

**GOV 312L: Issues and Policies in American Government:  
THE CONSTITUTIONAL DEBATES  
Professor Budziszewski  
SYLLABUS PACKET**

**Unique number:** 38430  
**Lectures:** Tu/Th, 2:00-3:30pm in MEZ 1.306, except as shown in calendar  
**Professor:** J. Budziszewski <jbud@grandecom.net>  
**Prof's office hours:** Tu/Th, 9:15-10:45am in Mezes 3.106, except as announced  
**Prof's office phone:** 232-7229, but email strongly preferred

**T.A.:** Kevin Stuart <kevinstuart@mail.utexas.edu>  
**T.A's office hours:** W 9:30am-12:30pm in Batts 1.118  
**Discussion sections:** To be announced  
**Course website:** Blackboard

Substantial writing component. Fulfills second half of legislative requirement for 6 hours of American Government. Includes strongly encouraged, but voluntary, Supplemental Instruction discussion sections, which are statistically associated with higher grades for those students who participate.

*DESCRIPTION*

Americans are often said to be obsessed with their Constitution. So be it; but then it behooves us to know something about it. The approach taken in this course is to return to the early debates surrounding its writing and ratification. We make no use at all of textbooks; rather we study the political thinking of the early Americans in their own words.

Another old saw is that history is written by the winners. However, this is not be a course in winner-worship: Equal attention and respect are given, on the one hand, to those who wrote the Constitution and argued for its ratification, and on the other, to those who argued against it or demanded sweeping changes in its content. There are several good reasons for such evenhandedness. One is that, for all we know, the losers might have been right. Another is that they might have had some influence on the winners. Still a third is that we can't fully understand the arguments by which the winners won unless we understand what they were arguing against.

Having spoken of history, I should now admit that this is not a "history course" in the ordinary sense. Rather it is a course in early American political thought -- in political theory and philosophy. Another thing that you should understand is that this course puts heavy emphasis on the development of skills in interpretive reading, critical thinking, and analytical writing. For instance, it doesn't matter that you can read what a writer has written and figure out what he believes. What matters is whether you can learn to figure out *why* he believes it, and *how it*

*is logically related to other* things he believes. In other words, when you read you are expected to look for arguments, not just propositions.

## REQUIREMENTS

For Unit 1, analytical outlines are required and are the basis of the grade; you submit a first draft, receive feedback, then receive a second draft which is graded. Analytical outlines are *not* required for Units 2 and 3, but for each of these units you may receive up to five extra credit points for analytical outlines. To receive extra credit points for a unit, you must analytically outline every reading in the unit, and your work must be original. Any extra credit points that you earn will be added to your grade for that unit's examination. Your analytical outlines for a unit should be turned in on the same day as your take-home exam for that unit. By the way, even aside from extra credit, analytical outlining strongly improves performance on quizzes and exams, and it trains you in ways that will help you in other courses too.

The examinations for Units 2 and 3 are 5-page take-home essays. For Unit 2, students will turn in a first draft, for feedback, then a second draft, for a grade. For Unit 3, students will turn in only the final draft, for a grade. Several days are allowed for each examination. Students may study together *before* an examination has been assigned, but after that point, they must work independently: Any sharing of notes, drafts, or ideas during an examination period is treated as scholastic dishonesty. For each day that an examination is late, the grade for the examination is reduced by one letter.

Thirteen short-answer-format quizzes will also be administered. Only one is based on the lectures. The others are based on the readings. They cannot be passed unless you stay on schedule in studying and outlining the assigned texts. *You are permitted to use hard copies* (not electronic copies) *of your analytical outlines during quizzes*, but you may not use other any other materials during quizzes.

SI discussion section attendance – which is strongly recommended but not required – is statistically correlated with better performance and therefore higher grades.

