

powers envisioned by the framers of the Constitution. That is, if one of the three great branches of the proposed government should overstep its constitutionally appointed bounds, how could the proper balance be restored? After dismissing as ineffective the naïve reliance on mere “parchment barriers,” he turns to the proposal of his friend Thomas Jefferson that whenever “two of the three branches of government shall concur in opinion . . . that a convention is necessary for altering the constitution or correcting breaches of it, a convention shall be called for the purpose.” (Madison’s emphasis.)¹¹⁷

Despite his high regard for Jefferson, Madison rejects the notion of “occasional appeals to the people” to correct constitutional problems. He gives several profoundly conservative reasons for this. First, he fears that “every appeal to the people would carry an implication of some defect in the government.” By calling public attention to these defects, the appeals “would in great measure deprive the government of that veneration which time bestows on everything and without which perhaps the wisest and freest governments would not possess the requisite stability.” He recognizes that such a strong commitment to the status quo would make no sense “[i]n a nation of philosophers” where “[a] reverence for the laws would be sufficiently inculcated by the voice of enlightened reason.” Since, however, “a nation of philosophers is as little to be expected as the philosophical race of kings wished for by Plato,” wise statesmen should be cautious about encouraging measures that might undermine the “veneration” necessary for stable government. Aware that his position makes generous concessions to the need to cultivate popular prejudices in such a way that they favor the established order, Madison concludes this part of his argument by wryly observing that “the most rational government will not find it a superfluous advantage to have the prejudices of the community on its side.”¹¹⁸

He then takes up a second line of argument no less conservative than the first: “The danger of disturbing the public tranquillity by interesting too strongly the public passions, is a still more serious objection against a frequent reference of constitutional questions, to the decision of the whole society.” He acknowledges that his fellow