

# Interpretation

A JOURNAL OF POLITICAL PHILOSOPHY

Fall 2018

Volume 45 Issue 1

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# Interpretation

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## The Radicalness of Strauss's *On Tyranny*

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**Abstract:** In *On Tyranny* Leo Strauss attributes to Xenophon a series of extreme and counter-intuitive claims about the respective characters of the tyrant and the philosopher, the power of wisdom in the world, the essence of political legitimacy, and the best regime. Identifying and connecting Strauss's provocative claims on these subjects, this article argues that it was the theoretically radical strain in classical political philosophy that Strauss is tracing in this work which is at the root of the great moderation of classical political philosophy in practice.

### STRAUSS AND XENOPHON

Leo Strauss took Xenophon's short, rarely studied dialogue *Hiero, or The One with the Tyrannical Art*, as the subject for his first major work on classical political philosophy. In the course of interpreting this little dialogue, Strauss offers in his *On Tyranny* a series of bold reflections on political men and philosophers, the characteristic passions and aims of each, and the differences between them, leading him into the two biggest questions of classical political philosophy: What is the best way of life, and what is the best regime? On this basis, Strauss makes important observations on the fundamental divide between ancient and modern political philosophy. Although his interpretation became the basis for a fascinating extended debate with Alexander Kojève on the relation of theory to practice, especially in the modern world and especially in relation to the divide between Socratic and Hegelian philosophy, this essay will focus on Strauss's analysis of the *Hiero* and the radical claims he makes on its basis on behalf of the unfettered rule of wisdom.

In Xenophon's dialogue *Hiero* the wise poet Simonides, visiting the court of the tyrant of Syracuse, asks him to enlighten him on the one matter that Hiero is likely to know better than he does: "how the tyrannical and the private life differ in human joys and pains."<sup>1</sup> Hiero proceeds to denigrate the tyrannical life, with evident exaggerations but also with some evidently genuine expressions of regret, especially regarding the absence of love and trust in his life. Indeed, so energetically does Hiero counter Simonides's speculations as to the happiness of his life that he grows positively despondent. At this point Simonides proposes a number of reforms for the mutual benefit of Hiero and his subjects: he should offer prizes to stir competition, especially in profitable enterprises; he should encourage useful innovation; he should adorn not his own palace but the city with public buildings and temples; he should assign his mercenaries to guard not only his own person but also the citizens and their property; he should assign others to do odious tasks such as punishing, while giving out rewards himself; he should refrain from entering his own teams in the chariot races at the Panhellenic games and instead aim to make Syracuse as a whole the city best represented by successful competitors. In such ways, Simonides promises, he will secure the love of his subjects and "the most noble and most blessed possession to be met with among human beings": he will be happy without being envied (*Hiero* 11.15).

Strauss, perhaps inspired by the boldness of Simonides's promises that happiness may be attained through tyranny and by the enigma of Xenophon's own silence on that radical question, writes in a manner that is for him both unusually bold and characteristically subtle. His interpretation is indeed a succession of provocative and, I will argue, often highly exaggerated claims, some eventually qualified in scattered comments and others openly retracted. These include the claim that the tyrant as such is characterized by the desire for love and the philosopher as such by the desire for honor, that a wise man can do anything he wishes with an interlocutor in conversation, that Simonides almost drives Hiero to suicide, that wisdom is the sole and sufficient title to political office, and that the absolute rule of the wise is the best regime. Assessing and tracing the connections between these and related provocative claims that Strauss makes will allow us to begin unpacking his

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<sup>1</sup> Xenophon, *Hiero or Tyrannicus* 1.2, trans. Martin Kendrick and Seth Benardete, in *On Tyranny*, by Leo Strauss, rev. ed., ed. Victor Gourevitch and Michael S. Roth (Chicago: University of Chicago Press, 2013). Citations from this translation of the *Hiero* will be given in the text by chapter and section and citations from this edition of Strauss's *On Tyranny* and "Restatement on Xenophon's *Hiero*" will be given by page.

dense interpretation and its suggestions about what modern politics has to learn from ancient political philosophy.

#### THE TYRANT

Who, then, to begin with, is the tyrant? Xenophon does not consider it necessary to offer a definition in his little work on tyranny, but Strauss observes that this phenomenon, so readily identifiable in the ancient world, has become obscured in ours by both moral relativism and modern social science. Strauss clearly distinguishes modern tyranny from its traditional form by observing that modern tyranny has at its disposal both science and ideology, but how does he define tyranny in what he insists is its original, still relevant, and fundamental meaning?