Final grades are calculated in four steps. First, each student's TWO lowest quiz grades are dropped, and remaining quiz grades averaged. Second, this average is "curved." Third, the uncurved exam grades and the curved quiz average are weighted, as follows:

Unit 1 analytical outlines	25%
Unit 2 take-home exam (uncurved, <i>counting</i> extra credit points)	25%
Unit 3 take-home exam (uncurved, <i>counting</i> extra credit points)	25%
Curved quiz average	25%

Fourth: The raw semester grades resulting from the previous calculation will be modified as follows. (1) Any student who commits scholastic dishonesty will fail the course and be recommended to the dean for further disciplinary penalties. (2) Class participation affects grades strongly in cases where the mathematical average is on the borderline (which happens more often than you might think). (3) Attendance affects grades in the manner explained in the Attendance Policy, later in this packet. (Be sure to read the policy; it may surprise you.)

I sometimes provide class information by email, so *you must check your email regularly*. I don't use Blackboard unless I have a teaching assistant.

### *REQUIRED TEXTS*

The following required books have been ordered. Each book must be purchased. Bring the books we are using at the moment to class.

1. Ralph Ketcham, ed., *The Anti-Federalist Papers and the Constitutional Convention Debates*. We will be reading pp. 31-180.
2. George W. Carey and James McClellan, eds., *The Federalist*. We will be reading the essays listed in the course calendar.
3. Herbert J. Storing, ed., with Murray Dry, *The Anti-Federalist*. We will be reading the essays listed in the course calendar.

The following readings are also required:

4. *The U.S. Constitution*. This can be found in Rossiter, in Ketcham, or in many locations online.
5. *The Articles of Confederation*. This can be found in Ketcham or in many locations online, but not in Rossiter.

At the beginning of each unit, scan *all* of the assigned readings at least three times. The first time get the shape of the forest; the second time the trees; the third time the limbs and leaves. The best time to construct analytical outlines (if you do that, as I recommend) is during your third reading.

### *HOW TO CONTACT ME*

For short questions, email me at <jbud@grandecom.net>. For long questions or conversations, see me during office hours. In urgent cases, or by appointment, you may phone my home between 8:00pm and 9:00pm. My number is listed in the telephone book.

I'm always delighted to receive your visit in my office, but if you're waiting, please let me know that you're out there, by knocking. Do that even if I am speaking with someone else. Otherwise you may wait forever, because I won't know you're waiting.

*Never* leave messages on my University telephone, in my University mailbox, or underneath my University office door. I don't check the first, the second is unreliable, and the third will be swept up by the cleaning lady.

## Attendance Policy

Attendance matters not only for your own sake but also because you owe it to your classmates to participate in discussion with them. I do record attendance.

Normally I take attendance every day, using an attendance sheet on which you must put both your name and your signature. On days when a quiz is administered, I use the quiz itself to take attendance. If you have some good reason to leave class early, such as an interview with a prospective employer, please let me know ahead of time, and sit close to the door of the room so that your departure does not disturb other students.

- 1 For any day that you fail to sign the attendance sheet, you will be considered absent. If for any reason you arrive late, so that the attendance sheet has already been collected, you may ask to sign it at the end of class, but in this case a half-absence will be recorded. A half-absence will also be recorded if you leave class early for any reason.
- 2 Having someone else sign an attendance sheet for you is treated as scholastic dishonesty, just like having someone else take a quiz or an examination for you.
- 3 No distinction is made between excused and unexcused absences; instead I count total absences. The sole exception is in rule 10, below.
- 4 Classes missed because you added the course late *still count in your total absences*.
- 5 If you have only 1 or 2 total absences, nothing happens. (Notice that I also drop your two lowest quiz grades.)
- 6 If you have 2-1/2 to 3-1/2 total absences, your grade is reduced by a full letter.
- 7 If you have 4 to 5 total absences, your grade is reduced by two full letters.
- 8 If you have 5-1/2 to 6-1/2 total absences, your grade is reduced by three full letters.
- 9 If you have 7 or more total absences, you cannot pass the course at all.
- 10 If you miss a class missed because of an obligatory holy days of your religion, or because class meet at a different day or time than usual and you have a conflict, your absence is not included in your number of total absences. *To earn a passing grade in the course, however, for each such missed class you must arrange with your professor or TA to write a 2-page makeup essay on an assigned topic.*

