

GUTTMANN'S CRITIQUE OF STRAUSS'S MODERNIST APPROACH TO MEDIEVAL PHILOSOPHY: SOME ARGUMENTS TOWARD A COUNTER-CRITIQUE

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In the middle of the Second World War and ten years after Leo Strauss's critique of his seminal work,¹ *Philosophy of Judaism*,² Julius Guttman crafted a response to Strauss. In his reply, "Philosophy of Law or Philosophy of Religion,"³ Guttman focused on the challenge, posed to him by Strauss in *Philosophy and Law*, that medieval Jewish philosophical texts ought to be treated through the lenses of law rather than of culture. An important chapter in twentieth-century German-Jewish intellectual history, a consideration of Guttman's reply also provides a unique perspective on the hermeneutical underpinnings of his and Strauss's

¹ Leo Strauss: *Philosophy and Law*, SUNY Press (1995)

² Julius Guttman: *Philosophies of Judaism*, Schocken Books (1964)

³ Guttman: *Philosophie der Religion oder Philosophie des Gesetzes?* The Israel Academy of Sciences and Humanities (1974).

respective positions. In defense of his cultural perspective, Guttmann contrasts his own "textual reasoning" with that of Leo Strauss. The short analysis of the conflict between Strauss and Guttmann attempted here will address the framework of Strauss's and Guttmann's debate and its implications for conceptions of textual reasoning.

Guttmann limits his analysis of Strauss to *Philosophy and Law* and intentionally disregards Strauss's subsequent work, stating "[in my critique] I limit myself to the thought of Strauss's as articulated by him in the book in question and ignore his later works although these demonstrate that Strauss essentially modified his position in one respect." ("Dabei halte ich mich an die Fassung, die Strauss seinen Gedanken in dem genannte Buche gegeben hat und sehe von einer Berücksichtigung seiner späteren Arbeiten ab, obwohl diese zeigen, dass Strauss seine Position in einer Hinsicht sehr wesentlich modifiziert hat.")⁴ Guttmann claims that his own argument is philosophical in nature. As such, he maintains that his argument is founded upon a denial of *Antikritik* (counter-critique) which he contends is Strauss's mode of imposing his personal experiences upon the contours of the medieval text. Nonetheless, Guttmann reveals that his own underlying motive for the argument is rooted in an existential need of finding a correct solution for the "present religious crisis"⁵ as in Strauss's original critique of his work. Consequently, my discussion will demonstrate that Guttmann criticizes what he claims is Strauss's subjective perspective, while nevertheless emphasizing his own personal and confessional objectives. I will explore two facets or perspectives within Guttmann's representation and critique of Strauss: first, that the explicit representation and form of Strauss's textual analysis appears in the guise of a philosophical argument; and second, that an implicit subjective reasoning derived from personal experience ultimately drives the structure and reasoning of the argument. The two facets, what we may call the implicit and explicit character of

⁴ Guttmann: *Philosophie der Religion oder Philosophie des Gesetzes?* p.1.

⁵ Both Strauss and Guttmann refer to the 'present religious crisis,' as an undisputed phenomenon, failing to define what exactly they mean by it.

Guttmann's argument, are present in the two sections of Guttmann's reply. Describing these two parts of Guttmann's argument, I attempt to show that Guttmann in fact does precisely what he accuses Strauss of doing: adopting an oppositional resolution for modern Judaism on the basis of personal experience.

I.

Guttmann divides his argument into two parts corresponding to the two last chapters of *Philosophy and Law*: the first part contains the conceptual-philosophical criticism of the legal foundation of philosophy, and the second a criticism of the philosophical foundation of law. In these parts, Guttmann argues that Strauss's objective philosophical (*sachlich-philosophisch*) method neither examines the inner meaning of the medieval religious categories nor their relation to one other, but constitutes a formal conceptualization. Thus, in his conceptual critique Guttmann faults Strauss for not representing medieval philosophy in its historical complexity. Guttmann extols the historical method as the valid approach whereas Strauss's textual representation uses the medieval sources unscientifically and because of this he is, according to Guttmann, incorrect on all counts. Yet, as I will show in the following, despite the critical nature of Guttmann's description of Strauss, this description in fact points to the confluence between Strauss's method and Guttmann's own. As he reiterates, Guttmann bases his critique of Strauss on modern religious categories and method. He acknowledges that his aspiration is also to provide a solution for the religious problem of his own time. Rather than bringing a subjective bent to his analysis, Guttmann claims that his own existential awareness of the modern crises of religion is scientifically sound insofar as the subject of medieval philosophy can address a modern aim. In fact, he proposes that medieval Judaism addresses modernity only if it is described through the categories that are present, known, and valid in modernity; as Guttmann states, "(i)n order to make these motives [or: motifs] of medieval philosophy as explicit as possible I have utilized the modern categories of 'religion' and of the 'religious consciousness'." ("Um diese Motive der mittelalterlichen Philosophie zu möglichster

