a product of mindless and random material causes because the scientific method is supposedly based on this assumption. Therefore, the argument goes, any other assumption would be "unscientific."¹ This is merely an extreme example of the intellectual axiom, "That which I do not know is not knowledge." Because science cannot meaningfully delve into first causes, it is asserted that the very idea of first causes is meaningless. Thus one gets what amounts to a series of ontological arguments for the non-existence of God, but of a particularly confused and disingenuous kind.

The motto of the typical contemporary intellectual could well be, "Better to rule in Hell than to serve in Heaven," that is, better to know one thing with certainty, even if that thing is that there is (ultimately) nothing worth knowing. And, contrary to popular belief, the best example of this intellectual tendency is not the dreaded cocktail party nihilism of the academic postmodernist, but rather the dominant philosophy of the modern age, which is of course utilitarianism in all its many forms.

Indeed, Plato and Bentham remain the two possible roads to an imperial certainty in metaphysical matters, which we might term the geometric and the gastronomic. While Plato's gaze was forever fixed on the eternal forms, Bentham's inquiries were limited to the stomach, and related regions. One might even venture to assert that modern economic theory, and especially the economic analysis of law, has attempted to merge these two roads into a single epistemological superhighway, as it attempts to reduce everything to a question of gastronomy, and then to measure gastronomic matters with geometric exactitude. Thus the rationalizing and conceptualizing tendencies of Plato and his heirs have been wedded to the animalistic nihilism of

1. *See, e.g.*, DANIEL DENNETT, *DARWIN'S DANGEROUS IDEA* (1995). For an extremely amusing (and depressing) catalogue of similar lines of argument, see John Searle's *THE REDISCOVERY OF THE MIND* 3-26 (1992).

Callicles, to produce what in the modern university is often called “science”—specifically social science.²

But what *can* we know of any transcendent realm beyond that in which our appetites are measured with such exquisite precision by the priests of rational self-interest? Here, Kronman’s argument gives us a hint as to where we might look. Kronman frames his argument by employing a thought-provoking dichotomy between the passionless truths of mathematics and the sensual pleasures of fine cooking. He then argues persuasively that rhetoric occupies a middle ground between these two forms of persuasion.

Unlike mathematics, rhetoric is concerned with truths that are variable and obscure, and permanently subject to dispute, and it employs the passions as instruments of persuasion. Unlike cooking, it starts with the assumption that there are meaningful truths “about the things that are just and unjust,” and seeks to persuade others of these truths by means of passions that are social rather than private in nature. Gorgias’s craft stands between mathematics and cooking, and can neither be elevated to the one nor demoted to the other.³

Again, this seems to me to be correct, subject to the following proviso: only because of the limits of normal human perception, which divide reason from emotion, and immanent enjoyment from transcendent knowledge. But what of abnormal perception, enjoyed by those who lack even the rudiments of what we usually consider to be the more sophisticated reasoning powers of the human mind?

Philosophers have long considered mathematics to be the “queen of the sciences.” Mathematicians, in particular, have always had a keen sense of an intimate connection between the ultimate nature of things and the mysterious power of numbers. Pythagoras, who discovered the single most important theorem in the history of mathematics, was himself the founder of a religious cult whose central tenet was that “all things are numbers.” And indeed it is difficult to contemplate the mathematical symmetry of nature without feeling the force of Plato’s dictum that “God eternally geometrizes.”

Why, for example, does the resistance of a body in water increase by squares as its mass increases by cubes?⁴ Why aren’t the relevant proportions something apparently random, like forty-eight percent to seventy-one percent? Why can you predict a baseball team’s won-loss record with uncanny accuracy by taking the ratio between the *squares* of their runs scored and runs allowed?⁵ Do not such examples (and there are an almost infinite supply of similar ones

2. As Searle notes, “anything that calls itself ‘science’ probably isn’t.” JOHN SEARLE, *MINDS, BRAINS AND SCIENCE* 9 (1984).

3. See Anthony Kronman, *Rhetoric*, 67 U. CIN. L. REV. 677, 682 (1999).

4. This is why it is economical to employ supertankers.

5. This is just one of thousands of practical applications of the Pythagorean theorem.

known to us) almost demand we accept the existence of some fundamental connection between the abstract clarity of mathematics and the objective "reality" of the material world?⁶

In his book, *The Man Who Mistook His Wife For A Hat*, the neurologist Oliver Sacks describes his encounters with two autistic twins, John and Michael. Having measurable IQs of sixty, they had been institutionalized as severely retarded and possibly psychotic *idiots savants*.⁷ When Sacks first got to know John and Michael, they were in their mid-twenties. It had already been discovered that they had seemingly limitless documentary powers of recall: They could describe in detail the most minute details of any day of their lives since the age of four or so. They also possessed the ability to determine almost instantaneously on which day of the week any date within an 80,000-year span fell. To achieve this feat, researchers assumed the twins were employing some unconscious calendrical algorithm. They were categorized as examples of the mysterious but well-known phenomenon of otherwise mentally defective individuals who were nevertheless capable of prodigious feats of calculation.

But Sacks was unsatisfied by this obviously inadequate "explanation." For the twins seemed unable to perform even the simplest mathematical operations: "They cannot do simple addition or subtraction with any accuracy, and cannot even comprehend what multiplication or division means. What is this: 'calculators' who cannot calculate, and lack even the most rudimentary powers of arithmetic?"⁸

One day, Sacks witnessed an incident that deepened the mystery. He accidentally knocked a box of matches off a table, causing the matches to spill out onto the floor. Almost simultaneously, each twin said "111." Then John said "37." Michael repeated this. Then John said "37" again. Sacks laboriously counted the matches, and discovered that there were indeed 111.⁹ This seemed remarkable enough; but how did the twins manage to *factor* that number so readily? Sacks was both puzzled and disturbed by the incident, but it seemed inexplicable. So he forgot about it ("that which we do not know is not knowledge").

