



## ***Beware the Convention of Snakes / Article V Convention Campaign***

State legislators from across the country are being duped into attempting to trigger an Article V “Convention for proposing Amendments.” Most recently, legislators were invited to George Washington’s home at Mt. Vernon to discuss, not why amending the Constitution would solve the problems we face, but rather, how they can help amend the United States Constitution.

It would be encouraging that legislators from 32 states were interested in attending a conference to discuss problems related to the governance of our constitutional republic, had they actually discussed strategies about how they can better “support” the Constitution they swore an oath to, but they did not.

Instead of working to rein in a rogue federal government using the constitutional authorities they already possess, these legislators think amending the Constitution they refuse to support will make the public servants in D.C. support it. How nice it would be if they were as interested in the rest of the Constitution and Bill of Rights as they are in Article V.

Lawyers such as Rob Natelson, Michael Farris, Mark Levin, and [Nick Dranias](#) are spinning a yarn that we can restore the Constitution by changing it. They claim the main argument against the ruse they are knitting together is that a convention might become a “runaway.”

No. That is not the main argument. The main argument is that amending the Constitution won’t make public servants uphold it. Their “solution” doesn’t even solve the problem they identify, let alone the root problem of a failure of the People to elect men and women of character who will actually keep their oath.

They lie when they claim Article V requires a reason or subject matter for such a convention. It does not. It merely requires two thirds of the states to apply for, and Congress to call, a “Convention for proposing Amendments.”

***If you can get people to ask the wrong questions, the answers won’t matter.***

That is what the proponents of an Article V “Convention for proposing Amendments” are hoping you’ll do. Like politicians on the campaign trail, these folks will tell you whatever they think you need to hear to help them trigger an Article V “Convention for proposing Amendments,” and we know how much we can rely on campaign promises. ZERO.

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**[10 Facts to Rebut the Mythology of a Runaway Convention](#) should be called '10 excuses for not upholding the Constitution as written.' Below are the Goldwater Institute's spin in **BLACK**, and Patriot Coalition observations in **RED**.**

1. **Article V does not authorize a constitutional convention; it authorizes a convention for proposing specific amendments.**

**Article V does not require state applications are for "specific" amendments. It only requires the States to apply for an Article V "Convention for proposing Amendments."**

2. **When the Founders drafted the U.S. Constitution in 1787, they specifically rejected language for Article V that would have allowed the states to later call for an open convention.**

**Considering the Founders treated the Philadelphia Convention as an "open convention" despite the dictates of the "call of the convention" to be "for the sole and express purpose of revising the Articles of Confederation," and proceeded to draft a whole new constitution, this argument means nothing.**

3. **Thirty eight (38) states must ratify any proposal from an amendments convention, requiring a broad consensus that makes sure an amendments convention cannot "runaway."**

**What is "runaway?" An amendment can change only one period, or everything but the last period, and still be simply an "amendment." Considering the ignorance of most state legislators and most citizens about the principles of liberty and the intended structure of our constitutional republic, we shouldn't trust them to amend a Constitution they refuse to uphold with its current wording.**

4. **The limited scope of an amendments convention is underscored by the fact that it specifically says amendments cannot alter the equal number of votes for each state in the U.S. Senate without the consent of the affected state. This establishes that an Article V convention couldn't simply rewrite the entire Constitution.**

**This is mosaic thinking at its best. That there is a prohibition against modifying the equal representation of the States in the U.S. Senate merely affirms the "sovereignty"**

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*of the states, and that no state or group of states could deny another sovereign state its representation in the U.S. Senate. The only other Article V prohibition has expired. Neither infers or implies that any other restrictions or prohibitions exist.*

*You have to read something into the words of Article V that isn't there to buy this carpetbagger rhetoric.*

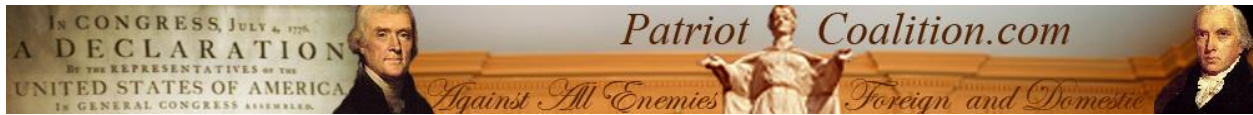
- 5. The states define the agenda of an amendments convention through their applications for the convention and through the commission of delegates. Amendments conventions can be limited to specific topics.***

*States can certainly discuss and debate particulars of an Article V "Convention for proposing Amendments" prior to the convening of said convention, but nothing in Article V even remotely suggests the "agenda of an amendments convention" must, can, or should be included in the state application.*

*There may be a consensus among several of the state legislatures that a specific issue should be addressed at an Article V "Convention for proposing Amendments," but the inclusion of an "agenda" in the application does not bind the hands of states who chose not to include an "agenda" in their application, nor does the majority of states' inclusion of specific agenda language authorize violating the right of any sovereign state represented at an Article V "Convention for proposing Amendments" to introduce, debate, amend, or move any amendment they so choose to propose.*

