Politics between philosophy and polemics : political thinking and thoughtful politics in the writing of Karl Popper, Leo Strauss, and Hannah Arendt

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PART II

THE SUCCESS OF STRAUSS:

POLITICS BETWEEN PHILOSOPHY AND POLEMICS

CHAPTER 3

Strauss's Recovery of "the Fact of the Political" and of "the Latitude of Statesmanship"

> *...the just and the unjust, the beautiful and the ugly, the good and the bad.*
> *Are these not the subjects of difference about which,*
> *when we were unable to come to a satisfactory decision,*
> *you and I and other men become hostile to each other whenever we do?*[171]
>
> Plato

> *"Doctrinairism" and "existentialism" appear to us as the two faulty extremes.*
> *While being opposed to each other, they agree with each other in the decisive respect –*
> *they agree in ignoring prudence, "the god of this lower world."*
> *Prudence and "this lower world" cannot be seen properly without*
> *some knowledge of "the higher world" – without genuine* theoria.[172]
>
> Leo Strauss

3.1. INTRODUCTION

The previous two chapters have shown that Karl Popper conceives the task of political philosophy as to provide criteria for a "rational" form of political decision-making, called "piecemeal social engineering". In his case, the term "political" refers to a realm of free and rational discussion directed toward legislation by a liberal-democratic government, which is understood as a separate realm within a larger whole called "open society" or "civilization". However, it was argued that Popper's conception of rationality, which is modeled after the methodology of empirical *science*, turned out to be incapable in principle of vouching for the rationality of the political *ends* that "social engineering" is supposed to achieve. In order to avoid the inevitable conclusion that political decisions must be characterized as merely "personal" or even "arbitrary", he points to the *negative* aim of the relief of avoidable human suffering as the only universally valid aim of politics. It was argued, however, that this does not absolve him from the question of which *positive* aims the elimination of human suffering, in turn, is to serve. Moreover, it was demonstrated that, in his staging of the decision in favor of "the open society" as such, Popper implicitly draws on a conception of the political understood as the necessitated and possibly violent *struggle* between friends and enemies, a conception which he precisely *excluded* from his explicitly defended conception of a politics of rational *discussion*. Popper thus fails to display a

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[171] Plato, *Euthypro*, 7cd.
[172] NRH 320-321.

"theoretical self-consciousness" of the fact that philosophical writings, including his own, can be "influential" not only due to their propositional content but also their performative meaning.

In this chapter and the next we turn to the work of Leo Strauss (1899-1973), which seems to offer an answer to these shortcomings. As we have seen, Popper's political philosophy is essentially oriented to "application", or the solution of practical problems by rational methods. Accordingly, he reads Plato's *Republic* as if it were a treatise in which the author presents his very own "political program", which consists in the "utopian" realization of the reign of philosopher-kings as a *practical solution* to the problem of justice. By contrast, Strauss reads the *Republic* as a dialogue in which we never hear the author's own voice, which is intended as a *theoretical* attempt to understand the *problem* of justice. Hence, the "best regime" is a "utopia" in the original sense of the word: it cannot be realized "in deed", but only "in speech". Strauss emphasizes that Plato and classical political philosophy in general insisted on philosophy and politics having essentially *opposite* orientations: while philosophy is understood as the *free* pursuit of theoretical knowledge, the political is characterized first and foremost by the binding *authority* of the *law*.

As will be shown, it is precisely Strauss's recovery of the *classical* insistence on the *difference* between philosophy and politics that enables him to offer an understanding of political reality and a normative framework for the guidance of political action, both of which more comprehensive and more refined than Popper's, whose position will turn out to be indebted to what Strauss considers the tradition of *modern* political philosophy. In addition, Strauss's classical insistence on the essential *difference* between philosophy and politics is accompanied by a theoretical self-consciousness that writing is a form of acting. Hence, he shows himself to be aware of the fact that philosophical writings, including his own, are capable of being read and misread in accordance with their performance or "action" just as much as in accordance with their propositions or "argument", for which he recovers and adopts a specific manner of communication called "the art of writing between the lines".

These few introductory remarks should already suffice to make it clear that Strauss is by no means an established member of the canon of political philosophy in the common sense of the word. Even stronger, from the very beginning, the reception of his work has been highly *polemical*, not only within academia but also in public debate. For instance, not very long ago his detractors regarded him as the intellectual mastermind behind the American "neo-cons" who waged war against Iraq. His writings were understood as containing a legitimation of the use of "noble lies" by elites against the masses and as propagating a strong belief in war as an instrument for actively enforcing "regime change".[173] His defenders responded that this reading of his work rests on several misunderstandings and, to the contrary, Strauss was in fact a loyal "friend of liberal democracy" who stood for a politics of

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[173] See, inter alia, Drury, *The Political Ideas of Leo Strauss*; Xenos, *Cloaked in Virtue: Unveiling Leo Strauss and the Rhetoric of American Foreign Policy*.

"moderation".[174] Whichever of these two camps is right, however, their polemic continues to revolve around one and the same *political* question: is Strauss a liberal, or is he at least liberal enough? If he is, we may safely side with him; if he is not, we should be against him.

To their great merit, Strauss-scholars like Heinrich Meier, David Janssens and others, have managed to steer away from this polemical battlefield to reach more neutral ground.[175] According to them, his ultimate intent is not political but *philosophical*. To be more precise, he aims to rehabilitate the *bios theōrētikos* over and against the *bios politikos*, that is, a rehabilitation of the philosophic life in the classical, Socratic sense, *over and above* the political life, its ambitions and aspirations. If he exposes political ideas at all, they are at best *negative*: he points to the essential "limits" of politics.[176] Moreover, in his case the adjective "political" in "political philosophy" refers rather to the political justification of philosophy than any *positive*, i.e. substantial, philosophy of politics.[177]

However, what this account tends to neglect is the fact that Strauss's recovery of philosophy actually also presupposes a recovery of politics, against the loss of *both* in modernity. *First*, it should be noted that Strauss not only warns against "visionary expectations from politics", but also against an "unmanly contempt for politics".[178] His rejection of political life in the name of philosophical life does indeed imply a rejection of the *modern* fusion of science and politics into "social engineering", which is driven by a powerful belief in the human capacity to solve social problems by institutional reform; at the same time, though, it implies the rehabilitation of a different, *classical* understanding of politics. His recovery of philosophy understood as the rise from opinion [*doxa*] to knowledge [*epistēmē*] is accompanied by a recovery of the *law* as the authoritative opinion to which the political community or city "looks up" and by which it is held together. Closely related to this, his recovery of philosophical reason [*logos*] and wisdom [*sophia*] as its virtue is accompanied by a recovery of political "spiritedness" [*thumos*], i.e. anger, indignation, or "eagerness to fight", and "manliness" [*andreia*] or courage as its virtue.[179] *Secondly*, Strauss also suggests the possibility of providing normative

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[174] See especially Zuckert & Zuckert, *The Truth about Leo Strauss: Political Philosophy & American Democracy*; Smith, *Reading Leo Strauss: Politics, Philosophy, Judaism*.
[175] Meier, *Leo Strauss and the Theologico-Political Problem*; Janssens, *Between Athens and Jerusalem: Philosophy, Prophecy, and Politics*. See also Tanguay, *Leo Strauss: An Intellectual Biography*; Tarcov, 'On a Certain Critique of "Straussianism"'.
[176] CM 138.
[177] CPP 93.
[178] Strauss, *Liberalism Ancient and Modern*, 24.
[179] See, inter alia, OPS 9: "The polis as polis is characterized by an essential, irremediable recalcitrance to reason. … There is something harsh in the political, something angry. … It is for this reason that Plato calls the political passion 'spiritedness' (*thumos*), which also means something like anger. This harshness and severity is essential for constituting the polis and is, in a way, most characteristic of the polis." Peter Sloterdijk is one of the few philosophers who explicitly noted the importance of this strand in Strauss's thought: see his *Zorn und Zeit*, 40-41: "Es ist unter anderem den Studien des neoklassizistischen jüdischen Philosophen Leo Strauss und seiner (überwiegend zu Unrecht von den politischen Neokonservatmen der USA vereinnahmten) Schule zu verdanken, wenn

guidance for politics. While taking into account the "spirited" nature of politics – its "recalcitrance to reason" (CM 22)[180] – he nevertheless makes room for the possibility of a "thoughtful" politics. In the slipstream of his rehabilitation of the *theoretical* wisdom [*sophia*] of the philosopher, he provides a rehabilitation of the *practical* wisdom [*phronèsis*] or "prudence" of the statesman, which may be said to move between *logos* and *thumos*, or between an *escape* from politics into philosophical discussion and a *reduction* of politics to polemical struggle.

A precise determination of Strauss's conceptions of the political and "thoughtful" politics has not yet receive sufficient attention in the secondary literature. In part this is due to the notorious difficulty of his writings. Although he explicitly and repeatedly mentions the importance of the dialectical question "what is political?" or "what is the city [*polis*]?",[181] nowhere in his published works does he present an answer to it in his own name. This is because he not only *recovered* "the art of writing between the lines", he also *practiced* it in his own writings. Accordingly, he did not write "treatises" in which he presents himself as a philosopher who straightforwardly conveys the "results" of his own thought. Rather, his oeuvre consists mainly of dense "commentaries" and "histories of ideas" in which he offers original interpretations of philosophical works (such as of Plato's *Republic*) in order to recover a genuine understanding of perennial philosophical problems (such as "natural right") and the alternative solutions to them.

Nevertheless, in these writings of what may *prima facie* appear to be a mere *scholar*, Strauss conveys a clear *philosophical* orientation to classical political philosophy over and against modern political philosophy and the latter's culmination in positivist and historicist relativism. He even expresses his inclination to prefer one philosophical *solution* in particular, viz. that of classic natural right, over the denial of the existence of natural right by conventionalism.[182] We therefore take Strauss's "preferred" solution as the basis for our reconstruction of his philosophy of politics, saving an in-depth treatment of his politics of philosophy as embodied by "the art of writing between the lines" for the next chapter.

In our reconstruction of Strauss's philosophy of politics, i.e. his conceptions of the political and the rational guidance of political action, we focus especially on his "comments" on Carl Schmitt's *The Concept of the Political*

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man die von den Großen unter den griechischen Denkern statuierte Bipolarität menschlicher Psychodynamik heute wieder genauer in den Blick fassen kann. Strauss hat vor allem dafür gesorgt, daß man neben Platon, dem Erotologen und Verfasser des *Symposions*, wieder auf Platon, den Psychologen der Selbstachtung, aufmerksam wurde."

[180] See also OPS 9.

[181] WIPP 22, 25; CM 19, NRH 121.

[182] Strauss, *Spinoza's Critique of Religion*, 31; NRH vii: "Nothing that I have learned has shaken my inclination to prefer "natural right," especially in its classic form, to the reigning relativism, positivist or historicist." See also Strauss's letter to Karl Löwith, 15 August 1946: "I *truly* believe, although it apparently appears as fantastic to you, that the perfect political order, as Plato and Aristotle have sketched it, *is* the perfect political order" (Strauss, *Gesammelte Schriften*, vol. 3, 662).

(1932) and his "history of ideas" *Natural Right and History* (1953). Strauss develops his classical understanding of the political in discussion with Schmitt and with Schmitt's turn to Hobbes. In addition, *Natural Right and History* contains his most detailed treatment of the possibility of moral guidance for politics, especially in his discussion of Hobbes (Chapter V.A.) and classic natural right (Chapter IV), in both of which Schmitt's silent presence can be felt. We read Strauss's "comments" and "history of ideas" as much as possible as "treatises", which implies that we need to make an effort at *thinking along* with Strauss in the direction of the "solution" to which he points.

This chapter is divided into four sections, the *first* of which gives an account of Strauss's reopening of "the quarrel between the ancients and the moderns" in light of what he calls "the theological-political problem". We start with his critique of modern political philosophy's culmination in positivism and historicism and work toward his recovery of classical political philosophy's defense of philosophical life *over and against* political life. However, we argue that Strauss's recovery of philosophical life is in fact also accompanied by a recovery of political life, against the loss of *both* in modernity.

In the *second* section we begin our reconstruction of Strauss's understanding of the essence of political life by focusing on his "comments" on Carl Schmitt's *The Concept of the Political* (1932), which he reads as a genuine attempt to answer the "Socratic" question "what is political?" It is argued that Schmitt and Strauss turn out to *agree* to a great extent about the nature of "the political", insofar as they both recognize the necessity of "rule" [*Herrschaft*] within closed societies that potentially stand in friend-enemy-relations to each other. They turn out to be *at odds*, however, regarding the *raison d'être* of the political, which Strauss finds not in the seriousness of *struggle* as such, but in the seriousness of the *question* of what is "by nature" the right way of life.

