

## Mimicking Mrs. Toy

In their occasionally erudite fifty-eight year correspondence, Justice Oliver Wendell Holmes and Sir Frederick Pollock referred with some frequency to widely-read writers of philosophy. Among these references one finds a dozen comments on the work of George Santayana.

It is not too surprising that these gentlemen were familiar with Santayana's writings, and that they ventured private, casual opinions about his philosophy. Holmes is remembered not only for his incisive judicial opinions, but also for his scholarly bent. As a young man, he showed an interest in philosophy, attending meetings of the "Metaphysical Club" held at the home of William James. It is also clear that Holmes and his family were acquainted with Santayana. Pollock still commands a sterling reputation as a legal scholar and historian, and as an extraordinarily learned man of broad interests. While Pollock met Santayana at least twice in later years, his acquaintance with Santayana's work seems to have been prompted by Holmes.

Shortly after Mr. Mark DeWolfe Howe published his *Holmes-Pollock Letters*,<sup>1</sup> Mrs. C. H. Toy wrote to Santayana, including in her letter pertinent extracts from the correspondence. Santayana thanked Mrs. Toy a few weeks later, noting that the Holmes-Pollock comments were "sweet flattery after my Schilpp critics" (LETTERS 7: 27). It may be of interest, then, to mimic Mrs. Toy and clip these paragraphs once more, this time for the readership of *Overheard in Seville*.

### Extracts from the Holmes-Pollock Letters<sup>2</sup>

*Holmes to Pollock*, November 23, 1905 (HOWE I: 122)

---

<sup>1</sup> Mark DeWolfe Howe, ed., *Holmes-Pollock Letters: The Correspondence of Mr. Justice Holmes and Sir Frederick Pollock 1874-1932* (Cambridge-Massachusetts, Harvard University Press, 1941) [hereinafter HOWE I and HOWE II].

<sup>2</sup> Passing references to Santayana at HOWE I: 125 and HOWE I: 211 have been omitted from this compilation.

“I am just turning to Santayana’s last two volumes of *The Life of Reason* which I like better than any philosophy I have read—or nearly so. .... But more and more I am inclined to belittle the doings of the philosophers while I think philosophy the end of life.”

*Holmes to Pollock*, June 23, 1906 (HOWE I: 126-127)

“I write to Little Brown & Co. to send you Santayana—4 vols—but not big ones. My wife says that the critics are not so warm as I in praise of it. I liked it because the premises are so much like my own. I always start my cosmic salad by saying that all I mean by truth is what I *can’t help* thinking and that I have no means of deciding whether my can’t helps have any cosmic worth. They clearly don’t in many cases. I think the philosophers usually are too arrogant in their attitude. I accept the existence of a universe, in some unpredictable sense, just as I accept yours—by an act of faith—or by another can’t help perhaps. But I think the chances are much against man’s being at the centre of things or knowing anything more than how to arrange *his* universe—according to his own necessary order. I dare say you will think Santayana something of an *improvisatore*, and say that he talks too much. But to my mind he talks like a cultivated man, and with a good deal of charm of speech, though that also may weary, after you have caught his rhythm and trick. At all events his book was one which seemed to me to express the world as I should express it, more nearly than often befalls.”

*Pollock to Holmes*, July 6, 1906 (HOWE I: 127)

“Many thanks for Santayana: it makes a pleasant humanist link for us. I guess he is rather a philosophical humanist than a professional philosopher.”

*Holmes to Pollock*, September 6, 1906 (HOWE I: 133)

“You talk well also as to Santayana, except that what you rightly call the exotic quality in his style charmed and bullied me until I thought that I saw the trick and began to be slightly bored at the recurrence of the device.”

*Pollock to Holmes*, January 9, 1914 (HOWE I: 210)

“Santayana’s last volume [*Winds of Doctrine*] is quite brilliant—we read it some months ago. I quite agree with you that he scores neatly off the Pragmatists and also Bergson.”

*Holmes to Pollock*, May 28, 1914 (HOWE I: 217)

“Bergson I think in the main a humbug agreeably pinned to paper by Santayana.”

