ISS 3441: Liberty and Order: Philosophical, Political, Economic and Legal Perspectives

I. General Information

Class Meetings

- Spring 2026
- 100% In-Person, no GTAs, 30 students
- MWF, 11:45AM–12:35PM

Instructor

- Amy Chandran
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- Office hours MWF 1:30-2:30PM and by appointment

Course Description

How do we strike the proper balance between liberty and order in the political, economic, and legal domains? How do we avoid the extremes of anarchy on one side and authoritarianism on the other? This multidisciplinary course identifies ways this balance has been struck in the past and how it might be achieved in the present day. The course explores how pivotal thinkers from antiquity to the present have tried to reconcile the demand for liberty and the need for authority to promote a political, economic, and legal order that respects dignity and furthers the common good.

Required Readings and Works

1. All required readings will be posted as PDFs to Canvas.
2. The writing manual for this course is R.M. Ritter, *The New Oxford Style Manual*, 3rd edn. (Oxford University Press, 2016). ISBN: 9780198767251.
3. Materials and Supplies Fees: N/A.

Course Objectives

- Identify, describe, and explain the guiding principles of liberty and order across the history of political, philosophical, economic and legal thought.
- Identify, describe, and explain key defining views of ancient and modern views of liberty and order
- Evaluate the extent to which differences in views about liberty and order have shaped the institutions and constitutional principles of America and Western Civilization more broadly.
- Analyze primary documents, situate them in historical and literary context, and develop critical interpretations of their significance to the emergence of modern conceptions and practice of liberty and order.
- Analyze key elements, biases and influences that shape the theory and practice of liberty and order.
- Develop and articulate in writing clear and effective responses to central questions about liberty and order from multiple perspectives.
- Communicate orally and in writing clearly and effectively the significance of the development of modern conceptions of civil discourse in our society.

II. Graded Work

Description of Graded Work

1. **Active Participation and Attendance: 25%**
    a. **Participation: 20%**
        i. An exemplar participant shows evidence of having done the assigned reading before each class; consistently offers thoughtful points and questions for discussion; and listens considerately to other discussants. See participation rubric below. ®

    b. **Class Attendance: 5%**
        i. On-time class attendance is required for this component of the course grade. You may have two unexcused absences without any penalty. But starting with the third class missed your grade will be affected. Starting with the third unexcused absence, each unexcused absence reduces your attendance grade by 2/3: an A– becomes a B, and so on.
        ii. Except for absence because of religious holiday observance, documentation is required for excused absences, per university policy. Excessive unexcused absences (10 or more) will result in failure of the course. If you miss 10 or more classes (excused or not), you will miss material essential for successful completion of the course.

2. **Midterm Examination: 25%**
    a. Students will take an in-class, written midterm examination during Week 9. It will consist of multiple choice, short answer questions and an essay.

3. **Reading Quizzes: 25%**
    a. Reading quizzes will be administered at the start of class sporadically throughout the semester. Reading quizzes will test the student's knowledge of the week's readings, and will contain short-answer, and/or multiple-choice questions.
    b. There will be six quizzes over the course of the semester and the lowest grade will be dropped.

4. **Final Analytical Paper, Week 13: 25%**
    a. In Week 13, you will submit a 2,000 word (minimum) analytical essay answering to a prompt provided by Week 7.
    b. The professor will evaluate and provide written feedback, on all the student's written assignments with respect to grammar, punctuation, clarity, coherence, and organization.
    c. Students may want to access the university's Writing Studio.
    d. An additional writing guide website can be found at Purdue OWL.
    e. See Writing Assessment Rubric on syllabus, below.

Grading Scale

For information on UF's grading policies for assigning grade points, see here.

A	94 – 100%		C	74 – 76%
A–	90 – 93%		C–	70 – 73%
B+	87 – 89%		D+	67 – 69%
B	84 – 86%		D	64 – 66%
B–	80 – 83%		D–	60 – 63%
C+	77 – 79%		E	<60

Grading Rubrics

Participation Rubric

A	Typically comes to class with questions about the readings in mind. Engages others about ideas, respects the opinions of others and consistently elevates the level of discussion
B	Does not always come to class with questions about the reading in mind. Waits passively for others to raise interesting issues. Some in this category, while courteous and articulate, do not adequately listen to other participants or relate their comments to the direction of the conversation.
C	Attends regularly but typically is an infrequent or unwilling participant in discussion.
D–E	Fails to attend class regularly and is inadequately prepared for discussion.

