

# Interpretation

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# Interpretation

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## The Choice of Lives and the Virtue of Moderation<sup>1</sup>

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### THE PROBLEM OF MODERATION

The subject of this essay is a problem posed by the myth at the end of Plato's *Republic*. The myth presents the scenario of a decent person, who comes from a society that has fostered decent habits and convictions in him, and who moreover knows that he is better off being decent, because he has just received his reward in heaven; but when this decent person is given complete freedom to choose how he wishes to live, all of his decent habits and convictions come to nothing and he does not hesitate before choosing the life of a tyrant (614e–615a, 619b–e).<sup>2</sup> The *Republic* ends by raising the question of what is required in order to act on the convictions that we hold about how we should live, and this may suggest that if we have not previously taken this question into account then we should wonder further about the adequacy of these convictions.<sup>3</sup>

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<sup>1</sup> I am grateful to the political science departments at Michigan State University, Boston College, and the University of Texas at Austin for their financial support, and to David Bolotin, Christopher Bruell, and Laurence Nee for their comments and encouragement.

<sup>2</sup> References in parentheses refer to the Oxford Classical Texts edition of the Greek text of Plato's *Republic*, edited by John Burnet (Oxford: Oxford University Press, 1978).

<sup>3</sup> Few scholars have attempted to explain the contribution that this scenario makes to the broader moral argument of the *Republic*. More characteristic is the view that the myth does not make any such contribution and if anything it detracts from the dialogue, insofar as the argument of the *Republic* is that justice is worth pursuing for its own sake and regardless of its extrinsic consequences, whereas the myth of Er offers a consequentialist reason for being just. See for example Julia Annas, *An Introduction to Plato's Republic* (Oxford: Oxford University Press, 1982), 349–53. The two exceptions that I have found are Kenneth Dorter, "Free Will, Luck and Happiness in the Myth of Er," *Journal of Philosophical Research*, no. 28 (2003): 129–42, who argues that the myth of Er and the "noble lie" serve the same purpose: they both explain those moral defects that are beyond our control because they are part of our natures and that therefore (according to the noble lie) require the children of the guardians to be demoted to the class of artisans, and (according to the myth of Er) make the temptation of injustice

The problem posed by the scenario of the choice of lives is treated in the *Republic* under the heading of the virtue of moderation. The moderate person is said to be in command of himself, or literally “stronger than himself” (430e–431b): he overcomes his own resistance to doing what he knows or believes that he should do. The scenario in the myth of Er presents the virtue of moderation in the concrete form in which it arises in everyday life. This form is the problem of moral weakness: the failure to do what one is persuaded that one should do.

The phenomenon of moral weakness is a complex phenomenon, and it suggests that the virtue of moderation is a complex virtue. The primary question raised by the scenario in the myth of Er is why the decent person succumbs to the temptation of tyranny. Is the reason that he has a doubt about whether the life of the tyrant is better in some way, and if his doubts were fully resolved then would he be guaranteed to act as he would know that he should? Or can someone truly know that a thing is bad, and still desire that thing? Is moderation a matter of knowledge or of habit?

Yet neither alternative fully explains the phenomenon. Moral weakness is not merely a matter of action, of doing what one is convinced that one should not do; it is also a problem of thought or self-consciousness, which suggests that the very conviction about what one should do that one holds is problematic in some way. Someone can know or think that he knows what he should do, and want with what feels like all his heart to do what he should, and yet fail to do so, and he may be unable to stop himself from desiring the very things that he is convinced that he should not desire and that he does not truly desire. Moral weakness is the paradoxical recognition that the moral conviction that one holds is simultaneously strong and weak.

The following discussion will take the problem of moral weakness as a guide to the thematic treatment of the virtue of moderation in the fourth book of the *Republic*, and it will consider how this treatment sheds light on the problem. The discussion of moderation in Book IV does not appear at first to address the phenomenon of moral weakness at all. Moderation is defined as the harmonious condition of the soul, in which reason and

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irresistible for most people after we are “reborn”; and Leo Strauss, *The City and Man* (Chicago: University of Chicago Press, 1964), 109, who suggests that the distinction in the myth of Er between the decent person who chooses tyranny and the philosopher corresponds to the distinction in the discussion of the city between political virtue and philosophical virtue. My analysis does not disagree with these interpretations, but it focuses more closely than they do on the specific moral phenomenon that is at issue in the scenario of the decent person who chooses tyranny.

the other faculties and desires are in accord, and nothing is said about someone like the character in the myth of Er whose soul is not in this condition and whose desires prevent him from acting in accord with reason, or even about the way in which this harmonious condition may be produced and the conflicts in the soul may be resolved (432a, 442c–d). The following analysis will argue that the discussion of moderation does address these subjects, and that it affords a more complex understanding of the virtue of moderation than it appears to do.

The discussion of moderation is complicated in the first place by the fact that it puts forward not one but two different understandings of the virtue of moderation, without explicitly distinguishing between them. The discussion is self-contradictory: moderation is defined as the harmonious condition of the soul, but this definition is contradicted by other considerations that are raised in the discussion, and the contradictions are not explicitly resolved.<sup>4</sup> According to the definition of moderation as a condition of internal harmony, the moderate person is not strictly speaking “stronger than himself” at all, because he desires with all his soul to do what he thinks is best and he experiences no conflict between his reason and his desires. According to the considerations that contradict this definition, even the very best people are not free from internal conflict, and the moderate person may desire very much things that he knows are bad, but he possesses the strength to deny himself these things. According to the first view of moderation, the moderate individual is not conscious of giving up anything of value to him; according to the second view, moderation consists precisely in denying oneself what one desires.

The first part of this essay will propose a resolution to these contradictions in the discussion of moderation by attending to the drama of the discussion. The drama reveals that the definition of moderation as the harmonious condition of the soul expresses the opinion of Socrates’s interlocutor Glaucon, and the considerations that contradict this definition are reservations that Socrates has about this opinion. The contradictions in the discussion are left unresolved because Glaucon does not grasp the import

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<sup>4</sup> A number of scholars have noted the contradictions in the discussion of moderation in Book IV. Annas (*An Introduction*, 115–17) discusses these contradictions extensively but fails to find an explanation for them and concludes instead that Plato made a mistake. Strauss (*City and Man*, 107–8) interprets the difference between the two views of moderation as a reference to the distinction between political and philosophical virtue. G. R. F. Ferrari, *City and Soul in Plato’s Republic* (Chicago: University of Chicago Press, 1995), 48, denies that there is any contradiction in the argument: see note 6 below.

of the reservations that Socrates raises, and because Socrates for his part does not press these reservations and lead Glaucon to examine whether his opinions are true. The discussion therefore raises the question of why the two characters behave in these ways, and the second part of this essay will consider this question. I will argue that the view of moderation that Glaucon holds is not an abstract opinion about moral psychology but a deeply held conviction about justice, and that the reservations of Socrates about Glaucon's understanding of moderation are ultimately reservations about his character.

According to the *Republic* moderation and justice are closely related to one another, and at one point they are even said to be the same thing (443c–444a). Glaucon understands the relation between moderation and justice in the following way: he believes that moderation is the harmonious condition of the soul because he believes that justice is good, and that it is so great a good that someone who truly grasps this fact has no resistance at all to doing what justice requires; and because Glaucon believes this, his own dedication to justice feels like the wholehearted resolve in which he believes that moderation consists. Yet according to the view of moderation that Socrates holds, even the very best people are not free from internal conflict, and no one can be as fully dedicated to justice as Glaucon believes that he is: his dedication to justice is weaker than it feels. In this respect Glaucon resembles the character in the myth of Er who has no doubt that justice is good but who cannot withstand the temptation of tyranny.

Socrates agrees with Glaucon that justice is good. But he holds that we only recognize what a great good justice is by confronting our resistance to being just and recognizing how great the sacrifices are that we believe we have an obligation to make, and what a great good justice must be if making these sacrifices is a virtue and if our true happiness is served by doing so. And this question of what sacrifices justice calls for and whether it even requires us to give up anything at all of real value to us is the question at issue in the disagreement between Socrates and Glaucon over whether moderation is the harmonious condition of the soul.

#### THE DISCUSSION OF MODERATION IN BOOK IV

The definition of moderation as the harmonious condition of the soul is derived two separate times in Book IV: the discussion of moderation is divided into two parts, and the definition is repeated at the end of each one. On each occasion Glaucon is responsible for the definition.

The main subject of the first part of the discussion of moderation is the way in which a whole city may be said to be moderate and to behave like a moderate individual. Like moderation in the individual, moderation in the city refers to the rule of the better over the worse: the better citizens in the case of the city and the better convictions or inclinations in the case of the individual (431a–b); and like the moderate individual, the moderate city is in a condition of internal harmony, in which the worse and the better agree that the better should rule (432a). Yet the two meanings of moderation are not merely analogous. Rather, the definition of moderation in the city is based implicitly on a specific understanding of moderation as a virtue of the individual. The reason is that moderation in the city is a matter not only of which citizens govern the city but also of the manner in which they govern: moderation is a condition of internal harmony, and so a moderate city is governed by consent. Therefore, the claim that the city in the *Republic* is moderate presupposes that the members of the lower classes in the city give their consent to the restrictions that this city imposes on them, such as the regulation of their leisure pursuits and the limits on their accumulation of wealth (431d–e; 398a–b, 421d–422a).<sup>5</sup> It presupposes further that this consent is the genuine consent that acknowledges that others are more competent to direct public affairs, and not the merely provisional consent that depends on the prospect that the highly trained guardians will prevail in an armed conflict. This presupposition takes the form of the claim that the citizens who are ruled are moderate individuals, who exercise command over themselves by recognizing their own incompetence to rule and obeying their superiors (431e; cf. 389d–e). And the claim that the citizens who are ruled are moderate individuals is also a claim about what moderation itself is.

The special character of the moderation of the ruled is revealed by the distinction that the discussion of moderation draws between

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<sup>5</sup> The question about the character of the citizens who are ruled is part of a broader, coherent reflection on the character of civic life that extends throughout the discussions of the different virtues of the city in Book IV. The first virtue is wisdom. The discussion of wisdom reveals for the first time that the city is to be ruled by the wise (428c–d), and this first discussion in the *Republic* of the rule of the wise emphasizes that the wise rulers are a minority in the city and in particular that they are numerically inferior to the blacksmiths, and so also that they are inferior in strength (428c and d–e). The discussion raises the question of how these few and weak rulers will enforce their rule. One answer to this question is suggested by the discussion of courage, which distinguishes for the first time between the class of the rulers and the class of the auxiliaries, and which draws this distinction in a way that emphasizes that the auxiliaries are not necessarily wise (429b–c and d–e). The suggestion seems to be that the rule of the best must be diluted by giving a share in power to a part of the community that can compel the remaining citizens to obey the rulers, and that good government cannot be government by consent. Whether this is in fact the case depends on the question that is raised in the discussion of moderation about the character of the ruled.

the rulers and the ruled. The distinction is that the lower classes have not received the education of the guardians that is described in the second and third books of the dialogue, and so unlike the guardians the lower classes desire only the pleasures of the body (431b–c). This distinction does not automatically rule out the possibility that the lower classes may be moderate: they may be persuaded to abandon these desires, as Socrates persuades Glaucon to do during the discussion of the education of the guardians (372c–e and 399e). Rather, the distinction between rulers and ruled frames the question of whether the ruled are moderate as the question of whether this persuasion can be effective without the additional support of the training and habituation that the guardians undergo, and whether the ruled will restrain their desires if only they are persuaded that they should do so. The claims that the citizens who are ruled are moderate individuals and that the city as a whole is a moderate city presuppose that the virtue of moderation may be produced by means of persuasion alone.

This presupposition is expressed at the very end of the discussion of moderation in the form of the claim that the definition of moderation as a condition of internal harmony applies not only to the city as a whole but also to “each individual,” and that moderation is the harmonious condition of the soul (432a). The claim about the individual may appear to follow from the claim about the city by mere analogy, but in fact the opposite is the case and the claim about the city depends for its validity on the claim about the individual. The definition of moderation as the harmonious condition of the soul expresses on the level of psychology the condition that must be met if the citizens who are ruled are indeed moderate individuals and obey the rulers voluntarily even though they have not received the education of the guardians, and therefore if the city is governed by consent. The condition is that it must be impossible for the ruled to be persuaded that they should do something and yet be unwilling to do it, so that they would need to be compelled to obey the guardians. Persuasion must all by itself eliminate all resistance to doing what one is persuaded that one should do, and so the moral conviction that it produces must be the wholehearted and undivided resolve in which moderation is said to consist.

The crucial question in the discussion of moderation in the city is whether the citizens who are ruled are moderate individuals. This question is answered in the affirmative, not by Socrates, but by Glaucon (431e). Nor is this answer merely a careless remark: Glaucon expresses similar opinions on other occasions, as for example when he protests that he

does not understand how someone could ever abandon his conviction about what he should do unless that person first learned that the conviction is false (412e–413a). It is doubtful whether the answer of Glaucon is correct.<sup>6</sup> For one thing, the language of Socrates’s question about the moderation of the ruled suggests that Glaucon answers it incorrectly: Socrates asks whether the rulers or the ruled are moderate and so he implies that either one class or the other is moderate but not both, but Glaucon answers that both the rulers and the ruled are moderate. For another thing, the answer is implausible in itself. It implies that the members of the artisan class, who are not brought up to care about anything besides material comfort, will spontaneously obey the law that requires them to donate to the city all of their earnings above a certain level (421d–422a); and it implies further that Glaucon is himself as moderate by virtue of having participated in the discussion of the education of the guardians as the guardians would become by virtue of receiving this education. The view that the ruled are moderate and that moderation is the harmonious condition of the soul appears to be the view of Glaucon and not of Socrates. Instead, the view of Socrates seems to be that the desires are irrational and that knowing what is good does not all by itself make one stop wanting what is bad, and so that moderation calls for the sort of training and habituation that the guardians receive.

Admittedly the indications in the text on which this suggestion is based are minor ones, and they may not appear to furnish sufficient evidence for calling into question the far more prominent claim that moderation is the harmonious condition of the soul. But further evidence is furnished by the second part of the discussion of moderation in Book IV, which considers the virtue of moderation not metaphorically as a virtue of a whole city but in its primary sense as a virtue of the individual. The definition of moderation as a condition of internal harmony is repeated at the end of this discussion, and Glaucon clearly bears responsibility for this definition. Moreover, the discussion of the moderate individual establishes

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<sup>6</sup> Glaucon’s answer is defended by Ferrari (*City and Soul*, 48), who argues that the artisan class is “materialistic and practical” and “well suited to appreciate the rule of impartial and incorruptible officials who do not enrich themselves at the expense of the citizenry, who impose minimal taxes, maintain a stable economy,” and so on. Ferrari’s view is not the view of the *Republic*, in which the most “materialistic and practical” man is the man with the oligarchic soul who is described in Book VIII, and this oligarchic man is motivated not only by the desires that Socrates ascribes to the artisan class in the city but also by the fear of suffering the same dishonor as his father (553a–c). The person who is motivated solely by these desires is the son of this oligarch, the man with the democratic soul (561b–c); and the discussion of this individual suggests that he would not appreciate being deprived of the opportunity to get involved in politics, as Ferrari suggests that the lower classes in the city would do (561d).

that the difference between the views of Socrates and Glaucon goes beyond the secondary question of how moderation is acquired to the primary question of what moderation itself is: whether the condition described as one of internal harmony is possible at all, and whether moderation is a matter of the intensity and purity of one's moral resolve or of the strength to prevail in the struggle against one's own desires.

The treatment of moderation in the discussion of the virtues of the individual is particularly circumspect. The discussion contains two enumerations of the virtues on consecutive pages, and moderation is mentioned by name only in the second one: the first one refers to wisdom, courage, justice, and "everything else related to virtue" (441c–d and 442b–d). The two enumerations are separated by a vivid description of the interaction between the parts of the soul. According to this description even the virtuous soul is not free from internal conflict. On the contrary, Socrates emphasizes that the hostility between reason and the desires persists when the desires are ruled by reason (442a–b). According to this description not only the members of the artisan class but even those people who are truly moderate are not free from internal conflict, and the condition that the dialogue describes as one of internal harmony and accord cannot be produced at all: not through habituation any more than through persuasion. As Socrates explains elsewhere in Book IV, the desires originate in the body, and no education can completely free us from these desires (437d–e). Yet in the second enumeration of the virtues, which follows this description of the soul, the definition of moderation denies emphatically that the moderate individual experiences any conflict at all between his reason and his desires. This denial, which contradicts the description of the soul that precedes it, is attributed not to Socrates but to Glaucon: the second enumeration of the virtues begins with assertions about courage and wisdom, but the claim about moderation is a question and not an assertion, and Glaucon answers this question emphatically in the affirmative (442c–d). I suggest that the question truly is meant as a question, which is intended to ascertain whether or not Glaucon has been deterred from holding this view by the vivid description of the conflict in the virtuous soul. Glaucon's answer confirms that he continues to hold this view.

The view that the *Republic* ascribes to Glaucon is one that is elsewhere ascribed to Socrates himself by both Plato and Xenophon, as for example in the following passage:

[Socrates] did not distinguish between wisdom and moderation, but judged that the one who knows and makes use of the noble and good

things and who knows and avoids the shameful things is both wise and moderate. And when he was asked further whether he holds that those who know what things they should do but do the opposite are wise and continent, he said, “no more than unwise and incontinent: for all people, I hold, choosing from among the things that are possible those that they hold to be most advantageous for them, do these things. I hold, then, that those who do not act correctly are neither wise nor moderate.”

And he said that justice and every other virtue is wisdom. For the just things and all things that are done through virtue are noble and good. And neither would those who know these things choose anything else instead of them, nor would those who do not know them be able to do them, but even if they tried they would err.<sup>7</sup>

As I understand this passage, it ascribes to Socrates the same understanding of moderation that is expressed in the *Republic* in the form of the claim that moderation is the harmonious condition of the soul, and it suggests that this view of moderation is based on a conviction about justice. This conviction is that justice is good, and so great a good that not only are we in fact benefited when we perform the services to others that justice calls for and even when we are required to make great sacrifices for the sake of justice; it is so great a good that the mere knowledge of this fact suffices to overcome any doubt or hesitation about giving up things that might otherwise seem to have great worth. Yet in the *Republic*, which is the dialogue that is explicitly devoted to the investigation of justice, Socrates rejects this view, and it is troubling that he does so. It is perhaps more troubling that he does this without justifying his rejection of this view or even making it explicit. Socrates ascertains the opinion of Glaucon and proposes a definition of moderation that articulates this opinion, and he refrains from even attempting to correct the view of Glaucon and to persuade him that he is wrong about a matter of such great importance. It is necessary to consider why Socrates proceeds in this way.

In order to do this, it is necessary to consider more closely why Glaucon holds the view of moderation that he does. Like the view that Xenophon attributes to Socrates, this view of Glaucon is the expression of a deeply held conviction about justice. Glaucon believes that justice is good, and moderation as he understands it is the disposition of someone who enjoys the happiness that he believes and hopes that justice affords; and by affirming this view of moderation, Socrates allows Glaucon to draw the conclusion that justice is good in the way that he wants it to be. The reservation of Socrates

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<sup>7</sup> Xenophon, *Memorabilia* 3.9.4–5.

about the definition of moderation as a harmonious condition of the soul is ultimately a reservation about this conclusion.

#### MODERATION AND JUSTICE

Glaucon expresses his understanding of the relation between moderation and justice at the end of Book IV, in his reaction after the discussion of the virtues is complete. This reaction of Glaucon is one of the most remarkable moments in the whole dialogue. He withdraws his original question about whether justice is good, even though this question has not yet been considered: it would be ridiculous to consider this question at all, he protests, now that it is clear that life would not even be worth living for an unjust man, even if he were to do whatever he pleases (445a–b).

When Glaucon declares that his doubts about justice are settled, he is thinking in particular of the definition of moderation as the harmonious condition of the soul. Admittedly the determination that justice is good does not depend for its validity on this particular understanding of moderation: it follows directly from the definition of justice in Book IV. Justice is defined as the orderly and healthy condition of the soul, and according to this definition the unjust cannot possibly be happy, because the happiness of anyone whose soul is diseased cannot be real happiness (444d–e). The definition of moderation pertains only to the secondary question of what this healthy condition is, and the determination that justice is good does not depend on the answer to this question. Yet because Glaucon believes that the healthy condition of the soul is a harmonious one, he holds a particularly attractive view of the happiness of the just. Not only is this happiness the only real happiness; because the truly moderate individual does not experience any conflict between his reason and his desires, he does not experience any attachment at all to the happiness of the unjust and to the things that he is required to give up for the sake of justice, and he is not conscious of giving up anything of value to him: he is immune to evil, to the temptation of committing injustice and to the pain of suffering injustice (cf. 361b–362a). Glaucon is convinced at the end of Book IV that the desires that conflict with justice are not genuine desires, and so his reaction at the end of the conversation expresses the very same wholehearted dedication to justice in which he believes that moderation consists.