Strauss in fact allows the question of tyranny's proper definition to become an unfolding puzzle, offering a number of reports of others' definitions as well as more than one suggestion of his own that appear to be in some tension. He reports Machiavelli's view that tyranny differs from monarchy only in being a term of opprobrium (23); Aristotle's statement that the goal of tyranny is pleasure and that of kingship is nobility (37 and 92; *Politics* 1311a4–5); the "vulgar" view that tyranny is rule that is good for the ruler and bad for his subjects and the gentlemanly view that tyranny is rule that is in fact bad for both (40, but cf. Aristotle, *Politics* 1295a17–22); the popular view endorsed by Xenophon in the *Hellenica* that a tyrant is one who violently seizes all power for himself (118n5 and *Hellenica* 7.1.46); Rousseau's view that a tyrant is a usurper of royal authority regardless of the quality of his rule (119n7); Burke's view that tyranny is the unwise or unwarranted use even of legal powers (120n47); and finally Xenophon's Socrates's view that in contrast to the kingship that is rule by one over willing subjects and in accordance with law, tyranny is rule over unwilling subjects and in accordance not with law but with the will of the ruler (68; Xenophon, *Memorabilia* 4.6.12; Aristotle, *Politics* 1295a15–17). Strauss himself offers a revision of the definition of Xenophon's Socrates, following the lead of Xenophon's Simonides: tyranny of the ordinary kind is, to be sure, rule over unwilling subjects without law, but "tyranny is essentially...monarchic rule without laws"—in the best case over willing subjects (69). In keeping with this definition of tyranny, Strauss agrees with Xenophon's character Mandane in calling the Median ruler Astyages a tyrant because he rules without law, even though he inherited his throne legitimately and reigns without notable opposition—and this despite the fact that Xenophon himself calls Astyages a king (Strauss 46; Xenophon,

*Cyropaedia* 1.3.18 and 1.2.1). Tyranny so understood becomes the subject of Strauss's most serious investigation as he considers whether the best form of it might not be the very best regime.

Yet we observe that Strauss never calls Cyrus the elder a tyrant, who like Astyages in the *Cyropaedia* inherits his throne legitimately and like him holds absolute rule. Moreover, in taking up the difficulty of actually establishing what he has been considering the good form of tyranny, the rule of wisdom without law, Strauss implicitly withdraws his definition of tyranny as rule without law but not necessarily without consent. "Being a tyrant, being called a tyrant and not a king, means having been unable to transform tyranny into kingship, or to transform a title which is generally considered defective into a title which is generally considered valid" (75). The absence of consent or recognized legitimacy and not the absence of law is after all what makes a tyrant. There is truth in the Machiavellian claim that a tyrant is merely a king whom the speaker hates, but this hatred, when widespread, makes such a difference that it defines the regime. Continued opposition makes the rule oppressive; it shows that the ruler is defective and in need of a teacher. This is why, Strauss says, Agesilaus and Cyrus are not tyrants despite the absolute nature of their rules, and neither, after all, is Astyages, whom he now cites precisely as one who successfully made good his claim to rule (121nn50–51). What is the meaning of this shift in Strauss's definition of tyranny from rule without law to rule without consent? To understand it we must understand what Strauss is showing us about the essential character of the tyrant and the wise man or philosopher.

#### LOVE VS. HONOR

To illuminate the fundamental difference between the tyrant and the wise man, Strauss offers a series of bold and counterintuitive claims: the tyrant is a man who seeks love and not honor; the wise man is one who seeks honor and not love; the wise man's love of honor is indeed the foundation of his desire to know (79–80, 87–88, 90). How could it be that a desire for love is *the* motive driving the ruthless acts that bring tyrants to the throne? How could it be that wise men, so often content to live in obscurity, are moved above all by honor? The stark dichotomy Strauss draws here is in fact considerably softened by other scattered comments in his original interpretation and especially in his "Restatement on Xenophon's *Hiero*." The tyrant does of course seek honor too, as Simonides acknowledges in saying that honor is what drives men to seek tyranny in the first place (191, 198; *Hiero* 7.1–2). The wise man or philosopher

does of course feel love, as all humans do, though he is more discriminating in the objects of his love than most (198–203). While Hiero does, to be sure, present the chief defects of the tyrannical life in terms of its impediments to finding genuine love, either erotic or popular, and Simonides does, to be sure, praise nothing so highly as honor, both have rhetorical purposes that force us to read with skepticism (46–48, 60, 68, 78). Strauss's own interest is less with the tyrant as such than with the political man altogether, for whom the tyrant in his book is to some extent a stand-in (78–79, 88); hence it is not at all clear that the tyrant craves love more than or even as much as other political men. Finally, to the extent that it is the tyrant in particular that we are examining, Strauss also raises the question whether he and the wise man may not be united in both seeking pleasure above all (93–95).

