

## LEO STRAUSS

### Man of Peace

Leo Strauss is known to many people as a thinker of the right who inspired hawkish views on national security and perhaps even advocated war without limits. Moving beyond gossip and innuendo about Strauss's followers, the George W. Bush administration, and the war in Iraq, this book provides the first comprehensive analysis of Strauss's writings on political violence, considering also what he taught in the classroom on this subject. In stark contrast to popular perception, Strauss emerges as a man of peace, favorably disposed to international law and skeptical of imperialism – a critic of radical ideologies (right and left) who warns of the dangers to free thought and civil society when philosophers and intellectuals ally themselves with movements that advocate violence. Robert Howse provides new readings of Strauss's confrontation with fascist/Nazi jurist Carl Schmitt, his debate with Alexandre Kojève about philosophy and tyranny, and his works on Machiavelli and Thucydides and examines Strauss's lectures on Kant's *Perpetual Peace* and Grotius' *Rights of War and Peace*.

Robert Howse is the Lloyd C. Nelson Professor of International Law at New York University Law School, where he serves on the advisory board of the Center for Law and Philosophy. He has taught as a visiting professor at Harvard University, the University of Paris I (Pantheon-Sorbonne), Hamburg University, and the Hebrew University of Jerusalem and has previously held positions at the University of Michigan and the University of Toronto. His publications include, with Bryan-Paul Frost, the translation of, and the interpretative essay for, Alexandre Kojève's *Outline of a Phenomenology of Right* and *The Federal Vision: Legitimacy and Levels of Governance in the US and the EU*, coedited with Kalypso Nicolaidis, as well as several articles on twentieth-century political thinkers, including Strauss, Kojève, and Schmitt.

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**ROBERT HOWSE**

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*For Ruti*

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## Preface and Acknowledgments

My first encounter with the writing of Leo Strauss was in high school, when researching an independent study project on Moses Maimonides. I was instantly gripped by the intensity of Strauss's writing, the intellectual high drama surrounding the competing claims of reason and revelation, radical questioning yet affirmation of religious experience. As an undergraduate, I studied in Toronto with Allan Bloom and Emil Fackenheim, the former a leading Strauss disciple, the latter influenced by and a friend of Strauss but also critical. The experience with Bloom and his circle eventually led to a lengthy period of alienation from Strauss and all things Straussian. That ended in the 1990s, when David Dyzenhaus, then my colleague at the University of Toronto, encouraged me to think and write about Strauss; David had become intrigued by Strauss through his work on political and legal theory in the Weimar Republic. I confronted for the first time Strauss's essay on Carl Schmitt and discovered a Strauss who was a trenchant critic, not an apostle, of antiliberalism. David, Peter Berkowitz, Christina Tarnopolsky, and Corine Pelluchon have been invaluable interlocutors and have contributed more than I can say to my understanding of Strauss – and much else. Their intellectual companionship and their friendship have been among the great joys of working on political philosophy.

I have taught Strauss in seminars at the University of Toronto, the University of Michigan, and New York University and have been fortunate to have had wonderfully perceptive students who challenged and deepened my readings. The NYU Law School has proven a wonderful institutional home for this project, which began with my inaugural lecture as Lloyd C. Nelson Professor of Law (some of the ideas in the lecture had previously been presented at the University of Nottingham, during a conference on Leo Strauss in which I had the chance to engage directly with Anne Norton). Two of my colleagues, Stephen Holmes and Moshe Halbertal, have written on Strauss from different

and indeed in some ways opposite perspectives to my own; nevertheless, they have always been encouraging and open to giving a respectful ear to my very different point of view. Other colleagues have proven to be the best kind of constructive critics in response to presentations of parts of the book in faculty workshops; at a crucial stage, Adam Samaha and Dan Hulsebosch forced me to sharpen the focus, which led to great improvement of the entire manuscript; Sam Estreicher was a consistent source of encouragement. More generally, Liam Murphy, Jeremy Waldron, Tom Nagel, and the late Ronnie Dworkin offered, in their various ways, support, encouragement, and inspiration for my endeavors in political and legal philosophy. I am delighted to be part of the NYU Center for Law and Philosophy, which continues the Law School's excellence in this area and I proudly serve on the center's board of advisors.

I presented work in progress that ultimately formed a part of this book in workshops at Columbia University, the New York Law School, the University of Chicago, McGill University, and Tilburg University. The feedback provided by participants at these sessions affected in important ways the direction of my thinking and writing on Strauss.

Some of the writing was done away from New York – thanks to Helene Ruiz-Fabri and the University of Paris and to Eyal Benvenisti and Tel Aviv University for the hospitable provision of office space. And thanks to everyone at SagTown Coffee in Sag Harbor, New York.

Among those in the Straussian fold (more or less), Harvey C. Mansfield and Nasser Behnegar provided useful comments on my early writing about Strauss, and Murray Dry, Pierre Hassner and Hilail Gildin, among Strauss's own students, offered observations and insights, as did Paul Sunstein, Bryan-Paul Frost, Cliff Orwin, Til Kinzel, David Yanofsky, Peter Minowitz, Cliff Bates, the late Kalev Pehme, Alex Orwin, Michael Kochin, David Janssens, and Tim Burns. Nathan Tarcov deserves singling out for his generous responses to my persistent questions via email; more than once, especially on Strauss's *Thoughts on Machiavelli*, Nathan sent me back to the drawing board in productive ways.

I am grateful for helpful exchanges with Steven Smith, Turku Isakeler, Seyla Ben Habib, Petrus van Bork, Richard Janda, Dan Markel, Chris Bergen, Duncan Kennedy, Alan Gilbert, Jeff Bernstein, Andrew Arato, Ran Halevi, Sam Moyn, Hager Westlati, Bill Scheuerman, Gaelan Murphy, Peter Swan, Tai-Heng Cheng, Ben Wurgaft, Ken Green, and Thomas Meyer.

At Cambridge University Press, my editor John Berger immediately got what I was trying to do and shepherded the manuscript through the review process and into production with consummate professionalism. The anonymous reviewers provided unfailingly shrewd and erudite suggestions.

My greatest debt is to my partner Ruti Teitel, whose support has been the whole premise of whatever I may have been able to accomplish here, and to whom the book is dedicated. Ruti read the entire manuscript with enormous care and thoughtfulness, providing indispensable advice. Only those who know Ruti's brilliant work on law and political violence and our coauthored work on international legal theory will see how much my interrogations of Strauss have been shaped by the endless seminar of our relationship. Ruti also introduced me to a remarkable group of friends, unusually productive and thoughtful writers and thinkers, who I am now pleased to consider my own friends. Although Strauss was not a familiar name to them – and certainly not one usually spoken of in a positive way – they provided, at different times, a kind of virtual support group, always encouraging my efforts and making me feel the value of the enterprise, in particular Anne Kornhauser, Richard Kaye, Jennifer Dworkin, Anthony Dworkin, Iavor Rangelov, Charity Scribner, Alissa Quart, Devorah Baum, Peter Maass, Richard Sherwin, Tony Sebok, Michael Massing, Nadine Strossen, Tom Lee, and Michelle Sieff. Michelle's strong interest in Hannah Arendt and remarkable intellectual sensibility provided the backdrop for some particularly valuable exchanges. Noah Lawrence, my research assistant on this project, is an extraordinary talent who provided substantive input at the highest level. My university assistant Peter Freedberger has kept everything on track with enthusiasm and solidarity.