Writing Rubric

	A	B	C	D–E
Thesis and Argumentation	Thesis is clear, specific, and presents a thoughtful, critical, engaging, and creative interpretation. Argument fully supports the thesis both logically and thoroughly.	Thesis is clear and specific, but not as critical or original. Shows insight and attention to the text under consideration. May have gaps in argument's logic.	Thesis is present but not clear or specific, demonstrating a lack of critical engagement to the text. Argument is weak, missing important details or making logical leaps with little support.	Thesis is vague and/or confused, demonstrates a failure to understand the text. Argument lacks any logical flow and does not utilize any source material.
Use of Sources	Primary (and secondary texts, if required) are well incorporated, utilized, and contextualized throughout.	Primary (and secondary texts, if required) are incorporated but not contextualized significantly.	Primary (and secondary texts, if required) are mostly incorporated but are not properly contextualized.	Primary and/or secondary texts are absent.
Organization	Clear organization. Introduction provides adequate background information and ends with a thesis. Details are in logical order. Conclusion is strong and states the point of the paper.	Clear organization. Introduction clearly states thesis, but does not provide as much background information. Details are in logical order, but may be more difficult to follow. Conclusion is recognizable and ties up almost all loose ends.	Significant lapses in organization. Introduction states thesis but does not adequately provide background information. Some details not in logical or expected order that results in a distracting read. Conclusion is recognizable but does not tie up all loose ends.	Poor, hard-to-follow organization. There is no clear introduction of the main topic or thesis. There is no clear conclusion, and the paper just ends. Little or no employment of logical body paragraphs.
Grammar, mechanics, and MLA Style	No errors.	A few errors.	Some errors.	Many errors.

Examination Rubric: Essays and Short Answers

	A	B	C	D–E
Completeness	Shows a thorough understanding of the question. Addresses all aspects of the question completely.	Presents a general understanding of the question. Completely addresses most aspects of the question or address all aspects incompletely.	Shows a limited understanding of the question. Does not address most aspects of the question.	Does not answer the specific central question.
Analysis	Analyses, evaluates, compares and/or contrasts issues and events with depth.	Analyses or evaluates issues and events, but not in any depth.	Lacks analysis or evaluation of the issues and events beyond stating accurate, relevant facts.	Lacks analysis or evaluation of the issues and events beyond stating vague, irrelevant, and/or inaccurate facts.
Evidence	Incorporates pertinent and detailed information from both class discussions and assigned readings.	Includes relevant facts, examples and details but does not support all aspects of the task evenly.	Includes relevant facts, examples and details, but omits concrete examples, includes inaccurate information and/or does not support all aspects of the task.	Does not incorporate information from pertinent class discussion and/or assigned readings.
Writing	Presents all information clearly and concisely, in an organized manner.	Presents information fairly and evenly and may have minor organization problems.	Lacks focus, somewhat interfering with comprehension.	Organizational problems prevent comprehension.

III. Weekly Schedule

Week 1: The Classical Approach I—Political Authority, Regime Types, and Justice
(January 12, 14, 16)

This week we will focus on the ancients. This investigation will take us back to the founding of political philosophy in the conversations of Socrates written by Plato. First, we will inquire into the classical regime types and the moral characters to which they correspond. Next, we will consider the foundations of political authority along with the possibility of—and justification for—civil disobedience.

Readings (~90 pages):

Monday: *No readings* [Introductions]

Wednesday:

1. Plato, *Crito*, in *Five Dialogues*, trans. G.M.A Grube, rev. John M. Cooper (Indianapolis, 2002), pp. 45–57.

Friday:

2. Plato, *The Republic*, trans. Tom Griffith (Cambridge, 2000), Books II-IV, VIII.

Week 2: The Classical Approach II: Constitution, Regime and Civic Friendship
(January 21 & 23)

This week we will continue examining the classical foundations regarding questions of liberty and order. We will read what Aristotle, Plato's student, has to say about making the constituent parts of the city cohere. In particular, we will look at the principle of liberty adopted by the democrats as central to their conception of justice. We will consider the role of friendship in sustaining justice and political order. And we will differentiate between ideal and practicable forms of constitutional government.

