THE STUDY AND TEACHING OF JEWISH POLITICAL MATERIALS IN COURSES ON POLITICAL PHILOSOPHY

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Jewish political philosophy appeared rather late in Judaism, but on its appearance became very much a part of medieval political philosophy. Medieval political philosophy, however, has a questionable status within the field of political philosophy, partly because of its belief that the highest political teaching is contained in revelation or divine law and partly because most medieval texts are seen either as little more than commentaries on Aristotelian texts or as attempts to reconcile philosophy with theology. The reality of revelation was the decisive presupposition of the medieval philosophers, and that is the reason why medieval political philosophy is so rarely studied today and when studied it seems so alien. Medieval political philosophy concerns us because of its emphasis on revelation as the authoritative disclosure of divine law which claims to give the ultimate direction to the whole of human existence. Therefore revelation cannot be adequately understood if it is approached as a merely religious experience, for it is a part of, or at any rate, intertwined with, conceptions of justice or the right way of life.

There is no Jewish political philosophy which coincides with classical political philosophy. Political philosophy appeared rather late in Judaism and has never, despite Maimonides' monumental efforts, achieved the status which would make it acceptable to the Jewish political community, even though the classical political philosophy that was authoritative for the Middle Ages was teleological and therefore capable of being reconciled with revealed religion.[1]

Jewish political philosophy can be said to fall into two main categories: medieval and modern. In histories of political philosophy, those medieval Jewish philosophers whom we can recognize as falling within the category of political philosophy (namely, Sa'adya Gaon, 892-928; Yehuda Halevi, 1080-1141; Moses Maimonides, 1135-1204; Joseph Albo, 1380-1444; and Isaac Abravanel, 1437-1508) appear to be regarded as irrelevant. The emphasis in the texts, to the extent that medieval political philosophy is treated at all, is altogether on Thomas Aquinas, Roger Bacon, Marsilius of Padua, and William of Ockham, that is, those political philosophers who fall within the

horizon of Christianity, with the possible exception of Averroes — but even he was brought into the Christian horizon in the form of Latin Averroism. Medieval political philosophy itself has a questionable status within the field of political philosophy, partly because of its belief that the highest political teaching is contained in revelation or divine law (for one can hardly turn to a single text of medieval political philosophy that does not concern itself with revealed divine law) and partly because most medieval texts are seen either as little more than commentaries on Aristotelian texts or as attempts to reconcile philosophy with theology.

The reality of revelation was the decisive presupposition of the medieval philosophers, and that is the reason why medieval political philosophy is so rarely studied today and when studied it seems so alien. There was no dispute in their minds about the reality of revelation. "Medieval philosophy is distinguished from ancient as well as modern philosophy by the situation entailed by the reality of Revelation. Every medieval philosopher must explicitly or at least silently, frankly or at least outwardly, take account of Revelation in the treatment of all important questions." "The philosopher needs Revelation [according to Maimonides' teaching] if he knows his capacity for knowledge is in principle inadequate to know the truth. The conviction of the inadequacy of human reason to know *the* truth, i.e., the decisively important truth, is the condition of possibility for the philosopher's having an interest as a philosopher in Revelation."[2]

The medieval Jewish political philosophers in their reflections on revelation did not write political treatises as such and there was virtually no sustained thematic treatment of political subjects. They concerned themselves mainly with political philosophy because of the legal character of their writings, that is, discussion of the principal features of the revealed divine law and the systematic restatement of Talmudic legislation. Medieval Jewish political philosophy developed in the context of a divine revelation that assumed the form of law rather than dogma or faith. Moreover, it was not concerned with the state in general, but only with the state directed to the proper human perfection.

Maimonides regarded the prophet, the human law-giver who has received and promulgated the revealed law in the name of divine authority, as a philosopher-statesman, and the greater part of the law is concerned with matters having to do with the perfection of both body and soul, but most importantly with the perfection of the body in the service of the perfection of the soul. Maimonides did not discuss the possibility of the rule of wisdom in the governance of the state in the place of fixed written laws. All political rule, or all sound political rule, is the rule of law, and philosophy stands under the law, the latter ordering individuals' lives in such a way that permits them to

pursue their ultimate perfection. Maimonides' preference for the prophet over the philosopher rests on his performing the decisive political function, prescribing and regulating the conduct and beliefs of the entire political community. Although he asserted that the prophet ranks higher than the philosopher, the prophet must be in full possession of philosophic wisdom. Hence the prophet is a philosopher and a lawgiver in one, an alternative to the Platonic philosopher-king, the founder of a perfect society. The founder of a perfect society must be a prophet and a prophet is more than a philosopher.[3]