Regarding the question of the possibility of rational guidance for political action, there seem then to be only two alternatives: (i) either Strauss's philosophical turning *away* from political life, which would seem to leave us without any rational standards *within political life*; (ii) or Schmitt's "decisionist" (or "existentialist") immersion in political life, which would seem to leave us without any *rational standards* within political life. At first sight a return to Hobbes would seem to be required, insofar as he appears as a successful defender of "rule" [*Herrschaft*] *and* "natural right". Therefore, the *third* section turns to Strauss's account of modern political philosophy in Chapter V.A. of *Natural Right and History*. Strauss claims that Hobbes's political philosophy is founded on the "realist" premises of Machiavelli, who had sought to *guarantee* the realization of the best regime by lowering its standards. Strauss claims that, as a consequence, Hobbes jeopardizes both "rule" and "natural right". Moreover, he adds, the "doctrinaire" character of modern "natural public law" decisively prepared the "existentialist" response of ultramodern historicism.

On the basis of a reading of Chapter IV of *Natural Right and History*, the *fourth* section of this chapter argues that Strauss's recovery of classical political

philosophy, or the classic natural-right teaching, *does* in fact suggest a possibility for "thoughtful" politics *between* philosophy and polemics. Although the classical authors believed that the *best* regime consists "by nature" in the reign of the wise, they posited that any *legitimate* regime must always "dilute" wisdom with consent. To determine the precise nature of this practical solution to the political problem, we turn specifically to Strauss's reconstruction of the "Platonic" and "Aristotelian" natural right teachings, the former of which offers an account of the philosopher-legislator's "dilution" of natural right with conventional right, while the latter offers an account of the prudence of the statesman who decides in concrete situations whether "the highest" or "the urgent" is to take precedence.

By the end of this chapter, then, we will have offered two things. First, a reconstruction of Strauss's classical understanding of "the fact of the political", which, in contradistinction to that of Popper, takes into account the phenomenon of the law and of the inevitability of "closure", while not, in contradistinction to Schmitt, reducing it to the latter. Secondly, a reconstruction of Strauss's recovery of the possibility of a "thoughtful" form of political decision-making, which, in contradistinction to Schmitt, does uphold rational standards within political life, while, in contradistinction to Popper, does not reduce them to the one single standard that is to be universally applied in practice, but allows instead for some "latitude of statesmanship".

3.2. THE RE-OPENING OF THE QUARREL BETWEEN THE ANCIENTS AND THE MODERNS IN LIGHT OF THE THEOLOGICAL-POLITICAL PROBLEM

Leo Strauss is best known for his re-opening of "the quarrel between the ancients and the moderns", or his "change of orientation" from modern political philosophy to classical political philosophy. The starting point for this turn is what he calls "the crisis of our time", which he claims becomes manifest when liberal democracy became uncertain of itself,[183] which he illustrates in the introduction to *Natural Right and History* by pointing to the rise of doubt whether the "self-evident truths" of the American Declaration of Independence – "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness" (NRH 1) – are indeed still believed to be self-evident.

Strauss states that these doubts are raised in the name of Science and History, respectively.[184] He explains that modern social science has culminated in *positivism*, that is, the doctrine which claims that value statements cannot be derived from factual statements, and that it is impossible to resolve conflicts between value statements in a rational manner.[185] Against positivism, Strauss

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[183] See especially Strauss, 'Political Philosophy and the Crisis of Our Time'; CM (introduction); NRH 253.
[184] NRH 8, WIPP 18, CM (introduction).
[185] WIPP 18-25. See also NRH Chapter II, 'Natural Right and the Distinction between Facts and Values', in which Strauss presents Max Weber as the principle protagonist of positivism. Although

claims that, since scientific questions are themselves driven by specific interests or values, science is bound to interpret its *own* enterprise as to be historically relative. For this and other reasons, he argues, positivism is bound to culminate in *historicism*, that is, in the doctrine according to which all human knowledge – both statements of fact and statements of value – is historically determined. As soon as historicism becomes self-reflexive and applies its own thesis to itself, it turns into *radical* historicism or "existentialism", which even regards the historicist thesis itself as historically determined, i.e., as a dispensation of fate. As a final result, Strauss concludes, human rationality has *undermined* itself.[186]

Strauss notes that, as a consequence of this "self-destruction of reason",[187] political philosophy in the original, classical sense, that is, as the quest for the best regime or for "natural right", is no longer believed to be possible. Originally, he claims, philosophy understood itself as the ascent from opinions [*doxai*] about nature or "the whole" to knowledge [*epistēmē*] of nature or "the whole". Accordingly, political philosophy understood itself as the ascent from conventional right to natural right. This ascent is conducted by means of a "dialectical" conversation, or a "friendly dispute" (NRH 124), in which authoritative or "common sense" opinions are questioned, as a result of which they turn out to be contradictory. In this way, they solicit a truth that is itself *trans*-historical, that is, a truth the validity of which does not depend on contingent historical circumstances.

According to Strauss, the account of philosophy as ascent from opinion to knowledge was depicted by Plato in his well-known cave parable. Strauss considers modernity's culmination in radical historicism as the final consequence of the creation of a second cave below Plato's.[188] In order to regain the situation of the original cave, what is urgently needed is a history of ideas to serve as a "propaedeutic", that is, as preparation for philosophy itself. Its task is to restore the "natural" horizon of classical political philosophy, against which the "artificial" edifice of modern political philosophy had been erected.[189]

In the seventeenth century, Strauss claims, Hobbes and Spinoza had set themselves the task of saving the freedom of philosophizing [*libertas*

Strauss never publicly responded to Popper's work, in a letter to Eric Voegelin dated 10 April 1950 he made it unambiguously clear that he regarded him as a positivist as well: "[Mr. Popper] gave a lecture here [at the University of Chicago], on the task of social philosophy, that was beneath contempt: it was the most washed-out, lifeless positivism trying to whistle in the dark, linked to a complete inability to think "rationally," although it passed itself off as "rationalism" – it was very bad. I cannot imagine that such a man ever wrote something that was worthwhile reading, and yet it appears to be a professional duty to become familiar with his productions." (*Faith and Political Philosophy: The Correspondence between Leo Strauss and Eric Voegelin 1934-1964*, 66-67.)

[186] WIPP 25-27. See also NRH Chapter I, 'Natural Right and the Historical Approach', in which Strauss presents Nietzsche, and especially Heidegger, as the principle protagonists of radical historicism.

[187] Strauss, *Spinoza's Critique of Religion*, 31.

[188] Strauss introduces the image of a "second" cave for the first time in his 'Review of Julius Ebbinghaus, *On the Progress of Metaphysics*' (1931), 215. The imagery keeps returning in Strauss's later work, e.g. in PAW 156.

[189] PAW 155.

philosophandi] from its severe restriction at the hands of the political authority of revealed religion. Making use of the Epicurean critique of religion, they instead attempted to ally philosophy with secular political power. Strauss contends that their project was decisively "prepared" by Machiavelli, whom he considers the "founder" of modern political philosophy. Induced by his "anti-theological ire", Machiavelli had lowered the standards of the best regime in order to make its realization more certain, or less dependent on chance.[190]

As a result of the new alliance between philosophy and politics, Strauss argues, the natures of and the specific *differences* between philosophy, religion, and politics came gradually to be forgotten. While religion came to be understood as private "faith" or "belief" rather than public "law", philosophy (or theory) was turned into the handmaiden of politics (or practice). It transformed itself into science, which (i) aims for the *conquest* of nature (and of chance), instead of the careful imitation and *cultivation* of nature; and (ii) chooses *method* as its starting point (that is, certainty based on the universal doubt of all opinions) instead of *speech* (that is, opinions that are expressed by people, the contradictions between which solicit trans-historical truth).[191]

In fact, Strauss had set himself the task of writing a "theological-political treatise", taking the opposite direction to that of the treatises written by Hobbes and Spinoza.[192] In order to "restore" classical political philosophy, Strauss recalls to memory the "natural" situation of man, or the world not as the object of science or the product of technology, but "the world in which we live and act", that is, "a world not of mere objects at which we detachedly look but of 'things' or 'affairs' which we handle" (NRH 79), and political things "as they present themselves in political life, that is, in action, when we have to make decisions" (NRH 81). Thus understood, the life of the *polis* is a life in which citizens "look up" to the *law*, which presents itself as "self-evident", "holy", or even "divine" [*theios nomos*].

One of Strauss's clearest expressions of the classical approach to politics can be found in his article 'On Classical Political Philosophy' (1945). In it, he explains that the most fundamental *political* controversy to be settled is: "who should rule?", or "who should form the regime?" In answer to this question, the *philosopher* raises a question that is never asked in the political arena itself: "what is virtue?" or "what is that virtue whose possession gives a man the highest right to rule?" (CPP 90) Yet, Strauss continues, by *questioning* the authoritative opinions about virtue, the philosopher comes into *conflict* with the *polis*. Moreover, he will gradually discover that the question to which political life points – "what is

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[190] WIPP 40-47.

[191] Cf. Meier, *Leo Strauss and the Theologico-Political Problem*, 58, 60.

[192] Strauss, *Philosophy and Law*, 138n2: "If "religion" and "politics" are the facts that transcend "culture," or, to speak more precisely, the *original* facts, then the radical critique of the concept of "culture" is possible only in the form of a "theologico-political treatise" – which of course, if it is not to lead back again to the foundation of "culture," must take exactly the opposite direction from the theologico-political treatises of the seventeenth century, especially those of Hobbes and Spinoza. The first condition for this would be, of course, that these seventeenth-century works no longer be understood, as they almost always have been up to now, within the horizon of philosophy of culture."

virtue?", which is another way of asking "what is the right way of life?" – can only be answered in a life devoted to *philosophy*: "virtue is knowledge". In this sense, Strauss claims, "philosophy – not as a teaching or as a body of knowledge, but as a way of life – offers, as it were, the solution to the problem that keeps political life in motion" (CPP 91).[193] He explains that this is what Socrates refers to when he calls himself the only Athenian who possesses the "true" political skill [*politikē technē*].[194]

In agreement with the thesis that a final *political* solution to the political problem, i.e., a solution "immanent" to political life, is unavailable, Strauss reads Plato's *Republic* not as it is usually read today, viz. as a "utopian" plea for the rule of philosopher-kings which alone would promise a "cessation of evils" (CM 127), but as a dialogue which shows that the philosopher and the *polis* are *essentially at odds* with each other. Since philosophers are devoted to the pursuit of the unchangeable truth, they do not desire to interfere with human affairs. In addition, the ability of the wise to persuade the unwise to be ruled by them is by nature extremely limited. It is highly unlikely, therefore, that the best regime – the regime which is "by nature" right – will ever be realized. Hence, it is of the essence that the best regime be utopian in the *original* sense of the word, that is, to exist as an object of contemplative aspiration rather than active realization, or to exist "in speech" rather than "in deed".[195]

In light of this account, several authors have suggested that Strauss's political philosophy should ultimately be characterized as *a-political*.[196] Accordingly, Heinrich Meier argues that Strauss turns to politics for the sake of philosophy's self-reflection; that his enterprise "is *wholly* in the service of self-examination and the justification of philosophy [emphasis added]".[197]

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[193] Cf. NRH 36: "The whole galaxy of political philosophers from Plato to Hegel, and certainly all adherents of natural right, assumed that the fundamental political problem is susceptible of a final solution. This assumption ultimately rested on the Socratic answer to the question of how man ought to live. By realizing that we are ignorant of the most important things, we realize at the same time that the most important thing for us, or the one thing needful, is quest for knowledge of the most important things or quest for wisdom." Note the contrast between the following of Strauss's remarks, the first about politics, the second about philosophy: "in political life, in action, when [political things] are our business, when we have to make decisions" (NRH 81); "There is no guaranty that the quest for adequate articulation will ever lead beyond an understanding of the fundamental alternatives or that philosophy will ever legitimately go beyond the stage of discussion or disputation and will ever reach the stage of decision" (NRH 125).

[194] CPP 91. See Plato, *Gorgias*, 521d.

[195] Strauss characterizes Plato's *Republic* as "the most magnificent cure ever devised for every form of political ambition" (CM 65), that is, for "spiritedness" [*thumos*]. Strauss speaks of "the education to moderation" (CM 97) of Glaucon, "the most spirited speaker in the work" (CM 112). For the distinction between the classical and modern conceptions of "utopia", see also Shklar, 'The Political Theory of Utopia'.

