

4-1-1949

TtE POWER OF FREEDOM. By Max Ascoli. New York: Farrar, Straus, 1949.

Ross C. Beiler

Follow this and additional works at: <https://repository.law.miami.edu/umlr>

Recommended Citation

Ross C. Beiler, *TtE POWER OF FREEDOM. By Max Ascoli. New York: Farrar, Straus, 1949.*, 3 U. Miami L. Rev. 481 (1949)

Available at: <https://repository.law.miami.edu/umlr/vol3/iss3/24>

This Book Review is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact library@law.miami.edu.

the previous volume, *Faith of a Liberal*. In a period when genuine political liberalism has fallen under something of a cloud, and when too many governments are ever more interested in establishing a mold of conformity, it is inordinately pleasing to read of a "road to philosophy" such as Cohen trod. Here one notes again his application of philosophic principles to the law, and also to science, to teaching, and to his multitude of published works.

He then deals with another subject of tremendous interest—his forsaking of the Orthodox Jewish faith, his reasons therefor, and his evaluation of this group as an integrated element in American democracy. One can discern sympathy with Zionism in principle, but a lack of firm conviction that it constituted the ultimate answer. The author in dealing with Jewish cultural interests assumed a much less belligerent position than, for instance, did Ludwig Lewisohn in his autobiographical volumes. In attempting to further his standard of integration Cohen worked indefatigably in the Conference on Jewish Relations and the Jewish Occupational Council, two agencies doing immensely valuable work for the nation and the group involved.

The final part of the autobiography contains an admirable series of fragmentary jottings by the author on a variety of subjects. They perhaps do not enhance this particular work, but they do further elucidate the intellect and beliefs of the man who wrote them, and as his son projects in an epilogue, may be useful for potential future biographers. The same is true of the very complete check-list of Cohen's publications included in an appendix.

The educational field is one of many unsung heroes, but few can surpass the figure here revealed. His influence can but grow as the years pass and some controversies of his lifetime take on the objectivity given only by time. This is, of course, assuming that our political structure will remain unchanged in its fundamentals. Our world, and others, has great need of more teachers and men like Morris Raphael Cohen.

CLIFFORD MONTGOMERY

INSTRUCTOR, DEPARTMENT OF HISTORY,
UNIVERSITY OF MIAMI

THE POWER OF FREEDOM. By Max Ascoli. New York: Farrar, Straus, 1949.
Pp. 173. \$2.75.

THIS is a book of paradoxes. It is probably both profound and superficial in its treatment of the central problem of our time. It is crisp and epigrammatic, yet it is vague and ambiguous at vital points. The central concepts themselves are paradoxical. Freedom is power, freedom creates power, but freedom cannot exist unless power is restricted. Power can be the basis of either an expansion or contraction of freedom. Freedom can be created only when freedom exists.

Such word-problems are typical of the book. The author, in his preface,

says that he expects to be labelled some way and suggests that he be called a "liberal." He explains this suggestion by stating his belief that "freedom is the propulsive power of civilization—a power that men have the ability to release and control." This is the central theme of the book. The problems that remain, then, the reviewer surmises, are the following:

- 1) What is meant by the term "freedom"?
- 2) How does it propel "civilization"? How is it released?
- 3) What is the status of this mechanism currently?
- 4) How is it being controlled currently, and why?
- 5) If freedom is so important, what should be done about the conservation, release, and control of this power in the future?

Ascoli is Dean of the Graduate Faculty at the New School for Social Research. In the eyes of his colleagues there, who are forever probing the outer reaches of social ideas and are in the forefront of the development of precision methods in social science, this book must appear to be more of a political tract than a contribution to scientific thought. The Dean of the New School must seem to his faculty to be distinctly a political philosopher of the old school. There is a good deal of the *a priori* in his thinking and exposition. He obviously has considerable understanding of socio-political dynamics, yet he presents no systematic or clear and coherent analysis.

A statement in the introduction may explain this. Ascoli seems to be almost uninfluenced by the social psychological emphasis of the New School faculty, and indicates his debt to Aristotle, Dante, Machiavelli, Burke, Hamilton, De Tocqueville, and his idol—Giambattista Vico. Vico's *Scienza Nuova*, published in Italy more than two centuries ago, was published a few months ago for the first time in English translation. It is reported to combine an obscure and metaphysical value-system with a cyclical, possibly progressive theory of the evolution of national cultures. Cultures, he said, moved from a basis of intuitive wisdom to occult or rational wisdom, ending in dissolution of social bonds. Vico believed that man was strongly egoistic in his motivation, but sought egoistic satisfaction through social forms of action.