The gap between tyrant and wise man or philosopher widens again in a different and more serious way as Strauss acknowledges that indeed not honor but wisdom matters most to the philosopher (101, 198), that the philosopher as such is indeed free from ambition, and that the pleasure of seeing himself progressing in knowledge, or of self-admiration, to which honor from others is secondary, is itself secondary to the good that is seeking and advancing in wisdom, inasmuch as all pleasures are secondary to the activities that they accompany (205). The key thought here is that the highest and purest love of honor is an outgrowth of the desire for excellence and of the resulting desire to have one's excellence confirmed. Therefore the lover of honor in the purest sense is concerned not with popular acclaim but with the judgment of wise and well-qualified judges. By contrast, the political man wants honor especially because he yearns for love. And Hiero himself confirms this: his complaints about the honor he does get are all framed in terms of the absence of genuine goodwill behind it or the impossibility of knowing when it reflects real attachment and when mere fear. The true relation of philosopher to political man is best captured in a proportion, Strauss concludes: "The philosopher is related to the ruler in a way comparable to that in which the ruler is related to the family man." It is on this basis that "there can be no difficulty in characterizing the ruler, in contradistinction to the philosopher, by 'love' and the philosopher by 'honor'" (199). As the family man's attachments are narrowly restricted to his own and his chief desire is to love and be loved by them as his own, and as the political man's affections are broader and his desires are focused more on honor for his excellent qualities and deeds, even if he values those qualities and deeds chiefly for their ability to bring him love, so the philosopher's affections are broadest of all, extending to excellent and potentially excellent human beings in all times and places, and his

desires are purest, focused on honor as a confirmation of the excellence that he loves most of all.

Strauss's point, then, is not that the desire for love is characteristic of tyrants in contradistinction to other political men or even other private men. Compared with a man like Cyrus, whose life and imagination are fired by the prospect of winning boundless popular love and gratitude, Hiero is clearly less powerfully gripped by this desire, especially in its public form, and the pleasure of private erotic love, the point on which Simonides perceives Hiero to be most dissatisfied with tyranny (*Hiero* 8.6), is not a plausible motive for staging a bloody coup. Rather, what is revealing in drawing out these threads from this dialogue is the insight that *even* in a tyrant, even in a man so ready to do things so clearly prone to make him hated, even if he feels it strongly only in pederastic love affairs and in his dismay at popular hostility, an obscure love of and desire to be loved by his people is the key to what makes him political. "The political man...is essentially attached to human beings. This attachment is at the bottom of his desire to rule human beings, or of his ambition. But to rule human beings means to serve them. Certainly an attachment to beings which prompts one to serve them may well be called love of them" (199). Even the tyrant, who seems motivated by a wish for honor at the cost of love, is distinguished from the philosopher by nothing more clearly than by his greater concern for love and his weaker concern for true honor.

This is an interesting point in itself, but its chief interest for Strauss is not in what we can learn about the conflicted, unsavory men who become tyrants but in what we can learn about the wise men like Simonides who are drawn to reflecting, if only for an hour, on how a bad tyranny might be turned into a better one. What is Simonides's real aim in conversing with Hiero?

#### THE POWER OF WISDOM

Strauss's suggestion about Simonides's purpose is framed in terms of another provocative claim: "If Simonides was wise, he had conversational skill; i.e., he could do what he liked with any interlocutor, or he could lead any conversation to the end which he desired" (38; cf. Xenophon, *Memorabilia* 1.2.14). Then, since Simonides leads the discussion to "such suggestions about the improvement of tyrannical rule as a wise man could be expected to make towards a tyrant towards whom he is well disposed," Strauss gives the impression of concluding both that Simonides is wise and that he intends to benefit Hiero; thence he proceeds to examine Simonides's pedagogical strategy. Strauss seems to be claiming for wisdom an almost fantastic power,

an impression he reinforces later when he suggests that Simonides induces in Hiero such despondency that he brings him to the brink of suicide, thereby demonstrating his ability to supplant him before showing his goodwill and turning the discussion in a constructive direction (58–59). This extreme claim for the power of speech echoes and is connected to another, similarly radical claim—that wisdom is the sole valid title to rule, which is in turn a version of the famously provocative claim of Socrates that the knower is the only true king (Xenophon, *Memorabilia* 3.9.10).

Now all of this needs extensive qualification. Strauss in fact makes clear that he is proceeding on the basis of an assessment of Simonides's wisdom that he has been able to make only after close comparison of Simonides with Socrates and of the *Hiero* with the *Memorabilia* and *Oeconomicus*. Strauss acknowledges even as he suggests that Simonides has the power to bring *Hiero* to suicide that this statement is a gross exaggeration, offered only “for purposes of clarification” (58). And we will see presently his qualifications of the claim that wisdom is the sole valid title to political office. But what precisely is Strauss clarifying about Simonides by overstating his power?