[196] Meier, *Leo Strauss and the Theologico-Political Problem*, Janssens, *Between Athens and Jerusalem*; Bluhm, *Die Ordnung der Ordnung: Das politische Philosophieren von Leo Strauss*; Gordon, 'The Concept of the Apolitical: German Jewish Thought and Weimar Political Theology'.

[197] Meier, *Leo Strauss and the Theologico-Political Problem*, 15. See also ibid., 14: "Strauss's treatises … do not put philosophy to work for the purposes of politics; rather, they turn to politics for the sake of philosophy's self-reflection".

This account implies two things for our understanding of the meaning of Strauss's "political philosophy". *First*, insofar as there is a substance to Strauss's "political philosophy", it is primarily *negative*: it points to the "essential limits" (CM 138) of political life compared to philosophical life, which is considered the highest way of life. *Polis* life is incapable of fulfilling the highest need of man, i.e. the search for theoretical knowledge. As Strauss himself contends, in the end, philosophizing, or leaving the "cave", means to use the term "political" in a derogatory sense,[198] it means "to learn to look down on the human as something inferior" (WIPP 32). *Secondly*, because the meaning of philosophy is in general insufficiently understood, philosophy needs to *justify* itself before the tribunal of society. Strauss claims, therefore, that the adjective "political" in "political philosophy" designates not so much a *subject* of philosophy, but primarily the manner of its *treatment*.[199] It is "political" insofar as it employs a specific, "politic", manner of *speaking* and *writing* that invites "the few" to radically question authoritative opinions in the name of the truth, while making "the many" believe in the "salutary" character of philosophy for the *polis*.

Accordingly, Meier claims that Strauss's writings "do not elaborate a theory of politics", and that "they do not promote … the political life as the writings of the political philosophers of the past did so emphatically at first glance."[200] We may therefore have to conclude that there is nothing *positive* to be learned about politics from Strauss's work, neither about the substance of political life nor about normative criteria for "thoughtful" political action.

Nevertheless, although the account given by Meier and others is *correct*, we must realize that it tells us the story of the relation between the two ways of life from *one* perspective only, viz. from the viewpoint of the philosophic way of life. Yet Strauss indicates that insight into the limits of the political sphere as a whole "can be expounded fully only by answering the question of the nature of political things" (CPP 94). Although Strauss considers the philosophical life to be higher than the political, he himself admits that one cannot recognize the "limits" of political life, one cannot recognize the *polis* as a "cave", i.e., as it appears from the perspective of the *philosopher,* without *first* understanding the nature of political life *in and of itself*, i.e., as it appears from the perspective of the *citizen*.[201] In other words, political life needs to be understood not as a "cave", i.e. as something *upon* which to "look down", but as a "world", i.e. as something *within* which to "look up" to certain things:

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[198] CPP 93n24.
[199] CPP 93.
[200] Meier, *Leo Strauss and the Theologico-Political Problem*, 14-15. Cf. Bluhm, *Die Ordnung der Ordnung*, 22-23: "er hat keine systematische philosophische Theorie der Politik geschaffen, und zwar weder einen Vorschlag zur Lösung des Problems politischer Ordnung, noch eine politische Ethik, obwohl beides für ihn zentrale Fragen politischer Philosophie sind. … Sein Denken kreist um die Aufgabe, die politische Philosophie wieder zu ermöglichen und zu bewahren und hat insofern einen unpolitischen Kern, denn es ist wesentlich auf die Sache der Philosophie im Sinne der *Vita contemplativa* bezogen."
[201] CM 240.

> … political understanding or political science cannot start from seeing the city as the Cave but it must start from seeing the city as a world, as the highest in the world; it must start from seeing man as completely immersed in political life: "the present war is the greatest war". (CM 240)[202]

Throughout the present chapter, then, we attempt to stay as far as possible within the limits of political life, in order thus to reconstruct from Strauss's work a political philosophy in the more common sense of the word, comprising both (i) an *understanding* of the essence of politics, and (ii) the setting of standards that provide *guidance* for politics. We begin by reconstructing Strauss's exchange with Schmitt, who considers the ineradicable possibility of war as essential to the political.

3.3. THE RECOVERY OF THE POLITICAL: WITH AND AGAINST SCHMITT

The best way to start our exploration of Strauss's answer to the question "What is political?" is by turning to his "comments" [*Anmerkungen*] on Carl Schmitt's *The Concept of the Political* (1932), which he originally published in German in 1932.[203] There are several indications that he puts his reading of Schmitt's treatise in service of his own attempt to recover the answer to this question. In his book *Philosophy and Law* (1936), for instance, Strauss explicitly refers to his review of Schmitt when he states that "the fact of the political" [*die Tatsache des Politischen*] is one of the two "original facts" that transcend "culture", the other being "the fact of religion" [*die Tatsache der Religion*].[204] Moreover, in his lecture 'The Living Issues of German Postwar Philosophy' (1940), Strauss renders the title of Schmitt's essay as *What Is Political?*[205] Furthermore, Strauss points to the central place of his Schmitt review within his own oeuvre by his decision to re-publish it as an appendix to the American translation of his *Spinoza's Critique of Religion* (1930) as well as to the German translation of his *The Political Philosophy of Hobbes* (1936), both of which appeared in 1965. In the accompanying "autobiographical preface" to the former, he calls his Schmitt review his *first* public expression of his "change of orientation", i.e. of his belief that a return to pre-modern philosophy is possible, i.e. that the classical philosophers may have found *the* truth. As David Janssens has demonstrated, Strauss did indeed read Schmitt's *The Concept of the*

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[202] To be sure, Strauss opposes *both* of these (classical, "natural") perspectives *together* against the (modern, "artificial") perspective of the "neutral" scientific observer. See WIPP 25.

[203] Strauss, 'Anmerkungen zu Carl Schmitt, Der Begriff des Politischen', *Archiv für Sozialwissenschaft und Sozialpolitik* 67:6 (1932), 732-749. English translations appeared in Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1996) and in Heinrich Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue* (Chicago: University of Chicago Press, 1995).

[204] Strauss, *Philosophy and Law*, 138n2.

[205] Strauss, 'The Living Issues of Postwar German Philosophy', 127.

Political from the horizon of classical political philosophy, a horizon that he would render increasingly visible in his later work.[206]

As is well known, in *The Concept of the Political*, which includes the essay 'The Age of Neutralizations and Depoliticizations',[207] Schmitt aims to recover "the political" against its negation by liberalism. Instead of identifying "the political" with that which pertains to the "state" (as distinguished from "society"), Schmitt claims that the concept of the political is *presupposed* by the concept of the state.[208] He claims that "the political" exists in the effective capacity of correctly designating the *public* enemy in the extreme case [*Ernstfall*], that is, in case the concrete existence of a political community is threatened, either by a foreign political power or by an internal public enemy. Hence, the specifically political tension of human life is constituted by the extreme case, that is, the *real*, i.e., existential possibility of physical extinction. Accordingly, Schmitt defines "the high points of great politics [*grosse Politik*]" as "the moments in which the enemy is, in concrete clarity, recognized as the enemy".[209] Only as long as a political community possesses the capacity to designate the enemy, it possesses sovereignty and it is effectively capable of exercising rule [*Herrschaft*]. The latter implies the authority to demand from its individual citizens the ultimate sacrifice in the extreme case, viz. death. In addition, Schmitt claims that political conflicts cannot be decided by a previously determined general norm or by the judgment of a "neutral" third party, but *only* by the participants in the conflict themselves. According to him, "all political concepts, images, and terms have a polemical meaning",[210] which is to say that they can *only* be understood from a *concrete*, i.e., existential situation.

Schmitt's militant "decisionism" and his well-known advocacy of a conception of the political in terms of the distinction between friend and enemy, have made him a controversial figure, especially among liberal and "deliberationist" political philosophers. We should not be surprised, therefore, that Strauss's reputation has been affected by his exchange with Schmitt.[211] Especially

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[206] Janssens, 'A Change of Orientation: Leo Strauss's "Comments" on Carl Schmitt Revisited'; Janssens, *Between Athens and Jerusalem*, 133-147.

[207] Schmitt's *Der Begriff des Politischen* appeared in three different editions: 1927, 1932, 1933. The 1932 edition was reprinted in 1963, and this is the edition that is still in print today. The text 'Das Zeitalter der Neutralisierungen und Depolitisierungen', which was originally a lecture Schmitt gave in 1929, was included in the editions of 1932 and 1963. Strauss based his review on the 1932 edition. For a detailed publication history of Schmitt's text, see Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, 6-7n5.

[208] Schmitt, *The Concept of the Political*, 19-25.

[209] Ibid., 67.

[210] Ibid., 30.

[211] Strauss not only published a review of Schmitt's book; in 1932 and 1933 he wrote a number of letters to him. In fact, Schmitt himself had seen to it that Strauss's 'Comments' were published. See Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, 121-131, 8n7. Moreover, Schmitt wrote a letter of recommendation on Strauss's behalf, which successfully secured him a fellowship to do research on the work of Hobbes in Cambridge, UK. See Sheppard, *Leo Strauss and the Politics of Exile: The Making of a Political Philosopher*, 56.

Strauss's own claim that his review should be understood as preparation for "gaining a horizon beyond liberalism" (NCP 122) is often used as evidence (for instance by Stephen Holmes) for the thesis that Strauss himself is not a liberal either.[212] In reply, sympathetic readers of Strauss have tried to demonstrate that he in fact draws on different, pre-modern resources in order to fortify liberal democracy.[213] Nevertheless, both camps restrict themselves to the question of whether or not Strauss is a liberal. Even Robert Howse, who offers a careful and balanced reconstruction of Strauss's response to Schmitt, argues in the end that Strauss still adopts a form of liberalism, albeit of a different, "ancient" kind.[214]

By contrast, Heinrich Meier, David Janssens, and others have tried to demonstrate that Strauss, as defender of philosophy or of the Socratic way of life, *distances* himself from Schmitt as defender of politics or the political way of life. They claim that Strauss places Schmitt's strong defense of "the political" against liberalism's forgetfulness of the political in service of his *own* attempt to make the case for *philosophy* as strong as possible.[215] This explains why Meier concludes his monograph on the "hidden dialogue" between Schmitt and Strauss with the following words:

> Whereas the political does have central significance for the thought of Leo Strauss, the enemy and enmity do not. Enmity does not touch the core of his existence, and his identity does not take its shape in battle with the enemy. The friends that Strauss chose for himself tell us much more about his identity, and it becomes visible nowhere else than in his philosophy.[216]

If we understand these words correctly, Meier means to say that there is no place for *polemics* or partisanship in *philosophy* proper. To the contrary, the philosophical quest for the truth is to be pursued *sine ira et studio*, which is the reason why it properly takes place in the form of a "dialogue", that is, a conversation among *friends*.[217]

However, I argue that this by no means implies that Strauss's conception of the *political* is also free from the enemy and enmity. As I show, Strauss *agrees* with Schmitt that the distinction between friend and enemy does indeed inevitably

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[212] Holmes, *The Anatomy of Antiliberalism*, 62. See also McCormick, 'Fear, Technology, and the State: Carl Schmitt, Leo Strauss, and the Revival of Hobbes in Weimar and National Socialist Germany'; idem,, *Carl Schmitt's Critique of Liberalism: Against Politics as Technology*.

[213] Zuckert & Zuckert, *The Truth about Leo Strauss*, 187, 190.

[214] Howse, 'From Legitimacy to Dictatorship – and Back Again: Leo Strauss's Critique of the Anti-Liberalism of Carl Schmitt'.

[215] Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*; Janssens, 'A Change of Orientation: Leo Strauss's "Comments" on Carl Schmitt Revisited'.

[216] Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, 87.

[217] See also Janssens, *Between Athens and Jerusalem*, 144: "Strauss's philosophical affirmation of the political, unlike that of Schmitt, thus leaves room for a form of friendship that is not completely determined by the distinction between friend and foe: the friendship between philosophers who agree on the fundamental problems."

belong to the political, but he *disagrees* with Schmitt insofar as he claims that the *raison d'être* of the political is not enmity as such, but rather the question of the right way of life in answer to which the friend-enemy conflict may arise.