These ideas clearly underlie Ascoli's conception of the dynamics of individual freedom in society. This conception is left implicit, in the main, however. In fact, he does not even discuss "What Makes Freedom" until he has completed a 50-page interpretation of the current political and social problems in the world in terms of his concept of freedom.

Freedom, he finally says, is the opportunity to return "from our work to ourselves." His bourgeois background may partially account for his view of economic activity as something that has to be done so that life may be enjoyed and personality expressed. It is easy to agree, in any event, that the number of uninteresting jobs is legion. The question of whether the worker

finds more or fewer opportunities for self-realization in industrial employment than he found in pre-industrial times might be debated.

Work is necessary to freedom, Ascoli says, but he implies that it must be work which creates individual and social recognition of meritorious accomplishment. Instead, he says, the industrial workers, who have only their jobs and their citizenship to tie them to society, "consume their citizenship [sell out to the politicians] in order to protect their jobs and consume their jobs [strike] to implement their citizenship." They are thus on the ragged edge of insecurity, of not-belonging, of slavery. Their small stock of freedom "threatens the debasement of all rights" in the society, "because the marginal value of freedom determines its course."

This marginal, unattached status of the workers is the essential condition for totalitarianism. If such an outcome is to be avoided, the workers must take a more active interest in their unions and union leaders must relate the unions to the community more closely. Anyway, says Ascoli, union politics "has largely assumed the basic, primary role that used to belong to municipal government." (He is probably too close to labor politics in New York to be objective on this point.) "Freedom of the workers' organizations," he asserts, "is the freedom on which all other freedoms hinge."

Communism, fascism, and economic liberalism, the author claims, all are attempts to achieve automatism in social functioning. All three are based on the idea of adjusting to the power of machines rather than on the aim of adjusting mechanized power to human needs as established by democratic political action. "It is only through the workings of political institutions that freedom can be salvaged," the author warns.

We have lived on our rights, as on our industrialism, irresponsibly, Ascoli accuses, and have taken their bounties for granted. We have not tried to deal with their basic functional nature and implications, he says. "Rights are not windfalls of philanthropy. They are the skills that men have developed in the production of freedom." Tolerance of mistaken actions is based upon the substantial record of correct actions taken by men who have formed the dominant patterns of behavior in a culture. Rights, which set limits to freedom, are relative: they are based on the social heritage and the state of the arts.

Ascoli is bitter in his denunciation of the excessive materialism of our society, its concern with power without worrying about the ultimate personal and social consequences of the power. The reason we find the Communists embarrassing, he says, is that they are so much like us in their outlook. The difference is that we are inhibited by conflicting non-materialistic values, whereas the Communists use such values solely as bold expedients of power expansion. However, he states that, "Edison contributed more to the rights of man than Jefferson," a view this reviewer could not accept. Also, he seems frequently to confuse individual power with freedom itself.

In failing to analyze the nature of "freedom" in scientific terms Ascoli makes impossible a scientific explanation of its dynamics. It would be regrettable if the reader were to conclude that there is no scientific basis for democracy, the society in which reliance upon individual decision is relatively great.

A scientific basis could have been indicated along the following lines :

Human beings, like other organisms, behave in response to stimuli that produce an unbalance of nervous energy, called a tension. Behavior basically consists of efforts to find responses that tend to reduce the tension and restore the balance. Responses which reduce tension effectively tend to be repeated ; those which do not come to be avoided.

What we call "freedom" probably refers to our tension-reducing potential; and its antithesis would refer to limitations on this capacity. The exercise of "freedom" would be the act of tension reduction. Of course, "freedom" could involve the power to create new tension in order to reduce existing tension, but this would be deceiving unless the subject had already learned responses that could be relied upon to reduce the new tension. Thus Gandhi warned against the use of technology to increase creature comforts in the absence of learned social responses which could reduce the tensions created by its application.

"Feeling free" is probably simply a matter of self-confidence. Confidence, which is an anticipation of success in problem-solving, is based upon generally favorable experience of a person in achieving adequate tension-reduction. Confidence is the source of positive, power-releasing, and power-creating freedom. Chronic failure in problem-solving, on the other hand, produces frustration and an attitude of learned fear, which is based upon expectation of failure and punishment. Such persons are driven to constant efforts to relieve their fears, which may become permanent. They are driven to extremes of submission or aggression or both, depending upon particular circumstances.

The person who has suffered physical or spiritual deprivation that was too intense or too long continued may have developed attitudes which render him incapable of freedom. He may be a casualty of a society that has produced too much power and too little regard for the real needs of man. It should be realized that in times of vast social tension great damage is inevitably done to democratic potentialities. When we all live in fear, the threat to "peace" and "freedom" is in every one of us, and especially those who are most vocal about "peace" and "freedom."