## About the Quizzes

### TEACHING

Students at the University of Texas at Austin are, in my experience, both interested in what faculty have to teach them and capable of learning it. The best of them are as good as the best students at any institution in the country. However, students who carefully read what they are assigned to read by the day they are supposed to read it are a rare and vanishing species. Whether the reasons for this fact are good or bad do not concern me. I simply state it.

Though I sometimes outline various texts to model how this is done, I am unwilling to teach down to students by spending class time summarizing assigned readings you have not read. It reminds me of the Eskimo practice of chewing food for infants before feeding it to them. I consider you what you consider yourselves: Adults. Class time should be spent helping you learn to take even deeper mouthfuls of what you chew for themselves.

Quizzes advance this goal by providing a powerful incentive to read the texts by the time they are due, with the care I think they require. (As you have already learned, I think they require a *lot* of care.) Comparing my classes now with my classes in the years before I started administering quizzes, I find that the quiz incentive has succeeded beyond my expectations.

### MEASUREMENT

The quizzes are designed *only* to measure whether you are reading carefully and on schedule. Although you are permitted to use your analytical outlines during quizzes, the quizzes are not designed to measure the adequacy of your analytical outlines. Nor are they designed to measure your understanding. To measure understanding, I use essay assignments.

That is why quiz questions require memory rather than thought. You aren't asked to reason about concepts, but to recall details from an author's exposition of those concepts. These details may not be in a good analytical outline, but if you have gone to the trouble to construct a good analytical outline you are much more likely to remember them. Also, they may or may not be "significant"; I don't worry about that. I would worry about it only if I were using quizzes to test understanding. Examples of details you may have to remember are the author's definitions, distinctions, metaphors, examples, and technical terms -- perhaps even the more colorful and memorable of his turns of phrase!

I do expect precision. A student once complained to me "The wording of the first question on today's quiz was unfair. It asked what *provision* of the Constitution was defended in a certain essay. I took that to mean what *power* was defended in that essay, but you didn't accept my answer." Translated, that means

1. It's unfair to expect me to know that 'power' and 'provision' aren't synonyms!

2. It's unfair to expect me to know what the essay was really about!

Nobody would have made such silly objections in 1950; college standards have slipped. But not in this class.

How hard then should quiz questions be? I aim at the same standard as designers of standardized college admission tests: The average well-prepared student, answering the average quiz question, should have just a fifty-fifty chance of getting it right. (In my class, a student is well-prepared if he has read his readings for the day at least three times as well as analytically outlining them. As I explain later on, constructing an analytical outline is different from merely taking notes.)

I expect all students to be well-prepared; therefore the average raw quiz grade should be a 50. For this reason I curve the scores according the formula (Raw quiz score times .5) plus 50 = Curved quiz score. For example,

A raw quiz score of 0 becomes a curved quiz score of 50 (F-);  
A raw quiz score of 10 becomes a curved quiz score of 55 (middle F);  
A raw quiz score of 20 becomes a curved quiz score of 60 (F+/D-);  
A raw quiz score of 30 becomes a curved quiz score of 65 (middle D);  
A raw quiz score of 40 becomes a curved quiz score of 70 (D+/C-);  
A raw quiz score of 50 becomes a curved quiz score of 75 (middle C);  
A raw quiz score of 60 becomes a curved quiz score of 80 (C+/B-);  
A raw quiz score of 70 becomes a curved quiz score of 85 (middle B);  
A raw quiz score of 80 becomes a curved quiz score of 90 (B+/A-);  
A raw quiz score of 90 becomes a curved quiz score of 95 (middle A); and  
A raw quiz score of 100 becomes a curved quiz score of 100 (A+).