Deutlichkeit zu bringen, habe ich mich der modernen Kategorie der 'Religion' und des 'religiösen Bewusstseins' bedient.")⁶ Modern categories, such as religion and religious consciousness, are the categories through which medieval Judaism may speak directly to the issues of modern Judaism. At first blush, this may suggest a circular argument. Modern categories are utilized in order to represent medieval concepts, and subsequently the results of this analysis are applied to contemporary problems. Yet despite their profound indebtedness and connectedness to the present, Guttmann insists that these modern categories are already implicit in medieval Philosophy, and are only revealed through a method of philosophical analysis that attends to the history of concepts, configured as a history of perennial problems ("*Problemgeschichte*"), a method Guttmann likely adopted from Hermann Cohen and/or other neo-Kantian thinkers and whose legitimacy he underscores as follows: "The problem- historical approach has the right to use modern categories in order by such means to characterize those tendencies in the more ancient thinkers that are aiming towards these categories as well as to indicate the limit within which the modern motives [or: motifs] are anticipated in the history of a problem." ("Es ist das Recht problemgeschichtlicher Betrachtungsweise, moderne Kategorien zu benutzen, um die auf sie hinielenden Tendenzen älterer Denker mit ihre Hilfe zu charakterisieren und zugleich die Grenze zu bezeichnen, innerhalb deren die modernen Motive in der Geschichte eines Problems vorgebildet sind.")⁷ For Guttmann, therefore, the problem-historical (*problemgeschichtlich*) application of contemporary religious categories to the interpretation of medieval philosophy creates a hermeneutically sound rather than circular connection between modern and medieval philosophy.

Guttmann thus articulates an argument over textual methods: the *problemgeschichtlich* (problem- historical) approach in contrast to Strauss's

⁶ Julius Guttmann: *Philosophie der Religion oder Philosophie des Gesetzes?* The Israel Academy of Sciences and Humanities (1974), p.5.

⁷ Ibid, p.5.

sachlich-philosophisch (objective philosophical) approach. He claims that the objective philosophical hermeneutic hastens textual inaccuracies because, without recourse to problem-historical reflection, one's philosophical presuppositions may be tainted by extra-philosophical prejudice, i.e., the very opposite may be the case than what seems intended by the a-historic objectivity of the method. According to Guttman, Strauss's method leads him to project preconceived ideas on medieval philosophy, and to erroneously emphasize one concept over another, all serving the purpose of a justification of his own worldview. In contrast, Guttman argues, the problem-historical method reveals that the metaphysical rather than the legal foundation of philosophy allows one to approach medieval philosophy with a legitimate contemporary interest in continuity between the medieval and the modern project. Consistent with this, Guttman links Strauss's *sachlich-philosophisch* method to the latter's belief that medieval philosophy limits revelation to a legal system that makes politics the foundation of revelation and philosophy. In contrast to Strauss's 'legalistic' view, Guttman claims that in medieval philosophy "metaphysics is applied to revelation and revelation turns into revealed metaphysics" ("Metaphysik in die Offenbarung hineingetragen und diese zur offenbarten Metaphysik gemacht wird.")⁸ This hermeneutical representation of revealed metaphysics, rather than Straussian law, is disclosed when the correct historical critical method, i.e., philosophical problem-history, is utilized. Guttman thus disputes the necessity of Strauss's legal foundation of philosophy on the strength of a hermeneutic argument.⁹ For Guttman, Strauss's approach to text is upside-down, as Strauss first utilizes the different medieval thinkers as a means to reach antecedent conclusions about the legal foundation of philosophy, and then claims that his assumption is the correct representation of medieval philosophy. Strauss thus methodically projects his mindset onto the material, he forces it into pre-conceived categories, and he overlooks concepts and dynamics inherent in medieval philosophy that could determine it as responsive to

⁸ Ibid, p.4.