*Pollock to Holmes*, February 3, 1918 (HOWE I: 259)

“Last Wednesday I made acquaintance with Santayana at a lecture he gave to the British Academy on the state of philosophy in America. He was in England at the beginning of the war and has been living at Oxford ever since: whence I infer that he has few or no domestic ties. His discourse was brilliant and in parts amusing—of course one could not appreciate it properly off hand but we shall have it in print. .... There is a curious contrast between the complex style, which I do not find easy, and the core of hard Latin demand for definiteness in [Santayana's] way of thinking, and also a certain Latin dogmatism which tries to explain systems in terms of absolute value with little regard to their surroundings. This makes him unjust to all the 18<sup>th</sup> century philosophers and grossly unfair to Berkeley, for whom he seems to have a special aversion. He quite forgets that if B. was superficial on some vital points the people he was controverting were much more so. .... However, a man either has a historical mind or he has not.”

*Holmes to Pollock*, March 1, 1918 (HOWE I: 260)

“I am much interested in the impression Santayana made on you. He has seemed to me to hit, more subtly than other philosophers, points as to which I was disposed to agree with him. .... There seems to me something repellent as well as something attractive in him personally. His style which you don’t like has pleased me, although after a time you seem to see the trick of it.”

*Pollock to Holmes*, May 30, 1918 (HOWE I: 266)

“Also, I am reading Santayana’s volume on Religion. I like his detached humanism and absence of any desire to grind any axe in particular. Yet somehow there is something elusive about him. His analysis of Augustine’s view of the world is a singular, fine piece of historical-philosophical criticism.”

*Holmes to Pollock*, April 6, 1924 (HOWE II: 132)

“Have I uttered the fundamental blasphemy, that once said, set the spirit free? The Literature of the past is a bore—when one has said that frankly to oneself then one can proceed to qualify and make exceptions. Now I have opened Santayana *Scepticism and Animal Faith*. He is not a bore, but I think he improvises and obscures the foundation of his thought with too many tickling words. *Au fond*, unless I mistake, he takes much the same view that I have taken *en passant* in one or two of my things. His philosophy is much nearer to my way of thinking than James’s or Royce’s.”

### Santayana on Holmes and Pollock

While Santayana corresponded rarely with Holmes (*see, e.g.*, LETTERS 2: 166), and apparently never with Pollock, snippets from his letters and his autobiography provide some insight into his opinion of these two men and their work.

Santayana crossed paths with Pollock in 1918 at a lecture given to the British Academy (HOWE I: 259), and then again in 1932 at the Spinoza commemoration at The Hague. Santayana described the second meeting in letters to Mrs. C. H. Toy (LETTERS 4: 360) and to Mr. George Sturgis. A humorous extract from the latter reveals an aged Pollock straining to stay awake during Santayana’s lecture on “Ultimate Religion”:

My journey to Holland and then to England went smoothly—even at sea: and I gave my two lectures to polite audiences that showed no impatience or hostility, whatever they may have felt. My most distinguished auditor was Sir Frederick Pollock, aged 92; being a little deaf he sat close at my side, and through the corner of my eye I could see him close his own (to concentrate his attention) & begin to nod (to express his agreement): and he didn’t wake up

until the end, when hearing a little applause, and [*across*] supposing it was for him, he roused himself to bow pleasantly, and saw where he was. Wisely, he went home to bed, without telling me [*across page one*] how very much he had been interested[.] (LETTERS 4: 369 to 4: 370)

Apparently Pollock did not sleep through the entire encounter at The Hague, as a conversation they had that evening is alluded to in Santayana's autobiography. There Santayana expressed his appreciation of Pollock's scholarship on Spinoza:

I will not attempt to describe here the many lessons that I learned in the study of Spinoza, lessons that in several respects laid the foundation of my philosophy. I will only say that I learned them from Spinoza himself, from his *ipsissima verba*, studied in the original in all the crucial passages; as a guide and stimulus I had Sir Frederick Pollock's sympathetic book, with good renderings, and not much modern interpretation. It was a work, as he told me himself forty-five years later, at the Spinoza commemoration at The Hague, of his youth; and perhaps the science was emphasised at the expense of the religion. Yet that the object of this religion was *Deus sive Natura*—the universe, whatever it may be, of which we are a part—was never concealed or denaturalised. (PP 233-234)