Strauss's "comments" on Schmitt's "treatise" consist of three sections of increasing length. In the *first* part, Strauss says that Schmitt's positing of "the political" should be read in agreement with the latter's explicitly formulated thesis that all political concepts are bound to a concrete polemical situation. Schmitt posits the political in opposition to liberalism – the system of thought in which modern thought, beginning in the mid-seventeenth century, has culminated. Yet, Strauss explains, liberal thought has in fact not destroyed the political, but it has *covered* it. Hence, in order for Schmitt to succeed in *recovering* it, he is confronted with the task to *escape* from the powerful systematic of liberal thought. Hence, Strauss aims to find out in which respect Schmitt *differs* from liberalism.[218]

In the *second* part of his review, Strauss claims that Schmitt understands the question of "the *essence* of the political" as the question of the *specific difference* of the political.[219] Liberalism regards the political as a part of the *genus* of "culture", which is understood as the totality of "human thought and action".[220] At first sight, it may therefore seem that Schmitt wishes to recover the autonomy of the political and its own specific distinction, viz. that of "friend" and "enemy", *next to* other, equally autonomous "provinces of culture",[221] such as the aesthetic, the economic, the juridical, and the moral, each of which also upholds its own specific distinctions, viz. that of beautiful and ugly, profitable and unprofitable, lawful and unlawful, good and evil, respectively. Strauss explains that a second look, however, clearly shows that Schmitt does *not* regard the political as a cultural "province" next to and analogous to others. To the contrary, since the political is oriented towards the possibility of *war*, that is, the real possibility of physical killing, Schmitt regards the specifically political distinction as the *fundamental* distinction.[222]

Strauss infers that Schmitt's assumption of the fundamental character of the political actually implies a *critique* of the modern conception of "culture". In modern thought, "culture" is conceived of as a sovereign creation of man. Strauss argues, however, that this causes us to forget that culture is always culture of *nature*, which may consist either in the careful *cultivation* of nature as an exemplary order to be obeyed, or in the *conquest* of nature as a disorder to be eliminated. In accordance with the second, distinctly *modern* conception of culture, Hobbes conceives of the *status civilis* in *opposition* to the *status naturalis*, which he describes as a state of war, or, to be more precise, as a state of the continuous and real *possibility* of war. Hence, Strauss infers, insofar as Schmitt aims for a

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[218] NCP 99-101.

[219] NCP 101.

[220] NCP 102. As the previous chapters have revealed, Karl Popper's use of the term "political" betrays a similar conception: it is understood as a separate "realm" within human "civilization" or the "open society", next to other "realms", such as that of (private) morality, aesthetics etc.

[221] NCP 102.

[222] NCP 101-104.

recovery of the political, he aims for a recovery of the *genus* of the "natural" situation of mankind. Yet, Strauss adds, there is a crucial difference between Hobbes and Schmitt. Hobbes conceives of the state of nature as a state of war between *individuals*, a situation that ought to be *overcome* in the name of protecting the lives of these individuals, which is why Strauss regards him as the founder of liberalism.[223] By contrast, Schmitt considers the state of nature as a state of war between *collectives*, between friend-enemy groupings, each of which demand *obedience* from their individual subjects, including, in the extreme case, the sacrifice of their lives. Strauss concludes that liberalism, which was born within the modern conception of "culture", forgets the *basis* of "culture", viz. human "nature" in its dangerousness and in its being endangered.[224]

At the beginning of the *third*, final, and longest part of his review, Strauss states that Schmitt's affirmation of "the political" appears as an attempt to say "what is", that is, to give an *un-polemical* description of the *fact* of the political. Schmitt considers the political as the inescapable fate of man: it is given in human *nature*. Accordingly, he claims that even the pacifists' struggle for a "world state", which would put an end to the existence of separate, juxtaposed political entities or states, would, as *struggle*, precisely be an affirmation of the *inevitability* of the political.

The opposition between the negation and the position of the political can ultimately be traced back to a quarrel about human nature, viz. the question of whether man is by nature good or evil, that is to say, undangerous or dangerous. In Schmitt's view, the thesis of the inevitability of the political is in the end based on the thesis that man is by nature dangerous.[225] He admits that this thesis is in itself an "anthropological confession of *faith*" [*Glaubensbekenntnis*].[226] Yet, if this is the case, Strauss infers, it is possible to adhere to a *different* faith, as a result of which the political would *remain* endangered. Hence, he continues, Schmitt's positing of the political is more than a mere *description* of the reality of the political: it is an *affirmation* of the political.

Strauss claims that Schmitt's affirmation of the political cannot be understood *politically* in the sense mentioned above, i.e. existentially: during war one does not wish for dangerous enemies – "a nation in danger wants its own dangerousness not for the sake of dangerousness, but for the sake of being rescued from danger" (NCP 112). The affirmation of the political must therefore have a "normative", *moral* meaning: it is the affirmation of the power of state formation, *virtú* in Machiavelli's sense. Hence, Strauss claims, the ultimate legitimation for Schmitt's affirmation of the political seems to lie in warlike morals, or "bellicose nationalism".[227]

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[223] NCP 108. See also NRH 181-182.
[224] NCP 104-108.
[225] NCP 108-111.
[226] NCP 111.
[227] NCP 112-113.

For Schmitt, however, the more fundamental question is whether "rule" [*Herrschaft*] of men over men is necessary or superfluous. It is in view of this question that the question of man's dangerousness or undangerousness surfaces again. Strauss argues, therefore, that the ultimate quarrel occurs not between bellicosity and pacifism, but between authoritarianism and anarchism: while *authoritarian* theorists, such as Hobbes, claim that human beings are by nature dangerous and that they thus stand in need of rule, *anarchist* theorists claim that human beings are by nature not dangerous and that hence they do not stand in need of rule. Strauss claims that, at first sight, Schmitt seems to follow Hobbes in asserting that mankind is evil in the sense of animal dangerousness, that is, of an *innocent* evil. Yet, if this were the case, mankind could be domesticated, educated. Whereas Hobbes, whom Strauss considers the *founder* of liberalism, believed that the malleability of mankind in this respect is limited, liberalism itself is more optimistic. However, insofar as evil is understood as innocent evil, the opposition between good and evil loses its significance. Strauss therefore stipulates that, if Schmitt wishes to *overcome* liberalism, he has to conceive of evil in a stronger sense, viz. not as innocent evil but as moral *depravity*. In an earlier text, *Political Theology* (1922), Schmitt had indeed stated that "the core of the political idea" is "the *morally* demanding decision".[228]

Strauss claims, though, that Schmitt contradicts himself insofar as he displays a *sympathy* for evil, that is, a merely *aesthetic* admiration for animal dangerousness. How, after all, can one admire the need for rule, which, being a *need*, is not an excellence, but a deficiency? In reality, Strauss argues, Schmitt affirms the political because it is the only guarantee against the world becoming a world of "entertainment", a world that lacks seriousness. Schmitt had said:

> A definitively pacified globe, would be a world without politics. In such a world there could be various, perhaps *very interesting*, oppositions and contrasts, competitions and intrigues of all kinds, but no opposition on the basis of which it could sensibly be demanded of men that they sacrifice their lives [emphasis added by Strauss]. (CP 35)

According to Strauss, the "perhaps" conceals and hides Schmitt's *nausea* over this capacity to be "very interesting". He concludes that Schmitt rejects pacifism – or "civilization" – because it forms a threat to the *seriousness* of human life: "His affirmation of the political is ultimately nothing more than the affirmation of the moral."[229]

Strauss claims that Schmitt's critique of the modern tendency of neutralization, which culminates in the spirit of *technology*, leads to the same conclusion. While it is indeed possible in principle to reach agreement regarding the means to an end that is already established, Strauss argues that there is always a

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[228] NCP 115. See Schmitt, *Political Theology*, 65.
[229] NCP 117.

quarrel about the ends themselves.[230] If one seeks agreement at all cost, one needs to abandon the question of what is right and concern oneself solely with the means, which forms the basis of the modern faith in technology. Strauss adds that Schmitt rightly indicates that technology is in fact never neutral, however, for it can serve any end. Strauss infers that peace at all cost is only possible when the question of the meaning of human life, the question of the *right* way of life, is no longer raised in all seriousness. If this question is asked seriously, though, the life-and-death quarrel will be ignited. Hence, Strauss concludes, "the political – the grouping of humanity into friends and enemies – owes its legitimation to the seriousness of the question of what is right" (NCP 118).

However, he notes, Schmitt does not openly acknowledge this affirmation of the seriousness of the moral question, of the question what is right. Strauss offers as explanation that in order to *defeat* liberalism, Schmitt was bound to *start from* the strongest contemporary opinion, which is the *liberal* conception of morality. Liberalism understands morality primarily as private preference or demand instead of trans-private obligation or duty. Insofar as Schmitt remains tied to the same conception of morality as his opponent, then, he has to *conceal* the moral character of his own affirmation of the political and instead present the political as an ineradicable *necessity*. However, Strauss argues, the affirmation of the political in disregard of the moral would mean nothing more than an affirmation of *struggle as such*, regardless of *what is struggled for*:

> He who affirms the political as such respects all who want to fight; he is just as *tolerant* as the liberals – but with the opposite intention: whereas the liberal respects and tolerates all "*honest*" convictions so long as they merely acknowledge the legal order, *peace*, as sacrosanct, he who affirms the political as such respects and tolerates all "*serious*" convictions, that is, all decisions oriented to the possibility of *war*. Thus the affirmation of the political as such turns out to be a liberalism with the opposite polarity [emphasis in original].[231]

According to Strauss, then, Schmitt is *incapable* of recovering political authority or rule [*Herrschaft*] *insofar as* his affirmation of "the political" – of struggle at all cost – remains polemically tied to the affirmation of tolerance – of peace at all cost – by its liberal opponent.

Strauss argues, therefore, that Schmitt's polemic against liberalism can only be his "first word": it is meant to clear the field between "the spirit of technology", the "mass faith that inspires an antireligious, this-worldly activism",

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[230] Strauss refers to Plato, *Euthypro*, 7bd, in which Socrates suggests that differences about number, size or weight are capable of being resolved by having recourse to measurements, whereas he asks about the just and the unjust, the beautiful and the ugly, the good and the bad: "Are these not the subjects of difference about which, when we are unable to come to a satisfactory decision, you and I and other men become hostile to each other whenever we do?" Strauss also refers to Plato, *Phaedrus*, 263a, which contains a similar passage.
[231] NCP 120.

and an opposite faith which seems as yet to have no name.[232] According to Strauss, Schmitt's "last word" does not consist in the battle against liberalism, but in "the order of the human things".[233]

Strauss claims that Schmitt's entanglement in the polemic against liberalism is the necessary result of his thesis that "all concepts of the spiritual sphere … are to be understood only in terms of concrete political existence" and that all political concepts have a polemical meaning.[234] He notes, though, that Schmitt effectively *contradicts* this principle when he opposes his unpolemical concept of the state of nature to Hobbes's polemical concept of the state of nature, and that he even *rejects* this principle when he states that the order of human things is to be expected from a "pure and whole knowledge". Schmitt concludes his text with the following words from Virgil's *Fourth Eclogue*: "*ab integro nascitur ordo*" / "order is born from what is pure and whole".[235] According to Strauss, the best political order cannot come into being out of *polemical* knowledge, but only out of *genuine* knowledge:[236]

> For a pure and whole knowledge [*ein integres Wissen*] is never, unless by accident, polemical, and a pure and whole knowledge cannot be gained "from concrete political existence, from the situation of the age," but only by means of a return to the origin, to "undamaged, noncorrupt nature". (NCP 122)

Heinrich Meier has argued that Schmitt and Strauss find the *source* for a recovery of this moral seriousness in different, even *opposing* directions. He states that Strauss clearly finds it in a return to classical political *philosophy*, which strives for genuine knowledge of nature, whereas Schmitt finds the spirit and faith which seemed to have no name in a return to revealed political *theology*, as the topical reference to Virgil's *Eclogues* would seem to indicate.[237] Whereas philosophy lives in the seriousness of the *question* of the right way of life, religion lives in the seriousness of the divine *answer* to the question of the right way of life. In other

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[232] NCP 121.

[233] NCP 121.

[234] Schmitt, *The Concept of the Political*, 84.

[235] Ibid., 96. The complete line from Virgil's *Fourth Eclogue* runs as follows: "Magnus ab integro saeclorum nascitur ordo."