The incident that eventually reminded him of this first mysterious encounter ought to be related in Sacks's own eloquent words:

This second time they were seated in a corner together, with a mysterious, secret smile on their faces, a smile I had never seen before, enjoying the strange pleasure and peace they now seemed to have. I crept up quietly, so as not to disturb them. They seemed to be locked in a singular, purely numerical, converse. John would say a number

6. What better example could there be of the mindless materialism of contemporary intellectual life than the almost unconscious assumption that something is "real" precisely to the extent that it is an *object*?

7. See OLIVER SACKS, *THE MAN WHO MISTOOK HIS WIFE FOR A HAT* 195-213 (1985).

8. *Id.* at 197.

9. Films buffs may recall how this incident was essentially reproduced in a scene between Dustin Hoffman and Tom Cruise in the film "Rain Man."

—a six-figure number. Michael would catch the number, nod, smile, and seem to savour it. Then he, in turn, would say another six-figure number, and now it was John who received, and appreciated it richly. They looked, at first, like two connoisseurs wine-tasting, sharing rare tastes, rare appreciations. . . .

What were they doing? What on earth was going on? . . .

As soon as I got home I pulled out tables of powers, factors, logarithms and primes . . . I already had a hunch—and now I confirmed it. *All the numbers, the six-figure numbers, which the twins had exchanged were primes . . .*¹⁰

The next day Sacks joined the twins in their game, and (by surreptitiously glancing at a hidden book) was soon trading eight and nine-figure primes with his delighted patients. Eventually the twins moved on to swapping twenty-figure primes, or at least Sacks assumed that is what they were doing, as there were no books available in 1966 that went beyond even ten figures when listing prime numbers. Indeed, even a sophisticated computer program would have had difficulty producing such a computation because, as Sacks emphasizes, there *is* no simple method, algorithmic or otherwise, for calculating primes.

There is no such method, and yet these twins, who were incapable of adding 12 and 17 correctly, were somehow capable of performing a feat of unaided calculation that far exceeded the abilities of the greatest mathematicians. Furthermore, Sacks's account makes clear that they seemed to derive a keen aesthetic and even sensual pleasure from their numerical games.

Sacks goes on to speculate that the twins could somehow “see” numbers in all their Platonic purity, that indeed for these severely retarded young men the universe in some sense actually *consisted* of numbers. Sacks's account can be understood to imply that the twins may have grasped the essential relationships between numbers—and thus perhaps the underlying rational structure of reality—in some fundamental way that remains inaccessible to persons of normal intelligence. And they seemed to do so not merely in regard to the sorts of numerical relationships we already understand (primes, factors, powers, etc.): “I observed them in countless other sorts of number games or number communion, the nature of which I could not ascertain or even guess at.”¹¹

“Plato thought nature but a spume that plays
Upon a ghostly paradigm of things;

10. SACKS, *supra* note 7, at 201-02.

11. *Id.* at 204.

Solider Aristotle played the taws
Upon the bottom of the king of kings;
World-famous golden-thighed Pythagoras
Fingered upon a fiddle-stick or strings
What a star sang and careless Muses heard”¹²

The observations of scientists such as Sacks suggest that Kronman’s division of rational knowing and sensual enjoyment, which applies so well to we ordinary mortals, may merely be a product of our mental and sensual limitations. Could it be that the twins are “naturals” in the medieval sense of that word? That, precisely because of their otherwise defective intelligences, they can *see* almost instantaneously what the rest of us can only derive through the most cumbersome calculation? Perhaps, in their numerical communion, they taste the perfect knowledge of mathematics in much the same way (but with much greater intellectual and sensual intensity) that we taste the handiwork of an accomplished cook.

It could be that the twins, and those like them, illustrate how what we call “reason” is no more than a shadowy substitute for true insight into the nature of things. The details of Sacks’s narrative strongly suggests that Michael and John achieved some sort of mystical union with the essence of numbers themselves, in a way that we, who long ago saw whatever glimpse we had of such visions fade into the light of common day, can only dimly imagine. For these severely retarded twins, profound insight into the most abstract truth was wedded to a kind of sensual ecstasy.

And what of lawyers? They remain where Kronman places them: in the ambiguous realm of rhetoric, enjoying within the context of their professional role neither the transcendent knowledge of absolute truth, nor the visceral pleasures of sensual satisfaction. They are what William Ian Miller has called “moral menials”—those who are required by the necessities of politics and power to “deal with moral dirt, or . . . to get morally dirty [when doing] what the polity needs them to do.”¹³ As Kronman puts it, “theirs is a dirty business.”¹⁴

Yet in a sense, Sacks’s twins remind us that even those who seem to carry out society’s most menial roles may harbor a secret knowledge about the nature of things. Humble Gorgias, so easily dismissed by the priests of philosophy and power, may have glimpsed the true ambiguity

12. WILLIAM BUTLER YEATS, *Among School Children*, in *SELECTED POEMS AND TWO PLAYS OF WILLIAM BUTLER YEATS*, 116-17 (M.L. Rosenthal ed., 1962).

13. WILLIAM IAN MILLER, *THE ANATOMY OF DISGUST* 184 (1997).

14. Kronman, *supra* note 3, at 709.

of the ordinary human condition. And it is licit to imagine that lawyers—derided as unethical mouthpieces whose opinions can be bought and sold, and subjected to countless jokes about their moral character—have seen truths that remain hidden from those who need not struggle with the moral quandaries inherent in doing society's legal and political dirty work.

