This course explores one of the great creative streams of American thought. Pragmatism was not only an important philosophical theory, but part of a larger social and cultural movement at the beginning of the twentieth century, with especially rich implications for politics and law. As a theory, it argued that theory could not be separated from practice, and that human intelligence was embedded in individual psychology and social cooperation. The pragmatic vision of democratic life opened up lively discussion about public values and their guiding role in politics and law.

The Pragmatists put forward surprising solutions to a range of traditional conflicts: between science and religion, between the individual and society, between concrete facts and moral values. In a brief survey of classic pragmatist writings, we will explore these proposed solutions and their implications for social psychology, law, and public values. In the second part of the course we will turn to John Dewey and to a series of critical responses to pragmatism that enlivened American intellectual debate up through World War II. At the end of the course we will examine briefly the resurgence of interest in pragmatism during the past twenty years and will speculate on the problems and promise of democratic life in the twenty-first century.

Required texts (available at the Brandeis bookstore):

- Louis Menand, *The Metaphysical Club* (Farrar, Straus & Giroux)
- Edward A. Purcell, Jr., *The Crisis of Democratic Theory* (University of Kentucky Press)

Additional readings are contained in a course packet available from the Legal Studies Office (Brown, Room 325), and on Latte.

Course requirements, in addition to regular attendance and participation, include one short paper on core pragmatist ideas (3-5 pp.), a longer paper (6-8 pp.) on one of pragmatism’s critical encounters, and a take-home final exam. In determining the course grade, the short paper will count 15%, the longer paper 30%, the final exam 30%, and class participation 25%. The mark for participation will take into account brief, ungraded, reaction papers, some of which will be written in class.
Weekly Topics and Reading Assignments:

January 20, 21. Introduction. What does human intelligence have to do with democracy?

January 25, 27, 28. Basic themes: Logic and experience, ends and means, theory and practice.

- O.W. Holmes, Jr., _The Common Law_ (brief excerpt, course packet),
- “The Path of the Law” (course packet),
- _Lochner v. New York_ (on Latte; read quickly, but focus on Holmes’s dissent)
- Dewey, “Logical Method and Law” (course packet)
- Menand, chapters 1-3

February 1, 3, 4. More basic themes: science, religion, and authority.

- James, “The Will to Believe” (in Thayer, pp. 186-208)
- James, excerpt from “Is Life Worth Living?” (course packet)
- James, “The Moral Equivalent of War” (course packet)
- James, selections from _Principles of Psychology_ (in Thayer, pp. 135-55)
- Menand, chapters 4-6

February 8, 10, 11. Some core pragmatist strategies: the organic model.

- George Herbert Mead, selections (in Thayer, pp. 341-58)
- Recommended: Feffer, _The Chicago Pragmatists and American Progressivism_, pp. 117-78, 236-50 (course packet)

Brandeis Vacation: February 15-19


- Peirce, “The Fixation of Belief” (in Thayer, pp. 61-78)
- Peirce, “How to Make Our Ideas Clear” (in Thayer, pp. 79-100)
- Menand, chapters 7-9
  - Recommended: Brent, _Charles Sanders Peirce: A Life_, pp. 322-47 (course packet)
March 1, 3, 4. New definitions of meaning and truth.

James, *Pragmatism*, selections (in Thayer, pp. 209-50)
James, “What Pragmatism Means,” (course packet)
Dewey, “Pragmatic America,” (course packet)
Dewey, *Political Writings*, pp. 1-19
Menand, chapter 13

**Assignment #1 due no later than March 4**

March 8, 10, 11. Pragmatic visions of democracy.

Dewey, *Political Writings*, pp. 32-65
Menand, chapters 10-11
Recommended: Quandt, *From the Small Town to the Great Community*, chap. 1; May, *The End of American Innocence*, pp. 9-29, 140-65 (both in course packet)

March 15, 17, 18. Organic relation of individuals and society.

Dewey, “My Pedagogic Creed” (course packet)
Menand, chapter 12
Recommended: Westbrook, *John Dewey and American Democracy*, pp. 275-293; Quandt, *From the Small Town…*, chap. 3 (both in course packet)

**Proposal for Assignment #2 to be submitted by March 15**

March 22, 24, 25. Critical responses: the problem of values and the “pragmatic acquiescence”: controversies with Randolph Bourne, Lewis Mumford

Bourne-Dewey exchange, *Political Writings*, pp. 192-209
Mumford-Dewey exchange (course packet)
Dewey, *Liberalism and Social Action* (course packet)

**Brandeis Vacation March 29 – April 6**
April 7, 8. Critical responses: growing skepticism about human capacities; the search for “the public”: controversies with Reinhold Niebuhr and Walter Lippmann.

Niebuhr-Dewey exchange (course packet)
Lippmann-Dewey exchange (from Westbrook, pp. 293-318, course packet)

April 12, 14, 15. Legal Realism in Jurisprudence: the status of fundamental rights.

Purcell, pp. 139-218
Dewey, “Liberalism and Civil Liberties” (course packet)
Dewey, “The Social Significance of Academic Freedom” (course packet)
Dewey, excerpts from *Experience and Education*:
  “Social Control”
  “The Nature of Freedom”
  “The Meaning of Purpose” (all in course packet)
Menand, chapter 15

April 19, 21, 22. The emerging gulf between facts and values: critiques of scientific naturalism and relativism.

Mortimer Adler/Sidney Hook exchange (course packet)
Dewey, excerpt from “The Determination of Ultimate Values…” (course packet)
Purcell, pp. 3-94
Menand, chapter 14
Recommended: Mark C. Smith, *Social Science in the Crucible*, pp. 3-48; John P. Murphy, *Pragmatism from Peirce to Davidson*, chaps. 7 and 8 (all in course packet)

Assignment #2 due no later than April 22

April 26, 28, 29. The outlook for democracy in the 21st century.

E.J. Dionne, brief excerpt from *Why Americans Hate Politics* (course packet)
Dewey, *Political Writings*, pp. 210-45
Recommended: Westbrook, *John Dewey…*, pp. 463-95 (course packet)

Readings TBA

Take-Home Final Examination: Due Wednesday, May 12, 2 p.m. in Brown, Room 325
(Legal Studies Office)

The University requires all course syllabi to include the following admonitions:

You are expected to be honest in all your academic work. The University policy on academic honesty is section 5 of the Rights and Responsibilities handbook. Instances of alleged dishonesty will be forwarded to the Office of Campus Life for possible referral to the Student Judicial System. Potential sanctions include failure in the course and suspension from the University. If you have any questions about my expectations, please ask.

If you are a student with a documented disability on record at Brandeis University and wish to have a reasonable accommodation made for you in this class, please see me immediately.