Readings (98 pages):

No class Monday.

Wednesday:

1. Aristotle, *Politics*, 2nd ed., trans. Carnes Lord (Chicago, 2013), Excerpts, Book I, III, IV. pp. 1-5, 62-87, 97–128.

Friday:

2. Aristotle, *Nicomachean Ethics*, trans. Robert C. Bartlett and Susan D. Collins (Chicago, 2011), pp. 163–200. (Books 8–9).

Week 3: Order and the Cosmos—From Classical to Medieval Visions
(January 26, 28 & 30)

This week, we will transition from classical political thought in the Socratic tradition to the medieval inheritance of this vision. Aquinas offers an account of law, that integrates the human order within a wider, natural, divinely ordained order. In addition, bringing the former to a new synthesis with Christian thought, he writes that statesmen should direct communities toward the common good. Dante Alighieri's famous work on monarchy or empire offers a defense of a temporal order, grounded in a divine notion of order.

Readings (77 pages):

Monday:

1. Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province, (New York, 1948), Q.90, a1-4.

Wednesday:
2. Aquinas, *On Kingship*, in idem, *Political Writings*, ed. R.W. Dyson (Cambridge, 2002), pp. 5–45.

Friday:
3. Dante Alighieri, *De Monarchia*, trans. Aurelia Henry (Houghton, Mifflin & Co.: Cambridge,1904) pp.3-59, 187-196.

Week 4: From Classical to Early Modern Absolutism
(February 2, 4 & 6)

This week we will turn to early modern receptions of this legacy combining order and liberty. We will examine the thought of Thomas Hobbes, an innovator who took the problem of reconciling liberty and order to be the central political question.

Readings (~100 pages):

Monday:
1. Thomas Hobbes, *Leviathan,* ed. Noel Malcolm (Clarendon Press: Oxford, 2012), Book I, IV, V, VII, X-XIII.

Wednesday:
2. Thomas Hobbes, *Leviathan*, ed. Noel Malcolm (Clarendon Press: Oxford, 2012), Book XIV-XVIII, XXI.

Friday:
3. Thomas Hobbes, *Leviathan*, ed. Noel Malcolm (Clarendon Press: Oxford, 2012), Book XXIX, XXX, XXXII.

Week 5: Social Contract Theory and Toleration
(February 9, 11 & 13)

Throughout the middles ages and early modern period, Catholics insisted that civil order required a religiously unified population. This belief, which Protestants would share, underwrote regimes that persecuted religious dissenters, but the religious pluralism and warfare unleashed by the Reformations in the sixteenth and seventeenth centuries would put this assumption under severe strain. This week, students will read John Locke's famous argument that civil order is compatible with a degree of religious liberty, as well as Jonas Proast's rejection of this claim.

Readings (89 pages):

Monday:
1. John Locke, *Two Treatises Concerning Government*, Ch. I-V, VIII-IX, ed. David Wootton, Hackett Publishing Classics, 1681.

Wednesday & Friday:
1. John Locke, *A Letter Concerning Toleration*, ed. Mark Goldie (Indianapolis, 2010), pp. 1–68.

2. Jonas Proast, 'The Argument of the Letter concerning Toleration, Briefly Considered and Answered', in *Locke on Toleration*, ed. Richard Vernon (Cambridge, 2010), pp. 54–66.

Week 6: Making the Modern World—Civility, Freedom and Equality
(February 16, 18, & 20)

We will turn to Jean Jacques Rousseau's account of order, which offers an eighteenth-century statement of sovereignty, a distinct account of what it might mean to be "forced to be free". We will pay particular his attention to the importance of equality for the vision of freedom that he suggests is possible to achieve within a nation state. We will then turn to David Hume's contrasting account of the origins of government.

Monday

1. Jean Jacques Rousseau, "*The Social Contract*," Book I, in *The Major Political Writings of Jean-Jacques Rousseau,* trans. and ed. John T. Scott (University of Chicago Press, 2014).