[236] Cf. Strauss, letter to Gerhard Krüger, 19 August 1932, in: Strauss, *Gesammelte Schriften*, vol. 3, 399: "im Gegensatz zu der Verständigung um jeden Preis ist der Streit wahrer; das letzte Wort kann aber nur der Friede, d.h. die Verständigung in der Wahrheit, sein. Dass diese Verständigung der Vernunft möglich sei – firmitur credo." Strauss suggests that *struggle* is "truer" than agreement at all cost because its concomitant conviction that one is in the right implies that it is at least *possible* to know the truth. See CM 111: "every act of human spiritedness seems to include a sense that one is in the right."

[237] Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue*, 60-71, 65n70. Meier interprets Schmitt's use of Virgil's words from the *Fourth Eclogue*, 5 as a signal of his underlying belief in divine providence. See also Meier, *Die Lehre Carl Schmitts*, 256: "Sosehr sich die geschichtlichen Lagen ändern, auf die Schmitt mit seinem »blinden Vorgebot« unmittelbar antwortet, sowenig ändert sich sein Glaube, daß die göttliche Vorsehung die Geschichte regiert."

words, whereas in the case of philosophy, "moral evil" consists in a lack of *knowledge* – "virtue is knowledge" is the Socratic dictum – in the case of revealed religion, moral evil consists in a lack of *obedience* to divine authority.

Nevertheless, it should be noted that a difference in understanding of the source of the *raison d'être* of the political does not yet imply a difference in understanding of what the political *in itself* – political life, the political world from the perspective of the citizen – *looks* like. As we have seen, Strauss stated that the opposition between authoritarian and anarchist theories of the political is more fundamental than that between bellicose nationalism and pacifist internationalism. In a letter to Schmitt which he presents as a follow-up to his review, Strauss explains how they are connected:

> … because man is by nature evil, he therefore needs rule [*Herrschaft*]. But rule can be established, that is, men can be unified, only in a unity [*Einheit*] *against* – against other men. Every association [*Zusammenschluss*] of men is necessarily a separation [*Abschluss*] from other men. The tendency to separate [*Abschliesungstendenz*] (and therewith the grouping of humanity into friends and enemies) is given with human nature; it is in this sense *the* fate [*das* Schicksal] [emphasis in original].[238]

In other words, Strauss suggests that the co-existence of political unities that are characterized by mutual "closure" and the possibility of the friend-enemy conflict is according to *nature*. In the same letter, he notes that Schmitt's opening thesis that the concept of the state "presupposes" the concept of the political is in fact ambiguous.[239] Pointing to the etymological affinity between the word "political" and the Greek word *polis*, Strauss claims that the political should not be understood as the constituting principle of the modern state, but rather as its *condition*.[240] Eight years later, in a letter to Karl Löwith, Strauss would explicitly express his belief in the truth of the classical understanding of the political:

> I *truly* believe, although it apparently appears as fantastic to you, that the perfect political order, as Plato and Aristotle have sketched it, *is* the perfect political order. Or do you believe in a world state? If it is true that real unity [*Einheit*] is only possible through knowledge of the truth or through searching for the truth, then a real unity of all human beings can only exist on the basis of the popularized, final teaching [*Lehre*] of philosophy (which is of course unavailable), or if all human beings would be philosophers (and not D.Phil. etc.) (which is not the case either).

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[238] Strauss, letter to Carl Schmitt, 4 September 1932, 125.

[239] Schmitt, *The Concept of the Political*, 19.

[240] Strauss, letter to Carl Schmitt, 4 September 1932, 125. In other words, the most "natural" form of "the political" – understood as the inevitable existence of mutually exclusive friend-enemy groupings – is not the modern "state", but the Greek *polis*, a term which Strauss translates as "city" or "civil society".

> Hence there can only be closed societies, i.e. states [emphasis in original].[241]

Strauss makes explicit here the classical assumption that *unity* of all men on the basis of knowledge of the truth or searching for the truth is *impossible*, because by nature not all human beings are or will become philosophers. Since it is the case that not all human beings are capable of realizing that "virtue is knowledge", therefore, the world *cannot* be united in "pure and whole" [*integer*] knowledge. If "real" unity on the basis of *philosophy* – the highest use of reason [*logos*] – is impossible, political unity on the basis of *polemics* – "spiritedness" [*thumos*] – seems to be the only alternative.[242]

We may conclude, therefore, that Strauss *agrees* with Schmitt in regarding the possibility of the friend-enemy conflict as central to the political experience.[243] Although the source of the *raison d'être* of the political may be different in the case of Schmitt and Strauss – viz. the *moral seriousness* gained by religion (versus unbelief) and by philosophy (versus ignorance), respectively – their *description* of the political is much the same. For Strauss just as much as for Schmitt, "the fact of the political" consists in the division of mankind into friend-enemy groupings or "closed societies". Each of these political communities is characterized by the exercise of *rule* [*Herrschaft*, *archè*] and by its concomitant enforcement of the *law* [*Gesetz*, *nomos*], which implies the inescapable presence of a trans-private *obligation* on its individual subjects, existing in the obligation to sacrifice their individual lives in case of war, that is, in the extreme situation.

3.4. THE FOUNDATIONS OF MODERN POLITICAL PHILOSOPHY: MACHIAVELLI AND HOBBES

After our reconstruction of Strauss's preliminary recovery of "the fact of the political", we now proceed to our second question: to what extent does he leave any room for normative guidance within the political world, or for what he calls "thoughtful" political action?[244]

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[241] Strauss, letter to Karl Löwith, 15 August 1946, in: Strauss, *Gesammelte Schriften*, vol. 3, 662 (translation my own).

[242] Cf. CM 111: "the city … separates itself from others by opposing or resisting them; the opposition of 'We and They' is essential to the political association."

[243] Sympathizers with Strauss deny that this is the case. See e.g. Smith, *Reading Leo Strauss*, 196: "Strauss hardly accepted a Schmittean view of the political universe as divided into mutually hostile camps of friend and enemy."; 188-189; and Zuckert & Zuckert, *The Truth about Leo Strauss*, 192: "according to Strauss, the political is not defined or constituted by the friend-enemy-distinction." Finally, Shell, in her article 'Taking Evil Seriously: Schmitt's "Concept of the Political" and Strauss's "True Politics"', also claims that Schmitt and Strauss "differ fundamentally … in their understanding what politics is" (ibid., 185). Even so, she points to the difference between Schmitt's affirmation of human dangerousness and Strauss's affirmation of human evil as sources of dominion, while she is silent about the question of the extent to which the friend-enemy distinction plays a role in the conceptions of the politicalof both of them..

[244] NRH 127.

On the basis of the analysis so far, we seem to be left with only two options: (i) either Strauss's philosophical *turning away* from politics – which seems to leave us without any rational standards *within political life*; (ii) or Schmitt's "decisionist" (or "existentialist") *immersion* in politics – which seem to leave us without any *rational standards* within political life. We thus seem to be caught between Socrates' "true politics", which uses "dialectical" conversation to find unity in genuine knowledge of the truth, and Schmitt's "great politics", which takes decisions demanded by the concrete existential situation, especially the state of exception, in which unity and sovereign rule are established by polemically closing off one's own political community against another. While political life is incapable of fulfilling the goal of philosophic life, the goal of political life itself coincides entirely with the self-preservation of the political community. In either case, it seems there is not much to hope for within political life.

As we demonstrate, however, in fact Strauss *does* suggest the possibility of a politics *between* philosophy and polemics, which we reconstruct on the basis of his account of "classic natural right", especially its Platonic and Aristotelian variants, in chapter IV of *Natural Right and History*. Just as in the case of his classical "theory" of politics, Strauss's classical "theory" of "thoughtful" political action or of "prudence" [*phronèsis*] takes shape in dialogue with Schmitt's "existentialism", although less conspicuously so. In addition, it is to be understood as a response to what he calls the "doctrinaire" character of *modern* political philosophy. Strauss concludes his Schmitt review by formulating the task of achieving an adequate understanding of Hobbes, or of the horizon within which the foundation of liberalism was completed.[245] In accordance with this aim, Strauss published a book called *The Political Philosophy of Hobbes* (1936). As he would only later discover that Hobbes was decisively influenced by Machiavelli, for a full understanding of Strauss's thinking on Hobbes we turn to Chapter V.A. of *Natural Right and History* (1953).

As the first section of this chapter briefly explained, Strauss regards Machiavelli as the "founder" of modern political philosophy, because he decided to break with classical political philosophy, which had taken its bearings by how human beings *ought to* live, and had argued that in answering the question of the right political order we should instead take our bearings by how human beings *actually* live. According to Strauss, Machiavelli replaced the highest virtue, that is, the virtue of philosophical life, by merely political virtue, or patriotism. By thus lowering the standard of the right political order, the probability of its realization is increased, or, stated otherwise, its actualization has become less dependent on *chance*. In order to conquer chance, Machiavelli in fact decided to take his bearings

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[245] NCP 122: "The critique introduced by Schmitt against liberalism can … be completed only if one succeeds in gaining a horizon beyond liberalism. In such a horizon Hobbes completed the foundation of liberalism. A radical critique of liberalism is thus possible only on the basis of an adequate understanding of Hobbes. To show what can be learned from Schmitt in order to achieve that urgent task was therefore the principle intention of our notes."

not so much by how human beings actually live as by how they live in the *extreme case*, i.e. in the state of *necessity*.[246]

Strauss tells us that Hobbes, in turn, attempted to *restore* the moral principles of politics, i.e. the "natural law". However, he did so on the plane of Machiavelli's "realism": in order to *guarantee* the actualization of the right political order, *certainty* is needed about the nature of the right political order and about the conditions of its actualization. Accordingly, Hobbes attempted to *deduce* the natural law, not from an idea of human excellence or virtue, but from the most powerful of all human passions, which is fear of violent death,[247] or, as Strauss had put it in his earlier book: "death – being the *summum malum*, while there is no *summum bonum* – is the only absolute standard by reference to which man may coherently order his life".[248] Fear of violent death, in turn, is the expression of the desire for self-preservation. Hence, all moral laws or *duties* are derived from this one fundamental and inalienable *right* to self-preservation. Strauss concludes, therefore:

> If we may call liberalism that political doctrine which regards as the fundamental political fact the rights, as distinguished from the duties, of man and which identifies the function of the state with the protection or the safeguarding of those rights, we must say that the founder of liberalism was Hobbes. (NRH 181-182)

Stated differently, Hobbes conceives of the human individual not as a being who is social or political by nature [*zoion politikon*], but as a being who is already complete by nature, i.e. within the *status naturalis*, *independently* of civil society, i.e. the *status civilis*. Thus, Strauss claims, Hobbes defends an uncompromising form of *individualism*. As a result, if everyone has an equal right, everyone is by nature the judge of what are the right means to his self-preservation. Strauss claims that only on this premise does the *problem* of sovereignty arise. If the question "who should rule?" cannot be decided by *reason*, someone or some group of people should be made sovereign by *will*, which implies that consent takes precedence over wisdom.[249]

According to Strauss, the doctrine of "natural public law", which emerged in the seventeenth century, replaced the concern for "the best regime" with a concern for "legitimate government".[250] Classical political philosophy had insisted on the *difference* between the one *best* regime – which exists "in speech" only – and the various *legitimate* regimes – which may be realized "in deed". In the case of the modern doctrine of natural public law, Strauss indicates, this difference disappears:

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[246] NRH 177-179.
[247] NRH 179-181.
[248] Strauss, *The Political Philosophy of Hobbes*, 16.
[249] NRH 186.
[250] NRH 191.

Natural public law, we may say, replaces the idea of the best regime, which does not supply, and is not meant to supply, an answer to the question of what is the just order here and now, by the idea of the just social order which answers the basic practical question once and for all, i.e., regardless of place and time. Natural public law intends to give such a universally valid solution to the political problem as is meant to be universally applicable in practice. (NRH 191)

As a consequence of the claim that political *theory* has already solved the essentially *practical* problem of what order is just here and now, there is no longer any need for statesmanship *as distinguished from* political theory. Strauss calls this type of thinking "doctrinairism",[251] while failing to mention his indebtedness to Schmitt in this regard, who had used this term in a similar way in his *Constitutional Theory* (1928).[252] Strauss claims that, from the seventeenth century on, "the sensible flexibility of classical political philosophy gave way to fanatical rigidity", as a result of which "the political philosopher became more and more indistinguishable from the partisan" (NRH 192). In addition, he claims that from the viewpoint of natural public law, what is needed to establish the right political order is less "the formation of character" than "the devising of the right kind of institutions" (NRH 193).

