

REVIEWS

THE FAITH OF A LIBERAL. By Morris R. Cohen. New York: Henry Holt & Company, 1946. Pp. ix, 497. \$3.75.

IN our time, Professor Cohen is one of the few great voices of what used to be known as Enlightenment—a view of life compounded of Rationalism and Humanism, of faith in reason and faith in man. He has labored with passionate enthusiasm to remind us to think, and to trust only the conclusions which we could parse. He has preached the necessity for analyzing even the most “plausible and self-evident propositions,” much to the irritation of the religious-minded of all sects, and he has himself given classic examples of how such analysis should be accomplished.

But Professor Cohen is a moralist, too. He is not interested in logic as a thinking machine, and he has none of the naive and cocksure optimism of science in the generation of Bazarov. Always conscious of the dependence of thought upon ignorance, prejudice and values, he is in no sense ashamed of believing in the Rights of Man, and in his Duties, too.

The pursuit of truth requires freedom. And so does the pursuit of life, “as the condition or opportunity for the good life.” The liberal knows he has no monopoly of truth; he knows, indeed, that he hasn’t found it, even when he’s done his best. Believing in truth, he therefore favors freedom for others to seek it also. He supports the fullest freedom and diversity in ways of living as well as ways of thinking. “The aim of liberalism,” Professor Cohen writes in his strong and somber epilogue, *The Future of American Liberalism*, “is to liberate the energies of human nature by the free and fearless use of reason. . . . Liberalism in general thus means the opening up of opportunities in all fields of human endeavor, together with an emphasis on the value of deliberative rather than arbitrary forces in the governance of practical affairs.”¹ Humane or liberal civilization is one of individual diversity, not uniformity; of free expression rather than censorship; of tolerance, not fanaticism. The free society is one of dispersed and not of concentrated power. The free personality has a functional rather than a deferential or dependent attitude towards authority. His constant effort is to keep power over others to a social minimum, not to seek its expansion for its own sake, or as a source of cheap security. Professor Cohen’s overriding aim is not only to perfect our understanding of the uses and abuses of the scientific method, but to demonstrate that science can exist only in a free society, and that humane civilization is the full and necessary goal of the disinterested pursuit of truth.

The Faith of a Liberal is a selection of Mr. Cohen’s more popular essays on many subjects, from different periods of his life. They illustrate the unity

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and vigor, as well as the distinction, of his outlook. There is throughout a characteristically equal emphasis on reason and nature, and a characteristic zeal in dealing with problems of life as well as of philosophy. The uncompromising quality of some of his reviews is tempered by the warmth, humor and affirmation which run through the collection as a whole. The papers are a pleasure to read. Mr. Cohen writes without pretense, and with conversational ease. Yet every essay has its argument, plainly visible, to be weighed on its merits, and enjoyed for its skill and sophistication, even when one's conclusion is to disagree. Not since Keynes' *Essays in Persuasion* and *Essays in Biography* has there been so rich a collection of occasional papers.

One striking thing about Mr. Cohen's essays is their range. Apart from his more strictly professional papers, published as *A Preface to Logic* and *Law and the Social Order*, there are 51 items in *The Faith of a Liberal*, divided into 11 chapters and an epilogue. There are chapters on Education, Law and Justice, Science and Mythology, Politico-Economic issues, and individual papers on Baseball as a National Religion, the Sacco-Vanzetti case, Zionism, Erasmus and Luther, and Napoleon. On many of these topics, naturally, Mr. Cohen has the inestimable advantages of the amateur: the fresh, well-trained mind, the freedom from traditional limitations and perspectives, the ability to raise fundamental questions which professionals in the field have long since forgotten to consider. Sometimes he makes the amateur's mistakes; this reviewer, for example, finds Mr. Cohen's economics deplorably pietistic, in the tradition of Fabian socialism. But there is everywhere vitality, enthusiasm, and the useful thrust of an enquiring mind, writing against the background of a mature and fully realized point of view.

Perhaps the most general trait these papers have in common is their strong sense that history is the matrix of everything, the vital key to understanding human attitudes and social problems. Mr. Cohen's sense of history is a broad one. It includes men, ideas and techniques, as well as battles and business; Jenner and Cartwright as well as Holmes, Spinoza and Napoleon. It is intellectual history only in that he distills experience into general forms, not that he overvalues the force of ideas as such in history. In 1923, he wrote a piece on "the insistently violent notes of Russian life," and "the marked weakness, if not the absence [in Russian life] of the spirit of tolerance, moderation and compromise which goes to make up our traditional liberalism."² It is an admirably balanced insight, of special interest at the moment in view of the amount of compromising with the Russians which our public business requires. His several papers on American history and American culture have an altogether remarkable force, quality and penetration. They are directed with great economy to ultimate issues, and together comprise an essay on American civilization of absorbing interest, and considerable hope.

The papers on law in this volume fairly represent the important work with

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which Professor Cohen has for some years enlarged the horizons of the professional literature of public law. There are three essays on judges—Holmes, Brandeis and Cardozo, a substantial article on *Constitutional and Natural Rights in 1789 and Since*, shorter comments on the cases of Sacco and Vanzetti, and of Bertrand Russell, and a famous review of Professor Arnold's *Symbols of Government*.

The article on *Constitutional and Natural Rights*, published in 1938, is something of a paradox in the general body of Professor Cohen's thought for its emphasis on logic rather than history. It is a full dress attack on the historical legitimacy of the American practice of judicial review. Mr. Cohen is indignant at Marshall's tricky reasoning in *Marbury v. Madison*, ruthless in disposing of the common constitutional myths, and vigorously the democrat in preaching reliance on the legislature rather than the courts for social advance and the protection of human rights. Yet Professor Cohen's intellectual pleasure in the argument runs away with him. It does not dispose of a century and a half of judicial supremacy to prove that it rests on error. Erroneous or not, judicial review is a functioning part of the machinery of our society, and cannot be destroyed by a brilliant demonstration of inconsistency. The intellectual evolution of our present Supreme Court justices since their elevation to the Court is an interesting case in point. Many of them were (and are) outspoken critics of judicial review in general, and particularly of judicial supremacy as practised during the consulships of White, Taft, and the early years of Hughes. The pressure of history, however, has been too much for all of them. Despite elaborate evasions to conceal the unpalatable fact, they have all agreed to the exercise of their traditional powers. The institution of judicial review has changed its direction, but not its character. It is stronger than its claim to legitimacy.

All in all, *The Faith of a Liberal* is a testament of works. If in the end Professor Cohen's liberalism has less glamor than the dogmas and systems of more scholastic philosophers, it is because he cannot abide false gods, nor "the petty ointments by which quacks pretend to cure the mortal ills of finitude."³ There is nothing easy or comfortable about his outlook, despite its passion for individual and social justice. It is hardly his purpose, however, to make things easy, or certain, or consoling. "[T]he main function of teaching philosophy," he said of his own experience as a teacher, "should be the opening of the human mind to new possibilities, rather than the inculcation of any new set of doctrines. . . . This in practice amounted to abandoning the traditional attempt to teach philosophy as a self-sufficient body of learning, and instead attempting to teach future scientists, lawyers, economists, and citizens to think philosophically about the problems of science, law, economics, and citizenship."⁴

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