The curved quiz average counts as much as a single essay grade, though essay grades are assigned in a different way (they aren't curved).

Some people do better on quizzes than on essays, and some do better on essays than on quizzes. However, my experience has been that semester-end quiz grades correlate very closely with semester-end essay grades. That is, the students who turn in a middling performance in essays generally turn in a middling performance in quizzes; the students who turn in a superior performance in essays generally turn in a superior performance in quizzes; and so forth. As a result, quiz grades change overall grades in the course very little -- *unless* you aren't doing your reading and analytical outlining on schedule.

## Instructions for Take-Home Essay Exams

Choose *one* of the topics assigned for an essay to be submitted on the day specified in your course calendar. For the first and second take-home essay examination, your essay will be collected at the beginning of class. Because the deadline for the third take-home exam is after the close of classes, you must hand in your exam essay in person to your T.A. If you are out of town, you may snailmail it to him instead, making sure that the postmark is no later than the deadline. The University no longer allows us to use drop boxes, and we do not accept essays by email. For each day beyond the deadline that your essay is turned in, your grade for the essay will be reduced by one full letter.

Write 5-6 pages. Nothing over 6 pages will be read; this forces you to focus your thoughts and write concisely. Type, double-spacing, using 12-point font, on 8-1/2" by 11" paper, with one-inch margins all around. These requirements make all essays comparable in length, so please do not try to evade them. Staple your sheets together. Do not use clips or binders. At the top of the regular first page, put your name, course number, exam number, and problem number.

There is no party line. We have views, but agreeing with us will not improve your grade, nor will disagreeing with us hurt it. You'll be evaluated on the basis of your ability to construct a *good argument* based on a *close reading* of the assigned text. A good argument is not the same as the assertion of a claim. Don't just tell what the author or speaker thinks; tell how you know he thinks it, and why he thinks it's true. Don't back up your arguments by reference to my lectures, but by reference to his own words -- all of them, including those in texts or parts of texts that were assigned but not discussed in class.

You are welcome to read additional primary sources, but avoid secondary sources. You aren't yet -- though I hope that by the end of the course you will be -- in a position to tell whether secondary sources are steering you well or poorly. Read for yourself. Remember, too, that this is an examination, so work independently or suffer disciplinary consequences.

Naturally, grammar, spelling, and other such things do count. A clear and orderly mind expresses itself in a clear and orderly fashion. Finally: Relax, and think before you write. Allow yourself to be interested in your topic. Develop a strategy of argument even before you outline. Outline first, then write a first draft, *then wait a day*, then write a second draft.

Finally, remember that I'm not concerned with whether you think the author or speaker right or wrong. Explain his views, not yours. Get right to the point; don't waste time explaining who the author or speaker was, why it's important to study him, or anything else of that sort. Approach your topic as you would a puzzle in geometry. In other words, the purpose of your essay shouldn't be to "tell me about" something, but to *present a solution to a problem*.

## About the Readings

In order to achieve close familiarity with the assigned texts, you'll have to read each one at least three times.

One kind of reading is *scanning*. This is fairly rapid reading in which you look for broad themes and overall relationships -- in which you get the "drift" of the author's arguments without concentrating on their logical structure.

Another kind of reading is *studying*. This is close reading in which you try to find out exactly how the author's arguments unfold. An important part of studying is interrogating the author. First, at every point you ask questions: "Why do you say that? How do you know that? What does this imply? Where does this lead? How does this square with what you said three paragraphs ago? Given what you've said, how would you respond to the arguments of that other fellow whose text I read yesterday?" Second, you scrutinize the text in order to figure out how the author would probably answer your questions.

After you've scanned and studied a text, you'll want to read it yet again in order to *outline* it. There are several different kinds of outline. Unfortunately, the kind most commonly taught in schools is probably the least useful. This is the "topical" outline, which is merely a list of topics and subtopics with which an author deals. When finished, it looks like a table of contents. Another kind of outline is the "propositional" outline, which lists the claims the author is trying to get you to believe. It isn't much more useful than a topic outline, because it doesn't tell why he considers them believable. The kind of outline I want you to use is called an *analytical* outline. Instead of merely listing either topics or claims, it breaks down the text into arguments (and subarguments). It shows premises, conclusions, and the reasoning that ties them together. It also includes the reasoning that lies behind the author's willingness to accept these premises in the first place.