Wednesday:

2. Jean Jacques Rousseau, *The Social Contract*, excerpts Book II, in *The Major Political Writings of Jean-Jacques Rousseau,* trans. and ed. John T. Scott (University of Chicago Press, 2014).

Friday:

1. Jean Jacques Rousseau, *The Social Contract*, excerpts Book IV. in *The Major Political Writings of Jean-Jacques Rousseau,* trans. and ed. John T. Scott (University of Chicago Press, 2014).

Week 7: Making the Modern World: Liberty and Order in Commercial Society
(February 23, 25 & 27)

This week, we will transition from classical political thought in the Socratic tradition to modern political thought as it arose in commercial society. Smith, representing the latter, argues that natural liberty and voluntary exchange are the best means by which to produce a just order. We will explore the causes and consequences of the transition from feudal society to commercial society. We will discover what how commerce and luxury contributed to the decline of the nobility and the increased power of the middling ranks. And we will read what Smith thought about this new type of social order and the place of liberty within it.

Readings (92 pages):

Monday

1. David Hume, *Essays, Moral, Political and Literary*, ed. T. Beauchamp, D.F. Norton, M.A. Stewart, (Oxford Press, 2021), pp. 51-57, 332-47, "Of the First Principles of Government," "On the Origins of Government," "Of the Original Contract."

Wednesday:

2. Adam Smith, *Theory of Moral Sentiments*, Part 1, s.1, 3, and Part 2, s.2. pp. 9-26, 43-66, 78-91.

Friday:

3. Adam Smith, *Wealth of Nations*, pp. 8–30, 379–392 (Introduction, I.i–ii, IV.ix). pp. 227–258, 275–301, 338–373 (III.i–iii; IV.i–ii; IV.vii).

Week 8: Making the Modern World: Liberty and Order in America, 1776 and Beyond
(March 2, 4 & 6)

This week, we will look to the American example of liberty encounter Burke's analysis of the spirit of the American colonists, what they brought with them from the old world to the new, and why they are fit for self–government. We will consult the writings of Adams, one of the best constitutional theorists of the founding generation, who drafted the 1780 Massachusetts Constitution, the oldest functioning written constitution.

Readings (~120 pages):

1. Edmund Burke, 'Speech on Moving Resolutions for Conciliation with the Colonies', in *Select Works of Edmund Burke* (Indianapolis, 1999), I: 221–289.
2. John Adams, 'Thoughts on Government', in *The Revolutionary Writings of John Adams*, ed. C. Bradley Thompson (Indianapolis, 2000), 285–293.
3. John Adams, 'The Report of a Constitution, or Form of Government, for the Commonwealth of Massachusetts', in *Revolutionary Writings of John Adams*, ed. Thompson, pp. 295–322.
4. Abraham Lincoln, "The Perpetuation of Our Political Institutions: Address Before the Young Men's Lyceum of Springfield," Illinois, January 27, 1838; available at: https://www.abrahamlincolnonline.org/lincoln/speeches/lyceum.htm.

Week 9: Changing Conceptions of Liberty in Review
(March 9, 11 & 13)

Having historically situated the rise of modern liberty, we will turn to a French nineteenth century thinker, Benjamin Constant, distinguished between ancient and modern forms of liberty. We will then take up various insights from Alexis de Tocqueville, a Frenchman who traveled to America and observed the risks and values of its democratic establishment.

Readings (102 pages):

1. Benjamin Constant, 'The Liberty of the Ancients Compared with that of the Moderns', (1819) in *Political Writings*, ed. Biancamaria Fontana (Cambridge, 1988), pp. 308–328.
2. Alexis de Tocqueville, *Democracy in America,* [excerpts] vol.1 pt.1, pt.2 ch.1; vol.2 pt.2 ch.1, ch.6.

[Friday March 13: Midterm Examination]

[Spring Break]

Week 10: Visions and Critics of Modern Liberty
(March 23, 25 & 27)

This week, we will examine two of the most influential views on modern liberty, presented in the 19th Cenruty. who have suggested that modern liberty makes us less free. Tocqueville critiques the modern turn, raising questions about the nevertheless inevitable progression of history towards democracy. And Marx examines the various forms of alienation that arise in industrial society.