When we now choose to interpret Popper's political philosophy against the background of Strauss's sketch of modern political philosophy, he turns out to fit very well within the profile. As we have seen, Popper abandons the "utopian" question of "the ideal state", claiming that there is only *one* legitimate form of government: democracy. Moreover, he claims that the fundamental political problem has been "solved" by the demand that there is *one* single value that may serve as the goal of politics: the reduction of avoidable human suffering, being the *summum malum*. Finally, the only political problems left are mere "technological" ones, capable of being solved by "social engineering", that is, by the design and reform of social *institutions* which serve as efficiently and effectively as possible the realization of an aim that has already been established.

Strauss continues his account of Hobbes by stating that the historical thought of the nineteenth century has tried "to recover for statesmanship that latitude which natural public law had so severely restricted" (NRH 192). However, he notes, "since that historical thought was absolutely under the spell of modern "realism", it succeeded in destroying natural public law only by destroying in the

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[251] Strauss uses the term in NRH, 192, 277, 303, 319, 321.
[252] Carl Schmitt speaks in his *Constitutional Theory*, 63 of "doctrinaires" as a group of nineteenth-century French liberal legal thinkers who regarded the "constitution" [*Verfassung*] as the seat of "sovereignty". In a broader sense, his use of the term can be understood to refer to the thesis that not men but laws are sovereign. Schmitt claims that the "doctrinaires" circumvent "the actual political question", i.e. the question "who should rule?" (viz. the people or the prince) (ibid., 63). While Schmitt speaks about a specific group of *legal* thinkers, Strauss notes that "lawyers are altogether a class by themselves" (NRH 192), thereby suggesting that legal thinkers are "doctrinaires" by profession. Strauss claims, however, that "doctrinairism" was introduced within *political philosophy* in the seventeenth century.

process all moral principles of politics" (NRH 192). As we have seen above, Strauss contends that historical thought culminated in "radical historicism" or "existentialism", [253] a position which he associates with Nietzsche and more especially with Heidegger.[254] Although he does not mention Schmitt explicitly, it is clear that he must have had him in mind as well, since he explicitly adopts an "existentialist" stance, both in his *The Concept of the Political* and his *Constitutional Theory*.[255]

Finally, I point to the following lines from the last chapter of *Natural Right and History*, which may serve as conclusion to Strauss's account of "the moderns":

> "Doctrinairism" and "existentialism" appear to us as the two faulty extremes. While being opposed to each other, they agree with each other in the decisive respect – they agree in ignoring prudence, "the god of this lower world." Prudence and "this lower world" cannot be seen properly without some knowledge of "the higher world" – without genuine *theoria*. (NRH 321)

In sum, both Schmitt's "existentialism" and Strauss's attempt at a recovery of the *bios theōrētikos* are to be understood as responses to modern political philosophy's "doctrinaire" (con)fusion of philosophy and politics. However, whereas Schmitt's position leaves us without any moral standards within political life, Strauss's recovery of philosophical life, or the pursuit of purely theoretical wisdom [*sophia*], which may at first appear to be an *escape* from political life, in fact serves as *prerequisite* for the recovery of "thoughtful" political action, or for the practical wisdom [*phronèsis*] of the statesman, to the reconstruction of which we now turn.[256]

3.5. THE RECOVERY OF CLASSICAL POLITICAL PHILOSOPHY: PLATO AND ARISTOTLE

We now turn to Strauss's account of classical political philosophy, or more specifically, to his reconstruction of the classic account of "natural right",[257] i.e., of the "best regime", which he offers in Chapter IV of *Natural Right and History*. As has already been stated, in the end this book is meant as an attempt to *understand*

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[253] NRH, chapter 1. He uses the term "existentialism" in NRH 32, 321.

[254] NRH 320.

[255] Schmitt, *Constitutional Theory*, 64: "The fact is a constitution is valid because it derives from a constitution-making capacity (power or authority) and is established by the will of this constitution-making power. In contrast to mere norms, the word "will" denotes an actually existing power as the origin of command. The will is existentially present; its power or authority lies in its being. A *norm* can be valid because it is *correct*. The logical conclusion, reached systematically, is natural law, not the positive constitution. The alternative is that a norm is valid because it is positively established, in other words, by virtue of an existing *will*."

[256] Cf. Strauss, letter to Karl Löwith, 2 February 1933, in: idem, *Gesammelte Schriften*, vol. 3, 620: "Es fragt sich also: ob man bei der *Antithese* Tapferkeit-Wissen stehenbleiben muss."

[257] NRH 93: "This precisely is the basic controversy in political philosophy: Is there any natural right?"

the *problem* of "natural right" (the question whether such a thing as natural right exists) and the *alternative* solutions to it,[258] most notably conventionalism (which denies the existence of natural right, claiming that all right is of human origin) and the classic natural right teaching (which affirms the existence of natural right). However, the book suggests a strong preference for the latter solution, not only against contemporary relativism, positivist and historicist,[259] but also against classical conventionalism. Our account of Strauss's answer to "doctrinairism" and "existentialism" is therefore based on the classic natural-right teaching.

It is important to note that Strauss's recovery of "natural right" [*phusei dikaion*] should not be confused with a recovery of "natural law". He notes that in light of the classical distinction between "nature" [*phusis*] and "law" [*nomos*], "natural law" [*nomos tēs phuseōs*] is a contradiction in terms rather than a matter of course.[260] Hence, the notion of "natural right" is to be distinguished from the Thomistic teaching on natural law. Strauss argues that if the best regime is the City of God, or if the cessation of evil is brought about by God's supernatural intervention, the *question* of the best regime loses its crucial significance: "The notion of God as lawgiver takes on a certainty and definiteness which it never possessed in classical philosophy" (NRH 144). Moreover, the notion of "natural right" should also be distinguished from the modern notion of "natural public law", of which we have seen in the previous section that its certainty is "scientifically" deduced from human nature, i.e., from the universal desire for individual self-preservation.[261]

In contrast to these "natural law" doctrines, Strauss notes, the classic natural right teaching is "political" in nature: it consists in the construction "in speech" of the best regime. It holds that the definite character of the virtues, and hence of the virtue of justice, cannot be *deduced* from human nature. After all, Strauss argues, the idea of man is not problematic in the same way as the idea of justice: "there is hardly disagreement as to whether a given being is a man, whereas there is habitual disagreement in regard to things just and noble" (NRH 145). As virtue exists in most cases as an object of aspiration rather than fulfillment, it exists "in speech" rather than "in deed". Therefore, Strauss argues, the proper starting point for the study of the virtues is what is *said* about them, i.e. opinions about justice. Against the claim of *positivism,* that the existence of natural right is refuted by the actual existence of a variety of opinions about justice, Strauss suggests that this would only be the case if *actual* consent of all men in regard to the principles of right were required, whereas in fact only *potential* consent is required.[262] The

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[258] See NRH 6: "Let us beware of the danger of pursuing a Socratic goal with the means, and the temper, of Thrasymachus." Cf. Kennington, 'Strauss's Natural Right and History', 67; Tanguay, *Leo Strauss: An Intellectual Biography*, 123.

[259] NRH vii: "Nothing that I have learned has shaken my inclination to prefer "natural right," especially in its classic form, to the reigning relativism, positivist or historicist."

[260] Strauss, 'On Natural Law', 138. Cf. NRH 90. See also Tanguay, *Leo Strauss: An Intellectual Biography*, 118.

[261] NRH 181.

[262] NRH 125.

replacement of mere opinions [*doxai*] by true knowledge [*epistēmē*] about natural right is sought for in philosophical conversation. Yet there is no guarantee that it "will ever legitimately go beyond the stage of discussion or disputation and will ever reach the stage of decision" (NRH 125).

In fulfillment of the aim of this chapter, we reconstruct the description of the essence of the political and the prescriptions for the thoughtful guidance of political action as they are manifest in Strauss's account of classic natural right. We first turn to his account of the classic teaching of natural right in general, after which we focus on his treatment of what he calls "the Socratic-Platonic-Stoic" and the "Aristotelian" subtypes, respectively.[263] In each case, we take an effort at *thinking along* with Strauss in the direction he points, paying specific attention to his uses of the word "political" and related terms.

3.5.1. CLASSIC NATURAL RIGHT AND THE RECOVERY OF THE POLITICAL

Against conventionalism, which identifies the good with the pleasant, the classical natural-right thinkers hold that the good is higher than the pleasant. They claim that every being possesses a natural order of wants, which is determined by the natural constitution, or the "what" of the being concerned. A being is good if it does well the work that corresponds with its nature. Hence, a good human life consists in the perfection of human nature, i.e. in excellence or virtue.[264] Strauss suggests that "the rules circumscribing the general character of the good life" may be called "natural law" (NRH 127). By putting the latter term between quotation marks he reminds us that the actual *decision* in favor of a specific "natural law" always remains a matter of (contestable) speech about "ideas" rather than (certain) deduction from "facts" or divine revelation.

According to the classics, man distinguishes himself from the brutes in the *first* place by his possession of "speech or reason or understanding" (NRH 127) [*zoion logon echon*]. The proper work of man thus consists in "living thoughtfully", i.e. in "understanding" (especially *philosophical* understanding) and in "thoughtful action" (especially thoughtful *political* action) (NRH 127). Man distinguishes himself in the *second* place because he is by nature a social being [*zoion politikon*]. Since speech is communication, man is social in a more radical sense than any other social animal: "Man refers himself to others, or rather he is referred to others, in every human act, regardless of whether he is 'social' or 'antisocial'" (NRH 129). Hence, Strauss explains, implicitly arguing against Hobbes, man's sociality does not proceed from a calculation of the pleasures or benefits he expects from association, but he derives pleasures from association because he is by nature social. He adds:

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[263] For reasons just indicated, we will leave the third type – Thomistic natural right (NRH 163-164) – out of consideration.
[264] NRH 128.

> By virtue of his rationality, man has a latitude of alternatives such as no
> other earthly being has. The sense of this latitude, of this freedom, is
> accompanied by a sense that the full and unrestrained exercise of that
> freedom is not right. Man's freedom is accompanied by a sacred awe, by
> a kind of divination that not everything is permitted. (NRH 130)

In other words, and again in contrast with Hobbes, restraint is as natural as
freedom. Moreover, Strauss argues, since restraint must sometimes be *coercive* to
be effective, "rule" or "power" [*archè, Herrschaft*] is as such not against nature,
nor is it in itself an "evil".[265]

Since man is a social being, Strauss adds, he can only reach perfection in
society, i.e. in a specific kind of society called "civil society" or "city" [*polis*]. This
is a closed society as well as a small society, for, Strauss explains, the classics
believed that freedom requires trust, and that trust presupposes a certain degree of
acquaintance. They also believed that man's capacity for "love" or "active
concern" is limited. Furthermore, he goes on to explain, the classics believed that
political freedom, especially that which justifies itself by the pursuit of human
excellence, becomes actual only through the effort of many generations. Hence, the
chance that all human societies should be capable of achieving it is very small. In
the following passage, Strauss implicitly takes up his discussion with Schmitt about
the possibility of a "world-state", or, with implicit reference to Popper, an "open
society":

> An open or all-comprehensive society would consist of many societies
> which are on vastly different levels of political maturity, and the chances
> are overwhelming that the lower societies would drag down the higher
> ones. An open or all-comprehensive society will exist on a lower level of
> humanity than a closed society, which, through generations, has made a
> supreme effort toward human perfection. The prospects for the existence
> of a good society are therefore greater if there is a multitude of
> independent societies than if there is only one independent society. If the
> society in which man can reach the perfection of his nature is necessarily
> a closed society, the distinction of the human race into a number of
> independent groups is according to nature. (NRH 132)

We may now therefore conclude that according to Strauss's preferred classical
position, the justification for the existence of "closed societies" rather than an
"open society" consists not in the ineradicable possibility of *war*, but in its being
the best condition for the realization of human excellence.

Moreover, Strauss claims, the classics believed that the full actualization of
humanity consists not in passive citizenship but in "the properly directed activity of
the statesman, the legislator, or the founder" (NRH 133). He states that "political
greatness" manifests itself in the pursuit of "mankind's great objects", viz.
"freedom" [*eleutheria, Freiheit*] (i.e. independence from other cities) and "empire"

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[265] NRH 130, 132-133.

[*archè, Herrschaft*] (i.e. hegemonic or even imperial power over other cities).[266] These are *conditions* of happiness, Strauss claims, while reminding us that happiness consists in human excellence. Since political activity is then properly directed toward human virtue, the end of the city and of the individual is ultimately the same: "the end of the city is peaceful activity in accordance with the dignity of man, and not war and conquest" (NRH 134).

