To Be Free and Equal:  
*Freedom and Equality in the Anglo-American Tradition*  
Tuesday and Thursday, 2:20-3:35 in Funger 103

Professor Steven Kelts  
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**Course Description:** The history of Western political thought is full of attempts to explain, in different ways, the connection between freedom and equality. In this class, we will study how these ideals have played out in the Anglo-American tradition, and thereby come to a deeper understanding of our own thinking on freedom and equality. We will also look at contemporary issues that seem to force the ideals of freedom and equality into conflict, and ask how traditional political thinkers might resolve them.

**Learning Objectives:**  
As a result of completing this course, students will be able to:  
1) understand the Anglo-American heritage of liberty by bringing its ideals to life;  
2) analyze disagreements within that tradition by identifying details that lead to conflict;  
3) write concise, yet profound analyses of fundamental texts on liberty;  
4) analyze some current political issues using traditional ideals;  
5) build their own philosophy of freedom and equality informed by traditional theory.

**Schedule:** We will meet on Tuesdays and Thursdays. There will be a 55 minute lecture, followed by a directed question session. Attendance is mandatory.

**Texts:** The fundamental texts for our course (Locke, Mill and Rawls) are available at the bookstore, along with a few other important texts. Readings marked with a *Bb* will be available on Blackboard to download, or read from a linked website. Court cases are available free via Lexis-Nexis and other sources: you are responsible for retrieving these on your own.

**Grading:**  
**Participation:** Attendance and participation at lecture is absolutely required; outstanding participation will earn extra credit on your final grade.  
**Papers:** Three papers of about 8-9 pages (2400-2700 words), each counting for 1/3 (~33%) of the final grade. One paper at the end of each part of the course. Each will begin with a section of 1200-1500 words on the fundamental political theorist we studied in that part of the course (Locke, Mill and Rawls); and it will end with a section of 1200-1500 words on one of the policy issues from that part of the course.

See final page for other important policies of this class. This syllabus is a formal contract.
Introduction: Can We Have Freedom Without Equality?

Part I: Property and Democracy in the Anglo-American Tradition

Th: January 19  
Ancient and Christian Ideals
Aristotle, *The Politics*, Book I.  (Bb)

Two Sides of One Coin: Freedom and Equality in John Locke

T: January 24  
Property: Locke’s Fundamental Value
*The Second Treatise*, Chapters 1-5.

Th: January 26  
Political Freedom as Political Equality

T: January 31  
Freedom and Legislative Power
*The Second Treatise*, Chapters 10-14; and §§ 211-231.

Two Disciples of Locke? Karl Marx vs. Milton Friedman

Th: February 2  
The Spectre of Communism

T: February 7  
Libertarian Individualism

Debating the Estate Tax

Th: February 9  
Locke and the Right to Inheritance
Readings TBA. (Bb)

T: February 14  
Public Opinion on the Estate Tax
John Sides, “Stories, Science and Public Opinion.”  (Bb)

Interpreting the Democratic Constitution

Th: February 16  
The Rights Thesis and the Role of Judges
Ronald Dworkin, *Taking Rights Seriously*, Ch. 12 and
*Freedom’s Law*, Introduction.  (Both on Bb)

T: February 21  
Democratic Rights: Legislatures vs. Judges
Jeremy Waldron, *Law and Disagreement*, Ch. 11.  (Bb)

Th: February 23  
Discussion: How Shall We Interpret the Constitution?
No Reading.

First Paper: Due Monday, February 27th; min. 2400 words, max. 2700 words.
Part II: Freedom of Speech in Theory and in Law

The Utility of Freedom and Equality? John Stuart Mill’s Political Morality

T: February 28  Utility: Mill’s Fundamental Value
On Utilitarianism, Chapters 1, 2 and 5.

Th: March 1  Can a Utilitarian Support Rights?
On Liberty, Chapters 1 and 2.

T: March 6  Rights, Democracy and Socialism in Mill
On Liberty, Chapters 3 and 4.

