

# Michigan Law Review

---

Volume 49 | Issue 5

---

1951

## Brinton: IDEAS AND MEN.

Albert F. Nemmann

*University of Michigan Law School*

Follow this and additional works at: <https://repository.law.umich.edu/mlr>



Part of the [Ethics and Political Philosophy Commons](#), and the [History Commons](#)

---

### Recommended Citation

Albert F. Nemmann, *Brinton: IDEAS AND MEN.*, 49 MICH. L. REV. 779 (1951).

Available at: <https://repository.law.umich.edu/mlr/vol49/iss5/20>

This Regular Feature is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact [mlaw.repository@umich.edu](mailto:mlaw.repository@umich.edu).

IDEAS AND MEN. By *Crane Brinton*. New York: Prentice-Hall. 1950. Pp. ix, 587. \$6.

This is not a law book. It is, however, a book that should be of great interest to lawyers. It is a history of Western thought; such a history must include the stuff of which law is made. More important for the lawyer, the book concerns the "Big Questions" on a scale that should remind us that justice, right and law are merely parts of patterns of thought larger than "the law" as we think of it from day to day.

The author defines the purposes and limits of his book:

"It is not a book designed primarily to impart information, not a book that will help the reader to shine in quiz programs. It is not a history of any one of the great disciplines, theology, philosophy, scholarship, science, literature, art. . . . More especially, this book is not a history of philosophy; it is not written by a professional philosopher and it treats no philosopher fully and in the round. . . . It is, to use Mr. D. C. Somervell's distinction, rather a history of opinion than a history of thought." (pp. 5-6)

The scope of Mr. Brinton's treatment is, indeed, the scope of Western thought. Starting with the early and later classical cultures grounded in Greek, Jewish and Roman traditions, he proceeds to consider the impact of Christianity, both as a system of thought and as a way of life. In his discussion of the Middle Ages, his section on "Medieval Theories of Human Relations" (pp. 200 et seq.) is of particular interest to lawyers, as is the section, "An Evaluation of Medieval Culture." (pp. 241 et seq.) Humanism, Protestantism and rationalism are treated primarily on an analytical basis (rather than chronological) as the bridge between the Middle Ages and the eighteenth century. The eighteenth century—with its names of Locke, Montesquieu and Bentham—is, after all, the source of our general views of life and our notions of government in this country. Whatever age an American lawyer's interest in history can avoid, this is not the one. Blackstone, Mansfield, Hardwicke compel us to the realization that, whatever came before, this century was for our profession in this country, a formative one. One wishes that the author might have given us a more complete treatment of this age. The nineteenth century, dominated by the idea that the human race was subject to no limits in its evolution toward at least a material perfection, is also the century of individualism and distrust of "the government." The author discusses at length the role of Darwin in setting the goal and J. S. Mill in justifying the means. The "Victorian Compromise" "sought to retain a moderate political democracy, a moderate nationalism, and great individual economic freedom of enterprise balanced by a strict moral code and conventional, church-going Christianity." (p. 489) The twentieth century, of course, must contain many of the ideas that characterized earlier periods. "This is not to say that our own time has not its own spirit of the age, its own flavor, its own little touches of style by which it will be known to later historians. It is rather to say that we are so far no more than a variant in a fairly consistent cultural pattern that grew out of the Middle Ages and that became distinct in the seventeenth and eighteenth centuries." (p. 503) Perhaps the newest thing in the twentieth century is our concern with the study of men and of human relations, characterized by an anti-intellectualism—a distrust of abstract, deductive thinking about the "Big Questions."

The appeal of this book, I believe, lies in its concern with ideas, not as abstractions, but with ideas as they motivate men or at least serve as rationalizations for their acts. A work of this sort could so easily slip into a history of thought as abstractions; the appeal then would be only to the professional philosopher, who is already armed with a set of abstractions and terminology of his own. This the author has avoided; and he writes in a style that invites the reader to share with him the excitement of his subject.

*Albert F. Neumann\**

\*Associate Professor of Law, University of Michigan.—Ed.