A Course in Classical Liberal Thought

Mario J Rizzo
CLASSICAL LIBERALISM:  
History, Theory and Contemporary Jurisprudence

Mario J. Rizzo  
New York University  
Department of Economics  

Fall, 2007

Description: Classical liberalism is the political philosophy that holds that society, within a legal framework of private property and liberty of contract, largely runs itself. This course is an interdisciplinary exploration of the fundamental principles of liberalism and its application to issues of broad relevance to the law. These principles are developed through classical and contemporary sources from Marcus Tullius Cicero to Richard Epstein and Randy Barnett. The applications include eminent domain, religious toleration, the legal status of homosexuality, the war on terror, the market for parental rights, and the moral and economic status of profiting from the ignorance of others.

I. Introduction

Ralph Raico, “Prolegomena to a History of Liberalism.” From: Journal des Economistes et des Etudes Humaines.

Benjamin Constant, “The Liberty of the Ancients Compared with that of the Moderns.” From: Political Writings.

II. The Meaning of Spontaneous Order: An Introductory View


III. Fundamental Principles: “Classical” Views

- **Utilitarianism**


- **Indirect Utilitarianism**


- **Natural Law**


  Wilhelm von Humboldt, “The Purpose of Man” and “The Purpose of the State.” From: *The Sphere of Duties of Government*.

IV. Fundamental Principles: Contemporary Views


V. Social Cooperation

• Market Exchange


Specific Issue: Should People Be Able to Profit from the Ignorance of Others?

Marcus Tullius Cicero, On Duties, Book 3, sec. 12-13 (44 B.C.)

Thomas Aquinus, Summa Theologiae, vol. 38, 2a 2ae, Question 77 (c. 1270).


• Property


Specific Issue: Should there be a Market in Parental Rights?

Specific Issue: Eminent Domain


VI. Social and Religious Toleration


Specific Issue: Homosexuality and the Law


Specific Issue: Drug Prohibition


Specific Issue: Making Men Moral

Robert P. George, Making Men Moral, Chap. 1.


VII. Liberty and Democracy


**VIII. Foreign Policy, War on Terror and Liberty**


Robert A. Taft, *A Foreign Policy for Americans*, Chap. 1, “What are the Purposes of a Foreign Policy?”


**IX. General Slippery Slope Analysis**


Herbert Spencer, “The Coming Slavery.” From: *The Man versus the State*. 


**X. Paternalism**


