

# **WHY DOES LEO STRAUSS READ THE WORKS OF MOSES MAIMONIDES? ON THE CONNECTION BETWEEN MODERN AND MEDIEVAL POLITICAL PHILOSOPHY<sup>1</sup>**

**Karina SHYROKYKH**

Stockholm University (Sweden)

shikarina@gmail.com

## **Two Approaches to the Crisis of Modernity**

Born in Germany, Leo Strauss was associated with the Academy of Jewish Research in Berlin from 1925 until Hitler came to power. After immigrating to America, he taught social sciences at the New School for Social Research and the University of Chicago. Strauss was a Western European Jewish philosopher who dedicated his scholarship mainly to the issue of political philosophy and to Jewish political philosophy in particular.

On the one hand, Strauss received university education at the best German universities; on the other, his Jewishness was very conspicuous due to his interests and the circumstances surrounding the era in which he lived, and his approach to political philosophy combines both identities. His views on political theory first began forming in 1930 in Nazi Germany; for that reason, he was very much interested in questions of liberalism, democracy and social order.

Speculating on the reasons behind anti-Semitism in Europe, he created a theory of the crisis of modern Western civilization. In looking for a “cure” to this problem, Strauss turned to the very traditional Jewish philosopher Moses Maimonides. Reflecting the combined influence of European and Jewish traditions in his education, Strauss accepted two sources of receiving knowledge – revelation and reason.

According to Strauss, the crisis of modern Western civilization, as demonstrated by the Jewish problem of the twentieth century, is symptomatic of the general crisis of modernity and liberal democracy<sup>2</sup>. Strauss presented the lack of tolerance towards Jews in Germany as a general lack of liberalism in modern societies. He argued that only in a liberal society is it possible for a Jew to be treated as a citizen like all others, with the same rights and without persecution, discrimination and suppression of identity<sup>3</sup>. Hence, the main focus of his philosophy is to find the conditions under which a free and liberal society could develop peacefully.

For him, the "Jewish problem" demonstrates the social and political challenges facing Western civilization. First of all, it highlights the limitations of modern liberal democracy: liberal democracy provided a lot of freedom in the private sphere, and this freedom makes it possible to handle anti-Semitic ideas in the domestic, private realm<sup>4</sup>. As a result of the crisis of modern Western "liberal" civilization, Strauss argues, it lacks liberalism where this global crisis of modernity expressed itself in pogroms, anti-Semitic allegations, and persecution.

Following Strauss' ideas, the crisis of the West is mainly characterized by a disintegration of moral values that inevitably leads to decadence, and as a consequence, to total nihilism<sup>5</sup>. According to Strauss, the crisis of modernity reveals itself in the fact that modern Western man does no longer knows what is good and what is bad, what is right and what is wrong.

The main feature (which is also the central problem) of modern science is the rejection of value judgments. Historicism and positivism, as the most common streams in modern science from Strauss' perspective, emerge in the context of "value-free" science; moreover, modern science abandoned the distinction between facts and values, and sees the procession of history as fundamentally progressive<sup>6</sup>. Thus, the situation in modern science made political philosophy impossible, to the extent that political philosophy is supposed to speculate on the criteria for the best regimes, good/bad citizens or able rulers. Strauss states that it is necessary to have value judgments and that it is impossible to understand a thought, an action or a work adequately without evaluating it; if we are unable to conduct adequate evaluations, as we very frequently are, we shall not succeed in attaining adequate understandings<sup>7</sup>. As a consequence of the value-free orientation in modern science, political philosophy is no longer perceived as a self-confident

enterprise within political science; nowadays philosophy is perceived as abstract thought, as something incapable of implementation in actual, practical life<sup>8</sup>.