To understand this we need to consider this exaggeration in light of another, less obvious and opposite exaggeration: Strauss's suggestion that in fact Simonides's entire practical purpose in the conversation is not to subvert Hiero's throne, not to induce him to make drastic reforms and not necessarily even moderate reforms, but just one small change—that he stop competing personally in chariot races (63, 188). Now Strauss does say “perhaps,” but the attribution to Simonides of such a limited aim is odd, especially given that Strauss himself notes another reform suggested by Simonides that Hiero is already adapting by the end of the conversation: he has begun referring to himself not as tyrant but as ruler (63 and 65). It is odd, moreover, because Strauss implies that Simonides's other recommendations are somehow utopian, although other changes are clearly practicable, safe, and likely beneficial, such as spending more on public buildings and less on private ones, and some would positively enhance the stability of his reign, such as delegating the execution of punishments to others. To be sure, there is a serious question about the proposal that Hiero give prizes to citizens for prowess in war, implying that he should arm at least some of the citizens if he has already disarmed them. But is even this really impossible for a tyrant?<sup>2</sup>

<sup>2</sup> Cf. Aristotle, *Politics* 1314b30–15b10, where Aristotle proposes many of these same reforms as a means to stabilize a tyranny, and suggests that under such a moderate tyranny it would not be necessary to disarm the populace.

Strauss implies that it is impossible, that one who tried such a reform would only end up falling between two stools, losing his safety without gaining a loyal populace. Yet elsewhere Strauss suggests not that this step is impossible but only that it is rarely possible, or indeed that it is often possible but not under conditions that a decent ruler would wish for (188); or even that, so far is the gulf between tyranny and monarchy from being unbridgeable that rulers who fail to bridge it are defective in wisdom (75 and n. 50). To be sure, Simonides does not go so far as to recommend establishing a rule of law, the ultimate step in changing a hated tyranny into an accepted and revered kingship, but might Simonides refrain from proposing this change only because he sees Hiero's lack of enthusiasm for less radical changes? It is best, then, to say not that Simonides seriously proposes only the small expedient of ceasing to engage personally in chariot racing, but that he makes a range of proposals, any of which would be improvements, without knowing whether Hiero might implement all or a few or only one of them, but prepared to be content even with one.

Putting these observations together, we may say that the sober Simonides is in control of the conversation in this limited but significant sense: he knows what he is about and plays his hand masterfully. Simonides's advice, with its modest aim, the modesty of which Strauss exaggerates for pedagogical purposes, exemplifies the realism of classical political philosophy. Simonides opens with a perfectly chosen question; he knows his subject matter; he listens before trying to persuade; he prepares his ground carefully, with shrewd maneuvers that Strauss nicely illuminates in his third chapter; he does not attempt the imprudent or the impossible; and he is satisfied with making such small but solid improvements as he can. By contrast, Strauss says of the modern world, "we are in the habit of expecting too much" (181). Strauss's exaggerated claim of reason's persuasive power points to the opposite truth, reason's limited persuasive power, and the wisdom of accepting it.

#### THE BEST REGIME

Yet cutting against this most sober conclusion is still Strauss's second and more radical set of claims for reason: that wisdom is the sole title to rule, and indeed that a form of lawless tyranny, the unconstrained rule of the wise, is the best regime. Neither Xenophon nor Simonides directly makes any such claim in the *Hiero*. The most Simonides says is that by following his advice Hiero might make himself and his city happy; the most Simonides shows is that he is momentarily charmed by his own reveries about a rationally

improved tyranny. Where Xenophon barely points to the questions of the basis of legitimate rule and the best regime, Strauss pursues them boldly, in a spirit that rivals or exceeds Xenophon's own most daring thought experiment, the *Cyropaedia*. In attributing to Xenophon the answers to these questions that he does, then, Strauss exaggerates again. Yet Xenophon's dialogue has fallen into neglect. Thinking through the boldest claims of reason to rule is essential for understanding the political things, and Xenophon with his light touch offers important hints concerning them that are in danger of being missed in our hurried, unsubtle time. Moreover, Strauss insists, "only if read in the light of the question posed by the *Hiero* do the relevant passages of Xenophon's other writings reveal their full meaning" (76).

Xenophon's hints that the merits of wise tyranny are the dialogue's deepest theme come through the drama or action of the dialogue. The wise Simonides is present at a tyrant's court and is interested in talking to him about his life. There is something in tyranny that intrigues a wise man, perhaps the same thing that intrigued Plato about Dionysus, a later tyrant of the same city of Syracuse. To the classical political philosophers, the political and philosophic lives are *the* two most serious contenders for the best life, and weighing the merits of each is an activity worth returning to. If a classical political philosopher were to be tempted to devote extensive time and energy to political action, it would be less as a dutiful citizen under established laws in peacetime than under the circumstances that invite inventive wisdom to create something radically new and better—circumstances that are found nowhere more fully than under tyranny. Might it not be possible with such a free hand to make a political community happy and to win lasting gratitude? This thought in some form is clearly on Simonides's mind. The structure of the dialogue, in which the unwise Hiero's indictment of tyranny as he practices it is followed by the wise Simonides's proposals for correcting these defects and promises of mutual benefit to Hiero and his subjects for doing so, leaves the reader to wonder how fully a wise tyranny might fulfill the hope of the highest political aspirations.