The reservation of Socrates about the view that moderation is the harmonious condition of the soul is also a reservation about this dedication to justice that Glaucon expresses. The discussion of moderation

shows that according to Socrates, nobody can be as fully dedicated to justice as Glaucon believes that he is. Glaucon has not ceased to possess the desires that previously led him to doubt whether justice is better than injustice; he has ceased only to be conscious of these desires and to recognize how deeply he cares for the things he believes that he is required to give up for the sake of justice. He believes that justice is so great a good that nothing holds any value for him besides justice itself, but this belief is based in part on his failure to acknowledge how demanding justice is, and so his dedication to justice is weaker than it feels. In this respect Glaucon resembles the character in the myth of Er, who is in no doubt that justice is good but who cannot withstand the temptation of tyranny.

In order to clarify the reservation of Socrates about the conclusion that Glaucon draws at the end of Book IV, it is helpful to consider in a more concrete form the vision of happiness that Glaucon has in mind. This happiness seems to be the happiness of the guardians, who have been the major subject of the conversation between Socrates and Glaucon up to this point in the dialogue. That discussion culminated in the determination that to live as the guardians are said to do and dedicate one's life to serving the city in the way that one is best suited to do, is justice (433a–b, 434c). To be sure, it is not established that the guardians who are just in the sense that they satisfy their obligations to the city are just also in the second, apparently unrelated sense that their souls are in a healthy condition (434c–435a).<sup>8</sup> But this appears to be the view of the guardians themselves: the guardians are identified as those citizens who believe most firmly that their own happiness is served by dedicating every aspect of their lives to doing what is best for the city (412d–e). Moreover, the discussion of the lives of the guardians makes clear that this happiness does not consist in any compensation for their services that they receive from the city. On the contrary, the demands made of the guardians are exceedingly severe (see for example 387d–e): they do more for the city than any other citizens and receive less from it in return (419a). Yet they believe that their happiness is served by this, and so their happiness cannot consist primarily in any compensation that they receive in return for their dedication to the city; it must consist in their very dedication to the city, and they must believe that this dedication itself constitutes their happiness. It seems to me that this is the happiness that Glaucon has in mind at the end

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<sup>8</sup> See David Sachs, "A Fallacy in Plato's *Republic*," *Philosophical Review* 72, no. 2 (1963): 141–58, and Christopher Bruell, "On Plato's Political Philosophy," *Review of Politics* 56, no. 2 (1994): 271–73.

of Book IV, and that the reservation of Socrates about the view of Glaucon is also a reservation about this understanding of the happiness of the just.

The reservation of Socrates is revealed most clearly by the consideration in the dialogue of the moderation of the guardians. In one sense the virtue of moderation is the subject of the whole discussion of the guardians, because the primary aim of the education of the guardians is to foster this virtue (401a, 404e, 410a–412e). But moderation is also the special subject of a particular part of the conversation, which raises the question of whether the moderation of the guardians is true moderation. This part of the dialogue is the discussion of the communism of the family, which occurs immediately after the discussion of the virtues in Book IV.

The communism of the family is the institution that aims to produce to the highest degree the dedication of the guardians to the city, and it is said for this reason to be “the greatest good for the city” (464b); but for this same reason, the communism makes the most severe demands of the guardians, and so it calls into question whether the guardians are capable of meeting these demands at all (457d–e); and this is a question about the virtue of moderation. For the reason why the possibility of the communism is doubtful is not that it may be impossible to persuade the guardians that the communism is good: Socrates persuades Glaucon of this without much difficulty (466c–e). Instead, the reason why the communism may be impossible is that even if the guardians were persuaded that it would be better for them and the city if they did not fall in love, they may still fail to act in accord with this conviction, just like the character of the myth of Er who knows that justice is good but succumbs to the temptation of tyranny. The question of whether and in what way the communism of the family is possible is a question about the virtue of moderation. Moderation is not referred to by name in the discussion of the communism of the family, but it is nevertheless an important subject of this discussion.<sup>9</sup>

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<sup>9</sup> This is not the only occasion where the *Republic* refrains from referring by name to a particular virtue in a part of the dialogue that is particularly concerned with that virtue. The most striking instance is the complete silence in the dialogue about the question of whether or not the guardians are just individuals. At no point are the guardians explicitly said to be just or is the question so much as raised. Even according to 434c, where Socrates says that the three classes of citizens severally and together performing their proper work “is justice and makes the city just,” the guardians are no more just than the members of the lower classes, or for that matter than the criminals who perform their proper work and make the city just by going to jail. I do not deny that it seems reasonable to claim that the education of the guardians aims to make them just individuals, as Annas (*An Introduction*, 73) does and as I do in the preceding paragraph; but it is necessary in addition to consider why this claim is not made explicitly in the dialogue.

Socrates treats the virtue of moderation in this concrete form with the same reticence with which he treats it in the more abstract discussion of the virtues in Book IV. He declines to discuss at all the question of whether the communism is possible, and he answers in the affirmative the question of whether it is desirable, and in this way he encourages Glaucon to believe that regardless of whether and in what way the resistance of the guardians to the communism can be overcome, the dedication that the city demands of the guardians remains the goal for which we should strive in our own lives as individuals (592a–b). But as he also does in the thematic discussion of the virtues, Socrates quietly indicates his reservations about this view. He acknowledges explicitly that the question of whether the communism is desirable at all depends on the answer to the prior question of whether and in what way the resistance of the guardians to the communism may be overcome (452e–453a, 457e–458b, 466e). And while this claim is not fully explained, its meaning is revealed at the beginning of the argument that persuades Glaucon that the communism is in fact desirable: the argument begins from the premise that the resistance of the guardians can be overcome in a particular way, and Socrates calls attention to this premise by prefacing it with a prominent admission that it is not adequately demonstrated and that it is therefore illegitimate. The crucial premise is that the auxiliaries and guardians will voluntarily obey the rulers and the laws (458b–c). By beginning the argument that the communism is desirable from the premise that the obedience of the guardians is voluntary, Socrates suggests that the communism would not be desirable if they needed to be compelled to obey. He does not explain this suggestion, but the reason seems to be that the degree of force that would be needed in order to separate parents from children and husbands from wives would harm the city. The communism aims to foster to the greatest degree the dedication of the guardians to the city and to be “the greatest good for the city,” but the measures that are required in order to produce this dedication may be detrimental to the city, and in this case the rationale for the communism would be incoherent.

Glaucon, who already believes that moderation is the product of persuasion alone, agrees without hesitating that the obedience of the guardians and auxiliaries is voluntary. But Socrates calls attention to the illegitimacy of the crucial premise, and he confirms in this way what the discussion of moderation in Book IV has already suggested, namely, that the communism cannot be implemented by means of persuasion alone and that it is therefore undesirable. Even if a monstrous program of habituation could produce the extreme dedication that is demanded of the guardians, the

dedication that would be produced in this way would only be an illusion of dedication because the object to which it would be directed would not truly be worthy of dedication; and even if the recipients of this habituation could find a kind of happiness in their lives, it would be only an illusion of happiness. The attraction that the life of the guardians holds for Glaucon owes a part of its strength to his failure to recognize how severely demanding this way of life is and how powerfully the guardians may be expected to resist it, and ultimately to the failure of Glaucon to acknowledge how powerfully he would resist meeting these demands himself.

The recognition that the communism of the family is undesirable is an insight into moderation, and a part of moderation. It is the result of the consideration of whether and in what way the resistance of the guardians to the communism can be overcome. Viewed from the perspective of the virtue of moderation, the discussion of the communism reveals that there is a tendency to hide from oneself how powerfully one is attached to the things one believes that one is willing to give up for the sake of justice, and indeed how great a good one believes that justice itself is: for we only truly recognize how much we care about justice when we discover how much we believe that we have an obligation to give up for the sake of justice. Admittedly this aspect of the virtue of moderation is not discussed explicitly either in the consideration of the communism of the family or in the thematic treatment of moderation in the *Republic*, but it is presented dramatically in the dialogue through the behavior of Glaucon. Glaucon reveals in his contributions to the discussion of moderation in Book IV that he is not moderate in this sense. He believes that justice is good, and indeed he has an exaggerated view of the goodness of justice; but this view is a false view, and it is a pale reflection of the goodness of justice as this is understood by someone who conceives of justice as the obligation to care for something other than his own happiness and to sacrifice his happiness for the sake of this thing. The discussion of moderation reveals that Glaucon does not conceive of justice in this way: he assumes that the artisans willingly obey the guardians and the guardians willingly obey the regulations of the family, and he reveals in this way that he does not appreciate the resistance that justice may arouse and the sacrifices that it may call for; and he is confident that the internal conflicts that Socrates vividly describes are not present in the truly virtuous soul, and he reveals in this way that he does not recognize how deeply the guardians may be expected to resist making these sacrifices, and how much he himself might resist doing so. His belief that justice is good rather shields him from this recognition.

Glaucon is not unique in his belief that justice is good (335c, 506a). Nor is he necessarily unique in his belief about the kind of happiness that justice affords; this view seems to be shared more or less consciously by all who care about justice. What is unique about Glaucon seems rather to be the degree to which his concern with justice is governed by the conscious expectation of this happiness: so fully that he can articulate with surpassing clarity and power the view that the happiest man is “the most just man,” but also that his doubts about whether this is truly the case call into question for him whether he should be just at all (358c). How fully Glaucon’s understanding of justice is shaped by his concern with the happiness of the just is revealed by his contributions to the discussion of moderation. For Glaucon does not truly grasp that moderation is a virtue and that someone can know what he should do and yet not want to do it. Any resistance to justice is a conscious or unconscious doubt about whether one should be just at all, and the moderate person is free from these doubts and so he is not strictly speaking “stronger than himself.” Glaucon does not recognize that someone can resist doing what he should without this resistance calling into question for him the conviction that he should do this thing; he does not conceive of justice as an obligation, which is as such indifferent to his happiness. He believes that justice calls for great sacrifices, and he is willing to make these sacrifices; but at the same time this willingness is conditioned in part on his conviction that these sacrifices are not truly sacrifices at all, and so he does not experience the genuine concern with something besides his happiness in which he somehow senses that justice consists.

This interpretation of the position of Glaucon suggests why Socrates may be unwilling to teach him what moderation is. In order to do so, he would need to reveal to Glaucon that justice does not afford the happiness that he believes that it does. But Glaucon is so keenly concerned with the goodness of justice, and his attachment to justice is so closely bound up with this concern, that this attachment might not withstand this disappointment. He might lose faith in justice altogether, and conclude that he was wrong to hope that there is more to life than the happiness of the unjust that he finds so unsatisfying. If this suggestion is correct, then the reticence of Socrates about the virtue of moderation would indicate that this would be the wrong conclusion to draw.

The virtue of moderation is a complex virtue. It is more than the resolve to act on one’s convictions about justice, more even than the very powerful degree of this resolve that Glaucon expresses at the end of Book IV.

It is also the appreciation, which Glaucon lacks, of how much we care for the things that we believe we are required to give up for the sake of justice, and how much we may resist making these sacrifices. It is true that this appreciation would weaken our conviction that justice affords the happiness that we believe that it does, and our confidence that we know what justice is. But it would not efface the concern with justice altogether: while moderation is not the extreme dedication to justice of Glaucon, it is also not the hostility to justice of Thrasymachus, for whom the fact that justice calls for painful sacrifices constitutes proof that the concern with justice is a delusion (343d, 344c). For moderation is not only the recognition that we care more deeply for our own happiness than we may think that we do; it is at the same time the recognition that this happiness that we care for is the happiness that we believe that justice requires us to give up, and therefore that we care so little for this happiness that we believe that it is not real happiness and that our true happiness consists precisely in giving it up. Moderation is the simultaneous recognition of how little we care for the things we believe that justice requires us to give up, and how much we care for these things; how strong our dedication to justice is, and how weak. Accordingly, while the moderate person would not redouble his efforts to transcend his concern with his own happiness and dedicate his life fully to justice itself, neither would he resolve to pursue that happiness by any means just or unjust and to harden his heart against the reservations he would have about doing so. Rather, moderation seems to be a matter of recognizing both that we cannot efface from the soul the love of oneself and one's own that prevents us from living up to our highest moral aspirations and that we cannot find real happiness in succumbing to this love, not if by doing so we delude ourselves into believing that our own happiness is our highest concern. Put differently, the problematic character of the experience of moral weakness seems to consist not in the tension between the concern with justice and the concern with one's own happiness, but in the expectation that this tension can be resolved and in the surprise and disappointment that we experience when we discover that this is not the case, and true moderation is free from this expectation.

According to the *Republic*, true moderation is the moderation of the philosopher. The final word of the dialogue about the philosopher is that he is the only person able to withstand temptations like that of tyranny (619d–e). This suggestion seems to mean, not that the philosopher is insensitive to pleasure, but precisely that he is free from the expectation that he can become insensitive to pleasure; not that he attains the fulfillment that Glaucon seeks in the complete dedication to the perfectly just city, but precisely that he is not attracted by this spurious fulfillment. At any rate this

seems to be the most important difference between the concern with justice of someone like Glaucon and the concern that distinguishes the philosopher as a philosopher: Glaucon's concern with those things that are in themselves indifferent to his happiness takes the form on one hand of a sense of obligation to care for these things and on the other hand of a desire to appropriate these things for his own happiness, whereas the philosopher's concern with such things is only to understand them (485a–d).

#### CONCLUSION

This essay set out to consider the scenario of the choice of lives in the myth of Er and the problem that it raises of moral weakness: the experience of a conviction about justice that is at once so strong that one may want with what feels like all one's heart to act in accord with this conviction, and so weak that one may fail to do so. I have suggested that what is problematic about this experience is not only the internal conflict between the concern with justice and the resistance to justice but also and primarily the expectation that the conflict in the soul can be resolved. The view of the *Republic* is that the soul is divided. The treatment of moderation in the dialogue reveals that there is a tendency to hide this division from oneself, a tendency capable not only of low expressions like the attraction to tyranny but also of the impressive expression it receives in the figure of Glaucon.

It is strange to think of Glaucon's surprisingly powerful love of justice as a moral failing. It is revealed to be a failing by the scenario of the decent person who chooses tyranny, and by the fact that even someone whose dedication to justice feels as strong as Glaucon's does may fail to do what he is convinced that he should do. In such a case his dedication to justice proves to be weaker than it felt: it failed to take into account the attachment that he has to what he is required to give up for the sake of justice. To the extent that he is not truly willing to give up these things, his dedication to justice receives a part of its apparent strength from his failure to acknowledge this to himself. To become moderate and overcome one's resistance to justice is to recognize how deeply one resists being just and so also how great a good one wants justice to be, and to face the possibility that one will be disappointed; and the effect of this recognition may be not to strengthen one's resolve to do what one is already convinced one should do, but to produce a change of heart that makes it impossible to go on living as one did before. The portrayal of Glaucon is proof that it is possible to be deeply concerned with justice without confronting this possibility. And it seems to be intended as a tribute that Plato concludes the *Republic* by remarking how few people are capable of this and superior to his brother Glaucon.



## **The City of Arts, the City of Law, and the Problem of the End of Man: Maimonides's Treatment of Final Causality in the *Commentary on the "Mishnah"***

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### INTRODUCTION: THE ISSUE OF TELEOLOGY

Nothing is as distinctive of the quarrel between the ancients and the moderns as the dispute over the status of teleological accounts in the explanation of nature. Plato and Aristotle, as well as their medieval followers, appear to speak with one voice in declaring the plausibility and utility of appealing to purposes and ends to explain, not merely human art and action, but above all the motions of natural beings—living and nonliving—and the constitution of nature as a whole. That the motions and activities of nature may be characterized as for the sake of a final end or as themselves constitutive of such an end and that this end may be identified with a good or the good appears to be a hallmark of the accounts of nature offered by the preeminent ancient and medieval thinkers. By contrast, the founders of modern political and natural philosophy—Machiavelli, Bacon, Hobbes, and Descartes—whatever their disagreements on other points, are in perfect accord in rejecting the ancients' adoption of final causality as the foundation of the explanations of human nature and nature as a whole. Though the moderns certainly condemn Aristotle, who "made nature pregnant with final causes," they seem to reserve their deepest antipathy for the medieval thinkers who attempt to combine an Aristotelian teleology with the claims of revelation regarding the creation of the world. Their rejection of teleology goes hand in hand with their polemical engagement with revealed theology.

The success of the modern project, founded upon the thought of the modern philosophers, and in particular the success of the

natural science that has been erected upon the principles of their natural philosophy, have led to a near universal agreement in regard to teleological accounts in the explanation of the nature of things: they are worse than useless. On this front then the quarrel between ancients and moderns has resulted in the near total victory of modern philosophy. The moderns' turn toward the methodical discovery of the universal and necessary disjoined from any ends or purposes has been made to prevail in virtually every aspect of the inquiry into nature. Given this prevalence and the consequent oblivion into which the former accounts of nature offered by the ancient and medieval thinkers have been thrown, it is perhaps worthwhile to inquire once again regarding the character of those accounts. One must begin by asking whether that character in fact corresponds to the portrait painted by the moderns or whether the latter constitutes rather a caricature which distorts the features and so conceals the real intentions of these accounts. Did the moderns' overriding purpose, their effort to dislodge revelation from her throne of preeminence and liberate philosophy from her thralldom to revealed religion, compel them to dismiss with less than perfect justice the arguments of their philosophic forebears? Above all, it is reasonable to revive the question of teleological accounts in the light of the surprising result of the victory of modern over ancient philosophy, namely, the complete displacement of philosophy, whether ancient or modern, as an inquiry into nature by modern science and the consequent severing of the inquiry into nature from any and all efforts to address the issue that must always be of the greatest urgency for human beings as human beings: the question of the end of man or the human good. In this paper we will examine the account of nature and human nature in terms of final causes offered by Maimonides in crucial passages from his *Commentary on the "Mishnah."* We turn to Maimonides's arguments because they provide a convenient case study insofar as they seem to embody quite clearly all of the faults detected by the moderns in such accounts, most especially the proximately anthropocentric and ultimately theocentric character of these accounts. Maimonides declares both that the natural species with which we are most familiar are all designed by a creator God to serve the ends of man and that nature as a whole is ordered to God as its final end.

#### PART ONE: THE END OF MAN AND THE CITY OF ARTS

It is in the *Introduction to the Commentary on the "Mishnah,"* in the midst of his attempt to convince his reader of the importance of the *aggaddah* or the "homiletical expositions" that are found alongside the *halachah* or legal discussions of the Talmud, that Maimonides first raises

the question of final causality (111, 117).<sup>1</sup> Maimonides points out that such homiletical expositions may often appear on their face to be unintelligible or absurd, but that nonetheless beneath their surface levity they conceal “divine matters” and fundamental truths “that the learned sages concealed and did not wish to disclose, and which the philosophers spent generations” searching out (111). Only one “proficient in the sciences” can penetrate to the depths of meaning hidden in the most enigmatic of these discussions. The concealment of such truths beneath the seemingly unintelligible surface of these homiletical expositions is dictated by the distinction between differing kinds of intellects. “There is no doubt that the intellect of one who understands something significant is not like the intellect of one who does not grasp it. The former possess ‘actual intellect’ and the latter possess only ‘potential intellect’” (114). It is necessary to conceal certain truths from those of “potential intellect,” since their communication can benefit neither the one to whom they are revealed nor the one revealing them. Still it is useful to make such truths available to those capable of profiting from them and refraining from communicating these truths altogether would be an act that could be rooted only in traits that are contemptible even in a fool: “wickedness of heart” or vanity (112). The homiletical exposition, according to Maimonides, is the tradition’s way of circumventing this difficulty (112–14).

Maimonides gives as an example of such an enigmatic communication of the truth the declaration found in the *Tractate Berachoth* that “the Holy One, Blessed be He, considered nothing in the world save the four cubits of the Halachah.” On first blush this declaration is, admittedly, “far from the truth” (119). It appears to suggest that God’s providential concern extends exclusively or primarily to those who take up the study of the “oral law” or the tradition of the sages of the law. If one “delves discerningly” into the matter, however, Maimonides declares, one will discover the remarkable insight hidden beneath this apparently foolish utterance (119). Maimonides now goes about making explicit to the reader the truth or “collection of eternal truths” that the sages apparently saw fit to conceal beneath this gnomic pronouncement. These truths, however, appear to be attributable more easily to the ancient philosophers than to the ancient sages, and particularly to Aristotle who insists that “nature does nothing in vain” and “the good is that at which all things aim.”<sup>2</sup> For the general principle that the ancients

<sup>1</sup> All quotations and page numbers from the *Introduction to the Commentary on the “Mishnah”* are from *Moses Maimonides’ Commentary on the “Mishnah”: Introduction to the “Mishnah” and Commentary on “Tractate Berachoth,”* trans. Fred Rosner (New York: Feldheim, 1975).