Strauss claimed that the modern social sciences made it impossible to develop political philosophy and to quest for the best political regime, yet the quest is a necessary one in order to solve the crisis of modernity and to construct a liberal democracy. The main challenge is that, since people cannot distinguish between good and bad, they have no criteria for conceiving of the perfect state. Thus, any sort of tyranny could take root in any society, and in some modern societies tyranny has indeed taken place. He defined the USSR and the Nazi Germany as countries where modern forms of tyranny occurred, as countries where an attempt to create a homogeneous, universal state has been endeavored<sup>9</sup>. He stated that Communism and Nazism as modern manifestations of tyranny are more brutal than ancient forms.

Ancient forms of tyranny controlled citizens' actions and speech, but the modern forms of tyranny also seek to control people's thoughts. In the strictures set forth by the modern forms of tyranny, any persons who differ (by thought or action) from the rest of society are perceived as a potential danger and persecuted as such:

In a considerable number of countries which, for about a hundred years, have enjoyed a practically complete freedom of public discussion, that freedom is now suppressed and replaced by a compulsion to coordinate speech with such views as the government believes to be expedient, or holds in all seriousness. It may be worth our while to consider briefly the effect of that compulsion, or persecution, on thoughts as well as actions<sup>10</sup>.

By mentioning these two examples of totalitarian regimes in the twentieth century, Strauss distinguishes them from other regimes. The main feature which differentiates the tyrant from all other categories of ruler is that the tyrant places himself above law. Hence, each form of modern tyranny inevitably leads to the destruction of the legal system and the legal order<sup>11</sup>. Thus, we come to another important realm in Strauss' philosophy: the realm of law.

### **Natural Law Theory**

Strauss believes the supremacy of law is necessary for good governance, as it is the only way to avoid tyranny. This brings up the question of the nature of law, that source of law that should be kept. According to Strauss's theory, biblical law, and the values that it promotes, could help to overcome the crisis of modernity. As mentioned earlier, the crisis – according to Strauss – is a consequence of the disintegration of values in Western civilization. These values, first and foremost, are biblical values; the Bible and the precepts of scripture constitute one of the main bases of Western civilization. The problem with modernity is that modern civilization has rejected biblical faith while trying to retain the values therein, yet it is impossible to keep biblical values without biblical faith. Strauss states that modern Western society has completely abandoned religion, and values that are now hollow and baseless cannot preserve societal order any longer. There are no values without religion and faith; "...it is impossible to divide faith and values... if the biblical faith goes, biblical morality must go too"<sup>12</sup>.

Why should everyone keep biblical faith and biblical values? And why biblical laws but not others? In order to answer the question, Strauss raised the issue of natural law. According to him, there are some things that are fundamentally good or bad for a person, some things that are suitable or unsuitable for human nature. He posits that human beings from the very beginning have some basic principles of welfare. Such natural principles, or natural needs, inherent to human beings, are the basis of natural law. Thus, according to Strauss, natural law defines what exactly a human being needs, what is needed for the survival of the human race:

...the need for natural right is as evident today as it has been for centuries and even millennia. To reject natural right is tantamount to say that all right is positive right, and this means that what is right is determined exclusively by the legislator and the courts of the various countries. Now it is obviously meaningful, and sometimes even necessary to speak of "unjust" laws "unjust" decisions. In passing such judgments we imply that there is a standard of right and wrong independent of positive right and higher than positive right: a standard with reference to which we are able to judge of positive right<sup>13</sup>.

Strauss argues that some preliminary principles, principles of right and wrong, are very much similar to biblical law as set forth in the biblical commandments. Being influenced by Aristotle and Maimonides, Strauss claims that social life, or life in a social community, is inherent to human nature. And thus, in order to live in a society, all of the members should retain some rules. Strauss draws the conclusion that since cohabitation is natural, then laws which prescribe social rules are natural laws.

Following his logic, if we take a look at the oldest religions, we notice that most of the basic commandments are quite similar. Namely, killing the innocent, incest, adultery, etc. are forbidden and, according to Strauss, these laws are aimed at securing the life of the society in question. Similarly, following the ideas of Maimonides, Strauss sees the laws of the Torah in terms of their utility.