Strauss goes far in giving this question a positive answer. He observes that the city ruled by a tyrant may be happy and prosperous, that the tyrant may be united to his subjects with bonds of mutual kindness, and that all the arts, including the military arts, may be well developed there. He acknowledges that a state without law will be a state without liberty (68), that indeed the subjects will be "literally at the mercy of the tyrant and his mercenaries" (69), that their property cannot be secure, and that he can never accord them

“the ‘equality of honor’ which is irreconcilable with tyrannical rule and from the lack of which they may be presumed always to suffer” (70). Yet Strauss insists that “these shortcomings of tyranny at its best are not, however, necessarily decisive” (70), that Xenophon’s view of the merits of tyranny at its best depends on how essential he thought liberty was for happiness, and that Xenophon’s own view was that it is not after all essential. Strauss makes two arguments for this surprising claim. First, he says, freedom was considered the aim of democracy but virtue the aim of aristocracy, and “Xenophon was not a democrat” (71). This consideration would be decisive only if freedom were not also essential to aristocracy, which Xenophon preferred, but this is a doubtful premise. Second, Strauss says, “Xenophon’s view is reflected in Hiero’s implicit assertion that the wise are not concerned with freedom,” citing Hiero’s statement that tyrants “fear the brave because they might dare something for the sake of freedom, the wise because they might contrive something, and the just because the multitude might desire to be ruled by them” (*Hiero* 5.1). Even if the correct inference is that these are three non-overlapping groups and that the wise would not take risks for the sake of political freedom, and even if we can take Hiero to speak for Xenophon on this point, the proper conclusion is not that Xenophon judged freedom to be a matter of indifference to the wise, since the freedom that matters most to them may be freedom of a different kind. Nor is the proper conclusion that Xenophon judged political freedom to be unimportant for the majority of human beings who are not wise. Freedom may still be essential for the form of happiness that is available to them, and such would seem to be the final teaching of the *Cyropaedia*: the regime of Old Persia that Cyrus subverts is superior to anything he is able to put in its place, as much as he would like to make his subjects happy.

But Strauss displays his radicalness in refusing to be stopped by any of these considerations. Yes, aristocracy as commonly conceived entails a high degree of freedom for those educated to virtue and the security of laws for all the citizens, but Strauss wishes to consider whether its highest aim of virtue might not in fact be available in the absence of freedom and law. Strauss concedes that the virtue possible under tyranny will be virtue of “a specific color,” different from republican virtue (72), and that, in particular, “only a qualified or reduced form of courage and justice befit the subjects of a tyrant. For prowess simply is closely akin to freedom, or love of freedom, and justice simply is obedience to laws” (71). Yet, he continues, “prowess simply” does not belong to Socrates either, and “justice can be understood as a part of moderation,” which Simonides does say the subjects may possess (71–72).

This is again strange: after all, what may not be necessary for the philosopher Socrates to enjoy his unique form of happiness may be necessary to the rest of us; the best way to understand justice as a part of moderation is to define moderation as Socrates does in the *Republic* as obedience to rulers and control over one's own appetites, but how is obedience to a tyrant justice? It normally is not, but what Strauss is considering is unlimited rule by the wise, and obedience to reason itself may indeed be reasonably called justice.

Strauss argues further that “the question of what Simonides thought about the possibility of virtue under tyrannical rule seems to be definitively settled by an explicit statement of his according to which ‘gentlemen’ may live, and live happily, under a beneficent tyrant” (72). Here he cites *Hiero* 10.3. This is strange as well. Simonides speaks there only of the presence of gentlemen in Hiero's Syracuse—gentlemen who were raised under a different regime—not of their happiness or even potential happiness, nor of the possibility of fostering future generations of gentlemen under tyranny. To be sure, Simonides does speak of the happiness of the city, which could be taken to mean the happiness of every member—but on that definition happy cities would never exist. The happiness that is possible under Hiero might well consist only in the prosperous contentment of the majority and the resigned acquiescence of the now-eclipsed gentlemen. Moreover, Simonides alludes to this happiness merely as a fine goal for Hiero to aspire to, never promising that it is capable of perfect attainment (*Hiero* 11.5 and 7). In the end, Strauss himself concedes that Simonides's promises cannot definitively settle the question after all: what he says with a view to heartening the despondent Hiero cannot be taken as Xenophon's own last word (73).