Th: March 8  No Class

T and Th: March 13, 15  No Class (Spring Break)

Free Speech, Campaign Finance and Political Equality

T: March 20  The Court’s Evolution on Free Political Speech
Whitney v. California, 274 U.S. 357 (1927)

Th: March 22  Guest Lecture: Beyond Brandenburg: New Approaches
Readings TBA.  (Bb)

T: March 27  The Debate Over Buckley
Buckley v. Valeo: from Gunther, Constitutional Law.  (Bb)
Selected articles from policy publications.  (Bb)

Free Speech, Hate Speech and Equal Citizenship

Th: March 29  Regulating Racist Speech on Campus

Free Speech, Obscenity and Women’s Equality

T: April 3  The Democratic Limits of Free Speech
Roth v. United States, 354 U.S. 476 (1957)

Th: April 5  Thoughts vs. Acts: What Free Speech Does
Catherine MacKinnon, “Francis Biddle’s Sister.”  (Bb)

Second Paper:  Due Monday, April 9th; min. 2400 words, max. 2700 words.
Part III: Equality and Opportunity in America

Freedom and Equality in the 20th Century: John Rawls’s Liberal Egalitarianism

T: April 10  
Fairness: Rawls’s Fundamental Value  
*A Theory of Justice*, Sections 1-6 and 9-17.

Th: April 12  
The Original Position: Envisioning Equal Citizens  

T: April 17  
Rawls vs. Friedman  

Equality and Wealth in a Market Democracy

Th: April 19  
What Is Welfare? What Should It Be?  
Ackerman, *The Stakeholder Society*, Ch. TBA.  
(Bb)  
(Bb)

Equality and Education in a Meritocracy

T: April 24  
Reforming Public Schools  
Jonathan Kozol, *Savage Inequalities*, Ch. 3.  
(Bb)  
Chubb and Moe, “Choice Is a Panacea.”  
(Bb)

Th: April 26  
Affirmative Action: Egalitarian Inequalities?  
Bowen and Bok, *Shape of the River*, Chs. 3 and 8.  
(Bb)  
(Bb)

Third Paper: Due Monday, April 30th; min. 2400 words, max. 2700 words.
CLASS POLICIES

1) Attendance at each and every class is required. Attendance may be taken without warning.
2) Late work will be docked 1 letter grade, with an additional 1/3 of a letter grade (from a B to a B- for instance) for each day late thereafter.
3) University Policy on Religious Holidays:
   1. Students should notify faculty during the first week of the semester of their intention to be absent from class on their day(s) of religious observance;
   2. Faculty should extend to these students the courtesy of absence without penalty on such occasions, including permission to make up examinations.

ACADEMIC INTEGRITY

I uphold the GW Code of Academic Integrity, though students should be aware that more severe penalties will be assessed in this class: Any instance of academic dishonesty will result in failure of the course.

The Code states: “Academic dishonesty is defined as cheating of any kind, including misrepresenting one’s own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.” For the remainder of the code, see: http://www.gwu.edu/~ntegrity/code.html

SUPPORT FOR STUDENTS OUTSIDE THE CLASSROOM

DISABILITY SUPPORT SERVICES (DSS)
Any student who may need an accommodation based on the potential impact of a disability should contact the Disability Support Services office at 202-994-8250 in the Marvin Center, Suite 242, to establish eligibility and to coordinate reasonable accommodations. For additional information please refer to: http://gwired.gwu.edu/dss/

UNIVERSITY COUNSELING CENTER (UC)
The University Counseling Center (UCC) offers 24/7 assistance and referral to address students' personal, social, career, and study skills problems. 202-994-5300

Services for students include:
1) crisis and emergency mental health consultations
2) confidential assessment, counseling services (individual and small group), and referrals.

SECURITY

In the case of an emergency, if at all possible, the class should shelter in place. If the building that the class is in is affected, follow the evacuation procedures for the building. After evacuation, seek shelter at a predetermined rendezvous location.