For Strauss, Maimonides was the first who to draw attention to the point: in his estimation, Maimonides was a Jewish legislator. Strauss compared Maimonides' contribution to Judaism with the contribution of Plato's to Greek philosophy<sup>14</sup>. Following the principle of utility, Maimonides writes about Jewish law (the Law of Moses) as a tool to achieve the welfare of both body (*tkinut ha-guf*) and soul (*tkinut ha-nefesh*). The law as a whole thus aims at two things: the welfare of the soul and the welfare of the body<sup>15</sup>. Welfare of the soul depends on correct opinions and welfare of the body is achieved through the improvement of co-habitation in a society. The latter is achieved in two ways: the abolition of peoples' wrongdoing against one another<sup>16</sup> and obedience of moral values<sup>17</sup>. According to Maimonides, the welfare of the soul is much greater in nobility, but the welfare of the body is prior. Despite the welfare of the soul being nobler than the welfare of the body, the welfare of the soul can be reached only after the welfare of the body is complete.

The welfare of the body consists of health and physical well-being; merely to secure life requires the acquisition of food, shelter, etc. All these needs cannot be satisfied by one isolated individual; all the goods one might need are easier to attain through a political association with others. According to Aristotle, only life in society provides the welfare of the body and thus renders it possible to reach the welfare of the soul. Following Aristotle, Maimonides investigates the political nature of man and the role of Jewish law, which is aimed at regulating interpersonal relations.

Furthermore, according to Maimonides, Jewish law is the one that can most help to complete the welfare of both body and soul:

The true Law then, which as we have already made clear is unique – namely, the Law of Moses our master – has come to bring us both perfections, I mean the well-being of the state of people in their relations with one another through the abolition of reciprocal wrongdoing and through the acquisition of a noble and excellent character<sup>18</sup>.

Maimonides is convinced that by obeying the Law one can complete the work on perfection of body (*tkinut ha-guf*) and soul (*tkinut ha-nefesh*), as it says: "...it may be well with you, and that you may prolong your days (Deut. 22:7, 6:24)". In this case, entity could be interpreted not as the entity of one specific person, but as an entity of political association, an entity of society that is led by the Law. In other words, it supports Maimonides' idea that political association with others is a necessary condition for beginning the process of *tkinut ha-nefesh*: His [God's] dictum that He might preserve us alive, as it is to this day, refers to the first and corporeal preservation, which lasts for a certain duration and which can only become well-ordered through political association, as we have explained<sup>19</sup>.

In chapter XXVIII of the third part of *The Guide* by Maimonides, we read that all of the commandments are aimed to lead both body and soul for welfare; all of them have a clear cause and are of manifest utility<sup>20</sup>. Moreover, in the very beginning of chapter XXVIII, he writes that the Law even adopts certain beliefs in which it is necessary for the sake of political welfare: for example, a belief in God's violent anger with those who disobey His laws and belief in the necessity of fearing Him.

Strauss finds interesting and useful the following quote from Maimonides on Biblical Law: "...all commandments indubitably referred either to the welfare of a belief or to the welfare of the conditions of the society, which is achieved through two things: abolition of reciprocal wrongdoing and acquisition of excellent character"<sup>21</sup>. Following Maimonides, Strauss sees Biblical Law as a natural law, which contains a common ethic and regulates international relationships. He absolutely agrees that:

...whenever a commandment, be it a prescription or a prohibition, requires abolishing reciprocal wrongdoing, or urging to a noble moral quality leading to a good social relationship, or communicating a correct opinions that ought to be

believed either on account of itself or because it is necessary for the abolition of reciprocal wrongdoing or for the acquisition of a noble moral quality, such a commandment has a clear cause and is of a manifest utility<sup>22</sup>.