<sup>2</sup> Aristotle, *De anima* 434a32–33; *Parts of Animals* 641b11–13; *On the Heavens* 271a34–35, 291b11f.;

discovered and that will prove to be the key to unlock the secrets hidden in this seemingly false declaration concerning the four cubits of the Halachah is that “everything that exists must of necessity have a purpose for which it was made, because things do not exist in vain” (120).

The principle discovered by the ancients was that of universal teleology. Maimonides declares that it was in examining the purposeful character of the productions of the arts that the ancients discovered that those things due to “divine workmanship and the wisdom of nature” must also have a purpose. The ancients then took art as their model for understanding the order of nature.<sup>3</sup> God is a craftsman and the wisdom of nature is a productive wisdom expressed in the purpose for which each product of nature has come to be. If a comprehensive teleology is to prevail then various species and their members must not exist for the sake of themselves, but, like the tools and products of an artisan, must exist for the sake of an end beyond them. This is precisely what Maimonides affirms when he now declares that “in general one must note that all things that exist under the lunar sphere exist for the sake of man alone” (121). “All types of animals” and “trees and plants” find the proper purpose of their existence in their utility—as food, transport, clothing, medicine, etc.—for man.<sup>4</sup>

The contention that all of the animals and plants are artfully designed by the wisdom of nature and divine craftsmanship to serve perfectly the ends of man is challenged, however, by the question that might be raised about the existence of certain poisonous herbs: they lead, after all, to man’s perishing not to his flourishing. Maimonides answers this challenge by asserting that though they may prove fatal if ingested, they must inevitably prove useful in some other way, for example, as employed in the application of a compress, and concludes that “if one recognizes that man derives great benefit from vipers and snakes, then all the more so from those things which are less harmful” (122).

Now though Maimonides mentions only time and experience as required for the discovery of the utility of those things that initially

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*Politics* 1256b15–23; *Nicomachean Ethics* I.1 1094a3.

<sup>3</sup> Aristotle, *Physics* 194a20–33.

<sup>4</sup> See Aristotle, *Politics* I.8 1256b15–23. Considered in the light of their functioning as parts of a whole defined by the overarching end of the existence and well-being of man, the species-intrinsic ends of the various beings of the sublunar realm of nature are either substantially weakened or eliminated altogether. Existence as a properly distinct class or kind is in some degree of tension with existence as a part of the whole structured in accordance with final causality.

appear to be either useless or harmful, it is above all art that is required to transform, for example, the viper's venom into a useful drug. The theme of art continues to dominate the argument, but it now proves to be the case that the art of God or nature is not sufficient to ensure that God's fabrications or the products of nature are proper means to the well-being of man. Human art, in this case the medical art, may be required to ensure their beneficence in this regard.<sup>5</sup>

Maimonides, having argued that "the purpose of all these plants and animals is for the survival of man," declares that "one is then led to investigate why man exists and what was the intent behind his creation" (123). In this connection, he observes that, though most species have but one skill—the spider weaves, the swallow builds, the lion hunts—man has an array of skills that he can practice. Man then is not distinguished by the possession of artful skill as such, but by the variety of artful skills that he may take up and practice. This variety, however, appears to have its root in man's reason or mind. Therefore, the practice of neither one artful skill, nor the full array of such skills, proves to be the "object of his creation." The human arts are instrumental to man's survival and existence, but the latter is brought to its fulfillment in an activity that is cognitive not productive in character: "to grasp in his mind the secret of the fundamental truths and to understand the verities according to his ability" (123). Knowledge is the end of man, since only in the activity of the mind's cognition of the truth is man elevated in rank from "potentially human" to "actually human" (124). Man as such is the rational animal. First among all truths to be cognized by human beings, however, stands the truth regarding "the unity of the Holy One" or knowledge of God. The acquisition of all other knowledge or science is pro-paedeutic toward the "attainment of divine knowledge" or science. Science finds its culmination in knowledge of the whole and, above all, of the first principle of the whole. In fine, all of sublunar nature finds its purpose in man and his existence and man finds his purpose in the acquisition of wisdom or knowledge or science. The acquisition of the sciences, however, is merely a "preparatory exercise" and is itself ultimately instrumental to man's final purpose, namely, the acquisition of perfect wisdom or the science of sciences: knowledge of God's unity. It is God as one that provides the architectonic end that converts the anthropocentric teleology of the sublunar realm into a theocentric teleology that embraces the entire cosmos.

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<sup>5</sup> One must conclude that even granting the possibility of such a transformation through human art, these things remain according to nature as harmful to man as they are useful. The good of man is not after all simply and nonproblematically determinative of the constitution of the things of nature.

Maimonides first entertained an objection to his account of natural teleology when he noted the presence of certain natural evils—poisonous plants and venomous snakes—that seemed to call into question the assertion that all the beings of nature exist as instrumental to the purpose of man. He now allows an objection to be entertained in regard to the condition of human beings themselves that would seem to be an even more powerful challenge to the account he has been articulating. “There remains in this matter the following question which one might ask.” If nothing is purposeless and nature does nothing in vain, and man is the “most important” of all things in the sublunar realm, but man himself finds his purpose in the acquisition of wisdom, why is the wise man “alone among many” who are utterly lacking in anything like an actual intellect and who, therefore, mindlessly follow their whimsical inclinations or “lusts” (127)? In the case of the human above all, do not, therefore, the great majority of individuals exist without purpose or in vain?<sup>6</sup> And if, as Aristotle says, nature is displayed in what takes place “always or for the most part,” would it not be the case that for the most part men are really devoid of mind and nature operates by nature without fulfilling her apparent purpose? Nature, at least in the case of human nature, seems thereby to refute Maimonides’s claim that nature operates according to the productive or artful “wisdom of nature.” The coming to be of mind in the midst of human nature would be something like a fluke or a freak of nature; and if man is that for the sake of which all the rest of the natural beings exist and nature’s purpose primarily fails in the case of man, then nature as a whole is, apart from the disorderly operations of chance, lacking in purpose.

Up until this point one might have characterized Maimonides’s argument as a teleology of mind or wisdom. With the raising of this objection and his answer to it, it might just as well be characterized as a teleology of folly or madness: for it proves to be the case that the mindless folly of the great majority of men is the indispensable means to the establishment of the necessary preconditions for the coming to be of the actual intellect and, as such, human madness must be as ubiquitous as the human mind is exceptional and rare. The scarcity of wisdom among men is the result of the artful wisdom of nature or nature’s God in its employment of folly as a

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<sup>6</sup> In chapter 1 of the *Eight Chapters* Maimonides insists that the intellect is the proper form of the human soul and if the soul fails to attain this form then “the existence of this capacity to receive this form is for naught and, as it were, futile” (64). All quotations and page numbers from the *Eight Chapters* are from *The Ethical Writings of Maimonides*, ed. Raymond L. Weiss with Charles Butterworth (New York: Dover, 1975).

means to the end of wisdom. Massive and genuine evil is that without which the good cannot come to be.

It is precisely the inability of the multitude of men to pursue in any real way the goal proper to a human being as such that inclines them to seek other goods, the goods of the body, as preeminent. It is precisely the frenzied pursuit of the secondary and instrumental as primary and final that Maimonides characterizes as madness and folly (128).<sup>7</sup> Yet precisely this folly is that without which the division of labor and the discovery and refinement of the arts would never have been effected. And, though the city of arts ministers primarily to the needs of the body and inevitably puts mind in the service of the body, it is also at the same time that without which the conditions required for the pursuit of knowledge and wisdom would never have been established. For, as Maimonides explains, in the absence of such a city every man would be compelled to become a jack-of-all-trades in the attempt to satisfy his needs and the leisure required for the pursuit of knowledge and wisdom would remain unavailable (127–28).

Now though, as Maimonides argues, the multitude of men and their mad activities, insofar as they give rise to the city of arts, may be the necessary means to the coming into being of the end of man in the person of the one who seeks and attains wisdom (127), it is nonetheless the case that these deranged men do not understand themselves and their activity in this light. From their own point of view the ends they pursue are the ends simply and, therefore, the great multitude of men honor above all wealth and the power that comes with wealth and, therefore, the man who possesses such wealth and power.

As an almost unavoidable consequence it must happen that “a foolish and stupid man” rises to a position of preeminence and that “one of those who ministers to his needs is a wise and discerning man” (129). That is, the order of nature in terms of means and ends will be inverted in the particular case and reason be made subservient to unreason. The wise man may “govern” in the sense that his existence is the end toward which the rest of human endeavors are “by nature” directed, but he does not rule over the city. This is the third challenge that Maimonides entertains in regard to the teleological account he is in the midst of putting forward.

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<sup>7</sup> Men undertake the most strenuous and far-flung labors, sacrificing “their three souls,” for the sake of the acquisition of wealth and then employ this wealth to hire an army of men to build some monument to outlast their tiny span of life. “Is there greater folly and lunacy than this?” Maimonides asks (128).

Maimonides counters this objection in a peculiarly oblique way. He does not deny the fact that a man of intellect might find it unavoidable to place himself in the employ of a foolish man, be ruled by his injunctions, and employ his capacities in the accomplishment of his aims. He does not attempt to demonstrate that this particular arrangement is in some way beneficial to the wise man so employed. Rather he suggests that this combination of the talents and capacities of the wise man with the aims of the foolish man to which they have been subjected may produce a palace that is “a paragon of beauty” and a “large vineyard” on the scale of those erected by great kings (129). The concatenation of artful wisdom and the “stupid” aims of the pleasure seeker conspire to transform the city of art from “the city of utmost necessity” or the “true” and “healthy” city as Socrates calls it in the *Republic*, into the city of luxury or the “feverish” city in which the superfluous arts and, therefore, the beautiful are at home.<sup>8</sup>

It is precisely these beautiful, pleasant, and superfluous things—the products of the arts of luxury—that, Maimonides now declares, may become the salvation of the “righteous man” or the “complete and perfect man” or “perfect man full of wisdom and good deeds” (129, 131). For the shade of the walls of the palace may “in later days” prove to be the refuge and salvation of such a man and the wine produced from that vineyard may one day enter into the preparation of a cup of theriac that will cure such a man who has been bitten by a viper.

Now the viper, mentioned previously in the argument in connection with the first objection entertained by Maimonides in regard to this teleological account, is a figure taken from a work by Maimonides’s great teacher Alfarabi. It is a work mentioned by Maimonides in his letter to Ibn Tibbon as being like “wheat without chaff”: the *Principles of the Existent Beings* or the *Political Regime*.<sup>9</sup> There Alfarabi lays out a cosmology in which a strict hierarchy appears to be maintained such that the elements are subordinated and subsumed under the forms of higher beings (e.g., minerals) and such beings subordinated to and subsumed under the forms of still higher beings (e.g., plants and nonrational animals) until one reaches the apex in man the rational animal who, “by nature” and “by virtue of reason,”<sup>10</sup>

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<sup>8</sup> Plato, *Republic* 369d, 372e.

<sup>9</sup> Joel L. Kraemer, *Maimonides: The Life and World of One of Civilization’s Greatest Minds* (New York: Doubleday, 2008), 442.

<sup>10</sup> All quotations and page numbers from Alfarabi’s *Principles of the Existent Beings* are from J. McGinnis and D. Reisman, eds., *Classical Arabic Philosophy: An Anthology of Sources* (Indianapolis:

is never made material for or instrumental to anything other than it at all: “no rational animal serves or aids any lesser species, when that would be by virtue of its form” (103). Into this strict, hierarchical order of ends, however, Alfarabi introduces the viper that proves to act as an instrument of the elements in their effort to strip away the forms of the higher beings (animals and human beings) that constrain the elements and compel their natures to serve in the maintenance of their higher existence.<sup>11</sup> Such a destruction of these higher forms by the viper, whose intention, according to Alfarabi, is solely this destruction, is in the service of the promotion of these elemental natures themselves over against any and all higher natures. Alfarabi’s viper then is the personification of elemental or material necessity in its resistance to being made wholly subordinate to the order of final causes.

It is worth noting that Maimonides’s foolish man, his preeminence, his rule over the arts and the city of arts, and his dominance over the wise man represent the very phenomenon that Alfarabi’s and Maimonides’s figure of the viper represents: the recalcitrance of necessity to its deployment as a means to an end. Both the viper and the foolish man and his rule over the city of arts are the incarnation of this at least partial independence of necessity. They display the truth that not all necessity is “hypothetical necessity” (that which is necessary for the sake of the realization of a given end). There is such a thing as mere or simple necessity.<sup>12</sup> When Maimonides, therefore, speaks of the works of the foolish man being employed in the salvation of a complete and perfect man or of wine from his vineyard contributing to the antidote used to neutralize the venom of the viper, he is speaking of the effects of one viper, as it were, being used to ward off the fatal effects of the attack of another viper. One species of necessity and its consequences are shown to conflict with another species of necessity and its consequences in such a way as to render possible the realization of the end of man in the achievement of the actual intellect.

Thus Maimonides ends this discussion by declaring that “everything in this existing imperfect world” has as its purpose “a perfect man full of wisdom” (131). That is to say, he suggests that the “imperfections”

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Hackett, 2007).

<sup>11</sup> Poisonous plants, according to Alfarabi’s argument, serve a similar function in the service of the elements (103).

<sup>12</sup> Aristotle, *Physics* II.9; John M. Cooper, “Hypothetical Necessity and Natural Teleology,” in *Philosophical Issues in Aristotle’s Biology*, ed. Allan Gotthelf and John G. Lennox (Cambridge: Cambridge University Press, 1987), 261–62.

of nature he has detailed in his account are that without which the actual intellect could never come to be. It is now possible to understand the truth of the apparently erroneous statement that God in this world has only the four cubits of the *Halachah*. The truth of this statement, we have learned, has nothing to do with its apparent meaning, to wit, that God's providence extends only to the zealous student of the Torah. Rather the meaning of this statement, according to Maimonides, amounts to the following: God and nature display their providence precisely in the extraordinary limitations on that providence and this improvident providence is geared to ensuring the possibility of the coming into being of the wise man. Only in the "artful" absence of perfect providence that nature has produced can the arts and the city of arts come to be, and only on the basis of the arts and the city of arts can man fulfill his end in the acquisition of knowledge and above all knowledge of God.

#### PART TWO: THE GOVERNANCE OF THE SOLITARY

During the course of his discussion of the end of man in the *Introduction to the Commentary on the "Mishnah,"* Maimonides admits that this discussion is incomplete. For the "completion" and proper "elucidation" of this topic, he informs us, we must turn to his commentary on the *Tractate Aboth* (125–26). We search this tractate in vain, however, for such an account and find in its place one terse statement regarding the issue of man's proper end: in commenting upon an utterance of Rabbi Jose, Maimonides declares, "In the fifth chapter [of the *Eight Chapters*] we explained the meaning of the statement *and let all your deeds be for the sake of Heaven.*"<sup>13</sup> It is not in his commentary on *Aboth* proper, but in the prefatory treatise that introduces it that we will find the continuation and completion of this theme.

In the *Introduction to the Commentary on the "Mishnah,"* immediately prior to his pointing the reader to a continuation and completion of this discussion elsewhere, Maimonides had raised the issue of the interference between two functions of soul: soul as a principle of life in relation to body, he suggested, is at odds with soul as a principle of knowledge in relation to mind. Thus he was willing to declare "the destruction of the soul results from the improvement of the body, and the perfection of soul through the constraint of body" (124). Without the "constraint of body" the "sensual," it would seem, must prevail over the intellectual power and the

<sup>13</sup> Moses Maimonides, *The Commentary to Mishnah Aboth*, trans. Arthur David (New York: Bloch, 1968), 41.

individual be reduced to a subhuman state (124). According to this account, such constraint of body must be accomplished by “deeds” that work to effect the “improvement and perfection of natural matters” or the improvement of “one’s body and...one’s character” (125). Such improvement, it would seem, requires a rigorous asceticism in regard to bodily or sensual pleasures: “The beginning of wisdom demands that man not partake of physical delights, save that which is required for the maintenance of body.” Maimonides identifies this asceticism with “righteousness” or “piety” and so suggests that a rather strict version of moral virtue is the necessary precondition of knowledge, science, and wisdom (125). The “lusts” of the appetitive power must be suppressed or minimized if the pursuit of knowledge is to be made feasible.

Now what is remarkable about the arguments of the *Eight Chapters* is that such pious asceticism is consistently and energetically rejected. In chapters 3–4 it is shown to be incompatible with the proper, Aristotelian understanding of virtue as corresponding to a mean state in regard to the passions of the appetitive power and the actions based upon them; and in chapter 5 it is declared to be entirely unnecessary as a condition for the pursuit of wisdom. Rather than “sensual” pleasure having to be suppressed as an obstacle to knowing, the refinement of such pleasure is shown to be instrumental to the acquisition of knowledge in general and knowledge of God in particular.<sup>14</sup>

According to the arguments of the *Eight Chapters*, then, and particularly those of chapter 5, there is no essential and irremediable tension between the soul as a principle of life in relation to body and the soul as a principle of knowledge in relation to mind. Whatever tension may be native to or imposed upon these powers of soul—the sensitive and appetitive, on the one hand, and the rational on the other—may be wholly resolved through the ministrations of art or science. Not strict, let alone piously severe, moral restriction but the prescriptions of the medical art and “medical theory” provide the preconditions for the individual’s pursuit of knowledge and in doing so bring unity to the powers of the soul and harmony between the health of the body and the health and virtue of the soul.

Thus, if, in the *Introduction to the Commentary on the “Mishnah,”* we saw the array of arts and the city of arts as a whole being deployed to satisfy the pleasures or lusts of the “stupid man” who ruled over

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<sup>14</sup> Admittedly there is a feint in the direction of what appears to be an ascetical regimen, but this is quickly overturned in the name of the dispelling of weariness, lack of clarity and purity, and melancholia from the soul.

that city and only indirectly and intermittently being made serviceable to the requirements of the wise man, here in chapter 5 of the *Eight Chapters* we are treated to the spectacle of these same arts—theoretical and practical—being put directly in the service of the individual whose life is devoted to knowledge of God. We seem, in other words, to be given a more precise explanation of how the development of the arts and sciences could serve in promoting the life of the wise man despite their genesis in the city devoted to the satisfaction of the bodily needs and desires of the ignorant.

One might think, therefore, that in chapter 5 we are treated by Maimonides to a *Republic* in miniature: the city of arts is transformed before our eyes into the Beautiful City (*kallipolis*),<sup>15</sup> whose end is the generation of the life devoted to wisdom. What distinguishes the arguments of chapter 5 from the arguments of the *Republic*, however, is the fact that this wise man springs up like a weed from the soil of the city, the end of which continues to be the pleasures of the ignorant. This wise man, owing no debt to his city, remains, therefore, on the “Isles of the Blessed,” refusing to return to “the cave.” The only condescension the knower makes to the city that has served his purposes, it would seem, is the “talk” that he engages in before “the multitude” concerning the moral and what is worthy of praise and what is worthy of blame in human conduct. Still, given his aversion to any activity that takes him away from his pursuit of wisdom, it would appear that he is perfectly willing to let such praise and blame be handled by the experts in these matters—the Bible and the sages of the law (76–77). The account given in chapter 5 of the proper character and conduct of the individual whose life is devoted to knowledge, therefore, is an account of the proper conduct of the isolated individual. It is an account of the governance of the solitary.<sup>16</sup>

Until the end of chapter 5, this reference to the Bible as rhetorically sufficient to persuade “the people to follow the way of [good men] and avoid the way of [corrupt and defective individuals]” (77) is the only reference made within the chapter to the law and the tradition of the law. The argument here abstracts from the law and the city of law, to focus on the arts and the city of arts and their utility vis-à-vis the properly human life, the life of the intellect. Chapter 5 is not unique among the chapters of the *Eight*

<sup>15</sup> Plato, *Rep.* 527c.

<sup>16</sup> “It is clear from the situation of the solitary that he must not associate with those whose end is corporeal....Rather he must associate with those who pursue the sciences....It follows that in some ways of life the solitary must keep away from men completely, insofar as he can...or emigrate to the ways of life in which the sciences are pursued” (Avempace, *The Governance of the Solitary*, in *Medieval Political Philosophy*, ed. Ralph Lerner and Muhsin Mahdi [New York: The Free Press of Glencoe, 1963], 132).

*Chapters* in its discounting the issue of law. Chapter 1 seemed to abstract from this issue entirely. Chapter 5, therefore, harks back to that first chapter and reminds us of the claims made there, namely, (1) that “the soul is a single soul” and what are called its “parts” are really “various actions of the totality of soul” (61); (2) that the intellect is the form of the soul whose other powers or parts—e.g., sensation, imagination, appetite—serve as its matter (64); and (3) that in the absence of the attainment of this form the other aspects of soul exist in vain, that is, that “without knowledge a soul is not good” (64).<sup>17</sup> Chapter 5 elaborates upon all of these claims. It shows that the soul becomes one, has goodness bestowed upon it, and is endowed with the form of intellect when the final end of the intellect is made the organizing principle of the life of the individual. That final end is the acquisition of knowledge of God.