As mentioned already, according to the classics the question of natural right coincides with the question of the best regime. For the classics, Strauss explains, the fundamental social fact is the regime, and not "culture" or "civilization".[267] In order to reach excellence, the classics believed, man must live in the best kind of society, i.e., in the city [*polis*] *par excellence*, which they called *politeia*. Strauss translates this term as "regime" rather than "constitution", for it does not refer to a legal phenomenon but rather to the *source* of the laws, or to "the factual distribution of power within the community" rather than to "what constitutional law stipulates in regard to political power" (NRH 136). In implicit agreement with the descriptive part of Schmitt's existentialism, Strauss claims: "No law, and hence no constitution, can be the fundamental political fact, because all laws depend on human beings" (NRH 136). He defines the "regime" as the "way of life" of a community as it is essentially determined by its "form of government" (NRH 136):

> The character, or tone, of a society depends on what the society regards as most respectable or most worthy of admiration. But by regarding certain habits or attitudes as most respectable, a society admits the superiority, the superior dignity, of those human beings who most perfectly embody the habits or attitudes in question. That is to say, every society regards a specific human type (or a specific mixture of human types) as authoritative. … In order to be truly authoritative, the human beings who embody the admired habits or attitudes must have the decisive say within the community in broad daylight: they must form the regime. (NRH 137)

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[266] NRH 134. As he makes clear in his footnote (NRH134n13), Strauss derives these terms from Thucydides, *The Peloponnesian War*, III, 45.6. Strauss appeals to the same passage in CM 239, where he emphasizes that cities are unequal in power, which leads to the consequence that "the most powerful cities cannot help being hegemonial or even imperial". He claims: "The city is neither self-sufficient nor is it essentially a part of a good or just order comprising many or all cities. The lack of order which necessarily characterizes the "society" of the cities or, in other words, the omnipresence of War puts a much lower ceiling on the highest aspiration of any city toward justice and virtue than classical philosophy might seem to have admitted. … For the city which is not on the verge of civil war or in it, the most important questions concern its relations with other cities. Not without reason does Thucydides make his Diodotus call freedom (i.e. freedom from foreign domination) and empire "the greatest things" (Thucydides, *The Peloponnesian War*, III 45.6)." Cf. the following two lines from the Prologue of Friedrich Schiller's *Wallenstein*, to which Strauss refers in 'Cohen und Maimuni', 406: "Und um der Menschheit grosse Gegenstände / Um Herrschaft und um Freiheit wird gerungen".
[267] NRH 137-138.

Strauss explains that the classics' answer to the question of the best regime is that the wise should rule. Although they were convinced that the best regime in this sense is desirable (it is the object of "wish" or "prayer" by all good men or "gentlemen") and possible (it is according to nature), they knew that its realization is highly unlikely: it depends on *chance*. As the best regime is possible only under the most favorable conditions, it is only legitimate under those conditions. Under less favorable conditions only less perfect regimes are possible and legitimate. Because the wise cannot rule the many unwise by force, the wise must be recognized by the unwise and be freely obeyed because of their wisdom. However, the ability of the wise to persuade the unwise is naturally extremely limited. In fact, Strauss says:

> What is more likely to happen is that an unwise man, appealing to the natural right of wisdom and catering to the lowest desires of the many, will persuade the multitude of his right: the prospects for tyranny are brighter than those for rule of the wise. This being the case, the natural right of the wise must be questioned, and the indispensable requirement for wisdom must be qualified by the requirement for consent. The political problem consists in reconciling the requirement for wisdom with the requirement for consent. (NRH 141)

More concretely, what ought to happen according to the classics is that a *wise legislator* frames a code which is then freely adopted by the citizens. That code should be as little subject to change as possible: "the rule of law is to take the place of the rule of men, however wise" (NRH 141). The equitable administration of the law as well as the "completion" of the law in light of situations that were not foreseen by the lawgiver should be entrusted to a specific type of men, called "gentlemen". Strauss describes the "gentleman" [*kalokagathos*] as "the political reflection, or imitation, of the wise man",[268] for, like the wise, he is experienced in "noble" things and he "looks down" on many things that are esteemed by common men, but unlike the wise he has a "noble" contempt for *exactness* (NRH 142). In sum, since the best regime – the rule of the wise – is not available, the practically best regime exists in the rule, under law, of gentlemen, or, as Strauss calls it, the "mixed regime".

On the basis of our reconstruction of Strauss's account of classic natural right, we have found the following picture of the political. In his Schmitt review, Strauss claims that the *justification* for the existence of "closed societies" consists in the question of the right way of life. In classical political philosophy this question coincides with the question of natural right or the best regime. The construction "in speech" of the best regime, which consists in the rule of the wise, shows that it is not available "in deed", i.e., that it is not available as a *political* solution, the underlying premises being that not all human beings are or are capable of becoming philosophers and that the "natural" rift between "the few" and "the

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[268] Plato, *Statesman,* 293e ff.

many" cannot be healed. Strauss's picture of "political greatness" in fact coincides with Schmitt's identification of it with the safeguarding of the independence and power of separate friend-enemy groupings or "closed societies", the difference being that Schmitt *reduces* their aim to the urgent goal of self-preservation or physical existence only, while Strauss considers this goal as the *condition* for and as *justified* by the higher goal of self-improvement or human excellence.[269]

Having completed our reconstruction of Strauss's classical understanding of the nature of the political, which he began to develop in his Schmitt review, we now turn to a more precise determination of the possibility for normative *guidance* for political action as presented in his accounts of two subtypes of classic natural right that he distinguishes, viz. (i) the Socratic-Platonic-Stoic type; (i) the Aristotelian type. In the first case we focus on the Platonic elements only.[270] In both cases, the understanding of the political we reconstructed so far is presupposed without further justification. The difference between Plato and Aristotle consists in the fact that the former considers the political life with constant reference to the philosophic life. Since he considers the philosophic life as the only way of life which is by nature right, the city requires a "dilution" of natural right. By contrast, Aristotle treats natural right on the level of political right only.

3.5.2. THE PLATONIC PHILOSOPHER-LAWGIVER

What is characteristic of Plato is that he is continuously aware of the *tension* between the requirements of justice (i.e. of what is by nature just – in the end only the philosophic life is by nature right: "virtue is knowledge") and the requirements of the city (i.e. of what is just by law and according to "merely" moral or political virtue). Strauss notes that this tension is *not* relieved even in the best regime, i.e., a regime in which wise men are in absolute control, for it is still the regime [*politeia*] of a "city", or "civil society' [*polis*]:

> Civil society as closed society necessarily implies that there is more than one civil society, and therewith that war is possible. Civil society must therefore foster warlike habits. But these habits are at variance with the requirements of justice. If people are engaged in war, they are concerned with victory and not with assigning to the enemy what an impartial and discerning judge would consider beneficial to the enemy. (NRH 149)

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[269] Cf. CM 6: "for the foreseeable future, political society remains what it always has been: a partial or particular society whose most urgent and primary task is its self-preservation and whose highest task is its self-improvement."

[270] As Tanguay explains, in Strauss's view the Stoic doctrine differed from the teaching of Plato (and Aristotle) inasmuch as it relied on belief in a divine providence that sanctioned men's actions. It thus became the foundation of the natural law tradition which culminated in the Thomistic teaching. See Tanguay, *Leo Strauss: An Intellectual Biography*, 120. Cf. Strauss, 'On Natural Law', 141.

Whereas Plato suggests that the man who is simply just appears not to harm anyone, Strauss notes in implicit agreement with Schmitt that the city necessarily draws a distinction between "friends" and "enemies": "the just man is who does not harm, but loves, his friends or neighbors, i.e. his fellow-citizens, but who does harm or who hates his enemies, i.e. the foreigners who as such are at least potential enemies of his city" (NRH 149). According to Strauss, the city necessarily requires this type of justice, which he calls "citizen-morality" (NRH 149) and of which he claims elsewhere that it is akin to "spiritedness" [*thumos*].[271]

He adds that citizen-morality distinguishes between war and peace: deception of others in order to harm them is just in wartime, but not in peacetime. He notes, though, that the city cannot help but regard deception in order to harm other people as something that is *in itself* not something to be *admired*, i.e., not even in wartime. If the city wishes to resolve this tension, Strauss contends, some suggest that it must transform itself into a "world-state". However, he states without adding further justification, "no human being and no group of human beings can rule the whole human race justly" (NRH 149). Since a "world-state" is impossible, then, "the justice which is possible within the city, can be only imperfect or cannot be unquestionably good" (NRH 151).

As the first section of this chapter showed, there is at least one "solution" to the problem of justice that *transcends* the limits of political life, which consists in the life of the philosopher who strives for *wisdom* [*sophia*], i.e. knowledge of the eternal truth. As we have seen, the philosopher *ascends* from the city and he *looks down upon it* as a "cave".[272] So far, then, the Platonic natural right teaching does not seem to have much to offer in answer to our search for orientation and normative guidance *within* political life.

However, Strauss notes, Plato makes the philosopher *descend* back into the cave, both because of "the obvious dependence of the philosophic life on the city" and because of "the natural affection which men have for men, and especially for their kin, regardless of whether or not these men have "good natures" or are

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[271] CM 111, where Strauss also states: "the opposition of 'We and They' is essential to the political association."

[272] Cf. NRH 151: "If striving for knowledge of the eternal truth is the ultimate end of man, justice and moral virtue in general can be fully legitimated only by the fact that they are required for the sake of that ultimate end or that they are conditions of the philosophic life. From this point of view, the man who is merely just or moral without being a philosopher appears as a mutilated being. It thus becomes a question whether the moral or just man who is not a philosopher is simply superior to the nonphilosophic "erotic" man." See also Strauss's letter to Jacob Klein, 16 February 1939, in: Strauss, *Gesammelte Schriften*, vol. 3, 567, in which he claims that according to Xenophon just as according to the Platonic Socrates, morality [*Moral*] is "purely exoteric" and that in the Socratic circle *kalokagathia* – i.e. to be a "gentleman" – was in fact a term of abuse [*Schimpfwort*]. In the same letter, Strauss states that *thumos* is also "purely ironic": "Die unterscheidung zwischen [*epithumia*] und [*thumos*] ist nur exoterisch zulässig, und damit bricht "Glaukons" [*kallipolis*] zusammen." (ibid. 568). In other words, the distinction between the lower part of the soul (*epithumia*) and the middle part of the soul (*thumos*), which is essential to the perfect *polis*, is actually a "noble lie". Due to the unbridgeable gap between "non-philosophic" and "philosophical" *eros*, the perfect *polis* or best regime as it is wished for by the "gentleman" Glaucon will never be realized in practice.

potential philosophers" (NRH 152). He is thereby necessitated to "take care of the affairs of the city, whether in a direct or more remote manner" (NRH 152). By doing so, Strauss explains, the philosopher acknowledges that what is by nature "the highest" – viz. the philosophic life – is not the most "urgent" for man. When attempting to *guide* the city, the philosopher must "dilute" the requirements of wisdom with the requirements of the city. In other words, the city requires a "fundamental compromise" (NRH 152) between natural right, which is discerned by reason or understanding [*logos*], and conventional right, which is discerned by opinion [*doxa*] only:

> … the simply good, which is what is good by nature and which is radically distinct from the ancestral, must be transformed into the politically good, which is, as it were, the quotient of the simply good and the ancestral: the politically good is what "removes a vast mass of evil without shocking a vast mass of prejudice."[273] (NRH 153)

Only when we turn to his footnote to this passage do we get an indication of what Strauss has in mind when he speaks about the task of determining "the political good".[274] In it, he mentions two passages from Plato's *Republic*. *First*, he refers to *Republic* 414b-415d, which is about the "noble lie" that is to be told by philosopher-lawgivers to the rulers and citizens of the ideal city, which consists of two parts: (i) they are told that the city into which they were born is their "natural" city; (ii) they are told that the social class into which they were born is their "natural" class. *Secondly*, he refers to *Republic* 501a-c, in which the philosopher-lawgivers are presented as painters who are looking at the virtues on the one hand and at human reality on the other hand, trying to reproduce the former in the latter by a process of "mixing" and "diluting".

Note that both the notion of the "noble lie" and the notion of "dilution" imply that the philosopher-lawgiver is somehow in the position to assume a viewpoint that is cognitively superior to that of the citizens, who are the object of his knowledge and active intervention. However this may be, both notions remain rather *remote*, since they do not provide us with any *concrete* orientation for the "thoughtful" handling of political affairs. To that end, we now turn to Strauss's reconstruction of the natural right teaching of Aristotle, who, in contradistinction to Plato, treats natural right exclusively *within* the limits of political life.