Strauss shares Maimonides' assumption that the Torah as a codex of laws was given to Jews, but obeying the law is vitally important for every nation since these laws are political (in the sense that they prescribe rules for life within a society) in their nature and that is why they should be interpreted as natural. Strauss is convinced that all commandments are related to one of the three notions referred to – either to the welfare of a belief or to the welfare of the conditions of the city, which is achieved through two things: abolition of reciprocal wrongdoing and acquisition of excellent character.

In the "Treatise of the Art of Logic", Maimonides states that Jews have no need for books on political philosophy and Strauss explains that the Torah is sufficient for political life because it regulates every aspect thereof: managing individual life, community, city, country and dealing with other nations<sup>23</sup>. By reading Maimonides' passages on the utility and universality of Jewish Law, Strauss comes to the conclusion that the Torah as a codex of natural laws can regulate social and political life in modern Western civilization and thus solve its present-day crisis.

### **Theory of Esoteric Teaching**

As discussed above, Strauss argues that it is a vital necessity to reinstate biblical laws in Western civilization; according to him, such a return will make it less likely for tyranny to appear in the future. As long as it is necessary to return to biblical values, he insists, it is necessary to return to biblical faith because biblical values cannot exist without biblical faith. However, at this stage we face a problem: Western civilization is based on two foundations – the Bible and Greek philosophy (or in other words, religion and philosophy, faith and reason, Jerusalem and Athens, Orthodoxy and Rationalism). Between these two – one could even say oppositions – we can observe a fundamental tension. Thus, for religion, faith in God is a founding feature, but philosophy does not take anything on the sole basis of trust; philosophy's essence is rooted in a conception of reason as a continuous quest for truth.

In order to solve the tension between faith and reason, Strauss again turns to Maimonides. From Strauss's point of view, Maimonides succeeded in finding a possible combination of Greek philosophy and the Bible; he solved the tension between the two countervailing bases of our civilization<sup>24</sup>. Strauss assumes that the common ground for both is the importance of law – for the Bible it is God's law, for philosophy it is natural law. The two types of law are based on completely different sources – for religion it is the Divine Revelation and for philosophy it is Nature – but both the Bible and philosophy ultimately stress the necessity of laws. Following the political philosophy of Maimonides, Strauss argues that philosophy understands the extreme necessity of biblical law; and that is why philosophy should use *esoteric* teaching whenever it deals with issues of religion/revelation:

In spite of the ultimate and fundamental conflict between these two spiritual powers [philosophy and faith], a reconciliation between them become possible because classical Greek philosophy permitted, nay, demanded an exoteric teaching (as a supplement to its esoteric teaching) which, while not claiming to be strictly speaking true, was considered indispensable for the right ordering of human society<sup>25</sup>.

Philosophy understands the importance of laws for society and therefore – according to Strauss – philosophy could accept Biblical law. Moreover, philosophy could accept the Revelation; because it never explicitly rejected it, philosophy should abstain from any assertions about the Revelation<sup>26</sup>. In other words, the conflict between reason and faith is possible to resolve through philosophical acceptance of biblical law.

Strauss argues that it is possible for philosophy to abstain from any claims against the Revelation by using esoteric ways of writing. Philosophy should not explicitly claim that it accepts all the dogmas of religion; it should only be honorably silent about religion, as this “noble silence” of philosophy is the price for a good, indeed perfect, state regime.

### Conclusions

Taking into account Strauss's lifetime struggle for liberal democracy, a question arises – *to what extent does his theory of esoteric writing correspond with liberal*



*values if some knowledge should be hidden?* Strauss's political theory appears wholly logical, but he never answers some questions that appear to demand a response: *Why is it better to keep the Mosaic Law but not, for instance, the law of the New Testament? Is this law less natural than its Mosaic counterpart? How will the whole of Western civilization keep the Mosaic Law: should the whole population convert to Judaism? How does it correspond to atheistic ideas, since even in the most pious societies, there are some people who hold such ideas?*

Strauss's political philosophy is a theory; however, one would expect some deliberation on the impact of its implementation, especially given his conviction that political philosophy is equivalent to political science and is combined with political life and political actions. At the same time, he neither discusses these practicalities nor does he answer these obvious questions.