In the light of this end, all of the parts or powers of the soul can be arranged as means of varying importance and significance in relation to its achievement and each part of the soul can have assigned to it an art or science or a series of arts or sciences necessary to aiding it in the pursuit of it. Again, the precise utility of the various arts and sciences of the city of arts to the life devoted to the pursuit of knowledge can now be made clear. So, in the account of chapter 5, the bodily art of medicine displaces the art of the soul doctor of chapters 3–4 and is assigned the task of determining the proper measure for the appetitive power, particularly in regard to food, drink, and sex. This indicates that the appetitive power, as described thus far in the *Eight Chapters*, is closer in certain respects to an aspect of body than a part of the soul, and its health and sickness closer to the good and ill disposition of the body than to the genuine virtue and vice of soul. Thus the virtue of moderation, as ordinarily understood, is declared to be (1) concerned with bodily well-being, (2) the sum and substance of “moral virtue” as a useful instrument to the pursuit of knowledge, and (3) instilled most effectively by the medical art. This medical art looks not to pleasure and pain in making its prescriptions, but to bodily health as its end. It will, therefore, prescribe indifferently pleasant and unpleasant regimens in regard to food, drink, and sex in order to secure this end.

The health of the body, however, is instrumental to the pursuit of health of soul. It is a second medical art, Maimonides now explains,

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<sup>17</sup> In its near complete abstraction from the issue of law, chapter 5 also puts us in mind, of course, of the treatment of the issue of final causality from the *Introduction to the Commentary on the “Mishnah”* that we have just examined and in which the teleology of man is articulated exclusively in relation to the city of arts.

not the practical medical art, but “medical theory” (75) that is capable of instilling such health. Unlike the practical medical art, which establishes health of body equally through what is pleasant and what is repugnant, medical theory makes use only of “what is most pleasant” (75) and what is most pleasant is that which is most beautiful. Medical theory takes in hand the superfluous arts devoted to the production of beautiful luxuries and the generation of superfluous pleasures and employs them as its instruments in instilling health of soul.

It does so by employing the delight in the beautiful—indulgence in the pleasures associated with beautiful gardens and buildings, beautiful music, but, above all, the pleasure of “sitting before beautiful forms”—to drive out the affliction of melancholia.<sup>18</sup> We can now observe how thoroughly Maimonides rejects here the concerns of the law: the most obvious meaning of the phrase “sitting before beautiful forms” points in the direction of the contemplation of sculptural representations of the human form. Now apart from the generally ascetical character of the law and its suspicious attitude toward the beautiful arts and the superfluous pleasures they engender (e.g., music and the pleasures of music),<sup>19</sup> the specific prohibition against the fashioning of “graven images” renders the production of and pleasure in such “forms” not merely suspect but criminal in the eyes of the law. Maimonides here pretends that the law and its demands simply do not exist.

Medical theory is effective, it turns out, not only in relieving the soul of the affective condition of melancholia, but also in ensuring that the soul is “made clear and pure to receive the sciences” (77). The beautiful then acts not only to refresh and relax the mind in its weariness, but also to clarify and purify the mind of something that would otherwise pose an obstacle to its operation. Melancholia, it would seem, is an affliction of both the appetitive and the rational powers. It is certainly accompanied by an unhealthy condition of body—excess bile (75). At one and the same time, therefore, the arts devoted to the beautiful are employed by “medical theory” to alleviate a condition of body, to remedy an indisposition of the appetitive power, and to give rest to and purify the intellect. The beautiful bridges the divide and brings about a harmony between the body, the passions of the soul, and the cognition of mind that would not otherwise prevail. It is

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<sup>18</sup> In the sequel Maimonides adds to the list of pleasant and beautiful things useful to such purposes “an attractive dwelling, an attractive wife, attractive utensils, and a bed prepared for the disciples of the wise” (77).

<sup>19</sup> See Kraemer, *Maimonides*, 305–6.

this harmony, according to the account here offered, that is required for the proper operation of the intellect and the pursuit of knowledge or science.

We recall that in the *Introduction to the Commentary on the "Mishnah"* Maimonides had declared that the superfluous and pleasing products of the art of the vintner might be employed by the art of medicine in devising an antidote to the bite of the viper. We are now given a rather detailed account of how to understand one aspect of the metaphorical dimensions of that claim. The beautiful arts as employed by medical theory act to purify body, soul, and mind of the "venom" of contaminating elements and, once having done so, to bind these newly purified powers together into one. The question remains, however, as to how we are to understand the "viper" and his "venom" metaphorically, that is, what is the cause of the melancholia from which the soul must be freed and what is the cause of the tension between soul as a principle of life in relation to body and soul as a principle of knowledge in relation to mind?

The sciences for the acquisition of which the mind is prepared by its enjoyment of the beautiful and the purification and clarification that it provides prove to be, in the first instance, entirely mathematical in character. Maimonides admits that such sciences might, at first sight, appear distracting from the final end toward which the life of a man must be directed if it is to be human in the proper sense and not identical in kind to that of "the beasts that perish." Yet sciences such as algebra, "the book of cones" (Apollonius's treatise on conic sections), or mechanics prove to be indispensable insofar as they prepare the mind through and train the rational power in "the method of demonstration" (76). The mathematical sciences are the most obviously demonstrative of the sciences and through them the mind becomes accustomed, it would seem, to seeking demonstrative knowledge of all things, especially demonstrative knowledge of God. It now becomes apparent that this knowledge of God that Maimonides proposes as the architectonic end of the whole of human life is a divine science in the strictest sense. Divine science must be comprised of demonstrative knowledge of what God is—his "essence"—and that God is.<sup>20</sup>

Such a divine science, like the mathematical sciences that prepare the mind to seek and elaborate it, is of Greek origin. It is exemplified by book 12 of Aristotle's *Metaphysics* and not by anything found within the

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<sup>20</sup> Such a science cannot be wisdom in regard to God, since wisdom in regard to a given being is "knowledge of remote and proximate causes of a being" (65). God, however, appears to be irreducible to prior causes.

Mosaic law or the tradition of that law. As soon as the Greek character of the series of sciences that culminates in this science of sciences is recognized, the Greek character of the arts that smooth the way toward the acquisition of these sciences imposes itself upon the mind of the reader, as well: the “medical theory” that employs the beautiful as a means, the beautiful arts that it has at its disposal (e.g., the production of “beautiful forms”), and the practical art of medicine that looks to the health of the body are all of Greek provenance. Casting a retrospective glance toward the arguments of the *Introduction to the Commentary on the “Mishnah,”* we may remark that the city of arts is above all the Greek city, that city in which such arts are refined and perfected in an exemplary way—it is, in a word, “Athens.”

These “Athenian” arts and sciences are forged into an ordered whole and unified, according to Maimonides’s account, by being made ministerial to the various aspects of the life of the individual that are likewise forged into an ordered whole and unified by the overarching goal pursued by the intellect—knowledge of God. It is now clear what Maimonides meant when he suggested in chapter 1 that the intellect is the “form of the soul” that brings unity to the soul and in the absence of which the various powers of soul exist “in vain.” The soul becomes a “single soul” in setting for itself the end of knowledge of God and in pursuing the series of activities and inquiries required to achieve that end. In the absence of this endeavor the soul is “not good” and its unity remains unachieved.

At the close of this account of the life devoted to the “virtues and the truths” (76) as its end, Maimonides declares that “this level is very lofty and difficult to reach,” that “only a few perceive it,” and that the rare man in this condition would be in no way inferior to the prophets (77). With this Maimonides ceases to abstract in his argument from the law and suggests that the “knowledge of God” possessed by the prophets of Jerusalem is identical to the demonstrative knowledge of God possessed by that man who has mastered the full array of Greek sciences that culminates in the divine science elaborated by Aristotle in his *Metaphysics*. The same knowledge possessed by the Greek philosophers regarding the nature of the divine was possessed to the same degree by the prophets of the law and, therefore, above all by the prince of prophets—Moses. The divine law, therefore, must find its source in this same knowledge of the divine and the ultimate end proposed by this law must be identical to that source: demonstrative knowledge of God. This is an intensification of Maimonides’s claim in the *Introduction to the Commentary on the “Mishnah”* that the sages of the law transmitted through

their homiletical expositions truths discoverable only by one “proficient in the sciences,” or by one who has been schooled by Aristotle in the teaching that “God and nature make nothing without a purpose.”<sup>21</sup> The wisdom of the Greeks and the wisdom of the Hebrews are ultimately one and the same.

Thus Maimonides insists that the law or even God himself through his law “requires that we [the people of the law] make as our purpose” the very goal he has set for man as man in the discussion of chapter 5. In seeming confirmation of this notion he appeals to the words of Deuteronomy: “and you shall love the Lord your God with all your heart and with all your soul” (78). With this, however, Maimonides throws his argument identifying Greek and biblical wisdom into confusion. Love may be compatible with knowledge, but it is not identical with it: one may love in ignorance and come to know without coming to love that which one knows, however much one may love the knowing of it. Moreover, the lawful command to love God is in the deepest possible tension with the desideratum of demonstrative knowledge of God: this command presupposes without any demonstration whatever that God exists and that he has a particular character; above all it presupposes that God is the sort of being that might issue commands and that actually did issue a particular command to love him. It presupposes, in other words, that God is a legislator and a legislator of a very peculiar law that commands something that does not seem to be responsive to command. The biblical prophecy and the demonstrative knowledge of God rest upon wholly disparate foundations. Thus even in the same breath with which he appears to declare the unity of divine science and biblical prophecy and law, Maimonides splits them apart.<sup>22</sup> Solomon rushes in to fill the gap: “in all your ways know Him,” the prophet has declared.<sup>23</sup> Yet Maimonides uses a rabbinical gloss on this epigram from Proverbs to widen the breach that Solomon appeared to close. The sages declare that when Solomon urged the pursuit of knowledge of God “in all your ways” he meant “even with a transgression” (78). Solomon, by the rabbi’s account, makes clear, in other words, that the pursuit of genuine, and that means scientific or demonstrative, knowledge of God requires a transgression of the law or that the law poses an impediment to the pursuit of that goal which has been put forward as the final end of a

<sup>21</sup> Aristotle, *On the Heavens* 271a34–35.

<sup>22</sup> One might confirm this point by observing that Maimonides has already insisted that no lawful command can be issued to the rational faculty (64–65). The command to love God, therefore, applies only to the appetitive power.

<sup>23</sup> The prophet Solomon is often used by Maimonides to similar effect. Maimonides’s Solomon appears to be a “stranger in a strange land,” that is, an Athenian ruling over the kingdom of Jerusalem.

human being as such. After all, the demonstration of what God is and that God is presupposes the suspension of any beliefs regarding the character and existence of God. It is grounded in an “atheistic” starting point.<sup>24</sup>

Throughout the bulk of chapter 5, Maimonides is reflecting upon a situation in which the law would have no place in the conduct of a properly human life, that life devoted to the pursuit of knowledge. Any role that the law might play in such a life, for example as lending a structure to the appetitive power through the imposition of moral virtue upon it, is taken over by art. It seems that by these means Maimonides wishes to suggest that if human life could indeed be governed in this fashion, if the governance of the solitary could be exercised in this way, then any friction between the soul as a principle of life and the soul as a principle of knowledge would be minimized or annulled. Such a governance of human life would entail the elimination from human life of the dominance within it of those opinions or beliefs that are grounded in law and associated with moral virtue. For this to be the case, however, the becoming of life would have to be eliminated and reason, science, and art would have to guide a human being from the beginning. No human being, however, has “the entire use of [his] reason from [his] birth”<sup>25</sup> and, as Maimonides has argued, most human beings never gain the full use of their reason. That the potential or possible intellect is in every case the initial and in most cases the permanent form of the human mind makes the rule of art and science or the governance of reason in this fashion impossible. It is by necessity, in other words, that the law steps in to instill a rough measure of some sort into the appetitive powers of the young and the perpetually childish, that is, those in the possession of potential intellect alone; and it is necessary that with the imposition of that measure comes the transmission of an array of opinions and beliefs. Only if the end of the law were identical to the end of the properly human life as Maimonides has portrayed it, and only if the law were able to recognize, approve of, and encourage the arts and sciences instrumental to that end, could soul as a principle of life and soul as a principle of knowledge fuse into an unproblematic unity and the appetitive power be made a smoothly functioning instrument in the service of the aims of the rational power. Maimonides’s revelation that the ends of the law are at variance with the end of the life of the intellect, therefore, prepares us for the arguments that are to follow, according to which the law, precisely in

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<sup>24</sup> Heinrich Meier, *Leo Strauss and the Theologico-Political Problem*, trans. Marcus Brainard (Cambridge: Cambridge University Press, 2006), 146.

<sup>25</sup> Descartes, *Discourse on Method*, trans. Richard Kennington (Newburyport, MA: Focus, 2007), 22 (AT VI 13); see Plato, *Laws* 653a–b.

ministering to those of “potential intellect,” is *the* obstacle standing in the way of the actuality of the intellect, that is, *the* obstacle to the elaboration of divine science or knowledge of God. Chapter 6 of the *Eight Chapters* shows exactly how this is so and why it must be so.

### PART THREE: THE END OF MAN AND THE CITY OF LAW

The argument of chapter 6 revolves around the distinction “the philosophers” have drawn between the virtuous and the continent man and their contrasting structures of soul. It will prove to be the case that the life having its end in knowledge and deploying the arts and sciences as means to that end corresponds to the highest instance of the virtuous man; the continent man and his soul structure, on the other hand, are shown to have their origin in the law as applied to the life that is endowed with potential intellect alone. The shape that knowledge, science, and art give to the soul will be shown to be in direct opposition to the shape that the law gives to the soul. This opposition between two sorts of men, two sorts of lives, and the two sorts of soul structures that accompany them also entails an opposition between the philosophers and the sages of the law, since the philosophers not only distinguish between the virtuous and the continent man but declare the virtuous man to be superior to the continent man, while the sages reverse this estimation and, in the name of the law, forbid any man from striving to attain that virtuous state.

Maimonides follows Aristotle and Alfarabi in describing the continent man as performing “virtuous actions” and doing “good things,” while nevertheless “craving and strongly desiring to perform bad actions.”<sup>26</sup> He is pained and troubled by the very “good actions” that he performs. He exists in a constant state of internal conflict, beset by two opposing inclinations or desires. These conflicting inclinations are necessarily accompanied by conflicting opinions: he believes one and the same thing to be both bad and good. His soul is divided against itself and his self-contradiction manifests his ignorance. His condition is, therefore, “a bad state of soul,” that is to say, he suffers from a thoroughgoing confusion regarding what is good and what is bad. In this respect he is identical to the man of sick soul described

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<sup>26</sup> See Aristotle, *Nic. Ethics* VII.1 1145b6–12; Alfarabi, *Aphorisms* 14, in *The Political Writings: Selected Aphorisms and Other Texts*, ed. Charles E. Butterworth (Ithaca: Cornell University Press, 2001). The initial part of this description resembles closely that given in chapter 3 of the distinguishing characteristics of health of soul. Maimonides, however, now peels back the surface of such “health” in order to reveal the unsound condition lying beneath it.

by Maimonides in chapter 3 who “imagines bad things as good and good as bad” (66).

The virtuous man suffers no such internal conflict and manifests, therefore, no such confusion, self-contradiction, and ignorance. The virtuous man “follows in his action what his desire and the state of his soul arouse him to do”—“he does good things while craving and strongly desiring to do them” (78). This could well be a description of the lover of the noble of Aristotle’s *Ethics*;<sup>27</sup> the sole example that Maimonides has given us of such a virtuous man, however, is the seeker after truth of chapter 5. He is *the* paradigm in the argument of the treatise thus far of what it would mean for human life to exhibit such a unity and agreement among all of its various inclinations, thoughts, and actions. Maimonides has described this life as the human life par excellence; it comes as no surprise, then, when he reveals that there is universal agreement among the philosophers “that the virtuous man is more virtuous and more perfect than the continent man” (78). The philosophers’ distinction between the virtuous and continent men and their recognition of the superiority of the former entail the discrimination between two kinds or classes of human life and the superiority of one class over another; Maimonides has characterized the recognition of such a distinction in kind within the human as one of the chief attributes that distinguish the genuine philosopher from the “pseudo-philosopher” (62).

Maimonides’s Solomon appears to grant something like this same distinction. But his declarations are, according to Maimonides, the only thing found “in the speech of the law in agreement with what the philosophers have said” (79). What the sages say in contradiction to the views of the philosophers must, therefore, be in agreement with everything else found in the law on this topic. The implication is clear: the law makes no such fundamental discrimination between kinds of men.<sup>28</sup>

This lawful denial of the class-kind distinction between men is implied in the sages’ declaration that the man “who craves and strongly desires transgressions is more virtuous and perfect than someone who does not crave them and suffers no pain in abstaining from them.” It is made fully

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<sup>27</sup> Aristotle, *Nic. Ethics* 1099a10–22.

<sup>28</sup> According to the law “the human” is not a term of ambiguous meaning, indicating, on the one hand, a precise understanding and, on the other hand, a comprehensive understanding of what it is to be a human being. For the law all men are ultimately or at root identical in species. They are “righteous” or “wicked,” good or bad, according to the choice of their will, not the disposition of their nature (83–86).

manifest when the sages finally declare that one is *forbidden* to be a man of virtue and is *commanded* to be a man of self-restraint and that the stronger one's craving for transgressions the more perfection and virtue is present (79).<sup>29</sup> It is, from the viewpoint of the law, a transgression to pretend to exhibit the sort of virtue held up as alone genuinely virtuous by the philosophers. If virtue, according to the law and the sages, must be lawful then the virtue of the virtuous man is, in its lawlessness, vice or "wickedness." His specific vice would appear to be pride.<sup>30</sup>

The sages have gotten a whiff of the character of genuine virtue as understood by the philosophers and described by Maimonides in chapter 5—it is a virtue that needs no law to "encourage" or command it and the actions that it performs. The virtuous man pursues the good "of his own accord" (88), independently of the law. He is superior to the law and lawful virtue. But the law, and above all the divine law, is incapable of admitting the existence of an aspect of human life that transcends the horizon of the law. What is the ultimate basis for this incapacity?

As we have already remarked, the necessity for law is grounded in the fact that all men at the beginning, and most men throughout the whole of their lives are endowed exclusively with what Maimonides has called "potential intellect." As Maimonides argued in the *Introduction to the Commentary on the "Mishnah"* such men necessarily pursue ends that are nonrational in character. So, though all men may agree that the ultimate end of man is "happiness," the overwhelming majority of men take happiness to be secured by the acquisition of wealth, dominion, honor, and so forth.<sup>31</sup> These acquisitions cannot be shared in common. If these men of "potential intellect" in pursuit of their unreasonable ends are to form a political society, then law must regulate their pursuit of these ends. The commands of the law, therefore, are of necessity directed not to the rational, but to the appetitive, sensitive, and imaginative powers. The law imposes an order and shape upon these subrational powers of soul that makes participation in political life possible. It transmits moral or lawful virtue to the soul. The law itself and the

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<sup>29</sup> If previously Maimonides had quoted Solomon as declaring it to be simply impossible to be a "just" man or a man of perfect moral virtue, the sages now declare it to be morally impossible to be such.

<sup>30</sup> Maimonides, *Commentary to Mishnah Aboth*, 69–70.

<sup>31</sup> Maimonides, *Commentary on the "Mishnah,"* trans. Fred Rosner (New York: Philipp Feldheim, 1975), 127–28; also Alfarabi, *The Political Regime*, in *Medieval Political Philosophy*, 35, 41; Alfarabi, *Aphorisms*, 31; Aristotle, *Nic. Ethics* I.4.

shape that the law imposes upon the soul are rooted, therefore, in a form of political necessity, a necessity that is non- or irrational in character.<sup>32</sup>

The means by which the law imposes its commands upon the soul are, as a consequence, also irrational in character: reward and punishment are the levers the law employs to attempt to ensure obedience.<sup>33</sup> Given the social nature of human beings, however, the most effective form of reward and punishment is praise and blame. The law attempts to ensure obedience through an appeal to the desire to acquire good repute and the fear of losing such repute among one's fellow human beings.<sup>34</sup> In the first instance, then, the law employs shame or "modesty" before one's fellow human beings to impose its structure of moral virtue upon the soul and ensure obedience to its commands.<sup>35</sup> Shame, however, is effective only in public—in private, that is, under conditions of sufficiently effective concealment, it ceases to operate.<sup>36</sup> The law's employment of shame then is responsible for the establishment of the lawful structure of soul reflected in the condition of the continent man: one's fear of punishment or bad repute is pitted against one's desire for that which the law forbids, for example, that which exceeds one's "just share" or some antinomian pleasure. The lawful solution to this problem of law is to appeal to an intensified version of shame or modesty, namely, awe or reverence or humility before that being who is said to effectively annul all privacy and concealment. Fear of the Lord is the lawful solution to the insufficiency of lawful shame before one's fellow citizens.<sup>37</sup>

The employment of God as a lawful device to circumvent the lawful problem of concealment can be effective, however, only if God is deemed to be both omniscient and omnipotent such that nothing can stand in the way of his at one and the same time fully detecting and strictly punishing each and every transgression of the law. Nothing in the constitution of the order of things, no opacity or necessity, can stand in the way of God

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<sup>32</sup> Maimonides has already described the operations of this political necessity in the *Introduction to the Commentary on the "Mishnah."* He now suggests how the need for law emerges from it.