3.5.3. THE ARISTOTELIAN STATESMAN

According to Strauss, Aristotle suggests in his *Nicomachean Ethics* that there is no need for the "dilution" of natural right. He treats human life in its own terms. Since man is by nature a social being [*zoion politikon*], a right that transcends political society cannot be a right natural to man. Insofar as Aristotle is concerned with the

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[273] Strauss took the quote from Macaulay, *The History of England*, 280.
[274] NRH 153n27.

guidance of human actions, then, he claims that natural right *coincides* with political right.[275]

In addition, Strauss notes, Aristotle claims that all natural right is *changeable*. Strauss suggests that this means that natural right consists not so much in general rules, but concrete decisions: "In every human conflict there exists the possibility of a just decision based on full consideration of all the circumstances, a decision demanded by the situation. Natural right consists of such decisions" (NRH 159). Strauss adds, though, that every individual decision implies general principles. Justice, or the common good, consists of two parts: (i) justice in the *normal* sense of the word, that is, in Aristotle's case, "distributive" and "commutative" justice; (ii) the demands of public safety, that is, everything that is needed for the mere existence, the mere survival and independence of a political community. According to Aristotle, only in *extreme* situations may considerations of public safety prevail over justice in the normal sense. Strauss adds that there is no principle that clearly defines when justice in the sense of public safety and when justice in the normal sense prevails, for it is impossible *exactly* to define what constitutes an extreme situation and what a normal one. However, he claims:

> What cannot be decided in advance by universal rules, what can be decided in the critical moment by the most competent and most conscientious statesman on the spot, can be made visible as just, in retrospect, to all; the objective discrimination between extreme actions which were just and extreme actions which were unjust is one of the noblest duties of the historian. (NRH 161)

In conclusion to his treatment of Aristotle, Strauss contrasts Aristotelian natural right with Machiavellianism, claiming that Machiavelli denies natural right because he takes his bearings from the *extreme* situation in which the demands of justice coincide with the requirements of *necessity*. By contrast, the Aristotelian statesman takes his bearings from the *normal* situation and by what is normally right, from which he reluctantly deviates *only* in order to serve "the cause of justice and humanity itself" (NRH 162).[276] Strauss adds that there is no way of expressing the difference between the two positions in *legal* terms, but its political importance is obvious. Strauss's "Aristotelian" reply to "Machiavellianism" may clearly also be read as a reply to Schmitt, who, as we have seen, also takes his bearings from the extreme situation.[277] Furthermore, Strauss claims, according to the classics the quality of the decisions taken is decisively determined by the character of the statesman concerned. They therefore believed that character formation, or the

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[275] This does not imply that Strauss denies that Aristotle considers the *philosophic life* as the highest way of life, nor that he also offers a theoretical *understanding* of political action.

[276] Machiavelli turned against a natural law that was based on revealed religion and that restricted the "latitude of statesmanship" (NRH 164) in dealing with moral and political matters. Strauss seems to believe that by turning to Aristotle instead, the "evil" consequences of Machiavellianism can be avoided. See Schall, 'A Latitude for Statesmanship? Strauss on St. Thomas', 132.

[277] Cf. Howse, 'From Legitimacy to Dictatorship – And Back Again', 80-81.

appropriate kind of moral education, is at least as important as devising the right kind of institutions.[278]

To conclude, whereas the "Platonic" kind of guidance to politics seems to remain rather general and relatively remote, the "Aristotelian" kind clearly offers a more elaborate framework for "normal" political decision-making and judgment.

3.5.4. THOUGHTFUL POLITICS BEYOND DOCTRINAIRISM AND EXISTENTIALISM

Strauss concludes his treatment of classic natural right by stating that what Plato and Aristotle have in common, despite the differences just indicated, is the acknowledgement that the demands of justice may vary in practice. As Strauss puts it, they avoided the Scylla of "absolutism" and the Charybdis of "relativism" by holding that there is a "universally valid hierarchy of ends", without there being any "universally valid rules of action" (NRH 162). Strauss explains:

> … when deciding what ought to be done, i.e., what ought to be done by this individual (or this individual group) here and now, one has to consider not only which of the various competing objectives is higher in rank but also which is most urgent in the circumstances. What is most urgent is legitimately preferred to what is less urgent, and the most urgent is in many cases lower in rank than the less urgent. But one cannot make a universal rule that urgency is a higher consideration than rank. For it is our duty to make the highest activity, as much as we can, the most urgent or the most needful thing. And the maximum of effort which can be expected necessarily varies from individual to individual." (NRH 162-163)

Strauss concludes that there are indeed universally valid standards, viz. the hierarchy of ends. However, he adds, whereas these standards are sufficient for passing *judgment* "on the level of nobility of individuals and groups and of actions and institutions" (NRH 163), it is insufficient for guiding our *actions*.

Thereby, Strauss's reconstruction of the classical position regarding the "thoughtful" guidance of politics appears to overcome the opposition between the "doctrinairist" demand of a *single* rational standard to be universally applied in practice on the one hand, and the "existentialist" denial of the existence of rational standards on the other. The recognition of the existence of a hierarchy of ends runs counter to the "existentialist" assumption that politics is entirely at the mercy of the "urgency" of saving the existence of a political community in the extreme case. On the other hand, the classical recognition that such a hierarchy of ends will never be sufficient to guide our actions agrees with the "existentialist" admission that practical decisions are in theory "undecidable", while it runs counter to the "doctrinairist" assumption that theoretically established standards are to be *immediately* applicable in practice. As the previous chapter showed, Popper mistakenly assumed that the classics demand that "the highest" or the *summum*

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[278] Ibid., 79. See, inter alia, NRH 193.

bonum was to be universally realized in practice. His own decision to adopt the admittedly lower and more "urgent" goal of the elimination of the *summum malum* of avoidable human suffering operates on the same assumption.

3.6. CONCLUSION

At the start of this chapter we stated that Strauss's "change of orientation" from modern political philosophy's culmination in positivism and historicism toward classical political philosophy is in the end to be understood as a rehabilitation of the philosophic life *over and above* the political life. As we have demonstrated, however, his recovery of philosophy in fact also *presupposes* a recovery of the political, against the oblivion of the distinct features and mutual opposition of *both* in modernity. Moreover, we demonstrated that his return to classic political philosophy also provides a framework for the normative guidance of political decisions and judgments.

We argued that Strauss's classical understanding of "the political" includes Schmitt's definition of the political in terms of the friend-enemy distinction: given that *war* is an ineradicable human possibility, political societies or "cities" [*poleis*], will always be *closed* societies, each of which upholds its own *law*, in the name of which it may demand the ultimate sacrifice – the death of individual citizens – in the extreme case. However, Strauss suggests, the *raison d'être* of political societies does not consist in the real possibility of war itself, but rather in the pursuit of *virtue* or excellence [*aretē*] by its citizens and the *peaceful* order or *law* [*nomos*] that is required for it, in the name of the *defense* of which it may indeed in some situations be necessary to wage war.

We also argued that Strauss's understanding of "classic natural right" offers the possibility of normative guidance of political action. Against the modern "doctrinairism" of Hobbes and others, which upholds a *single* normative standard – "natural public law" – which is to be universally applied in practice, it recognizes the possibility of formulating a *hierarchy* of ends, the application of which in concrete situations is to be interpreted by the individual lawgiver or statesman concerned. Against the ultramodern "existentialism" of Schmitt and others, which denies the existence of moral standards for political action other than that of *necessity* in concrete situations, it recognizes the possibility of formulating a *hierarchy* of ends which is still to be applied in concrete situations by the individual lawgiver or statesman concerned. Thus, Strauss's reconstruction of the classical position regarding the "thoughtful" guidance of politics does indeed provide us with a framework for political decision-making and judgment that moves *between* an escape from politics into *philosophy* on the one hand and a reduction of politics to *polemics* on the other.

Accordingly, Strauss claims, the classics believed that the "best regime" in theory or "in speech" consists in the rule of the wise, while the best regime in practice or "in deed" exists in a "mixed regime", i.e. the rule of gentlemen under a law drawn up by a wise lawgiver and then freely adopted by the citizens.

According to the "Platonic" natural right teaching, the guidance provided for the philosopher-lawgiver consists in the requirement of "diluting" natural right, i.e. what is right by nature, by conventional right, i.e. what is right by mere convention. According to "Aristotelian" natural right, the guidance provided for the statesman consists in the formulation of principles for "normal" politics, i.e. commutative and distributive justice, and of principles for "exceptional" politics, i.e. public safety. Which of these principles is to prevail is to be determined by the individual statesman on the spot, who should decide by taking his bearings from the normal situation wherever possible, and from the extreme situation only if absolutely necessary. The quality of his decisions is determined by the quality of his character, and hence by the moral education he received.

Strauss's "classical" account of the political and of thoughtful politics may of course be criticized, for example on the basis of Popper's critique of "naturalism". We may note that Strauss tends to picture the political figures of the lawgiver and the statesman as "imitations" of the philosopher, the validity of whose truth claims appeared to be derived from a *privileged* form of knowledge of "nature" that appears to be inaccessible to "the many" *by definition*. Hence, it seems that not all citizens are considered to be capable of asking whether a specific "natural law" formulating a "natural" hierarchy of ends in *answer* to the question of "natural right" and *in the name of which actual decisions are being made*, is in fact all that "natural". A similar model of a privileged form of cognition seems to underlie Strauss's suggestion of the possibility of a just decision based on a "full" consideration of "all" the circumstances" (NRH 159) and "objective" discrimination of just and unjust actions (NRH 161). What appears to be missing from Strauss's account, then, is a theory of *public* reason, i.e. of rational discussion – a giving-of-account in the spirit of a "Socratic" attitude of reasonableness – about political decisions and judgments among citizens who enter the public domain as political *equals*, each of whom is entitled to give his own point of view.

Be that as it may, it is too early to draw any definite conclusions about Strauss's classical "theory" of the political and about his classical "theory" of thoughtful political action, for at the beginning of this chapter we bracketed one consideration that is of crucial importance: his work is *in the final instance* not intended to provide an *answer*, to defend a body of *knowledge* – either a specific set of descriptive propositions about the nature of politics or a specific set of prescriptive propositions about the nature of "thoughtful" political action – but instead to raise *questions* and articulate problems and the alternative solutions to them in order that *we ourselves* start to philosophize, i.e. to use our very own freedom of thought. Hence, we must emphasize the *tentative* character of the "theories" we have reconstructed. In the introduction to *Natural Right and History* he claims that the *need* for natural right that has risen in reaction to the relativist consequences of positivism and historicism does not yet *prove* that this need can be satisfied: "A wish is not a fact. Even by proving that a certain view is indispensable for living well, one proves merely that the view in question is a salutary myth: one does not prove it to be true" (NRH 6).

We therefore need to shift our focus from Strauss's political philosophy in the sense of the philosophy of politics to his "political" philosophy in the "deeper" sense of the politics of philosophy, which manifests itself especially in his theory and practice of "the art of writing between the lines". As will be shown, this is the most prominent manifestation of the more "remote" guidance provided by the "Platonic" philosopher-lawgiver in the guise of telling "noble lies" or "salutary myths", which we mentioned above and the precise nature of which we have yet to determine.

Moreover, even when we assume that we have actually *succeeded* in reconstructing Strauss's preferred position here, we have not yet examined what seemed to fulfill a decisive role in political decision-making and judgment: the quality of the character of the statesman concerned. Since much seems to depend on the quality of the moral education he receives, we need to examine the nature of the education Strauss envisions and in fact practices in his own writing: learning through reading [*lesendes lernen*], i.e. the reading of texts that are written according to the "political" art of writing between the lines.

In order to complete our examination of Strauss's political philosophy, then, in the next chapter we focus on a reconstruction and critical examination of his theory and practice of "the art of writing between the lines", in which his theoretical self-consciousness of the political conditions of philosophy becomes manifest. We examine both its ontological and its hermeneutical assumptions. More specifically, we ask to what extent the practice of "political" philosophy does in fact reach its professed goal of stimulating its "attentive" readers themselves to philosophize in a "Socratic" manner rather than teaching them to dogmatically accept a *specific* answer to the question of "nature" and "natural right". Moreover, we ask to what extent does this practice differ from an allegedly "Machiavellian" politics that takes its bearings from the extreme case – in this case, a mutual hostility between the philosophical "few" and the un-philosophical "many" – in answer to which it presupposes that it is possible to conquer "chance" – in this case, a denial of the contingency that is intrinsic to all human action, including reading and writing.