---

<sup>1</sup> This article presents a portion of research done during a one-year fellowship at Paideia – the European Institute for Jewish Studies in Sweden (2008–2009). The author thanks Vladimir Tolu-bayev (The Hebrew University of Jerusalem) for his helpful suggestions and advice.

<sup>2</sup> Tarkov N., Pangle T. L. *Epilogue: Leo Strauss and the History of Political Philosophy / History of Political Philosophy*. Chicago–London, 1987. P. 909; Strauss L. *Preface to Spinoza's critique of religion / Jewish Philosophy and the Crisis of Modernity: Essays and Lectures in Modern Jewish Thought*. New York, 1997. P. 141–144.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid. P. 909–910.

<sup>5</sup> See Strauss L. *What is Political Philosophy? / What is Political Philosophy? And Other Studies*. Glencoe, Ill., 1959. P. 21.

<sup>6</sup> Ibid. P. 21–27.

<sup>7</sup> Ibid. P. 21.

<sup>8</sup> Ibid. P. 17–27.

<sup>9</sup> See Strauss L. *Restatement on Xenophon's Hiero / What is Political Philosophy? And Other Studies*. P. 128–133.

<sup>10</sup> Strauss L. *Persecution and the Art of Writing / Persecution and the Art of Writing*. Chicago, 1988. P. 22.

<sup>11</sup> Strauss L. *Restatement on Xenophon's Hiero*. P. 313–133.

<sup>12</sup> Strauss L. *Progress or Return? The Contemporary Crisis in Western Civilization / Two Lectures Delivered by Leo Strauss at the B'nai B'rith Hillel Foundation*. University of Chicago, November 5 and 12, 1952. P. 99.

<sup>13</sup> Strauss L. *Natural Right and History*. Chicago–London, 1953. P. 2.

<sup>14</sup> Strauss L. Restatement on Xenophon's Hiero. P. 127.

<sup>15</sup> Moses Maimonides. The Guide of the Perplexed. P. 510.

<sup>16</sup> Ibid. P. 510: "...every individual among the people is not permitted to act according to his will and up to the limits of his power, but is forced to do what is useful for the whole".

<sup>17</sup> Ibid.: "...every individual among the people acquiring moral qualities that are useful for life in society so that the affairs of the city are well ordered".

<sup>18</sup> Ibid. P. 511.

<sup>19</sup> Ibid. P. 512.

<sup>20</sup> Ibid. III. Ch. 28. P. 513.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid. P. 512–514.

<sup>24</sup> Ibid. P. 513.

<sup>25</sup> Strauss L. Plan of a Book "Philosophy and the Law" in Jewish Philosophy and the Crisis of Modernity: Essays and Lectures in Modern Jewish Thought. New York, 1997. P. 468.

<sup>26</sup> See Strauss L. The Mutual Influence of Theology and Philosophy // The Independent Journal of Philosophy. 1979. Vol. III. Pp. 111–118.

### **Abstract (Russian)**

Политическая философия Лео Штрауса напрямую связана со средневековой философией. Штраус был уверен, что тщательное изучение еврейской средневековой политической философии может быть полезным для западной цивилизации в решении проблем современности. Когда в начале 1960-х годов его попросили резюмировать выводы его исследований, Штраус обозначил их как "... почти двадцать пять лет постоянно прерывающегося, но никогда не прекращающегося полностью изучения 'Путеводителя растерянных'". Таким образом, главными вопросы этой статьи являются: Почему Штраус читал работы Маймонида настолько усердно, и почему именно "Путеводитель" привлек его основное внимание? Каким образом можно применить идеи Маймонида, по мнению Штрауса, в современной политической философии? Для ответа на эти вопросы мы исследуем работы Штрауса, в которых он обсуждает "Путеводитель" (часть III, главы XXVII и XXVIII) и "Трактат о логике" (главы VIII и XIV).