You should *never* assume that if you understand what has been said about a text in the lecture, you understand everything important about the text. The lectures are designed to help you to analyze the texts on your own -- *not* to offer a substitute for your own analysis. *Remember this. It is absolutely crucial.*

Bring your books to both lecture and discussion section so that you can follow along. Bring your outlines, too.

## Calendar

### UNIT 1: THE CONSTITUTIONAL CONVENTION AND ITS BACKGROUND

Session 1	Thursday 26 August	Course introduction. Unit 1 introduction. Syllabus packet distributed; also Handout #1, on puzzling terms in the Constitution.
Session 2	Tuesday 31 August	Historical background. By this time you should have carefully read both the Articles of Confederation and the U.S. Constitution, and completed your first quick reading of the assigned pages from Madison's <i>Notes on the Constitutional Convention</i> .
Session 3	Thursday 2 September	Quiz 1, on the Articles of Confederation and the U.S. Constitution. Pitfalls to avoid in reading; remarks on republics and democracies. By this time you should have completed your second reading of the assigned pages from Madison's <i>Notes</i> .
Session 4	Tuesday 7 September	Common threads in early American political thought, part 1. By this time you should completed your third reading of the assigned pages from Madison's <i>Notes</i> . DEADLINE FOR FIRST DRAFTs of analytical outlines of Madison's <i>Notes</i> . You're submitting these for feedback, not for a grade.
Session 5	Thursday 9 September	Quiz 2. Common threads in early American political thought, part 2. First drafts of analytical outlines will be RETURNED WITH COMMENTS today.
Session 6	Tuesday 14 September	Unit 1 in-class discussion day. REQUIRED: COME IN WITH BRIEF TYPED QUESTIONS.

**UNIT 2:  
THE ARGUMENTS OF  
THE FEDERALISTS**

Session 7	Thursday 16 September	Unit 2 introduction.
Session 8	Tuesday 21 September	Remarks on Federalist 2, 10. DEADLINE FOR SECOND DRAFTS of analytical outlines of Madison's <i>Notes</i> . You're submitting these for a grade. Quiz 3.

**NO CLASS ON THURSDAY 23 SEPTEMBER.**

Session 9	Tuesday 28 September	Continuation of remarks on Federalist 10; remarks on Federalist 14.
Session 10	Thursday 30 September	Remarks on Federalist 37, 39.
Session 11	Tuesday 5 October	Quiz 4. Remarks on Federalist 47, 48, 49.
Session 12	Thursday 7 October	Remarks on Federalist 51, 62, 63. Handout #2, on Federalist 62, 63.
Session 13	Tuesday 12 October	Quiz 5. Remarks on Federalist 1, 6, 9.
Session 14	Thursday 14 October	Quiz 6. Remarks on Federalist 15, 16, 23, 70.
Session 15	Tuesday 19 October	Quiz 7. Remarks on Federalist 78, 84, 85. Handout #3, on Federalist 84.
Session 16	Thursday 21 October	End-of-unit discussion. Unit 2 Exam assigned. REQUIRED: COME IN WITH BRIEF TYPED QUESTIONS.