This concession, however, only leads Strauss to renew the charge on different grounds. Setting the *Hiero* aside, he considers now whether his conclusion that “as a matter of principle, the rule of laws is not essential for good government” is not still defensible on the basis of Xenophon's or Socrates's political philosophy taken as a whole (73). And he concludes that it is. For Socratic political philosophy offers a quiet but sustained and in the end searing critique of the identification of justice with the rule of laws. Laws are often framed unwisely. They are always relative to the regime, and no regime can benefit all citizens equally (see Xenophon, *Memorabilia* 1.2.40–47). They must in any case be framed most generally, and as such are blunt instruments. Justice according to Xenophon's best definition is not law, which can be good or bad, but rather beneficence, or rule that achieves the common good. And for ascertaining the common good, a living intelligence is better than blind

law. "Absolute rule of a man who knows how to rule, who is a born ruler, is actually superior to the rule of laws, insofar as the good ruler is a 'seeing law,' and laws do not 'see'" (74). We pass over the unsettling fact that Strauss here cites Xenophon's Cyrus's claim to be a seeing law at the moment when he is making all his subjects his "eyes and ears" by turning them to spying against one another and to sinister contests for his favor. We even set aside the question whether in practice it would be better to be the subject of even a perfectly wise and perfectly benevolent king than a citizen in a free republic. Perhaps any such rule would still have the effect of making us children, and so perhaps a wise ruler would see that his best course would be, whenever possible, to found a republic. We set these questions aside because the most serious question Strauss is tackling is not after all what regime works best in practice, but rather, what is the truest, most solid claim to political authority. On this question, Strauss's answer is uncompromisingly radical. "Xenophon's Socrates makes it clear that there is only one sufficient title to rule: only knowledge, and not force and fraud or election, or, we may add, inheritance makes a man a king or ruler" (74).

#### PRACTICAL CONSIDERATIONS

In practice, Strauss readily concedes, tyranny has grave and indeed decisive drawbacks. These he initially expresses with the thought that while Xenophon held that "beneficent tyranny or the rule of a tyrant who listens to the counsels of the wise is, as a matter of principle, preferable to the rule of laws," yet "tyranny at its best could hardly, if ever, be realized" (75). Precisely as he begins to consider the practical problems with tyranny, Strauss makes the shift we noted earlier from defining tyranny as rule without law to rule without consent. For the massive fact on the ground is that those called tyrants are rulers who have not succeeded in making good their title to rule, and this reflects the massive problem that they are defective as rulers and lacking in wisdom. In other words, what we actually find among all regimes corresponding to *any* of the definitions of tyranny Strauss has cited are no wise men ruling without laws but with consent, and many unwise men ruling without either. Why is this?

Most simply, the problem is that the wise are not inclined to seize political power, as they crave not rule but leisure to think and write and engage in private conversations, and those who are just and in general serious about virtue, while often desirous of power, are not inclined to usurp it. But rulers lacking not only legitimacy under established constitutions but also wisdom

and virtue are most unlikely to be able to secure the consent of their subjects. Nevertheless, the very defectiveness of tyrants that puts them in need of wise advisers makes them interesting to philosophers as potential partners. Might a young, intelligent tyrant, eager to learn what he needs to rule well, not be the perfect partner for a wise man, whose work as adviser would be a most beneficial but decidedly part-time occupation? No less a man than Plato was evidently charmed by this prospect. Yet he was not successful with Dionysus, any more than Aristotle was with Alexander, or Thomas More with Henry VIII. The chief problem is already indicated by Plato in his *Laws* when the Athenian Stranger tells the startled Kleinias and Megillus that there is no swifter path to establishing a good regime than for a wise man to take as his partner a young tyrant who is a good learner and possessed of a good memory, courage, magnificence, and moderation (Plato, *Laws* 709e–10d). A ruler who is not wise needs virtue and especially moderation to listen to one who is, and those who seize thrones violently and even those who inherit them are seldom well endowed with moderation. The prospect of a virtuous and compliant tyrant envisioned by the Athenian Stranger is virtually utopian, and at any rate he propounds it only as a means to establish what is most emphatically a rule of law.

So is Strauss's more serious thought only that the best regime in principle is not an unstable attempt by a wise man to guide an absolute ruler of an ordinary sort, but it is the direct rule of a wise man himself, as envisioned in Plato's *Republic*—as unlikely as such a man is ever to come to power? In fact, Strauss goes beyond indicating the unlikeliness of this prospect to showing further grave problems with it. For it turns out that the title of the wise as wise to rule is after all defective. We have already noted the wise man's lack of desire for ruling. Strauss puts this point most forcefully as follows: "The ruler whose specific function is 'doing' or 'well-doing' has to serve all his subjects. Socrates, on the other hand, whose specific function is 'speaking' or discussing, does not engage in discussion except with those with whom he likes to converse. The wise man alone is free" (84). We might well raise the Aristotelian consideration of whether it is not unjust to assign to the best human being a life that is not the best life—that of ruling rather than contemplation—but Strauss goes in a different direction, showing on the basis of the inclinations of the wise significant limitations in their capacity to rule. Contrasting the political man's desire for love with the wise man's desire for admiration, Strauss observes, "Only because the ruler has the desire to be loved by 'human beings' as such is he able to become the willing servant and benefactor of all his subjects and hence to become a good ruler. The wise man, on the other hand, has no such

desire; he is satisfied with the admiration, the praise, the approval of a small minority” (88). Likewise he observes, “The born ruler, as distinguished from him who is born to become wise, must have strong warlike inclinations” and even “a streak of cruelty” (90–91). But if the wise as such do not have these essential qualities for ruling effectively, wisdom is not after all the sole title to rule, as much as the wise might know exactly what needs to be done, should they have the heart and the stomach to do it.<sup>3</sup>