<sup>33</sup> Alfarabi, *Aphorisms*, 76.

<sup>34</sup> "And many people refrain from the greatest of all physical pleasures out of fear that it may lead to shame or public disgrace or because they seek to earn a good reputation" (*Maimonides' Commentary on the "Mishnah": Tractate Sanhedrin*, trans. Fred Rosner [New York: Sepher-Hermon, 1981], 144). See Plato, *Laws* 646e–647b.

<sup>35</sup> Maimonides, *Commentary to Mishnah Aboth*, 33, 46, 64–66.

<sup>36</sup> Plato, *Rep.* 359b–360d.

<sup>37</sup> Plato, *Laws* 647a–b.

seeing justice done.<sup>38</sup> The punitive requirements of lawful justice, therefore, must be the sole ordering principle of the whole of things, that is to say, God's will must be unbounded by any limitations of nature or necessity. Whatever exists must exist simply according to God's will. The just God's will must be the cause of everything that is.

God's concern for men, perhaps, can be established on the basis of his being the sole cause of their existence. His concern for lawful justice and men's obedience or disobedience to the commands of the law, however, can be made plausible only if he appears to be not simply the author of their being, but the author of the law. "Divine law" is the necessary consequence of the attempt to solve on the level of the law the problem of the insufficiency of shame as a support for the law when that problem is thought through with sufficient purity and rigor. According to the understanding of divine law that results, God must command what he commands on the basis of its being neither in accordance with a standard of that which is good or just by nature, nor in accordance with that which is necessary for political life, but simply on the basis of his will. The rabbis have detected the sign of this in the Mosaic law in the fact that "God's own statutes," that is, the "traditional laws" that are, as it were, the mark of God's authorship upon his own law, forbid things that "if it were not for the law...would not be bad at all" (80).

It comes as no surprise, therefore, that the rabbis also put a command in the mouth of God forbidding the investigation of such statutes: to seek the reasons in nature or necessity, perspicuous to the human mind, for such statutes is to deny implicitly the omnipotence of God's will and, therefore, the inviolability and complete effectiveness of divine justice. One must obey such statutes not for one's own reasons or because it is in accordance with one's nature, but merely because God has commanded them.<sup>39</sup>

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<sup>38</sup> Maimonides, *Letter on Astrology*, in *Medieval Political Philosophy*, 231–34.

<sup>39</sup> On this basis it becomes clear why it must be said that the primary purpose of the Mosaic law (from its own point of view) is the destruction of idolatry (*Guide* III.29 [64a]). If in the *Guide* (III.29–33) Maimonides argues that each of these seemingly unintelligible statutes peculiar to the Mosaic legislation finds its purpose in the prohibition of some ancient idolatrous practice that has since fallen into desuetude, here in the *Eight Chapters* he suggests that the purpose of these same statutes is to eliminate an idolatry of a more essential kind, viz., putting one's own interests and inclinations above one's love of, fear of, and obedience to God. It is on the basis of this desire to extirpate such essential idolatry that the sages declare, in God's own name, that man is forbidden to investigate God's own statutes. It is not simply that if one were to discover, as one might believe, the reasons for each of these statutes that one would now have an ulterior incentive to obey them and that one's insight would put human reason on a par with divine wisdom (and suggest as well that the law, therefore, was in principle of entirely human origin), but that if one were to investigate the reasons for the statutes that are said to be above all divine in origin, one would presumably do so in the interest of furthering one's own

One must obey them, therefore, “freely,” that is, on the basis of the will to obey alone, a will that is not merely whimsical or arbitrary, but above all obedient to God (85–86). One must obey on the basis of a will informed by fear of God. At the same time one must say to oneself that one longs to disobey such a command, “I want to, but what shall I do—my Father in heaven has forbidden me” (79). If the structure of soul of the continent man is the lawful structure of soul, it is, above all, as the sages themselves attest, the structure of soul demanded and enforced by the divine law.

Therefore, Maimonides’s apparent attempt to reconcile the position of the philosophers and that of the sages concerning the relative status of the continent and virtuous man is bound to fail and fail for several reasons. First, the rabbis cannot finally be construed to recommend the condition of the virtuous man when it comes to those things “generally accepted by all the people as bad”: what would it mean to long to break one part of the law with exceptional intensity—and that part which is the sign of the divine source and authorship of that law, and so to long to overturn and eliminate that source and author—and not long, even in the mildest fashion, to break a single one of the other commandments of the law? Second, one of “God’s own statutes” is surely the injunction to love God with all one’s heart and all one’s soul: one is then to feel a “craving” and “strong desire” to hate God with all one’s heart and all one’s soul, while loving him solely on the basis of a lawful command to do so. Whatever one may say about such an attitude of soul, it is surely one that is incompatible with a virtuous disposition toward the majority of the commandments found within the law as understood to be legislated by God. Third, the chief distinction between the virtuous and the continent man in the eyes of the philosophers is not that one obeys the commands of the law easily and with pleasure and the other with difficulty and pain, but that the former obeys no law whatever in the practice of his virtue. Finally, no philosopher would be willing to submit to the rabbinical prohibition in regard to the investigation of “God’s own statutes,” that is, in regard to the pursuit of knowledge of God. No philosopher is a continent man when it comes to the desire for knowledge.<sup>40</sup>

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understanding and one’s own delight in understanding, for example, furthering one’s knowledge of God and ultimately of the truth regarding the whole of things. This, however, would be to make God and his wisdom a means to the advancement of one’s own understanding and knowledge. It would be not simply to put one’s own understanding on a par with that of God, but to make God instrumental, and so subordinate, to the interests and concerns of human reason.

<sup>40</sup> The philosophers simply do not recognize the applicability of the moral categories of continence and incontinence to the desire for knowledge. This desire transcends the moral horizon altogether. The sages do not recognize anything as transcending the moral horizon.

The real issue lying behind Maimonides's superficial reconciliation of the view of the philosophers and that of the sages seems to be the link that the reader is invited to establish between those lawful commandments recognized by "all peoples"—that is, those commandments that most directly reflect that political necessity at the root of the law—and those statutes peculiar to the divine law, that is, the recognition of how the latter develop out of the former with their own kind of political necessity. This is the link we have attempted to establish in the immediately preceding discussion.

All this leads to the unavoidable conclusion that to do anything the law demands on the basis of an intrinsic inclination of the soul or a natural attraction to it is incompatible with obedience to law in the strict sense, that is, in the sense that the divine law has uncovered and made manifest: it is incompatible, that is to say, with the "first principles" or "roots" of the law, with the God of the law, and fear of and obedience to that God. Indeed, it is rather implicitly to deny his existence. The law at its maximal or the divine law in the strict sense is wholly incompatible, therefore, with the teleology of nature and the teleology of man outlined in the *Introduction to the Commentary on the "Mishnah"* and chapter 5 of the *Eight Chapters*. Indeed, the concept of "free will" (both the unbounded will of God and the voluntary obedience or disobedience of man to this will) is utterly incompatible with any and all natural teleology, since the latter presupposes a good that is according to nature and a natural inclination toward it in the human soul.<sup>41</sup> God's justice (the justice of the law at its most rigorous) is incompatible with any order of nature constructed upon the principles of either the beautiful or the good as final end. It is also incompatible with any natural necessity whatsoever.<sup>42</sup> The divine law, therefore, cannot help but view all art and science with suspicion and ultimately, at its most consistent, condemn them as the vain ornaments of man's empty pride. The wisdom of science is "serpentine wisdom."<sup>43</sup>

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<sup>41</sup> Chapter 8 of the *Eight Chapters* shows not how the Greek concept of nature and the biblical notion of will can be reconciled, but how the understanding of man defined by "free will" or the "voluntary" and God as defined by an unlimited power or boundless will collide both with one another and with the justice of the law that they are intended to support. In the wake of these incoherences, Maimonides shows that one is forced by "necessity" (93) to define man and his nature not in terms of the voluntary and the involuntary, but in terms of knowledge and ignorance (particularly in regard to what is good and evil), and God not in terms of a power and will that effectively abolish nature, but as the *noēsis noēseōs* of Aristotle's *Metaphysics*, that would stand in relation to nature only as a final cause (94–95).

<sup>42</sup> Maimonides, *Letter on Astrology*, in *Medieval Political Philosophy*, 232–33.

<sup>43</sup> Heinrich Meier, *Leo Strauss and the Theologico-Political Problem*, 169.

But the law not only opposes all natural teleology in its theological presuppositions, its actual existence as a necessary and fundamental aspect of the city seems to refute the teleological account offered by Maimonides in both the *Introduction to the Commentary on the “Mishnah”* and chapter 5 of the *Eight Chapters*. The law as inevitably tending toward the fulfillment of the ambitions of the law in the divine law poses a genuine obstacle to the life devoted to the pursuit of knowledge of God—it works wholly to undermine the unity and coherence of soul attributable to that life and blocks the path to the end of man that provides for that unity and coherence. It forbids the articulation of a demonstrative science of God and replaces the science of God with the fear of God or justice and piety. The necessity of law in the city or the necessary character of the city of law is *the* obstacle to the life of thought. More precisely the roots of the law—a nonrational political necessity in combination with the nonrational necessity ingredient in human nature—necessarily tend in the direction of a development through which those nonrational political and natural necessities become antirational and antinatural. The law as such is the greatest obstacle to the realization of the rational nature of man.

The law cannot find its source and end in knowledge of God, therefore, and the prophet of the law can never be made identical to the wise man that embodies the peak of human reason. On the contrary, the prophet of the law is the metaphorical equivalent of “the viper.” The prophet of the law and the law itself promote the interests of the “elemental” in political life (the great multitude of men who possess potential intellect alone) at the expense of the destruction of the higher forms that “ought to” give shape to the elemental (the intellect).<sup>44</sup>

Now the law originally operates in the interest of promoting that good that the city is capable of promoting, namely, the good of the body. The structure that the law imposes upon the soul—the divided soul of the continent man—is then a structure imposed in the interest of furthering the good of the body. Once the law and its necessary role in human life are acknowledged, the soul as a principle of life in relation to body must be seen to conflict with soul as a principle of knowledge in relation to mind. This conflict is “by law” not “by nature” and yet, as Maimonides points out in the *Guide*, “the Law, though it is not natural, enters into what is natural,” since “man is political by nature and...it is his nature to live in society.”<sup>45</sup>

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<sup>44</sup> Maimonides, *Guide* III.34.

<sup>45</sup> Moses Maimonides, *The Guide of the Perplexed*, trans. Shlomo Pines (Chicago: University of

PART FOUR: THE INQUIRY INTO THE HUMAN GOOD  
AND THE PROBLEMATIC STRUCTURE OF THE CITY

We are now in a position to draw certain conclusions concerning Maimonides's arguments here in the *Commentary on the "Mishnah"* in regard to the question of final causality. Though it is true that Maimonides has offered a teleological account of the whole, it has become clear that this account in no way resembles the caricatures of such accounts put forward by the moderns in their rejection of Aristotelian teleology as wedded to the teachings of revealed religion. It is rather a complex presentation of the issue of final cause in which the existence of independent, simple, or "Democritean" necessity is admitted and the presence of evil is understood to be a condition for the realization of the good, that is, it is an account of the whole of things in terms of a weak or loose teleological order. At the same time Maimonides has shown that what would be required to sustain even this qualified teleological account would be a proof that (1) the city could be made a means, if in a "backhanded" or circuitous fashion, to the ends of the life of reason, and (2) soul as a principle of life in relation to body could be made perfectly instrumental to and harmonious with soul as a principle of life in relation to mind. This proof would require in its turn the demonstration that the city of arts and the city of law are coherent with one another. Maimonides, however, has demonstrated precisely why no such coherence is possible.<sup>46</sup> He has likewise shown that soul as allied with and formed by the city of law is of necessity in tension with mind as allied with and formed by the city of arts. Thus the teleology of nature constructed on the model of artful making proposed in the *Commentary on the "Mishnah,"* even with all of its qualifications, cannot be sustained. The account of the cosmological order in terms of final cause collapses and is replaced by the problem of cosmology. This problem presents itself as a double irreducibility: on the one hand, necessity cannot be reduced to an instrumental component of a comprehensive order of ends; on the other hand, the presence of ends in nature and above all man's pursuit of the good in accordance with his nature cannot be reduced to an epiphenomenal expression of simple or Democritean necessity.<sup>47</sup>

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Chicago Press, 1963), 2:382.

<sup>46</sup> This obviously is not to say that they are not practically combined in every actual political community, in spite of all of their lack of harmony and coherence. Indeed, one might say that the proportions of the mixture of the two largely determine the character of any given city.

<sup>47</sup> See Leo Strauss, *What Is Political Philosophy? and Other Studies* (Chicago: University of Chicago Press, 1959), 39.

With the collapse of Maimonides's teleological physics, the proposition that knowledge of God constitutes the ultimate end or the highest good for a human being is shown to be an ungrounded assumption.<sup>48</sup> Thus at the same moment that the problem of cosmology comes to the fore, the perplexity regarding the end of man presents itself. The latter, however, appears to take precedence over the former, insofar as the urgency of the question regarding the good for man trumps the importance of the question regarding the whole and its first principles. It is for this reason that, when Maimonides returns, in chapter 8 of the *Eight Chapters*, to the issue regarding that knowledge the pursuit and acquisition of which defines a human life as specifically human, he now speaks not of knowledge of God, but knowledge of good and bad. Man becomes "unique in the world, that is, a species having no similar species with which he shares this quality he has attained" when "he himself of his own accord knows the good and the bad things" or seeks and attains through his own independent efforts knowledge of the human good (88). It is the possession of this knowledge that effects the realization of the proper nature of man.

Once again, however, Maimonides suggests that it is above all the divine law that stands in the way of man "himself of his own accord" knowing "the good and the bad things." Using "The Book of Truth," or the opening of Genesis, as his illustration, he shows that it is the original version of divine command, or the lawful pretension to have settled the question of the good before it has been asked, that stands in the way of "what is necessary for human existence" (88). He thereby indicates that the turn to the human things finds in the divine law its most formidable "practical" challenge: the law understands the very attempt to inquire into and effect a demonstration in regard to the issue of the good for man to be an attack upon the law at the level of its originating principles. Philosophy thus appears to put itself on a collision course with the law, its power, and its authority; and to the urgency of the question of the good is joined the critical peril in which the question places the questioner vis-à-vis the city.

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<sup>48</sup> Divine science as the good of man appeared to be the architectonic end of the series of beautiful mathematical sciences. As that end it bound these sciences together into a larger whole. With that end called into question these sciences regain their independence. The beautiful mathematical sciences, it would seem, cannot be reduced to subordinate parts of a whole structured in accordance with the good. This is perhaps not surprising given their nonteleological or necessary character. The sciences of discrete and continuous quantity display a necessity that mirrors the nonhypothetical or simple necessity of nature. In addition, the impossibility of combining arithmetic and geometry into a single science ensures that they constitute two distinct species of inquiry. Mathematics thus presents itself as independent and specified.

Still, for all the opposition that the law as law erects to the pursuit of philosophy, its paradoxical utility in making evident the necessity of a turn from divine science or wisdom to philosophy has been made clear. In the wake of the perplexity that initiates the quest for the human good, the law proves, once again, to be strangely useful. It can be made useful to this quest, however, only after its character as law—that is, as political authority—has been stripped away to reveal its character as speech and, as a speech, a claim to wisdom: it comes forward not as a collection of injunctions, but precisely as “The Book of Truth.” The law now presents itself as an account of God, the whole, man, and the good for man, the examination of which is indispensable in dispelling the false images or opinions that the law itself has worked to engender. Moreover, in the case of the law such phantom images are tethered, however distantly, through the laws’ roots in political necessity, to the necessary itself. The investigation of the claims to wisdom of the speeches of the law, therefore, is not simply the debunking of its pretensions, but the investigation of the necessary, and as such the investigation of the possible and the impossible (63). Since this examination, however, is conducted in the light of the architectonic question of the human good, it is an inquiry into the necessary, the possible, and the impossible in their relation to the good. This is the inquiry that we have seen Maimonides engaged in throughout the arguments we have examined from the *Commentary on the “Mishnah.”*<sup>49</sup>

That the turn to the examination of the speeches of the law as embodying the greatest and most authoritative claim to wisdom<sup>50</sup> is always at least a latent possibility for man as man, or that the “viper” of the law, according to the conceit of Maimonides and Alfarabi, though constructed to serve the purposes of the “elemental” or those of “potential intellect” alone, can be employed in the interests of the “highest form” of man, is guaranteed by the structure of the city itself, that is, by the incoherent and conflicting character of its foundations: art and law. For the city of arts necessarily provides a limit to the ambitions and calls into question the putative wisdom of the law. The causal knowledge of the arts, for example, makes questionable the laws’ insistence that God’s will is the sole agency at work in the events of the world.<sup>51</sup> This obstruction and limitation of the most far-reaching claims

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<sup>49</sup> Maimonides paints an image of this same activity in the final chapter of the *Eight Chapters* in which the question of the proper mode of interpreting “The Book of Truth” is raised.

<sup>50</sup> In the words of Plato, the city, its regime, and its law are “the biggest sophist” (*Rep.* 492a).

<sup>51</sup> See Strauss, *What Is Political Philosophy?*, 147. This is not to say, however, that the city of arts does not present a problem in its own right when it comes to the life of thought. This is perhaps most clearly demonstrated by the effects of the influence of modern philosophy. The moderns’ attempt to

of the law by the city of arts is the “wall” referred to by Maimonides in the *Introduction to the Commentary on the “Mishnah,”* the wall that, having been constructed for the pleasure of the stupid man, one day chances to provide a refuge and salvation for a “wise and discerning man” (129).

The city of arts in its necessary co-presence and equally necessary conflict with the city of law is the viper and its venom, deployed as an antidote to the viper and its venom. It is, in other words, necessity operating in partial independence of the good colliding with and so limiting the extent and power of a second necessity operating with a similar independence and through that collision working to secure the conditions that make the inquiry into the good for man a permanent possibility. When these conditions combine serendipitously with the play of chance and nature, philosophy arises in the cities of men and the political character of man becomes the unwitting and inconstant vehicle for the realization of the rational nature of man.

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alter, in the phrase of Spinoza, the “theologico-political” situation to the end of rendering it more advantageous to the continued or renewed existence of philosophy, involved the amplification of the city of arts and the diminution of the city of law. In order to achieve this result the moderns effected the fusion of mathematical science and productive art and equipped this new productive science with an unprecedented power whose practical effects and benefits could stand a chance of rivaling, in the judgment of the vulgar man, the charm of the benefits promised by the teachings of revealed religion. Their success in this endeavor has now demonstrated for all to see the problem that Maimonides and his predecessors had already taken sight of and suggested in advance: the city of arts with all of its power, lacking a reliable bond to the good of reason, must inevitably come to serve the ends of unreason. When that power is sufficiently enlarged it emerges as an agency of almost irresistible force; and artful or scientific mind is made an instrument in the hands of non-mind for the abolition of mind.

## A New Perspective on Nietzsche's *Beyond Good and Evil*

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This is a brief attempt to explain the core of the rather Delphic argument of Leo Strauss's last published work, "Note on the Plan of Nietzsche's *Beyond Good and Evil*."<sup>1</sup>

Strauss indicates that Nietzsche appears to present Plato as his great antagonist in this work, or that the work is a contest between Nietzsche and Plato. The substance of the contest appears initially in the division that Strauss makes of *Beyond Good and Evil* into two parts. The first part, chapters 1–3, whose theme is religion and philosophy, is separated by one chapter, "Sayings and Interludes," chapter 4, from the second part, chapters 5–9, whose theme is morals and politics. On the basis of this division of the work Strauss states the disagreement between Nietzsche and Plato in this way: for Nietzsche, the primary or fundamental alternative is between the rule of philosophers and the rule of religion, as that alternative comes to sight in Part I. For Plato, on the other hand, the fundamental alternative is that of the philosophic life and political life, an alternative that comes to sight in Part II. But Strauss does not present these two views of the primary alternatives as hermetically sealed from one another. He in fact suggests in this essay that the examination of the political or moral life may well have been for Plato the means to settling the challenge posed to philosophy by revealed religion, at least insofar as it could be settled.

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<sup>1</sup> Leo Strauss, "Note on the Plan of Nietzsche's *Beyond Good and Evil*," *Interpretation* 3, nos. 2 & 3 (1973): 97–113. Parenthetical page references are to this work. Previous attempts to understand this work include Laurence Lampert, *Leo Strauss and Nietzsche* (Chicago: University of Chicago Press, 1997) and Catherine Zuckert, *Postmodern Platos: Nietzsche, Heidegger, Gadamer, Strauss, Derrida* (Chicago: University of Chicago Press, 1996).