The transformation of the concept of the Platonic philosopher-king into the concept of the prophet accomplished by the Islamic Aristotelians, a concept which Maimonides inherited, is explained by Leo Strauss:

> According to the teaching of the Islamic Aristotelians, which was transplanted by Maimonides into Judaism, the prophet, as philosopher and lawgiver in one, is the promulgator of a Law that...is directed to the proper perfection of man; he is thus the founder of the ideal state. The classic model of the ideal state is the Platonic state. In fact...the Islamic Aristotelians understood the ideal state founded by the prophet according to the Platonic injunction. They understood the prophet as the founder of the Platonic state, as a Platonic philosopher-king. The prophetic lawgiver has fulfilled what the philosopher Plato had demanded, had only been able to demand. Through Plato's demand that philosophy and the direction of the state must coincide, through Plato's idea of the philosopher-king, the framework was established which, taking into account the completed fulfillment of actual Revelation, yields the concept of the prophet of the Islamic Aristotelians and their Jewish disciples.[4]

It was not in the *Republic*, however, but in the *Laws*, as Strauss indicates, that Plato stands closest to the world of the revealed law, for there he transforms the divine laws of Greek antiquity into truly divine law and therewith anticipates the philosophical explication of the revealed law in the medieval thinkers.[5]

The most significant political philosopher of our time who may be described as a Jewish philosopher is the late Leo Strauss (1899-1973). Strauss had a double attachment to Judaism and to classical political philosophy. His most celebrated Jewish writings were his *Spinoza's Critique of Religion*, published in English (1965), and his introductory essay to the Pines translation of *Maimonides' Guide of the Perplexed* (1963), entitled "How to Begin to Study the *Guide of the Perplexed*." His other significant Jewish writings include "The Literary Character of the *Guide of the Perplexed*," in *Essays on Maimonides*, ed. by S.W. Baron (1941); "The Law of Reason in the Kuzari," *Proceedings of the*

American Academy for Jewish Research (1943); "How to Study
Spinoza's Theologico-Political Treatise," *Proceedings of the American
Academy for Jewish Research* (1953); "The Mutual Influence of Theol-
ogy and Philosophy," *Independent Journal of Philosophy* (1979); "On
the Interpretation of Genesis," *L'Homme* (1981); "Progress or Return?
The Contemporary Crisis of Western Civilization," *Modern Judaism*
(1981); "Jerusalem and Athens, Some Preliminary Reflections," in his
Studies in Platonic Philosophy, ed. by Thomas Pangle (1983); and his
*Philosophy and Law, Essays Toward the Understanding of Maimonides
and His Predecessors*, translated into English (1987).

The focus of Strauss' Jewish writings are the penetration of classi-
cal political philosophy into Judaism, the religious-philosophical
character of medieval Jewish political philosophy, and the theologi-
cal-political problem which signifies the tension between the claims of
human reason and divine revelation. Strauss' originality as a political
thinker lay in his resurrection of the claims of revelation in the face of
the onslaught of modern rationalism and in his argument that the
gradual corrosion and destruction of Western civilization shows itself
in the anthropocentric character of modern philosophy in contrast to
the theocentric character of biblical and medieval philosophy and the
cosmocentric character of classical philosophy. Strauss has laid the
groundwork for a return to the study of medieval political philosophy,
a study that has lost its *raison d'etre* as a result of its emphasis on re-
vealed divine law. He seems to have regarded Western civilization in
its pre-modern integrity as dependent in some way or other on the con-
cern of medieval philosophy with the question of whether the teach-
ings of revelation or the teachings of philosophy are true, a question
which is apparently no longer relevant for modern rationalism.

Strauss held that the philosophers have never refuted revelation
and the theologians have never refuted philosophy, and that there-
fore the possibility of revelation exists.[6] The claims of the Bible, in
other words, have not been refuted by philosophy. But "to grant that
revelation is possible means to grant that the philosophic account and
the philosophic way of life are not necessarily...the true account and
the right way of life: philosophy, the quest for evident and necessary
knowledge, rests itself on an inevident decision, on an act of will, just as
faith does." Philosophy therefore remains fundamentally hypotheti-
cal.[7] Classical philosophy in its Socratic version, however, never
maintained that the whole was perfectly intelligible, but simply that
unassisted human reason necessarily has an awareness of the whole.
Strauss thought that, "in the absence of any refutation of Reason by
Revelation, or Revelation by Reason, that a civilization characterized
by the...tension between the two was in fact the highest civilization,"
and that "it is precisely by the attempt of modern [rationalism] to

transcend the difference between Revelation and Reason, that [Western civilization] is above all endangered."[8]