On the other side is the problem Strauss acknowledges in his “Restatement,” that at least a decisively important segment of the “gentlemen” will not after all live happily under any tyrant, the “real men” or *andres* whose dominant passion is the love of honor (189–90). Loving honor, they will seek both the freedom for themselves without which there is no true dignity and the freedom for their fellows without which no honor bestowed by them can be trusted to be genuine. Such honor lovers may be inferior to the philosophers, but as Simonides says (*Hiero* 7.3) they are superior to the human beings who do not love honor—or at least to those for whom neither the love of truth nor the love of honor is the dominant passion. For perhaps all human beings care about honor, and with it freedom, as Simonides indirectly acknowledges in twice attributing the love or pleasure of honor to *anthrōpoi* generally even as he claims it as the special mark of *andres* (*Hiero* 7.1 and 4): “The poet cannot help admitting implicitly the unity of the human species which his statement explicitly denies” (190). But all of this implies at the very least that neither the wise who are capable of the best life of philosophy nor the spirited honor lovers who pursue the second-best life of political action will be happy under Strauss’s best regime, and ultimately for the same reason—that neither is free. The rule of the wise without law is not best even in principle, if by “best in principle” we mean as an arrangement that would be good all around if only a practicable way could be found to implement it. Human nature stands in the way.

#### THE PROBLEM OF LAW AND LEGITIMACY

Strauss himself does not identify the lack of freedom for both philosopher and honor-loving gentlemen as a decisive drawback to the rule of the wise without laws. But he does draw a conclusion that is consistent with these threads of his thought that we have drawn together and followed out. “The ‘tyrannical’ teaching—the teaching which expounds the view that a case

<sup>3</sup> That there may be exceptions to this general characterization Xenophon himself suggests in portraying himself as an aspiring leader in the *Anabasis*.

can be made for beneficent tyranny...has then a purely theoretical meaning. It is not more than a most forceful expression of the problem of law and legitimacy" (76).<sup>4</sup> What, precisely, is this problem? Is it the problem of partisanship and blindness and overgenerality we have already seen with law, and the fact that recognized legitimacy is requisite for stable government and yet rests too much on the arbitrariness of tradition and the accidents of birth? If this were the whole problem, could it not be largely solved with provisions for judicial discretion and emergency powers, together with better means of electing leaders and structuring legislatures? These are wise ways of mitigating what Strauss calls the problem of law and legitimacy, but they do not yet get to the bottom of what that problem is. An analogue to it is seen vividly in the common tyrant, whose "lack of unquestioned authority" causes tyrannical rule to be essentially oppressive (75). The deepest problem regarding law and legitimacy is that reason itself lacks unquestioned authority, and yet, according to Xenophon's Socrates, rightful authority belongs only to reason and to nothing else.

This is the real meaning of Socrates's strange claim, in the chapter of the *Memorabilia* to which Strauss refers us at this point (3.9), that the true ruler is the one who understands, even if he wears no crown and has been elected to no office. Socrates, as he often does, gives the impression here of a high-minded naiveté, as if he thought that knowledge has an almost magical power to command obedience and that its power extends to the protection of the knower against tyrants who are inclined to want to kill wise subjects who speak the truth. In fact Socrates is saying something more sober but also more radically subversive of *all* actual political authority: there is only one sense in which the giving of an order is thoroughly good and hence rightful, and obedience to that order thoroughly good and hence obligatory, and that is if the giver of the order knows and is teaching what is best for the recipient to do. The orders of a good doctor, the directions of a good guide, and the instructions of a knowledgeable seaman are proper to obey, and carry a penalty for disobedience, even if the one giving them has no personal power

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<sup>4</sup> Strauss's own path to this conclusion concentrates on actual tyranny's more massive practical problem, its invariably oppressive character. That line of reasoning leaves open, however, an interesting gap. If tyranny is best understood not as rule without consent but as rule without law, and if all the men *called* tyrants are in fact defective rulers who have failed to make good their claims to rule, why is Strauss leaving out of account those usurpers who have succeeded at this, as well as those who inherited their reigns but rule absolutely, like Astyages? The reason can only be that such rulers, neither truly wise nor so troubled by resistance that they perceive themselves to be in need of wise advisers, are of no particular interest to the philosopher, as they offer no opening for potentially wise rule. Theirs are merely to be counted among the more or less despotic regimes that the world is all too full of.

to enforce them, in the precise sense that disregarding good advice always carries the penalty that one's affairs will fare worse than if one followed it.