**UNIT 3:  
THE ARGUMENTS OF  
THE ANTI-FEDERALISTS**

Session 17	Tuesday 26 October	Unit 3 introduction. Handout #4, to assist in outlining lecture. Deadline to turn in <i>first draft</i> of Unit 2 Exam essays, for feedback.
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Session 18	Thursday 28 October	Remarks on Centinal 1, Federal Farmer 1, 2.
Session 19	Tuesday 2 November	First part of remarks on Federal Farmer 3, 7, 16. Handout #5, on terminology for confederal, federal, and unitary forms of government. The first drafts of the Unit 2 Exam essays will be returned, with feedback.
Session 20	Thursday 4 November	Quiz 8. Second part of remarks on Federal Farmer 3, 7, 16.
Session 21	Tuesday 9 November	Quiz 9. Remarks on Agrippa 4, 8. Deadline for <i>final drafts</i> of the Unit 2 essays, this time for a grade.
Session 22	Thursday 11 November	Remarks on Brutus 1, 2, 3.
Session 23	Tuesday 16 November	Quiz 10. Remarks on Brutus 4, 5, 6.
Session 24	Thursday 18 November	Quiz 11. Remarks on Brutus 7, 8, 9.
Session 25	Tuesday 23 November	Remarks on Brutus 10, 11, 12.

**NO CLASS on Thursday 25 November. Enjoy your Thanksgiving holiday.**

Session 26	Tuesday 30 November	Quizzes 12 and 13. Remarks on Brutus 13, 14, 15.
Session 27	Thursday 2 December	Final lecture. Unit 3 Exam assigned. There may also be time for an end-of-unit discussion, in which case any question related to the Constitution, Constitutional politics, Constitutional violations, or regime design in general is fair game. <b>REQUIRED: COME IN WITH BRIEF TYPED QUESTIONS.</b>

***The Unit 3 Exam is due on Wednesday 9 December. The University no longer allows us to use drop boxes or mailboxes for exam submission, so deliver your examination essay in person to your TA; he will announce a time and place to bring it to him. Do not put it in his mailbox (or mine), and do not slide it under his door (or mine); it may not even be discovered that way. If you are out of town on the 9th, you may snailmail it to him, but***

*make sure that the postmark is no later than the deadline. His address is Kevin Stuart, Department of Government, University of Texas at Austin, 1 University Station A1800, Austin, TX 78712-0119.*

## Tips on Analytical Outlining

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### INTRODUCTION

Many college students take notes the same way they did in high school: they jot down whatever seems important as they go along. That works for predigested material like what one finds in the typical high school textbook. As you have no doubt already discovered, it does not work for material one has to digest for oneself -- especially arguments written from unfamiliar perspectives.

Learning to take notes in a new way is not enough. You must learn to read in a new way. Analytical outlining helps with both. It is a new way of taking notes, and it encourages a new way of reading. Analytical outlining forces you to look beyond the author's propositions to his arguments: Beyond his beliefs to his reasoning for his beliefs.

Because it helps you to respond to the author with your intelligence rather than your prejudices, it is a liberating experience. *Liberation*, in exactly this sense, is the purpose of the *liberal* arts. It isn't the only kind of liberation, or even the most important kind. But it's nothing to sneeze at.

Resist efforts at re-enslavement! Some people (even some university teachers) say that all reasoning is a fraud; that all arguments are forms of propaganda; that truth is a chimera, and that arguments are really just ways of seizing power. To be sure, some arguments are power plays. Perhaps even most are power plays. But not all are power plays. In order to pierce the veil -- in order to know which arguments are simply grabs for power and which are reaches for truth -- you have to begin by taking them seriously as arguments. For that matter, even when an argument *is* intended simply as a grab for power, that doesn't let you off the hook. You still have to take it seriously, because the fact that an argument is offered by a bad man or from a bad motive doesn't make it invalid. Only false premises, unclear terms, or faulty logic can make an argument invalid.

Besides, the argument that all arguments are grabs for power is self-defeating. The next time someone expresses it to you, try turning it around. Ask the speaker, "What kind of power are *you* grabbing for with *that* argument?" The answer may be interesting.

Don't begin an analytical outline of a difficult text before you have read it at least three times. Following is *part* of my own analytical outline of *The Federalist*, essay No. 10, by James Madison. You must use your own judgment as to how much detail to put into your outline. Base this judgment on the logical complexity of the text itself and your own ease or difficulty in understanding it.