Now a society that unduly inhibits certain ranges of response or behavior of all or some of its members correspondingly reduces the capacity for tension-reduction. In other words, it reduces the "freedom" of the individuals involved. A community which reduces the freedom in its midst lets loose the vitiating forces of personal insecurity and feelings of inadequacy or inferiority.

These are the forces of learned fear, and they are as dynamic as the forces of confidence. The fear and frustration that result from repression or from a conflict of values in the community are as dynamic as the forces of self-realization, of "freedom," that result from social assistance and harmony in the values of the community. Fear, like confidence, tends to be self-sustaining and progressive. It grows within the individual and is projected upon the other members of the group. The lack of self-confidence and self-esteem becomes a lack of confidence in the group and a disregard for its values, as though the individual recognizes that his punishment is an evidence of the inadequacy of the society.

In large and complicated societies the problems of functioning are perhaps especially likely to lead to repression in order to secure compliance of discordant elements. Such action tends fundamentally to weaken the community and its culture, rather than to strengthen it, and the weakness tends to grow progressive.

Freedom, then, is opportunity for self-realization. Since man solves his problems by group action, self-realization involves some group or community-realization. The "free" society is one which provides a relatively high amount of opportunities for self-realization. The strength of a society is obviously a function of its efficiency in providing opportunities for realizing the selves which the society has so largely created in the first place. It must be a society of consistent values and one in which the dominant symbol-structure is fairly consistently supported by the social functioning. Otherwise, the society will suffer moral disintegration and frustration, leading to the collapse of its institutions.

Self-realization, finally, is itself a tension-producing condition. The exercise of "freedom" produces such a rewarding thrill of power in action that it motivates a desire for new achievements, a love of life and work, which is heightened by the absence of major conflict or worry that always bedevils and enervates the frustrated person. This is what makes "freedom" so dynamic, efficient, powerful.

The problem-solving of all societies, and of most men, has two aspects:

- 1) The achievement of power, power over man and nature.
- 2) The control of this power in order to increase self-realization.

The path of mankind through recorded millennia is symbolized by the unfortunate victim of neutral spirits who tries to steer a course through a San Francisco fog. In search of a destination, a direction, a philosophy, man has staggered down the mazes of time.

Man in the twentieth century has created power that offers tremendous possibilities of freedom—if he can contrive to subordinate the demands of this power to the demands of men for self-realization. Had Western man not been "free" in this sense in the nineteenth century he would not have had the con-

fidence to concentrate so on building power without worrying about its ultimate utility in terms of self-realization or self-denial.

A series of increasingly deprivational experiences has shaken Western man's confidence in himself and the values his culture represents. A rising social pessimism has brought with it a demand for authority; fear, which is the denial of freedom, has produced vast social movements which are literally head-long flights from freedom.

The point, very simply, is this. Western man must stop, take stock of his situation, rally, and, instead of fleeing freedom, join the issue resolutely with the power he has created over man and nature and see who is to be master. In order to control this power so that it becomes a means of self-realization, man must apply the same sort of organized and disciplined intelligence to this problem that he applied in creating the power in the first place. The burden on all men who remain essentially free or essentially capable of freedom is enormous.

Ascoli is absolutely correct in saying that all available courage must be applied to the task in a realistic way and that "precision work, not sweeps of rhetoric," is required. Unfortunately, he is not able to practice what he preaches. His rhetoric is fine, but he can offer little in the way of clear directives or basing points.

He does say that "any government which attempts to take over the function of freeing men from want and from fear is likely to become the main cause of want and . . . fear." However, he advocates a return to politics, in the sense of individual policy-forming and executing activities, on a broad scale. He wants to develop politics as "doing" rather than as "getting." "Politics," he says, "is not the science of power: it is the science of freedom."

But Ascoli is a philosopher, not a scientist. For light on genuine means of increasing freedom in our society, the general reader is referred to Stuart Chase's report on the current status of social science, *The Proper Study of Mankind*.

ROSS C. BEILER

ASSISTANT PROFESSOR OF GOVERNMENT,
UNIVERSITY OF MIAMI

THE LAW OF THE SOVIET STATE. Edited by Andrei Y. Vyshinsky. Translated by Hugh W. Bahl. Introduction by John N. Hazard. New York, The Macmillan Co. (1948) 749 pp. \$15.00.

REGARDLESS of the deficiencies of Marxism-Leninism as a political or legal philosophy it seems obvious that no serious student of the Soviet Union may overlook this book. Vyshinsky and his colleagues are blinded by the fact that they must reject all non-Soviet theories of the state and of jurisprudence.