⁹ Ibid, p.8.

the religious problem in question. Strauss, therefore, did not have enough critical insight into the material and thus presents an inaccurate picture of medieval philosophy. More precisely, in Guttmann's view, Strauss's characterizations are not as much false as they are exaggerations of real characteristics of medieval philosophy, characteristics that led him to mistaken propositions concerning the essence of medieval Judaism and the solution to the religious problem of his time. In Guttmann's representation of Strauss's argument, Strauss perceives that "since it results from the 'legal justification of philosophy' that all philosophizing presupposes the law, the 'philosophical justification of the law' is the justification of the presupposition of philosophizing itself." ("Da sich in der 'gesetzlichen Begründung der Philosophie' ergibt, dass alles Philosophieren das Gesetz zu seiner Voraussetzung hat, so ist die 'philosophische Begründung des Gesetzes' die Begründung der Voraussetzung des Philosophierens selbst").¹⁰ The foundation of revealed law becomes philosophy because law as revelation is subject to a philosophy that reveals and defines law. Thus, in Strauss's view, although philosophy is the foundation of law, law is revelation and the foundation of philosophy. Guttmann argues that, by doing so, Strauss neglects the complexity of medieval thought in order to exaggerate the correspondence between his personal interests and the medieval philosophical texts. In the medieval sources, "the external position of the philosophical justification of the law may be called inappropriate" ("die äussere Stellung der philosophischen Begründung des Gesetzes als unangemessen bezeichnet werden (kann)").¹¹ Thus, Strauss's proofs fall short of demonstrating that "the medieval thinkers subsumed the entire content of revelation under the idea of the law" ("dass die mittelalterlichen Denker den ganzen Inhalt der Offenbarung der Idee des Gesetzes unterstellt").¹² Guttmann calls Strauss's method "a purely

¹⁰ Ibid, p.17.

¹¹ Ibid, p.22.

¹² Ibid, p.21.

formalistic approach" ("eine rein formalistisches Betrachtungsweise"),¹³ an incorrect method of inquiry that arises from the fact that Strauss "makes unjustifiable connections between his proofs" ("in durchaus unzulässiger Weise verknüpft").¹⁴ Guttman's critique of Strauss's interpretation aims to show that Strauss bases his solution to the religious problem of the present on an idea of the essence of medieval philosophy whose construction is flawed since he derives it from his antecedent analysis of the modern religious problem and his interest in solving it.

II.

In the second part of his argument, Guttman considers Strauss's solution to the present religious crisis apart from the hermeneutical issue. He claims that Strauss uses the concepts of reason and revelation in order to provide a solution to the present religious problem. According to Guttman, Strauss unduly dichotomizes the concepts of faith and reason. In this way there is no possibility for the two concepts to meet and create a harmonious solution. The problem, generated by Strauss is that one is forced to choose between these poles; one must subscribe to either faith or reason, but cannot subscribe to both at the same time. According to Guttman, the falsehood implied in this radical either/or arises from the fact that Strauss "knows only the alternative of orthodoxy or atheism" ("kennt nur die Alternative Orthodoxie oder Aufklärung").¹⁵ Guttman claims that the dilemma of reason and revelation is not a real dilemma, but is fabricated by Strauss. It exists only in Strauss's thought as he himself projects the scale between faith and reason onto the plane of medieval philosophy where, historically considered, it is absent. Guttman's critique therefore focuses upon Strauss's concept of a modern faith, i.e., the "faith in the civilizing power of reason" ("Glaube an die zivilisatorische Kraft der Vernunft").¹⁶ This definition, for Guttman, is

¹³ Ibid, p.21.

¹⁴ Ibid, p.23.

¹⁵ Ibid, p.25.

¹⁶ Ibid, p.26.

not related to metaphysics but rather to a concept of the revealed law that enables humans to build the perfect society. In Strauss's view, people do not hope for, or believe in, the metaphysical divinity but rather in the power of reason that operates through the revealed law. In his analysis, however, Guttmann mistakes Strauss's analysis of the modern belief in the self-sufficiency of reason for Strauss's own faith, and he does so because of Strauss's lack of relationship to the metaphysical being. Guttmann considers the essence of medieval Jewish philosophical faith. In Guttmann's reading, Strauss appears as himself a child of the Enlightenment who cannot believe in the metaphysical. As the offspring of Enlightenment, atheism provides the individual with the virtue of courage (*Tapferkeit*) which blocks the individual's way to faith and hope in the metaphysical God. Taking this to be a view endorsed and embraced by Strauss, Guttmann mistakenly concludes that the only interpretation for religion that is left for Strauss post-Enlightenment is faith in humanity and reason which are expressed in the perfect society through law.