While Santayana recorded little of his impressions and opinions of Pollock, a slightly better picture of his acquaintance with Holmes is drawn in *Persons and Places*. Early in his autobiography, Santayana contrasted the character of Holmes' generation with that of Holmes' father's generation:

I also knew Lowell, in his last phase; I once shook hands with Longfellow, at a garden party in 1881; and I often saw Dr. Holmes, who was our neighbor in Beacon Street; but Emerson I never saw; while William James and Judge Holmes and 'Jack' Chapman, etc., belonged to a younger generation, more scatter-brained and dispersed, and revolutionary, without any real dominion, however distant and water-colourish, over the universal scene. They tried to paint in oils, impressionistically, with masculine dashes of colour; but everything was confused, amateurish, out-of-focus, and violently useless. (PP 46)

Later in his autobiography, Santayana provided a polite but penetrating account of Holmes:

One distinguished Bostonian that I came to know in this way was Judge Holmes. ... [H]is mind was plastic also in speculation. Being an exceptionally successful man he could be pessimistic in philosophy, and being an old Bostonian he could disinterestedly advocate democratic reforms. ... It is or it was usual, especially in America, to regard the polity of which you happen to approve as sure to be presently established everywhere and to prevail for ever after. To have escaped this moralistic obsession, at least for a moment, evidently was a pleasure to Judge Holmes. He had a really liberal, I mean a truly free, mind. (PP 368)

While Holmes had felt a kinship at some level with Santayana's philosophy, Santayana rather firmly distanced himself from the views he supposed Holmes to have held. In a letter to Mr. Henry Ward Abbot, Santayana suggested a likely point of divergence between him and Holmes:

I am very much pleased that Judge Holmes should agree about common sense being faith. I knew he was something of a philosopher, but perhaps too much inclined to follow Nietzsche. Romanticism & egotism are all very well as a mood; but absurd when turned into a doctrine. The doctrine implied in them is pure naturalism or Spinozism. (LETTERS 4: 369)

Santayana's most trenchant criticism of Holmes is found in a letter to Mr. Beryl Harold Levy which focused chiefly on the philosophy of law of Justice Cardozo. Here Santayana questioned what political ideals had animated these judges, and bemoaned the ambiguity of the pragmatism and empiricism which he associated with their outlooks:

I had never heard of Cardozo before (I live out of the world), but I knew Judge Holmes well, and I need not say that I sympathize with the desire to humanize the administration of justice. But neither of those jurists, nor even you in your comments, satisfy me on what seems to me the crucial point, skirted on p. 115. What is the highest good of society? This is a question of political ideals. ... Now what 'ideology' guides Cardozo in determining the direction in which his conscience shall exercise a gentle pressure upon the law? I can find nothing more definite than 'The social mind' or 'cherished social ideals.' Something psychological, then, or prevalent sentiment or opinion? Or something biological or anthropological, the actual tendency which manners and morals

show in their evolution? ... [P]ragmatism, like empiricism, is a most ambiguous thing. They may mean testing ideas by experiment, by an appeal to the object or physical fact, which in ethics would be human nature with its physical potentialities of achievement and happiness. On the other hand, empiricism and pragmatism may mean accepting every idea as an ultimate fact and absolute standard for itself, and in practice deciding everything by vote, by sentiment, or by the actual prevalence of one idea over another. In this second direction lies softness, anarchy, and dissolution. (LETTERS 6: 151)

This is vintage Santayana: tracing law to ethics, ethics to human nature, and human nature to potentiality, thereby recognizing a natural relativity of ideals, while dismissing an unqualified relativity implicit in subjective schools of thought—whether they be pessimistically romantic or naively realist avenues to progressive reform. It is unfortunate that Santayana did not write an essay or short treatise directed at the jurisprudential initiatives of such contemporaries as Holmes and Pollock. Piecing together a stunted *apologia* of these friendly critics of Santayana, though, may inspire scholars of his work to undertake the task.

T. P. DAVIS

*North Carolina Supreme Court Library*