Strauss maintained that the Bible confronts us more clearly than any other source with the fundamental alternative of a life in obedience to revelation or a life in human freedom, the latter being represented by Greek philosophy. He had no doubt that this alternative has never been disposed of, although there are those who believe that there can be a synthesis which is superior to the isolated elements: a life of obedient love, on the one hand, and a life of autonomous understanding, on the other. But Strauss believed that this is impossible, for "syntheses always sacrifice the decisive claim of one of the two elements."[9] The only way in which harmonizations and synthesizations could be possible would be for Greek philosophy to use obedient love in a subservient function and for the Bible to use philosophy as a handmaiden, as Maimonides attempted, "but what is so used in each case rebels against such use, and therefore the conflict is really a radical one."[10]

The vitality of Western civilization, however, from Strauss' way of thinking, rests on the tension between reason and revelation, the philosopher being open to the challenge of philosophy. The tension between reason and revelation was most evident in the medieval period for it was there that a tradition based on revelation had broken into the world of philosophy. It is true that there was a discussion in Plato's Laws of divine codes traced to personal gods, and that constituted an alternative to philosophy, but no full-scale confrontation between philosophy and theology, between reason and revelation, occurred, or could occur, for that matter, until the medieval period. The Greek philosophers of the classical period did not know the Bible and the authors of the Bible did not know the Greek philosophers.

Medieval political philosophy concerns us because of its emphasis on revelation as the authoritative disclosure of divine law which claims to give the ultimate direction to the whole of human existence. Therefore revelation cannot be adequately understood if it is approached as a merely religious experience, for it is part of, or at any rate, intertwined with, conceptions of justice or the right way of life. The phrase "the theological-political problem" drawn from Spinoza, which signifies the conflict between the claims of reason and revelation, or between competing moral-political systems or regimes, shows that this conflict is as much political as theological.

The critique carried out in Spinoza's *Theologico-Political Treatise* was directed against pre-modern rationalism, especially Judeo-Christian rationalism which asserted the compatibility of reason and revelation. Maimonides, the classic representative of medieval Jewish rationalism, attempted to reconcile reason and revelation most

fundamentally by showing that reason has a limit and that it must therefore accept the suprarational teachings of revelation. Spinoza, by attempting to prove the impossibility of revelation, by casting doubt on the reality of revelation, severed the bond between reason and revelation established by Maimonides and his Islamic predecessors. His critique of religion, as it develops in the *Theologico-Political Treatise*, attempted to prove that theology and philosophy are irreconcilable, so much so that there is no transition from one to the other, and therefore philosophy is no longer in bondage as the handmaiden of theology.

The emergence of modern liberal democratic theory can best be understood with a view to the dimensions of the theological-political problem as formulated by Spinoza and his resolution of that problem. Liberal democracy, as a sovereign and secular state entirely independent of Scripture and religion, had originally defined itself in theological-political and political treatises as the opposite of the moral-political systems of medieval society. Spinoza was the philosopher who, through his influence on Rousseau, founded liberal democracy, a specifically modern regime which takes its bearings by the equation of power with right. He started, in his *Political Treatise*, from the metaphysical principle from which he deduces his political teaching, that anyone's power and the use of that power is perfectly right. The present-day argument in favor of liberal democracy rests on the supposition that the multitude, to the extent that it possesses more power than the wise man, possesses more right. The multitude has greater power and therefore more right, for right in this argumentation is on the side of the greater quantum of power. What Spinoza was driving at was that only if right is might can there be a powerful free society, for freedom is conceived as the rational expression of power. Once could almost say that the realism of Spinoza's liberal democratic doctrine emerged as a necessary consequence of his concern with the reduction of religious influence on politics, inasmuch as that seemed to offer the possibility of a more peaceful, more human, human life within society and between societies than the moral-political systems of traditional society. It could be said therefore that the radical analysis of religion carried on in the seventeenth century has relevance for the study of political philosophy.

Notes

1. Leo Strauss, *Philosophy and Law, Essays Toward the Understanding of Maimonides and His Predecessors* (Philadelphia, 1987), p. 25.
2. *Ibid.*, pp. 39, 44.
3. *Ibid.*, p. 106.
4. *Ibid.*, p. 53.
5. *Ibid.*, pp. 55-56.
6. Leo Strauss, "The Mutual Influence of Theology and Philosophy," *Independent Journal of Philosophy* (1979), p. 117.
7. Leo Strauss, *Spinoza's Critique of Religion* (New York, 1965), p. 29.
8. Harry V. Jaffa, "The Legacy of Leo Strauss, Defended," *Claremont Review of Books* (Spring, 1985), p. 24.
9. Leo Strauss, "On the Interpretation of Genesis," *L'Homme* (January-March, 1981), p. 19.
10. Leo Strauss, "Progress or Return? The Contemporary Crisis of Western Civilization," *Modern Judaism* (1981), p. 33.