What, to Guttmann, appears as Strauss's inability to perceive either the true nature of medieval texts or the solution for the modern crisis is entangled with Guttmann's ascription to Strauss of a Nietzschean post-Enlightenment pessimism. In Guttmann's words, "Strauss lets this optimistic faith of civilization turn into a deep pessimism, into the awareness of the terror and hopelessness of life that cannot be eradicated by any progress of civilization. But this pessimism does not therefore return to the comfort of religion." ("Diesen optimistischen Zivilisationsglauben lässt Strauss dann in einen tiefen Pessimismus, in das Bewußtsein 'der durch keinen Fortschritt der Zivilisation auszurottenden Furchtbarkeit und Hoffnungslosigkeit des Lebens' umschlagen. Aber dieser Pessimismus kehrt darum nicht zu der Tröstung der Religion zurück.")¹⁷ Guttmann's Strauss considers religion as faith in the civilizing power of reason and the human capability to establish the perfect society. Yet such a religion cannot provide any metaphysical

¹⁷ Ibid, p.26.

certainty for the human, but only temporal solutions that respond to this life. For Guttman, Strauss sought a solution to the modern religious conundrum in pre-Enlightenment rationalism, where post-Enlightenment concepts had not yet poisoned the metaphysical worldview. The only solution Strauss can offer based on medieval philosophy is, according to Guttman, a demonstration “that man depends on law” (“dass der Mensch auf das Gesetz angewiesen ist”).¹⁸ Strauss claims that the human is in need of “authoritarian guidance of life” (“nach autoritärer Lebensleitung”).¹⁹ The human being must resort to the law as the only remedy but his need for the authority of the law is considered a natural one. Nonetheless, in Guttman’s view, “the comforting aspect concluding Strauss’s introduction will not be comforting to anyone” (“der tröstliche Aspekt, mit dem Strauss seine Einleitung schliesst, wird Niemanden zu beruhigen vermögen”).²⁰

For Guttman Strauss’s treatment of medieval philosophy is formulaic because it rests on aspects of his own understanding of faith. (“Der formale Legalismus, den er so den mittelalterlichen Philosophen zuschreibt, beruht darauf, dass er die seiner eigenen Glaubensauffassung gemässen Momente bei ihnen accentuiert.”)²¹ Strauss imposes his own preconceived mindset and faith on medieval philosophy, yet medieval philosophy itself does not contribute any new insights to his political program. Guttman’s conclusion with regard to the expression of textual reasoning in Strauss is that Strauss subjects analysis to the demands of personal faith, in the sense that his “concept of belief is the all-determining foundation of his expositions” (“Glaubensbegriff ist für seine Darlegungen die alles bestimmende Grundlage.”)²²

¹⁸ Ibid, p.27.

¹⁹ Ibid, p.27.

²⁰ Ibid, p.27.

²¹ Ibid, p.28.

²² Ibid, p.28.

Conclusion

In this brief discussion of Guttmann's representation of Strauss, we see that Guttmann believes to have provided a true insight into Strauss's approach to medieval philosophy, based on his reading of *Philosophy and Law*. Guttmann wished to show that Strauss's concept of medieval philosophy-its foundational dualism of a philosophical foundation of the law and of a legal foundation to philosophy-is profoundly mistaken. Tainted by culturally pessimistic reading of modern religious faith Strauss projected his dichotomization of faith and reason unto the plane of medieval sources and, from the resulting misreading, derived an imperative for the "solution" of the modern crisis of faith. The incorrect view of medieval philosophy provided the foundation for an extreme solution for the present religious problem, namely, the "return" to a justification of the absolute authority of the law as a natural answer to human insufficiency.

Aside from the fact that Guttmann likely misread Strauss in a number of ways, an argument that cannot be pursued here further without exceeding the space of this essay, Guttmann's argument is not quite persuasive even on its own terms. In particular, his claim to present a purely philosophical criticism of Strauss seems disingenuous. Guttmann repeatedly emphasizes his lack of personal involvement in the argument and the conceptual character of his criticism despite the fact that the implications of his argument are existential and he admits the existential impetus of the argument. As he states explicitly, his interpretative approach to medieval philosophy ultimately serves the existential need to find a correct solution for the present religious situation. To be sure, Guttmann stresses that his criticism of Strauss is not an objection ("Einwand") but "merely a more precise formulation of what he himself intended" ("nur eine Praxisierung des von ihm gemeinten").²³ Although Guttmann's reply to Strauss operates on two levels, namely, the hermeneutical and the conceptual, the broader frame of the argument is a

²³ Ibid, p.22.

personal motivation that influences Guttman's own reasoning and analysis. Guttman frequently refers back to the existential importance of the result of the argument while criticizing Strauss's investment in his personal belief and worldview. Ironically, in the end, Guttman criticizes Strauss's hermeneutics through the lens of personal motivations applied to the resolution of contemporary crises – over and above the evidence which may be derived from medieval works.