Readings (54 pages):

1. Karl Marx, *1844 Manuscripts,* in *Karl Marx: A Reader*, ed. Jon Elster (Cambridge, 1986), pp. 62–77.
2. J.S. Mill, "On Liberty," in *On Liberty, Utilitarianism and Other Essays*, eds. Mark Philip and Frederick Rosen, (Oxford University Pres, 2015), Introduction, Bk 1, Bk IV.

Week 11: Liberty and the Market

(March 30, April 1 & 3)

This week, we will read about the doctrine of freedom of contract and consider its role in the creation of wealth in the early twentieth century. We will also ask how 'liberal' and 'republican' conceptions of liberty inform political and legal approaches to market interactions.

Readings (103 pages):

1. Morton J. Horwitz, 'The Triumph of Contract' in *The Transformation of American Law, 1780–1860* (Cambridge, MA, 1977), 160–185, 201–210.
2. *Lochner v. New York*, 198 U.S. 45 (1905), pp. 45–74.
3. T.H. Green, 'Lecture on Liberal Legislation and Freedom of Contract', in *Works of Thomas Hill Green. Volume 3*, ed. R.L. Nettleship (Cambridge, 2015), pp. 365–386.

Week 12: Liberal Order vs. Socialist Order

(April 6, 8, 10)

This week, we will investigate the fundamental principles of liberalism and socialism. We will read Hayek's argument of the superiority of a liberal over a socialist order, Polanyi's argument that liberal economics arose with a significant amount of planning, and Cohen's recent presentation of socialist commitments.

Readings (137 pages, including optional text):

1. F.A. Hayek, 'The Principles of a Liberal Social Order' *Il Politico* (1966), pp. 601–618.
2. F.A. Hayek, 'The Use of Knowledge in Society' *The American Economic Review* (1945), pp. 519–550. **OPTIONAL**
3. Karl Polanyi, 'Freedom in a Complex Society', in *The Great Transformation* (Boston, 2001), pp. 257–267.
4. G.A. Cohen, *Why Not Socialism?* (Princeton, 2009), pp. 3–82.

[Assignment: Analytical Paper Due: April 10]

Week 13: Contemporary Debates: Positive, Negative, and Republican Visions of the Liberal Order

(April 13, 15, 17)

This week we will turn to more recent attempts to conceptualize liberty. We will begin with Isaiah Berlin's vision of positive and negative liberty as a way of casting a clear distinction between these. We will then turn to Quentin Skinner's work of neo-Roman conceptions and the centrality of non-domination in contemporary republican thought. Finally, we will look at Raymond Aron's essay regarding equality and "liberties" in liberal societies.

Readings (157 pages):

1. Isaiah Berlin, 'Two Concepts of Liberty', in *Liberty*, ed. Henry Hardy (Oxford, 2002), pp. 166–217.
2. Quentin Skinner, 'A Third Concept of Liberty', *Proceedings of the British Academy* (Oxford, 2002), pp. 237–268.
3. Raymond Aron, *Liberty and Equality,* trans. Samuel Zeitlan, (Princeton, 2023).
4. Cass R. Sunstein, 'The Ethics of Nudging', *Yale Journal on Regulation* (2015), pp. 413–450.

Week 14: The Promise and Perils of Liberal Democracy: I
(April 20 & 22)

In this final week of class, we will discuss contemporary crises plaguing liberal democracies across the globe. We will think about who ought to lead in a representative democracy and the degree to which today's elites serve the common good. How free are our institutions or government today? How might the desire for liberty go wrong? How does the West fare in comparison to alternative regimes?

Readings (46 pages):

1. Aleksander Solzhenitsyn, "A World Split Apart," *Harvard University*, 8 June 1978, (available at: https://www.solzhenitsyncenter.org/a-world-split-apart.)
2. Christopher Lasch, *The Revolt of the Elites and the Betrayal of Democracy* (New York, 1996), pp. 3–49.

IV. Required Policies

All up-to-date required policies can be found here: https://go.ufl.edu/syllabuspolicies