Strauss replicates the division of Nietzsche's work with a rather clear division of his own essay: the first fifteen of thirty-eight paragraphs address the first half of *Beyond Good and Evil*, and after two brief paragraphs on the "Sayings and Interludes," there are twenty-one paragraphs addressed to the second half of Nietzsche's work. I will sketch the rather dramatic difference between these two parts. In the first, Strauss gives us the impression that Nietzsche is and understands himself to be in some way, like Pascal, a *homo religiosus*; he has a "theology" which is, or is intimately tied to, the doctrine of the will to power. That doctrine takes the place, according to Strauss, held in Plato's work by both "the pure mind" and *eros*. It is a doctrine that is "in a manner a vindication of God" and that is in our present circumstances "life-giving" (101). What Strauss appears to mean by this becomes most clear in paragraph 12, where he speaks of Nietzsche's anticipation of a new religion, one characterized by "a sacrificing from cruelty, i.e., from the will to power turning against itself, of God, which prepares the worshipping of the stone, stupidity, heaviness (gravity), fate, the Nothing." And he explains this as follows:

He anticipates in other words that the better among the contemporary atheists will come to know what they are doing—"the stone" may remind us of Anaxagoras' debunking of the sun—, that they will come to realize that there is something infinitely more terrible, depressing and degrading in the offing than the *foeda religio* or *l'infâme*: the possibility, nay, the fact that human life is utterly meaningless and lacking support, that it lasts only for a minute which is preceded and followed by an infinite time during which the human race was not and will not be.

Recognizing the truth of the brevity of human life, the truth of human mortality, the truth of meaninglessness, does not for Nietzsche result in resignation or "pessimism," but rather in a new ideal, the ideal belonging to the religion of the future: "The eternal Yes-saying to everything that was and is" (paragraph 13), a life-inspiring "yes." That is, the doctrine of the eternal return of the same is *enthusiastically* adopted because at the heart of the insight into the world's meaninglessness is the inspiring doctrine of the will to power, "the most spiritualized form of which is philosophizing, prescribing to nature what or how it ought to be." In other words, what Plato understood to be the soul's erotic and irrational rebellion against the consciousness of mortality is presented by Nietzsche as the basis of a new religion, in which the philosopher acts as God, bringing a meaningful world into being and sustaining it in being eternally by means of the will.

Strauss suggests the manner in which Nietzsche arrived at this religious disposition as follows. Moved to admire the high or noble, Nietzsche felt the power of the objection that all rank orderings are no more than the product of blind history—that what he saw as the highest, the philosophic life, is made by history, not born or given to us by nature, or that “nature” is the result of the historical process (cf. paragraph 29). Nietzsche therefore seeks to integrate history into nature (paragraph 34). But what in the products of history is natural and what is not? Admitting that history could well lead to the last man, Nietzsche’s intellectual probity causes him to admit to himself that the low, the common, the plebian, flourishes, while the high suffers near extinction and possibly actual final extinction. Still, the low is something whose victory Nietzsche can interpret and explain away as the will to power turned inward, against itself; it does not represent the victory of a true or perfected humanity. The doctrine of the will to power allows then for the overthrowing of the historical victory of the low or base. But it also and at the same time reduces Nietzsche to a believer, to one who sees the rank ordering of humanity as an act of will, decision, commitment. Hence God, i.e., some fundamental belief, is at the center of any Nietzschean “world.” And this accounts for Strauss’s respect for Nietzsche as showing the serious view of the religious believer, drawn to religious faith by a concern to preserve the noble, or moral hierarchy.

Now in the second half of his essay, Strauss takes back, or at least revises, on the basis of the second half of *Beyond Good and Evil*, his suggestion concerning Nietzsche’s understanding of the religiosity of philosophers. In the second half of *Beyond Good and Evil*, Strauss points out, Nietzsche prefers to place himself among the “scholars” rather than among *homines religiosi*, or those with a god-forming instinct (paragraph 29). Strauss also suggests that Nietzsche becomes as it were more truthful or clear in allowing nature to come to the fore of his argument in the second half, as providing a standard that allows one to perceive an order of rank or nobility to human life. (In the first half, nature had been largely, but not exclusively, a term that Nietzsche had put in quotation marks.) According to that order of rank, the self-esteeming, breathtakingly commanding philosophers act, “we are tempted to say, to the highest degree according to nature.” And by putting to an end the rule of unreason characterized by the herd morality of Christianity and its consequent nihilism, the philosophers act also to the highest degree according to reason. Having made this case, Strauss pauses to address the obvious question: what has become of Nietzsche’s claim about the alleged irrationality of all moral judgments, an irrationality that had

appeared to follow from the doctrine of the will to power and that had led Nietzsche to criticize the attempts of philosophers, including Plato, to find a rational morality?

In responding to this question, Strauss goes very far (in paragraph 26) in showing how certain reflections or considerations made on the basis of Plato's dialogues and Nietzsche's *Beyond Good and Evil* would allow one to view Nietzsche and Plato as thinkers who were in all but perfect agreement concerning the impossibility of any *rational* morality. The only disagreement between them now appears, in fact, to be over Nietzsche's denial that there is a nature of man or any natural ends to man as man: "all values are human creations." Yet in the remainder of the essay Strauss gives us reason to think that this final disagreement, too, can be, if not overcome, then at least understood in a manner that would suggest a need for Nietzsche to have returned to Plato's position with respect to nature.

The "philosophers of the future" of whom Nietzsche speaks may indeed become "the invisible spiritual rulers of Europe," but in so doing, such philosophers will "become the complementary man in whom the rest of existence is justified" (paragraph 30). Strauss's description of the work of these philosophers of the future, who would seem to create values, culminates in this difficult sentence: "Nature, the eternity of nature, owes its being to a postulation, to an act of the will to power on the part of the highest nature" (paragraph 35, end). That is, Strauss affirms (at the end of the sentence) that according to Nietzsche the philosopher as creator of values does *not* in fact create the rank ordering or values of nature. (The philosopher is highest *by nature*.)<sup>2</sup> Moreover, Nietzsche's "eternal return of the same" is now explained *not* as a part of a willful, active rebellion against human finitude or mortality or meaninglessness, but rather as a "doctrine" or teaching—not representing Nietzsche's genuine thought but serving a broad political purpose—a doctrine needed as an antidote to the progressive modern attempt to conquer

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<sup>2</sup> On this point, see also Leo Strauss, "The Three Waves of Modernity," in *Political Philosophy: Six Essays by Leo Strauss*, ed. Hilail Gildin (Indianapolis: Bobbs-Merrill, 1975), 96: "But does all this not imply that the truth has finally been discovered—the truth about all possible principles of thought and action? Nietzsche seems to hesitate between admitting this and presenting his understanding of the truth as his project or his interpretation. Yet in fact he did the former; he believed he had discovered the fundamental unity between man's creativity and all beings: 'wherever I found life, I found will to power.'" See also the Preface to the English translation of *Spinoza's Critique of Religion* (New York: Schocken Books, 1965), 30: "The hierarchy of moralities and wills to which the final atheism referred could not but be claimed to be intrinsically true, theoretically true: 'the will to power' of the strong or of the weak may be the ground of every other doctrine; it is not the ground of the doctrine of the will to power: the will to be power was said to be a fact."

nature without limit and hence to abolish human suffering and inequality (paragraph 35). The doctrine of the eternal return is now presented as needed, in other words, in order to preserve the possibility of suffering and inequality, which are prerequisites to natural human greatness.<sup>3</sup> The "fact of nature," the fact that almost all men are "fragments, riddles, and dreadful accidents" by nature, must, in the face of the conquest of nature, now be *willed*—to prevent the unnatural destruction of the basis of human greatness. The philosophers of the future must put an end to the conquest of nature in order to preserve the possibility of the naturally highest human type, the philosopher, who possesses the most spiritualized form of the will to power. Far from prescribing, as would a god, values and order to nature, the genuine philosopher fulfills the order of nature. Or as Strauss says in conclusion, the "well-born" (*vornehme*) nature (of the philosopher) replaces the "divine" nature (of the philosopher).

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<sup>3</sup> Strauss, "The Three Waves of Modernity," 97: "For Nietzsche, too, the fact that almost all men are defective or fragmentary cannot be due to an authoritative nature but can be no more than an inheritance of the past, or of history as it has developed hitherto. To avoid this difficulty, i.e. to avoid the longing for the equality of all men when man is at the peak of his power, Nietzsche needs nature or the past as authoritative or at least inescapable. Yet since it is no longer for him an undeniable fact, he must will it, or postulate it. This is the meaning of his doctrine of the eternal return. The return of the past, of the whole past, must be willed, if the Over-man is to be possible." Consider by contrast Strauss's understanding of the doctrine of the eternal return as presented in the conclusion of "The Living Issues of German Postwar Philosophy" (1940), published as an appendix (115–40) to Heinrich Meier, *Leo Strauss and the Theologico-Political Problem* (Cambridge: Cambridge University Press, 2006). "It was against 'history,' against the belief that 'history' can decide any question, that progress can ever make superfluous the discussion of the primary questions, against the belief that history, that indeed any human things, are the elementary subject of philosophy, that he reasserted hypothetically the doctrine of eternal return: to drive home that the elementary, the natural subject of philosophy still is, and always will be, as it had been for the Greeks: the *kosmos*, the world" (*ibid.*, 138–39).



## Why Leo Strauss Matters Today

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### I. NEITHER CONSERVATIVE NOR FASCIST, BUT AN ANCIENT REPUBLICAN

Are we heading towards the end of politics, a phase in which civic activities are staged in a way reminiscent of entertainment? Is the age-old notion of citizenship in danger? According to Leo Strauss in his “Notes” on Carl Schmitt’s *The Concept of the Political*,<sup>1</sup> that is what Schmitt claimed when he deplored the lack of seriousness characterizing such a world.

Let us first point out that the relevant boundaries are epistemological, and that when Strauss took into consideration the criticism put forward by Schmitt, this does not mean, as has been alleged, that the German philosopher would in any way have sympathized with Fascist thought. Some commentators have dwelt upon his correspondence with Karl Löwith,<sup>2</sup> but Catherine Zuckert has answered them<sup>3</sup> by insisting that one should not conflate Fascist thought and Strauss’s idea of natural right, which he substantiates by endeavoring to revive a link with the ancient, which he deemed superior to the modern as a rational model of explanation. In his letter to Löwith, Strauss did not allow the “New Right” in Germany to justify its anti-Semitism by invoking “principles” of the Right such as authoritarian or Fascist imperial notions; were the latter to indeed be superior, there would according to Strauss be no need for them to stoop to Jew hatred, just as there exists no need

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<sup>1</sup> In Heinrich Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue* (Chicago: University of Chicago Press, 1995), 111.

<sup>2</sup> Klaus Stichweh, “Présentation,” *Cités* 4, no. 8 (2001): 173–227, doi:10.3917/cite.008.0171.

<sup>3</sup> Catherine H. Zuckert, “Leo Strauss: Fascist, Authoritarian, Imperialist?,” *Krakowskie Studia Międzynarodowe* 6, no. 2 (2009): 277–91.

to invoke principles of modern liberalism such as human rights, which may be scorned for the reason mentioned in Zuckert's article.<sup>4</sup>

In other words, Strauss in no way allowed German Nazism, to which, as Catherine Zuckert writes, he "never" belonged, to legitimate its anti-Semitism through the principle of imperial grandeur put forward by Italian Fascism, which, in spite of the fact that as of 1943 the Nazi presence in Italy altered the situation, at no time used anti-Semitism as a foundation for its policies.

On the other hand, it is true that just like all thinkers of his generation, Strauss was acutely aware of the limits of modern liberalism; it is with this in mind that he wished to dialectically link it to ancient liberalism, which led him to observe that the notion of politics is not limited to *polis*, but may be extended to the notion of *politeia* in the sense of sharing a common destiny and the notion of *political regime* not solely in the legal sense, but also in conjunction with Claude Lefort's perception of the French *ancien régime*, as constituting a way of life.<sup>5</sup> It was on those terms alone that Strauss locked horns with Schmitt.

And yet, even though Strauss was surely no Fascist, and still less a Nazi, wasn't he "conservative" in that he was inclined, in a political framework, to accept natural inequality (Plato),<sup>6</sup> that is, by opposing himself to equality posited as the prime condition of the modern political state and, consequently, of attendant rights?<sup>7</sup> And to top it off, wasn't Strauss

<sup>4</sup> Ibid., 282: "The line in the letter that has provoked the most outrage is Strauss's admonition to Löwith, following his recognition that they will all necessarily become exiles: 'The fact that the new right-wing Germany does not tolerate us says nothing against the principles of the right. On the contrary: only from the principles of the right, that is, from fascist, authoritarian and *imperial* principles, is it possible with seemliness, that is, without resort to the ludicrous and despicable appeal to the *droits imprescriptibles de l'homme*, to protest against the shabby abomination.'

<sup>5</sup> "The research generated by the difference in forms of society, the categories that allow for reasoning and for founded political judgment... [forbid] assigning politics the role of a particular area of social life; [this research] instead entails the notion of a principle or a group of principles generating the relations that humans have with one another and the world alike. The most eloquent testimony of this pattern is in all likelihood the oldest. As regards what I just called a form of society, Plato (or Socrates) was probably the first to forge the idea of examining *politeia*. We customarily translate this Greek word as '*régime*,' and it is now used in a restrictive sense that could lead us astray. As Leo Strauss astutely observed, the word should be used only under the condition that we retain the resonance that it gains when we employ it in the expression '*ancien régime*,' which brings together the idea of a type of constitution with that of a mode of existence or way of life" (Claude Lefort, *Essais sur le politique* [Paris: Seuil, 1986], 8–9; translation supplied).

<sup>6</sup> Plato, *Republic* 415a–416a.

<sup>7</sup> Declaration of the Rights of Man and the Citizen (1789): "The mandated representatives of the French people, constituted in national assembly, holding that ignorance, forgetfulness, or contempt

“conservative” as in “neoconservative,” which would mean aggressively espousing inequality on a worldwide scale, that is to say, domination of the American empire? In our negative answers to these questions, we will be following in the footsteps of other authors.<sup>8</sup> Even if Strauss had in mind the advent of a form of aristocracy, he was exclusively concerned with the mind and thought in terms not of a hereditary oligarchy,<sup>9</sup> but rather in the Socratic sense of a political desideratum, that of natural law elevating natural right, or the liberty of the best, *notwithstanding their socioeconomic origins*.<sup>10</sup>

The distinction, which is not a disjunction, between natural law and natural right generates tension with which only a few can cope, and it is central to the thought of Leo Strauss. It is by no means a novelty in the history of political philosophy, and in our conclusion, we will return to the theme of the preferential choice made by a few alone.

The tension between natural right and natural law (*jus* and *lex*) may indeed be observed in Hobbes’s thought,<sup>11</sup> and it is underlined by Strauss.<sup>12</sup>

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for the rights of man are the sole causes of public woes and the corruption of governments, have resolved to put forward, in a solemn declaration, the inalienable and sacred *natural rights* of man.... First article: Men are born—and they remain—free and equal in rights. Social distinctions can be founded only on common utility” (emphasis added).

<sup>8</sup> Catherine Zuckert and Michael Zuckert, *The Truth about Leo Strauss* (Chicago: University of Chicago Press, 2006), 8–20; Michael Zuckert, “Straussians,” in *The Cambridge Companion to Leo Strauss*, ed. Steven B. Smith (Cambridge: Cambridge University Press, 2009), 263–64; Thomas L. Pangle, *Leo Strauss: An Introduction to His Thought and Intellectual Legacy* (Baltimore: Johns Hopkins University Press, 2006), 131n2; Francis Fukuyama, *D’où viennent les néo-conservateurs?* (Paris: Grasset, 2006), 21ff.; Pierre Manent, *Le Regard politique* (Paris: Flammarion, 2010), 56–64.

<sup>9</sup> Leo Strauss, *Liberalism Ancient and Modern* (Chicago: University of Chicago Press, 1995), 21: “The existing aristocracies proved to be oligarchies, rather than aristocracies. In other words, it became increasingly easy to argue from the premise that natural inequality has very little to do with social inequality.”

<sup>10</sup> Plato, *Rep.* 415a–416a.

<sup>11</sup> “A LAW OF NATURE (*lex naturalis*) is a precept or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved.... And consequently it is a precept, or general rule, of reason that every man ought to endeavor peace, as far as he has hope of obtaining it, and when he cannot obtain it, that he may seek and use all helps and advantages of war. The first branch of which rule containeth the first and fundamental law of nature, which is to seek peace, and follow it. The second, the sum of the right of nature, which is by all means we can, to defend ourselves” (Thomas Hobbes, *Leviathan*, ed. E. Curley [Indianapolis: Hackett, 1994], chap. 14).

<sup>12</sup> “According to Hobbes, the basis of morals and politics is not the ‘law of nature,’ i.e. natural obligation, but the ‘right of nature.’ The ‘law of nature’ owes all its dignity simply to the circumstance that it is the necessary consequence of the ‘right of nature.’” (Leo Strauss, *The Political Philosophy of Hobbes: Its Basis and Its Genesis* [Chicago: University of Chicago Press, 1952], 155).

Hobbes drew a distinction between on the one hand natural right,<sup>13</sup> which is a given in the human condition as freedom,<sup>14</sup> that is, *desire*,<sup>15</sup> and on the other hand natural law,<sup>16</sup> which maximizes its conditions of possibility by means of an original quest for peace; Hobbes explains this by the fact that many of us desire the same thing. In this respect, war or confrontation appears to Hobbes as a condition in the connotation of situation,<sup>17</sup> not as the “political criterion” analyzed by Carl Schmitt.<sup>18</sup>

Strauss is concerned, in the framework of this distinction between right and law and in symbiosis (hermeneutics) with the key thinkers of the past,<sup>19</sup> that is, with those who followed a truly philosophical path, with

<sup>13</sup> Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953).

<sup>14</sup> “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, *Leviathan*, chap. 14).

<sup>15</sup> “From this equality of ability ariseth equality of hope in the attaining of our ends. And therefore, if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies” (ibid., chap. 13). Strauss took up this point in *The Political Philosophy of Hobbes* (155n2): “the ‘right of nature’ is the first juridical or moral fact which arises if one starts from man’s nature, i.e. from man’s natural appetite. The ‘law of nature’ belongs to a much later stage of the progress from human nature to the State.”

<sup>16</sup> Leo Strauss, “On Natural Law,” in *Studies in Platonic Political Philosophy* (Chicago: University of Chicago Press, 1983), 137.

<sup>17</sup> “The desires and other passions of man are in themselves no sin. No more are the actions that proceed from those passions, till they know a law that forbids them—which till laws be made they cannot know. Nor can any law be made, till they have agreed upon the person that shall make it. It may peradventure be thought, there was never such a time nor *condition* of war as this; and I believe it was never generally so, over all the world.... And because the *condition* of man (as hath been declared in the precedent chapter) is a *condition* of war of everyone against everyone (in which case everyone is governed by his own reason and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies), it followeth that in such a *condition* every man has a right to everything, even to one another’s body” (Hobbes, *Leviathan*, chaps. 13, 14; emphasis added).

<sup>18</sup> “The specific political distinction to which political actions and motives can be reduced is that between friend and enemy.... The political enemy need not be morally evil or aesthetically ugly; he need not appear as an economic competitor, and it may even be advantageous to engage with him in business transactions. But he is, nevertheless, the other, the stranger; and it is sufficient for his nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible. These can neither be decided by a previously determined general norm nor by the judgment of a disinterested and therefore neutral third party. Only the actual participants can correctly recognize, understand, and judge the concrete situation and settle the extreme case of conflict. Each participant is in a position to judge whether the adversary intends to negate his opponent’s way of life and therefore must be repulsed or fought in order to preserve one’s own form of existence” (Carl Schmitt, *The Concept of the Political*, ed. George Schwab [Chicago: University of Chicago Press, 2007], 26–27).

<sup>19</sup> “A hundred pages—no, ten pages—of Herodotus introduce us immeasurably better into the mysterious unity of oneness and variety in human things than many volumes written in the spirit predominant in our age.... We cannot forget the obvious fact that giving freedom to all, democracy also gives

the universal quest for what is “good by nature” and not by convention, and that is his definition of natural law: not an original nature that would then be cultivated, but rather a nature that is *elevated* as culture *in* the human in accordance with the privileging of the “good.”<sup>20</sup> This, in any event, is what Strauss put forward when he grappled with the ideas of Carl Schmitt<sup>21</sup> and, as we shall show later, in conjunction with Husserl.<sup>22</sup> In other words, it is a matter of finding what, in the strictest truth, is the “good,” right, or propitious code.<sup>23</sup> What is the explanation of what *is* and of what *ought to be* that may prove to be “true,” above and beyond the circumstances of its emergence?<sup>24</sup> That, for Strauss, is *the* path of philosophy,<sup>25</sup> and it is imperative that it be *conserved*.