These arguments in *Memorabilia* 3.9.10–13 follow almost immediately upon another famous Socratic paradox, that “justice and every other form of virtue is wisdom” (3.9.5). The usual direction in which this equation is read emphasizes the compelling power of wisdom over the one who has it. This is, I would suggest, a serious Socratic thought, although one that requires us to raise the bar for what it means to have true knowledge or wisdom higher than we usually set it. But in the context of Socrates's subsequent claims about rightful authority, we may also reverse the direction: whatever and only whatever is wise to do is right to do.

Of course it is sensible and hence wise in very many cases to obey unwise orders and laws backed up by force, but then it is only extraneous considerations and not the rightness of the command itself or the right of the commander himself to give it that dictates acquiescence. Many claims of political authority, to be sure, rest on mere force—“to the victor belong the spoils,” and “might makes right,” people sometimes say and in prior times often said—but such claims are no different from a slave owner's claim to the obedience of his slaves, reasonably disregarded whenever they can make good their escape or revolt. Being born to office carries no more right with it, but neither does the subject's own prior choice or consent. What is right is what is truly good, and if consent was given in ignorance either of what would subsequently be ordered or of what is best, it confers no right. The problem of law and legitimacy is that authority, be it in parents, generals, doctors, kings, or presidents, has no other rightful basis than reason, looking to the good of the ruled or to the common good of the community of which the ruler is a part. And yet all actual law, all actual political power that is deemed legitimate, has and necessarily must have a substantial admixture of exploitation, folly, stubborn inflexibility, and unreasonable deference to accident.

Seeing all this as clearly as they did, the ancient Socratic political philosophers nonetheless drew gentle and moderate conclusions about politics and gave sober advice. And their practical conclusion was to endorse the rule of law. To see the limits of the power of reason in politics and to think through to the bottom the problem of the best regime, and hence the problem of law and legitimacy, is also to see how to get the benefits of reason to the greatest extent possible in actual practice, and that is through moderate, stable regimes based on law.

For law is the use of compulsion but not merely compulsion: it is an attempt to embody the rule of reason in our collective lives, the best attempt humans have found. Law is essential for freedom and constitutive of freedom not only in the way that it gives each citizen security of action and repose within well-defined limits, but in the way that it attempts to enlist all the citizens collectively in holding themselves, on an equal basis, to a standard of behavior that experience has shown to be good, a standard that is not the highest but that is worthy of great respect, a standard of basic decency and fairness and public-spiritedness and shared responsibility for the needs of the community. Law brings dignity because there is dignity in this act of individually embracing the community's standards as one's own and of mutual holding one another to account.

But to say this much is to leave out something that Strauss suggests is critical in the rule of law as the ancients understood it: the sacred. It is essential that the standards we are making our own we are not just making up. As Strauss puts it, man is not thinkable "as a being that lacks sacred restraint" (192). To find dignity and purpose in obedience we must look up to what we are obeying, and if the philosopher looks up only to reason, the citizen as such must look up to an understanding of right that is prior to any consent, prior even to any claims of right, and in the best case honored as god-given.<sup>5</sup> Our own founders expressed this complex embrace of reason, right, obligation, and the sacred when they proclaimed to the world the principles upon which they were throwing off the British yoke, principles of reason which they grounded in the laws of nature and of nature's God, affirmed their "reliance on the protection of Divine Providence," and pledged to one another their lives, their fortunes, and their sacred honor.

The radicalness of the ancient Socratics, their seriousness about the question of the best regime, and even or precisely their willingness to explore the shocking question of whether that regime might not be the most absolute rule of one, laid the essential foundation of their great political moderation. Strauss revives this radicalism and arrives at similarly moderate conclusions: It is possible to be a good friend to and supporter of constitutional republicanism in just this spirit. Indeed, the regime that "comes closer to what the classics demanded than any alternative that is viable in our age" is "liberal or constitutional democracy" (194–95), a moderate and stable regime such as the one we enjoy in the United States, which approximates Aristotle's mixed regime

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<sup>5</sup> Cf. Xenophon, *Anabasis* 3.2.13.

in combining universal franchise with the aristocratic principle of election to office and an appointed judiciary, which rests on a deeply established basic law, and which provides a deliberative process for specific legislation and reasonable discretion for intelligent leaders. Indeed, Strauss taught, constitutional republicanism can find no better source of support, guidance, and wise course-corrections than from one educated in the principles of classical political philosophy. By contrast, Machiavelli and modern political philosophy's rejection of the validity of the radical inquiry into the best regime deprived them of the classics' sober awareness of limits, and prepared the way for the radicalism not of modern thought but of modern politics, with all the misery that it has brought the world over the past century.