- 1 A faction, says Madison, is (1) any number of citizens, whether a minority or a majority of the whole, who are (2) united and (3) actuated by some (4) common impulse of (5) passion or (6) interest which is either (7) adverse to the rights of other citizens or (8) contrary to the aggregate interests of the community. These phrases need explanation.
  - a Phrase 1 means ...
  - b Phrase 2 means ...
  - c Phrase 3 means ...
  - d Phrase 4 means ...
  - e Phrase 5 means ...
  - f Phrase 6 means ...
  - g Phrase 7 means ...
- 2 Because the disease of faction is fatal, it needs remedy.
  - a However, Madison distinguishes between two types of remedy.
    - i One is removing their *causes*. This means ...
    - ii The other is controlling their *effects*. This means ...
  - b What Madison goes on to show is that removing the causes of factions is out of the question. Therefore, if there is any hope for the Union at all, it must rest on controlling their effects.
- 3 But *why* is it out of the question to remove the causes of factions? Because there are only two ways to do it, and neither is feasible.
  - a The first way would be .... and it isn't feasible because ....

- b The other way would be ... and it isn't feasible for the following two reasons.
  - i One reason is that ....
  - ii The other reason is that ...

Treat every analytical outline as a first draft. Leave it alone for awhile to clear your mind, then return and see if it needs any changes. One reason for revising your outline is that you've left out the author's silent premises. For instance, consider the following argument.

- 1 The proposed system of government isn't national.
- 2 Therefore the proposed system of government must be federal.

The silent premise here is that every system of government is either national or federal. Put it in, as follows.

- 1 The proposed system of government isn't national.
- 2 But every system of government is either national or federal (silent premise).
- 3 Therefore the proposed system of government must be federal.

Another reason for revising your outline is that your author mentioned his points in a different order than their logical order. When this happens you need to put them back in logical order so that you can tell what his conclusion is and how he derives it from his premises. Suppose, for instance, that on page 1 your author says "The proposed government is a tyranny," on page 6 he says "The proposed government concentrates all powers in the same hands," and on page 16 he says "Concentration of all powers in the same hands is tyranny." Confusingly, he has put his conclusion first, his minor premise second, and his major premise last. In your analytical outline, go ahead and reorder them as follows.

- 1 Concentration of all powers in the same hands is tyranny. (Major premise.)
- 2 The proposed government concentrates all powers in the same hands. (Minor premise.)
- 3 Therefore, the proposed government is a tyranny. (Conclusion.)

Yet another reason for going back and revising your outline is that in the meantime you've learned about the *objections* raised by his opponents. For example, the first draft of your analytical outline of *The Federalist*, No. 10, might include the following argument of Madison's.

*The Impartiality Argument.* Madison says large electoral districts are better than small ones, because the smaller the district, the more apt elected officials are to put local interests before the good of the country.

But later you learn of an Anti-Federalist objection to this argument, so you put it in.

- a *Objection.* But if electoral districts are too large, won't elected officials know too little about local circumstances to be good representatives?

Whenever you add an objection, you should also figure out the author's reply.

- b *Probable reply.* No, because the federal government has power to legislate only about those "great and aggregate" objects enumerated in the Constitution. "Local and particular" objects are reserved for the states to make laws about. Federal elected officials don't need to know about them.

What if the author's opponents object to his reply? Then you put the new objection in too.

- i *Objection.* But the "necessary and proper" clause "stretches" the powers of the Congress so much that it might try to make laws about "local and particular" objects too.

If at any point in such a debate you think that this time the author is stumped, say so! But if you think he can answer, go ahead and put his answer in.

- ii *Probable reply.* According to Madison and the other Federalists, the "necessary and proper" clause doesn't give Congress any more power than it would have had even had the clause been omitted from the Constitution.

Finally remember that you may put your *own* objections to an author's argument in your analytical outline, too. Just remember to give him equal time -- and reason out his answer from *his* beliefs, not yours.