It should be noted in passing that this path of philosophy *leads nowhere*. Above and beyond the wide variety of codes and in order to humanly grow (up), how is it possible to pin down the “transhistoric” universal of “the” good?

In a way, it is a question of moving from natural right (what is) toward natural law or duty (virtue).<sup>26</sup> For Strauss, this approach consti-

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freedom to those who care for human excellence” (Strauss, *Liberalism Ancient and Modern*, 23, 24).

<sup>20</sup> “The primeval identification of the good with the ancestral is replaced by the fundamental distinction between the good and the ancestral; the quest for the right way or for the first things is the quest for the good as distinguished from the ancestral. It will prove to be the quest for what is good by nature as distinguished from what is good merely by convention” (Strauss, *Natural Right and History*, 86).

<sup>21</sup> “Culture is always the *culture of nature*. This expression means, primarily, that culture develops the natural predispositions; it is the careful nurture of nature—whether of the soil or of the human spirit makes no difference; it thus *obeys* the orders that nature itself gives.... Whether culture is understood as the nurture of nature or as a fight with nature depends on how nature is understood: as exemplary order or as disorder to be eliminated. But however culture is understood, ‘culture’ is certainly the culture of nature.... One can therefore say: the foundation of culture is the *status naturalis*” (Strauss, *Notes on “The Concept of the Political,”* 97–98).

<sup>22</sup> Leo Strauss, “Philosophy as Rigorous Science and Political Philosophy,” in *Studies in Platonic Political Philosophy*, 29.

<sup>23</sup> “Thus the question arises as to which code is the right code and which account of the first things is the true account” (Strauss, *Natural Right and History*, 86).

<sup>24</sup> “In brief, then, it can be said that the discovery of nature is identical with the actualization of a human possibility which, at least according to its own interpretation, is trans-historical, trans-social, trans-moral, and trans-religious” (*ibid.*, 89).

<sup>25</sup> “Philosophy as distinguished from myth came into being when nature was discovered, or the first philosopher was the first man who discovered nature.... The purport of the discovery of nature cannot be grasped if one understands by nature ‘the totality of phenomena.’ For the discovery of nature consists precisely in the splitting-up of that totality into phenomena which are natural and phenomena which are not natural: ‘nature’ is a term of distinction” (*ibid.*, 82).

<sup>26</sup> “But what was to be done to moral education? The identification of the end of the non-gentlemen meant that the understanding of virtue as choiceworthy for its own sake gave way to an instrumental understanding of virtue: honesty is nothing but the best policy, the policy most conducive to

tutes the very definition of liberal education in the ancient sense, articulating open-mindedness based in what is rigorously shown to be “good” in terms of liberty and duty, or Right and Law, which can also be conceived as generosity or *liberality*<sup>27</sup> insofar as it is to be shared; for Strauss, the ladder represented by liberal education goes against the grain of “mass culture”<sup>28</sup> and so, we might add, the attendant “dumbing down.”

## II. THE QUESTION OF THE VALUES TO BE “CONSERVED”

But how can we posit values as “good,” and how do such upshots of the conflict between right (liberty) and duty (law) differ from norms founded on convention? According to Strauss, the former may in no way be reduced to the latter. Under these conditions, the differing approaches of Strauss and Weber with regard to values may be studied in a way distinct from Raymond Aron’s, which is summarized in his introduction to Weber’s classic *Politics as a Vocation*.<sup>29</sup>

It may be suggested that Strauss’s refusal of the “polytheism of values” ascribed to Weber refers to something altogether different from the simple confrontation between committed moral philosophy and a social scientist’s axiological neutrality when he takes note of a given state of *limes*, that is to say the irreducibility of the norms proper to each society. According to Strauss, it is not inconsistent that on the one hand, borrowing Husserl’s path,

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commodious living or comfortable self-preservation. Virtue took on a narrow meaning, with the final result that the word ‘virtue’ fell into desuetude... With the increasing abundance it became increasingly possible to see and to admit the element of hypocrisy which had entered into the traditional notion of aristocracy; the existing aristocracies proved to be oligarchies, rather than aristocracies” (Leo Strauss, “Liberal Education and Responsibility,” in *Liberalism Ancient and Modern*, 20–21).

<sup>27</sup> “The term ‘liberal’ is still used in its premodern sense, especially in the expression ‘liberal education.’ Liberal education is not the opposite of conservative education, but of illiberal education. To be liberal in the original sense means to practice the virtue of liberality. If it is true that all virtues in their perfection are inseparable from one another, the genuinely liberal man is identical with the genuinely virtuous man” (Leo Strauss, preface to *Liberalism Ancient and Modern*, ix). By “liberality” in this sense is meant “the trait of being generous in behavior and temperament.”

<sup>28</sup> “Liberal education is the counterpoison to mass culture, to the corroding effects of mass culture, to its inherent tendency to produce nothing but ‘specialists without spirit or vision and voluptuaries without heart.’ Liberal education is the ladder by which we try to ascend from mass democracy to democracy as originally meant. Liberal education is the necessary endeavor to found an aristocracy within democratic mass society. Liberal education reminds those members of a mass democracy who have ears to hear, of human greatness” (Leo Strauss, “What Is Liberal Education?,” in *Liberalism Ancient and Modern*, 5).

<sup>29</sup> Raymond Aron, introduction to *Le Savant et le politique*, by Max Weber, trans. Julien Freund (Paris: Union Général d’Éditions, 1963), 40–69.

universal values be sought out,<sup>30</sup> while on the other hand, their normative translation be carried out in accordance with particular cultural traditions.

According to Strauss, the finality of philosophy as “rigorous science”—not coincidentally, this Husserlian concept is put to work by Strauss in the first chapter of his final book<sup>31</sup>—facilitates establishment of the fact that there exist *good* values not only in the moral sense connected with the Revelation (Jerusalem), but also in the universal, that is to say the necessary, sense, which is not far from Nietzsche’s approach, when the latter states “*Beyond Good and Evil*...at least does *not* mean ‘Beyond the good and the bad.’”<sup>32</sup> The point is taken up by Strauss in his final book;<sup>33</sup> moreover, his approach is to be distinguished, but not entirely differentiated, from the necessarily hermeneutic approach to the permanent conflict between Jerusalem *and* Athens (and not Jerusalem *or* Athens, as indicated by Strauss in his above-mentioned final book<sup>34</sup>), that is, to a form of fluctuation or swinging between on the one hand “the” Revelation (Jerusalem), which answers the need for eschatology (i.e., for the unforgettably incarnated absolute), and on the other hand what is teleologically marked out in humanity as that which is “good by nature”; this, so it would seem, is what Husserl was seeking out, namely a human self distinct from the “I” or “me”<sup>35</sup> (as is likewise indicated by Pierre Manent<sup>36</sup>) that morphologically, or universally, finds a connection

<sup>30</sup> “Strauss takes Max Weber to task for having failed to recognize the possibility and the need for a universally valid categorical system and for, once having admitted the historical relativity of this system, having skewed through provincialism his sociology of universal history....Two theses remain opposed: While Weber’s excludes any search for the best regime and the universally valid order of diversity and entails the legitimacy along with the historical renewal of that science, Strauss’s connects comparative science with the suprahistorical order into which historical diversity is subsumed” (ibid., 47, 49).

<sup>31</sup> Strauss, “Philosophy as Rigorous Science and Political Philosophy,” in *Studies in Platonic Political Philosophy*, chap. 1.

<sup>32</sup> Friedrich Nietzsche, *On the Genealogy of Morals* (1887), First Essay, §17.

<sup>33</sup> Leo Strauss, “Note on the Plan of Nietzsche’s *Beyond Good and Evil*,” in *Studies in Platonic Political Philosophy*, 174–91.

<sup>34</sup> Leo Strauss, “Jerusalem and Athens: Some Preliminary Reflections,” in *Studies in Platonic Political Philosophy*, 147.

<sup>35</sup> “To be human at all is essentially to be a human being in a socially and generatively united civilization; and if man is a rational being (*animal rationale*), it is only insofar as his whole civilization is a rational civilization, that is, one with a latent orientation toward reason or one openly oriented toward the entelechy which has come to itself, become manifest to itself, and which now of necessity consciously directs human becoming. Philosophy and science would accordingly be the historical movement through which universal reason, ‘inborn’ in humanity as such, is revealed” (Edmund Husserl, *The Crisis of European Sciences and Transcendental Philosophy*, trans. David Carr [Evanston, IL: Northwestern University Press, 1970], 15–16).

<sup>36</sup> “Indeed self-knowledge is not knowledge of the ‘self,’ of the ‘I’ in its incommunicable or

with values by rendering them at once necessary for liberty (natural right) and in conformity with what ought to be (natural law).

This orientation helps to explain why Strauss deemed it advisable to borrow the path traced out by Husserl rather than Heidegger.<sup>37</sup> With the former as opposed to the latter, so he claims, the “sense of the being”<sup>38</sup> is not forgotten, since the quest for the “good” sense (or code) *must* undergo the tug of war of two coextensive finalities: Jerusalem and Athens (see chapter 7 of his testamentary book, *Studies in Platonic Political Philosophy*).

Strauss consequently deploys a double movement: his own singular roots, which he does not forget (Jerusalem) allow him a differentiated rather than finite access to the universal (Athens); as a result, they are not reductive, nor do they in any way replace the universal in terms of their relationship to being. The double movement is elucidated by the double dialogue that Strauss systematically carries out in *Philosophy and Law* (1935) with Maimonides (and his Muslim predecessors) and with Husserl, since he is constantly concerned with pinpointing what “good” or “right” means in the human, along with the relationships of nature and culture. The double movement was pursued until the end of his life and is inscribed, as it were, in his testamentary writing. And in his reckoning, the above is true rationalism, whereas modern-day rationalism had according to him come to be

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incomparable individual particularity. Self-knowledge consists in discerning how, in our own soul, human characteristics are ordered, that is to say the characteristics common to all human beings” (Pierre Manent, “Raymond Aron et Leo Strauss,” in *Le Regard politique*, 80).

<sup>37</sup> “The traditional philosophies were at the same time *Weltanschauungsphilosophien* and scientific philosophies since the objectives of wisdom on the one hand and of rigorous science on the other had not yet been clearly separated from one another. But for the modern consciousness the separation of the ideas of wisdom and of rigorous science has become a fact and they remain henceforth separated for all eternity. The idea of *Weltanschauung* differs from epoch to epoch while the idea of science is supra-temporal. One might think that the realizations of the two ideas would approach each other asymptotically in the infinite. Yet ‘we cannot wait; we need ‘exaltation and consolation’ now; we need some kind of system to live by; only *Weltanschauung* or *Weltanschauungsphilosophie* can satisfy these justified demands. Surely philosophy as rigorous science cannot satisfy them: it has barely begun, it will need centuries, if not millennia, until it ‘renders possible in regard to ethics and religion a life regulated by pure rational norms,’ if it is not at all times essentially incomplete and in need of radical revisions. Hence the temptation to forsake it in favor of *Weltanschauungsphilosophie* is very great. *From Husserl’s point of view one would have to say that Heidegger proved unable to resist that temptation.* The reflection on the relation of the two kinds of philosophy obviously belongs to the sphere of philosophy as rigorous science” (Strauss, “Philosophy as Rigorous Science and Political Philosophy,” 36; emphasis added).

<sup>38</sup> Martin Heidegger, *Être et Temps*, trans. Emmanuel Martineau (Paris: Authentica, 1985), 28.

dominated by historicism and scientific positivism, and devolved into a form of sophism.<sup>39</sup>

In the final analysis, Strauss maintains a subtle distinction (and not an utter disjunction) between liberty (natural right) and duty (natural law), and the distinction is posited and elaborated in accordance with the double grounding of significant rationalism, that is to say an open dialogue between Jerusalem and Athens<sup>40</sup> distinguishing but not systematically opposing the various intentional objects of significance; that is what renders it incommensurable with the conservatism of Burke, whose antiuniversalism sets the stage, according to Strauss, for the advent of historicism, which entails forgetfulness of the true meaning of being.<sup>41</sup>

### III. CONSERVATION AND LIBERALITY

Just like the never-ending tug of war between Athens and Jerusalem, philosophy as rigorous science necessitates the “conservation” of

<sup>39</sup> “In a phrase of Hermann Cohen, Maimonides is the ‘classic of rationalism’ in Judaism. This phrase appears to us to be correct in a stricter sense than Cohen may have intended: Maimonides’ rationalism is the true natural model, the standard to be carefully protected from any distortion, and thus the stumbling-block on which modern rationalism falls” (Leo Strauss, *Philosophy and Law*, ed. Eve Adler [Albany: State University of New York Press, 1995], 21).

<sup>40</sup> “Crudely but not misleadingly one may restate Cohen’s view as follows. *The truth is the synthesis of the teaching of Plato and that of the prophets. What we owe to Plato is the insight that the truth is in the first place the truth of science but that science must be supplemented, overarched by the idea of the good which to Cohen means, not God, but rational, scientific ethics. The ethical truth must not only be compatible with the scientific truth; the ethical truth even needs the scientific truth.... Catastrophes and horrors of a magnitude hitherto unknown, which we have seen and through which we have lived, were better provided for, or made intelligible, by both Plato and the prophets than by the modern belief in progress.... In other words, the quarrel between the ancients and the moderns seems to us to be more fundamental than either the quarrel between Plato and Aristotle or that between Kant and Hegel*” (Strauss, “Jerusalem and Athens,” 167–68).

<sup>41</sup> “Not Rousseau but Kant drew the decisive conclusion from Rousseau’s epoch-making innovations: the Ought cannot be derived from the Is, from human nature; the moral law is not a natural law or derivative from a natural law; the criterion of the moral law is its form alone, the form of rationality, *i.e.* of universality; just as according to Rousseau the particular will becomes the unblameable positive law being generalized, according to Kant the maxims of action prove to be moral if they pass the test of being universalized, *i.e.* of being possible principles of universal legislation.—At about the same time that Kant, sympathizing with the French Revolution, radicalized the most radical form of modern natural right and thus transformed natural right and natural law into a law and a right which is rational but no longer natural, Burke, opposing the French Revolution and its theoretical basis, which is a certain version of modern natural right, returned to pre-modern natural law. In doing so, he made thematic the conservatism which was implicit to some extent in pre-modern natural law. Therewith he profoundly modified the pre-modern teaching and prepared decisively the transition from the natural ‘rights of man’ to the prescriptive ‘rights of Englishmen,’ from natural law to ‘the historical school’” (Strauss, “On Natural Law,” 145–46).

the generous education of the mind known as liberality, and is thereby at loggerheads with closed systems of thought.

One of the most cogent ways of characterizing Leo Strauss's work consists in once again referring to his ultimate work (he agreed to its publication, the year before he died).

Joseph Cropsey, Strauss's closest associate, recounts in his foreword to this work that the author had requested that the chapters of this book, in which previously published texts were emended, appear in a precisely designated order while retaining the chapter titles he had chosen.<sup>42</sup> We should not forget that when Strauss the hermeneutical reader came to grips with an author, he pertinaciously insisted on the need to comprehend the more or less deliberately concealed logic of their thought before striving to interpret the contextual consequences.

And so, what do the chapter titles and their order of appearance mean to say?<sup>43</sup> It would appear that when Strauss *begins* his testamentary book by carrying on a conversation with Husserl,<sup>44</sup> he wishes to locate his overall approach in an ontological Husserlian dimension marking out the "truth in itself"<sup>45</sup> of the meanings and at the same time to justly *grasp* the latter in the Platonic sense (after all, his work is entitled *Studies in Platonic Political Philosophy*), that is, in the sense of stability, proportion, and harmony: "Justice must include knowledge of a high order," wrote Strauss years before in *The City and Man*;<sup>46</sup> as a result, notwithstanding one's singularity, the grasping is carried out as a prototypically human gesture, and it is the singular grasping that is specifically philosophical for Husserl,<sup>47</sup> whose

<sup>42</sup> Joseph Cropsey, foreword to *Studies in Platonic Political Philosophy*, vii.

<sup>43</sup> Cropsey says for example that Strauss wanted to write a paper on the *Gorgias* (available as an unedited recording) to be placed after his paper on the *Euthydemus*.

<sup>44</sup> See, e.g., Strauss, "Philosophy as Rigorous Science and Political Philosophy," 35: "Hence an adequate theory of knowledge must be based on scientific knowledge of the consciousness as such, for which nature and being are correlates or intended objects that constitute themselves in and through consciousness alone, in pure 'immanence'; 'nature' or 'being' must be made 'completely intelligible.' Such a radical clarification of every possible object of consciousness can be the task only of a phenomenology of the consciousness in contradistinction to the naturalistic science of psychic phenomena."

<sup>45</sup> Husserl, *The Crisis of European Sciences*, 336.

<sup>46</sup> Leo Strauss, *The City and Man* (Chicago: University of Chicago Press, 1964), 71.

<sup>47</sup> "As I said, mankind understanding itself as rational, understanding that it is rational in seeking to be rational; that this signifies an infinity of living and striving toward reason; that reason is precisely that which man *qua* man, in his innermost being, is aiming for, that which alone can satisfy him, make him 'blessed'; that reason allows for no differentiation into 'theoretical,' 'practical,' 'aesthetic,' or whatever; that being human is teleological being and an ought-to-be, and that this teleology holds

analyses have recently taken on new pertinence, for example in the writings of the neurophysiologist Alain Berthoz, who claims him as a forebear.<sup>48</sup> For the fact of the matter is that seizing an uninterrupted flow of data on either a subjective basis or in accordance with a given historical and cultural context does not in itself alter its objectification<sup>49</sup>—on this point, he is in dialogue with Eric Voegelin<sup>50</sup>—at least not once perception and its organization are equipped with meanings that may be analyzed under various forms of transitivity that are to be clearly distinguished but not entirely disjoined. And this is what Strauss brings to bear when he positions himself *between Jerusalem and Athens*.

#### CONCLUSION: STRAUSS'S SUPPOSED CONSERVATISM

In the final analysis, for Strauss philosophy is rigorous insofar as it deals with the permanent problems that humanity confronts.<sup>51</sup> Nevertheless, only a minority of humans is in a position to take hold of these problems with the required amplitude of mind; this is not on account of some antiegalitarian political choice, but because few people interest themselves in terms of the preferred; so claims Strauss in *Liberalism Ancient and Modern*.<sup>52</sup> This is a point we wish to elucidate in order once and for all to banish the specter of a form of conservatism serving as a rationale for social inequality, as a justification diametrically opposed to Strauss's oft-reiterated position.

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sway in each and every activity and project of an ego; that through self-understanding in all this it can know the apodictic *telos*; and that this knowing, the ultimate self-understanding, has no other form than self-understanding according to a priori principles as self-understanding in the form of philosophy" (Husserl, *The Crisis of European Sciences*, 340–41).

<sup>48</sup> See, e.g., Alain Berthoz and Jean-Luc Petit, *Phénoménologie et physiologie de l'action* (Paris: Odile Jacob, 2006), chaps. 4 and 5.

<sup>49</sup> Lucien Oulahbib, *La Philosophie cannibale* (Paris: La Table Ronde, 2006), 157–59.

<sup>50</sup> "The decisive point in Husserl is the critique of modern science in the light of authentic science, that is, Platonic-Aristotelian science. We cannot understand his work except in the light of the enormous difficulties the Platonic-Aristotelian science resulted in, namely, the problem of *nous*. Considering the enormous difficulties in understanding *De anima* III.5 *sq.*, the Husserlian egologic foundation of ontologies is at least forgivable" (Leo Strauss and Eric Voegelin, *Correspondance 1934–1964: Foi et philosophie politique* [Paris: Vrin, 2004], 64; translation supplied).

<sup>51</sup> "From all this we are in a better position to understand why Strauss sometimes identified 'the unchangeable ideas' with 'the fundamental and permanent problems'" (Thomas L. Pangle, introduction to *Studies in Platonic Political Philosophy*, 5). See also Leo Strauss, *What Is Political Philosophy? and Other Studies*, 39: "We may also say he [Socrates] viewed man in the light of the unchangeable ideas, i.e., of the fundamental problems."

<sup>52</sup> Strauss, "Liberal Education and Responsibility," in *Liberalism Ancient and Modern*, 24: "We must not expect that liberal education can ever become universal education. It will always remain the obligation and the privilege of a minority."

In the same work he postulates that originally, that is, in the times of the ancients, being liberal meant existing as one's own master, a free man. Strauss goes on to suggest that originally, only landed gentry could qualify; unlike merchants or manufacturers, propertied farmers could delegate key tasks to trusted attendants or stewards; that said, it behooved them to reside in towns in order to govern with their peers or equals and thereby form an aristocracy ensuring that their way of life not be upended.<sup>53</sup>

Strauss also laid emphasis on the fact that the activity of the gentry was eminently *serious* in the sense that they were devoted to matters of primeval importance such as the right regimen for the soul and the city. Bearing this in mind, education consisted primarily in the formation of character and taste, and poets were its wellsprings. In addition, the gentleman according to Strauss was called upon to acquire practical skills; in addition to reading, and then writing, spear throwing was recommended. It should be evident that the situation evoked by Strauss was anything but contemporary. He went on to point out that "just government is government which rules in the interest of the whole society, and not merely of a part," which means that the gentry "are therefore under an obligation to show to themselves and to others that their rule is best for everyone in the city or for the city as a whole." And as if he had not already made his point clear enough, Strauss went on to add: "Justice requires that equal men be treated equally, and there is no good reason for thinking that the gentlemen are by nature superior to the vulgar."<sup>54</sup>

To conclude, Strauss may be read as follows: From his standpoint, it matters to promote a form of education that can bring about, for those who have the opportunity to get it, genuine refinement of the soul and mind. This means that Strauss moves forward with two priorities in mind: first rigorously grasped philosophical science, and then the hermeneutics of works, particularly Plato's along with those involving Jewish revelation, for it is necessary to comprehend how that tradition, in its double dimension, left room for the speaking of what is fair, right, and just.

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<sup>53</sup> Ibid., 11.

<sup>54</sup> Ibid.

## A Reply to Jeffrey Bernstein

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For a critic of Leo Strauss to be taken seriously enough to find himself the subject of a piece like Bernstein's is an honor in itself and I am further grateful to Hilail Gildin for giving me the chance to respond. As a gentleman and a scholar, Jeffrey was kind enough to send me a draft of the review before it was accepted for publication in *Interpretation* (a thing I may as well admit I never thought would happen) and my only critical comment on a first reading was that the absence of any reference to "the Second Cave"—which, as a symbol of *Verjudung*, is crucial to the way I link Strauss to National Socialism—suggested a failure to come to grips with my argument. In the same thoughtful response that brought me news of the review's acceptance by *Interpretation*, Bernstein responded to my criticism candidly: as a condition for publication, he already needed to make substantial cuts in his draft so that any additional discussion of the Second Cave was out of the question.

On seeing the piece in print, the biggest problem that caught my attention was the implication that I equated atheism with nihilism and then equated atheistic nihilism with, among other things, National Socialism (200). Given that Bernstein prefaces these "two indemonstrable assumptions" with the words "if I have not misunderstood him," any possible pique about this misunderstanding is out of place but it is nevertheless true that he has misunderstood me here. He has also misunderstood me at 202, where he intimates a third and parallel equation: that atheism is necessarily self-deifying. So let me clarify: I have no problem with simple, garden-variety atheism except insofar that I think it's mistaken; indeed one of my distinctive lessons—familiar to my high school students—is the paradoxical claim, for which I argue on the basis of how difficult it is to move directly from polytheism to atheism, that "God created atheism." Although I do reject a

Heidegger-inspired redefinition of “nihilism” as a belief in otherworldly realities, I do not regard atheism as simply identical to nihilism; after all, some of my best friends are atheists. And while I do believe that the theoreticians of National Socialism were nihilistic atheists, my book traces the long and winding path that eventually brought me to the conclusion that NS is best understood as a *religion* and, more specifically, to understand it as Jacob Klein defined it—and Bernstein appropriately emphasizes this definition—as “Judaism without God.” In short: I now regard NS as an atheistic religion based on an irrational decision for a faithless faith, armed with an immoral morality; the repeated use of oxymoron here begins to explain the self-contradiction deliberately created by Strauss in the Preface to *Spinoza’s Critique of Religion* (30) when he states that “being based on faith, is fatal to any philosophy” immediately after eloquently pointing the reader to the exception he calls a “simple-complex philosophy.” While it may well be the case that self-deification is necessary for having the “manliness” requisite for moving beyond good and evil—“in limitless self-love, in frenzied arrogance” (*The Political Philosophy of Hobbes*, 147)—it is by no means a necessary consequence of atheism. On the other hand, even though both Popeye and a drunk can infringe on God’s exclusive right to say: “I am what I am,” it is easy to see why Judaism in particular is the archenemy of the resolute *Übermensch* whose embrace of “final atheism” depends on a clear awareness that Revelation is responsible for the Second Cave and that “in order to defeat an enemy you have to take a leaf from his book” (*Jewish Philosophy and the Crisis of Modernity*, 316). By the way, the “later revision” to my “initial observation” about National Socialism that Bernstein could not recall (205) is found at *The German Stranger* (hereafter TGS), at 73–74, 114, and 512–13.

Given that the subtitle of Bernstein’s review is already “How to Begin to Read William H. F. Altman,” I would like to offer the reader a few suggestions of my own. In a nine-chapter book, the fifth chapter is central; although I was taught to place the most important thing in the center by Shakespeare, not Strauss, I am unquestionably Straussian in this respect. I was therefore gratified by Bernstein’s emphasis on the middle chapter in his review rather than on the introduction, conclusion, and the particularly vulnerable autobiographical appendix. What Bernstein did not emphasize, however, was the far more important appendix to chapter 5, entitled “The Evanescence of the Weimar Paradox.” The first point is that each of the nine chapters is equipped with its own appendix so that obviously the fifth is central among them. The less obvious observation is that the appendices are in some sense the final cause of their respective chapters rather than

being simply appendages to them; although I would not recommend reading them without reading the preceding chapter first, I would suggest reading the preceding chapter primarily for the sake of reading them. In the crucial, central case, “the Weimar paradox” refers to the simultaneous rise in Weimar of NS and the intellectual efflorescence of German Jewry, not least of all at the Frankfurt Lehrhaus and the Berlin Akademie. Although Bernstein’s thesis is that my book, once understood as a polemic, has no discernible or at least no verifiable argument, my argument in this appendix is that the two phenomena are related: NS aimed to annihilate the Jewish people largely on the basis of the majesty of Judaism as interpreted by Hermann Cohen and Franz Rosenzweig. The paradox of “the Jewish Nazi” or—more accurately expressed—the reason that only Strauss could articulate the philosophical basis of NS, is that no mere Nazi knew what Cohen had accomplished. In the words of Mark Lilla (*The Stillborn God*, 239–40): “What Kant failed to see, according to Cohen, was that his own basic principles—the moral superiority of universal law to the pursuit of pleasure, the absolute value of human freedom, the ethical obligation to actualize freedom in history—all derived from Jewish monotheism and its messianic promise.” And here’s the heart of my book on its central page (296 is the center of 591):

The solution to the Nazi *Aufhebung* of Judaism—to make use of the Hegelian term for the simultaneous preservation and annihilation of a logically prior stage or “moment”—is simple: *Cohen was right about Judaism*. The terrible paradox of the German Stranger follows in the train of this sublime truth: only someone who knew that Cohen was right and yet opposed, on the basis of “fascistic, authoritarian, imperial principles,” all that the neo-Kantian had held dear, would realize that there was no way to refute Judaism rationally; only one “refutation” was available, and that was precisely the “refutation” administered by “history.” It is in Strauss’s inveterate enmity to Cohen that we behold the evanescence of the Weimar Paradox.

It should go without saying that the most important item in *Interpretation* 39, no. 2 (Spring/Summer 2012) is not Jeffrey Bernstein’s eloquent and provocative review of my book. Once again, Thomas Meyer and Michael Zank have performed an invaluable service for those who value Strauss—as of course I do as well—and it is really “More Early Writings” that has prompted me to respond to Bernstein. First of all, Meyer is, I hope, someday going to give us a scientific biography of Strauss; his discovery of these new documents, of the close friendship between Strauss and Ernst Simon that gave Strauss access to the Lehrhaus, and of those revealing Marburg University library slips—all of these and more will eventually be woven into a narrative

that will make a philosophical analysis of Strauss easy by comparison to what it was like for me; as Bernstein points out (196), my book is in part, by necessity, a biography. And it is a real delight to see Zank renewing his activities as Strauss's Anglophone translator: until we have English translations of "Zur Ideologie des politischen Zionismus" (1929), "Religiöse Lage der Gegenwart" (1930), "Cohen und Maimuni" (1931), and "Die geistige Lage der Gegenwart" (1932), mine will remain a voice crying in the desert. What these pieces from the mid-1920s have done is to remind me of the most serious problem in Bernstein's review: he never mentions Cohen. As both the introduction to "More Early Writings" and the most important of those writings—Strauss's incomplete 1927 review "The 'Jewish Writings' of Hermann Cohen"—make clear once again, an adequate understanding of Strauss depends on an adequate understanding of Strauss's lifelong *Auseinandersetzung* with Cohen, particularly with regard to the relationship between "Athens" and "Jerusalem." The most important passage in these newly discovered documents is the question Strauss poses at 120; he has not yet discovered what *German* necessity will eventually demand precisely the opposite. In any case, it should be obvious that in the course of studying Strauss, I have come to admire Cohen profoundly and it is him I follow in maintaining, against the very core of Strauss's project, that (as Bernstein admirably expresses it at 197) "it is the confluence of biblical wisdom and Greek philosophy, rather than their dialectical tension, that serves as the basis for all things noble in Western civilization." On a related point: although I am not prepared to claim Jacob Howland as an ally, Charles Rubin is clearly upholding Straussian orthodoxy by casting doubt on Howland's project by means of "the seamless Socratic piety that defines obedience as the exercise of autonomous understanding" (176).

The idea, of course, is that "Jerusalem" demands blind obedience while "Athens" calmly upholds the priority of "autonomous understanding"; this is why Strauss first introduced his countertextual (and self-contradictory) "Socrates"—who knows that he knows nothing—in his 1931 attack on Cohen's reading of Maimonides. I should say in conclusion a few words about Bernstein's emphasis on Maimonides and about his correct observation about the comparatively small role Maimonides plays in my book. On this last point, Bernstein's candor deserves an equally candid response: I simply do not know that Strauss was as wrong about Maimonides—especially because I *do* regard Aristotle, as opposed to Plato, as incompatible with Judaism—as I know he was wrong about Plato. As Bernstein is kind enough to point out, my reasons for making the latter claim have now been published and the reader can evaluate them independently. In any case, I am not

denying that there is a permanent and creative tension between “Jerusalem” and, for example, Epicureanism; I am, however, refusing to abandon “Athens” even to Aristotle. Indeed it was a failure to recognize the eternal *ontological* tension between Aristotle and Plato (TGS, 468–69) that determined Strauss’s understanding of Maimonides from the beginning (TGS, 18–20). And I must respectfully disagree with the thesis of Bernstein’s eloquent conclusion that it is Maimonides, and not Heidegger, who is the largely unnamed presence in the Jerusalem lectures. (For a precedent, see Alan Udoff’s suggestion at *Leo Strauss’s Thought: Towards a Critical Engagement*, 25n39, that the word “perplexed” in its original title indicates “the deeply suggestive Maimonidean resonances” of “An Introduction to Heideggerian Existentialism.”) After all, I am perhaps the only person on the planet who does *not* think that Strauss is referring to Heidegger as “the most radical historicist in 1933” (*What Is Political Philosophy?*, 27) or that it is Heidegger, not Strauss, who is responsible for “the most radical historicism” in the last paragraph of the Jerusalem lectures (55). In any case, my argument that Strauss is best understood as “the Hegel of the Third Wave” finds support in his Hegel-inspired account of Cohen’s three-stage development in 1927: against Rosenzweig, who saw *Religion of Reason* as a departure for the founder of Marburg Neo-Kantianism, Strauss sees that even in his most scientific phase, Cohen’s thought—which always depended on God—was deeply Jewish (see TGS, 524–26).



## Response to Altman

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I would like to thank both William Altman for his response and Hilail Gildin for allowing me to respond as well. Altman, in characteristic form, has packed more material in a few pages than I can hope to address in like fashion. I trust that the brevity and schematic quality of my remarks will be viewed as an effort to avoid trying the patience of our readers. I will therefore address Altman's most pressing concerns, as I see them.

**1. *Atheism*:** If I have miscommunicated Altman's position in my usage of this term, I should like to correct it. Insofar as none of the figures about whom Altman writes are "garden-variety," there can be no question of Altman's criticizing "garden-variety atheism." Despite this, I am not convinced that we *misunderstand* each other: If "atheism" is taken literally (i.e., "a-theism") to refer to the privation of theism, it nonetheless maintains a relation to such theism (precisely in the mode of denial). This, to my mind, is a similar expression to Altman's "faithless faith" and "immoral morality." If National Socialism is a religion, it is a religion that, in negating the monotheism of Judaism, attests (perversely) to Judaism as a religion. Under this construal, National Socialism would be a religion insofar as it binds people to a "source" or "principle"; it is a denial of monotheism insofar as it replaces *Adonai Echad* with the self. It seems to me that this is less an actual misunderstanding than a cautionary episode regarding the possibility, at times, of reading and writing too literally.

**2. "*Second Cave*":** If one understands Strauss's references to the "second cave" or "cave below the Cave" as referring not to the saturating predominance of historical consciousness as such, but instead to revealed religion, then (on Altman's account) Strauss's figure comes to sight as an

image of *Verjudung*—that is, Strauss would be calling for a return from Judaism (and, its offshoot, Christianity) to nature:

What needs to be said clearly is that the “natural ignorance” to which we must “rise” [in the ascent up to Plato’s Cave] is the absolute rejection of certainties, especially of the otherworldly kind described by Plato and taught by the Bible. The teaching of Plato’s Cave—that the absolute truth, in all its ethical and metaphysical unity and splendor, is not of this natural world—this teaching *is precisely what imprisons us in Strauss’s Second Cave*. This is why the Second Cave, far from being a critique of historicism, is precisely the opposite. It is actually the attempt to annihilate at its philosophical point of origin the truly radical alternative to historicism: the timeless and unchanging Idea of the Good.<sup>1</sup>

The Second Cave, for Altman, is thus an image of the impulse to replace (in Cohen’s terms) Plato and the Prophets with this-worldly nature—the project to which this impulse would give rise is *Entjudung*.

Separate from my persistence in maintaining that this reading of Strauss is polemical (in part because it is based on an indemonstrable interpretation of National Socialism as an a-theistic religion), one might ask the following question: what allows for one to posit the separation between “revelation” and “history” in construing the Second Cave image? Clearly Altman rejects the connection of these terms, but on what basis? Was the revelation at Sinai (traditionally understood) *not* an event? Are not all events, by definition, “historical” (or at least temporal)? Can there be such a thing as a “natural event”? The “historical” quality of events such as Sinai surely could not be denied even if one subsequently interprets them in a speculative-eschatological manner as prefiguring present experience. The complexities only increase once one begins to inquire into theological issues such as the account of Creation and (in Christianity) the significance of Jesus.<sup>2</sup> If Altman decides that Strauss is ultimately attacking revealed religion and *not simply* historicism, more needs to be said about the basis of this decision. Put differently, I do not yet see why the Second Cave image inevitably refers to Jerusalem rather than to modernity.

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<sup>1</sup> William H. F. Altman, *The German Stranger: Leo Strauss and National Socialism*, with a foreword by Michael Zank (Lanham, MD: Lexington Books, 2011), 242. Hereafter, references occur parenthetically.

<sup>2</sup> Playfully put, if one attempts to think these events as “natural,” one risks ending up with a very Aristotelian account of Creation and a very Spinozan account of Jesus.

**3. Jerusalem/Athens:** For Altman, the Second Cave must refer to revealed religion insofar as, accepting the confluence of Plato and the Prophets, he cannot condone the very distinction between Jerusalem and Athens. Although he refers to Charles Rubin's text rather than Strauss, it is pretty clear that Altman holds "Straussian orthodoxy" to construe the distinction in the following manner: "'Jerusalem' demands blind obedience while 'Athens' calmly upholds the priority of 'autonomous understanding.'" Again (and irrespective of whether this construal is imputed to Strauss, "Straussian orthodoxy," or Altman), more needs to be said regarding this characterization: Both Howland and Rubin seem to grant (as Strauss does) that religious expositions of scripture make use of rational argumentation—just not insofar as they undermine the *roots* of religious obedience. Similarly, the whole exoteric/esoteric distinction (for Strauss), as it shows up in texts by philosophers, is premised on a certain level of obedience to the city and the gods—just not insofar as such obedience undermines the *activity* of living a philosophical life. The adjectives "blind" and "autonomous" are decisions in need of further justification. At stake in Jerusalem/Athens is, of course, the distinction between the practical and the contemplative that both Altman and Hermann Cohen find deeply troubling.

**4. Cohen:** Altman is right to point to Strauss's "lifelong *Auseinandersetzung* with Cohen." Meyer and Zank have done a real service in deepening the appreciation of this confrontation, and one can only affirm Altman's desire to see the other early essays by Strauss translated soon. Their translation, however, may not disturb (as it were) the uniqueness of Altman's lone voice "crying in the desert"; what they disclose is a young Strauss attempting to comprehend Weimar discussions over Nietzsche, neo-Orthodoxy, and liberal Judaism. To the extent that they confirm Altman's view that "Strauss sees that even in his most scientific phase, Cohen's thought—which always depended on God—was deeply Jewish" I would agree. But this is unrelated to Altman's central (and still polemical) thesis: "*Cohen was right about Judaism*. The terrible paradox of the German Stranger follows in the train of this sublime truth: only someone who *knew* that Cohen was right and yet opposed, on the basis of 'fascistic, authoritarian, imperial principles,' all that the neo-Kantian had held dear, would realize that there was no way to *refute Judaism rationally*; only one 'refutation' was available, and that was precisely the 'refutation' administered by 'history'" (296).

Cohen is a deeply interesting figure who deserves continued study even apart from his influence on Strauss. He was a modern

liberal Jew who held that both the idea of God (as, at the very least, a moral imperative) and the God-man relation were evidence of the deep and thoroughgoing affinity of monotheistic Judaism (and Protestantism) and Platonic philosophy. In bringing Plato and the Prophets together, Cohen envisioned a religious-cultural revival (with its “soil” in the German-Jewish relation) based in a messianic hope of peace. Sharon Portnoff is correct in holding both that Strauss took Cohen extremely seriously and that his interest in Cohen prompted him to turn to Maimonides “as a corrective...toward an understanding of the relationship between reason and revelation.”<sup>3</sup> The problem with Altman’s construal of the relation is that it is already predicated on the decision to read Strauss as exhibiting an “inveterate enmity to Cohen” (296). But this decision calls for justification. Whether in the early Weimar texts, or his late essay on Cohen’s *Religion of Reason out of the Sources of Judaism*, I do not detect such enmity—in Strauss’s estimation, Cohen is wrong. He believes that Cohen’s thought suffers from the very historicism that Cohen himself would seemingly reject; he believes that Cohen misunderstands premodern philosophy and overly idealizes premodern Judaism; finally, he believes that Cohen’s version of liberalism was insufficiently attentive to what Gershom Scholem characterized as the one-sided perception of the German-Jewish dialogue by German Jews.

This returns us to the opposition between “Jerusalem and Athens” and “Plato and the Prophets.” Strauss does not hold that either Jerusalem or Athens fails to admit of any and all similar impulses (hence the terms “blind obedience” and “autonomous understanding” cannot be taken without qualification). His point is that they were close enough to each other to experience the dialectical tension that brought about Western civilization prior to their synthesis and/or denial in modernity. This point can be made through exaggeration (for the sake of brevity) as follows: Jerusalem + reason = *kalam*. Athens + obedience = the possibility of good citizens. Modernity = citizens who fancy themselves to be good by fancying themselves to be rationally enlightened. Strauss’s problems are with what he understands to be the false consciousness of modernity.

In this respect (whatever else he may intend in his account of Cohen in *The Stillborn God*), Mark Lilla is not wrong to point to Cohen’s political sentiments and activities as a sobering reminder of the limits of modern Weimar liberalism. This is not a “historical refutation” of Cohen—can

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<sup>3</sup> Sharon Portnoff, *Reason and Revelation before Historicism: Strauss and Fackenheim* (Toronto: University Of Toronto Press, 2011), 75.

history ever simply provide a demonstrative refutation of anything, let alone of “a messianic hope” (288)? It is a reminder that (whatever our hopes may be) the imaginative capabilities of the prophets (to use Maimonidean and Spinozan terminology) cannot simply function as an unproblematic ground either theoretically or practically for human society. It is to acknowledge, with Theodor Adorno, that (contrary to Ernst Bloch) “hope is not a principle.”<sup>4</sup> Finally, concerning history, it is to admit that we may not be able to help hearing Cohen’s words from 1917 in a different way than he heard them: “The ghost that haunts the Jew, making him think that he is a stranger in the Christian, indeed, in the German Protestant culture, must disappear.”<sup>5</sup> In short, I am compelled to raise the question whether a disavowal of these lessons amounts to a dangerous nostalgia for a perspective that (while messianically intact) risks a lapse into fanaticism.

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<sup>4</sup> Theodor Adorno, “Ernst Bloch’s *Spuren*,” in *Notes to Literature: Volume One*, trans. Shierry Weber Nicholsen (New York: Columbia University Press, 1991), 213.

<sup>5</sup> Alan Mittleman, “‘The Jew in Christian Culture’ by Hermann Cohen: An Introduction and Translation,” *Modern Judaism* 23, no. 1 (2003): 72.

## I N S T R U C T I O N S F O R C O N T R I B U T O R S

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