- 6. The Constitution was sold by the Founders to the ratifying states on the basis that they retained their ultimate authority over the federal government through their Article V amendment powers. James Madison in Federalist No. 43 specifically argued that states should use the power to correct errors in the Constitution. And Alexander Hamilton in the "final argument" of the Federalist Papers, in Federalist No. 85, said the Article V amendment process was the means by which the states would rein in an out-of-control federal government. One cannot take the Constitution seriously and contend that Article V was not meant to be used. It is a critical and "deal closing" element of the balance of power created by the Constitution.***

*This whole argument rests on the premise that the Constitution itself is flawed. How exactly would giving state government more power and authority under the*



***Constitution increase the likelihood that our God-given Unalienable Rights will be protected? State legislatures are just as guilty of violating the Constitution as the feds.***

***There is nothing to gain by an Article V "Convention for proposing Amendments," and everything to lose. Before we entrust state actors to tinker with the "supreme Law of the Land," perhaps they should try upholding it for a change... see what works and what doesn't. This would also illustrate which state legislators are men (or women) of their word, and who has the faith and courage necessary to keep their oath of office.***

- 7. There is zero precedent that any convention of the states has ever "runaway" from its assigned agenda. There have been 12 interstate conventions in the history of our country. All of them stayed within their stated agenda. Even the Constitutional Convention of 1787 was not convened to "amend" the Articles of Confederation, but to "revise" and "alter" the Articles to establish an effective national government. This was fully consistent with the Articles of Confederation because the Articles authorized alterations – a term that had revolutionary significance because it echoed the language of the Declaration of Independence. The broad purpose of the Constitutional Convention of 1787 was specifically mentioned in the call of Congress and in nearly all of the commissions for the delegates for each state. The 1787 convention did not runaway at all; it did what it was charged to do – like all interstate conventions preceding it.***

***A "convention of the states" or "interstate convention" is not the same thing as an Article V "Convention for proposing Amendments." The Philadelphia Convention most certainly "ran away" from the call of the convention, which was "for the sole and express purpose of revising the Articles of Confederation..." They didn't revise it. They wrote a whole new document. Even the Federalist Essays referred to what the Framers drafted as "The New Constitution."***

***An Article V "Convention for proposing Amendments" is not an "interstate convention," nor is it a "convention of states." Comparing the two is ridiculous. There has never been an Article V "Convention for proposing Amendments." NEVER.***

***The 1787 convention did NOT do "what it was charged to do" as item 7 claims. It's simply not true, and requires either ignorance or deception to claim otherwise. The facts do not support the Goldwater Institute's arguments.***

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***“Resolved, That, in the opinion of Congress, it is expedient that, on the second Monday in May next, a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress, and confirmed by the states, render the federal Constitution adequate to the exigencies of government and the preservation of the Union.”***

***[Call of the Convention, Elliot’s Debates, Vol. I, page 120, Library of Congress](#)***

***Does drafting a “New Constitution” which only required ratification by three fourths of the states satisfy the 100% ratification mandate of the existing Articles of Confederation? No. Does it satisfy the mandate of the “call” of the convention for “the sole and express purpose of revising the Articles of Confederation?” The answer is no.***

***If the “call” of the convention is so important, and the states wanted to write a “new” constitution, then why didn’t Congress authorize them to do more? Did it really matter what Congress wanted to “call?” Either way, the states didn’t complain about the limiting dictates of the convention call, and delegates didn’t follow the terms of the call for the Philadelphia Convention. Call it “runaway.” Call it “unlimited.” Call it what you want, but the fact remains, Congress called a convention “for the sole and express purpose of revising the Articles of Confederation,” and the states held a different one.***

- 8. The procedures for conducting an amendments convention are similar to Congress’ long-established rulemaking powers. Constitutional text, language and custom make clear that Congress calls the convention, setting a time and location; states appoint delegates by way of resolutions and commissions (or general state law); delegates initially vote as states at the convention; and majority votes will decide what amendments are proposed for ratification. An amendments convention is simply an interstate task force.***

***“The procedures... are similar to... powers?” Smooth-talking language but it doesn’t complete a thought. “Procedures” are the methods by which “powers” are exercised. We need not look at “language and custom” since the plain “Constitutional text” mandates that Congress “shall call a Convention for proposing Amendments” if “two thirds of the several States” apply for one.***

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*That “delegates initially vote as states at the convention” implies what? They will later vote as individuals or special interest groups? That’s nonsensical. This detail, like many offered by pro-Article V Convention advocates, is simply filler to make the reader think the author knows what they’re talking about and serves no other purpose.*

9. *The limited scope of an amendments convention is similar to that of state ratification conventions that are also authorized in Article V, but no one worries about a ratification convention “running away,” even though such a convention does make law.*

*It would be accurate to simply call item 9 stupid, except the proponents of an Article V “Convention for proposing Amendments” want to pre-determine the outcome by preventing the delegates from doing anything other than rubber stamp the amendments the organizers have pre-ordained. In that respect, it would be no different than a “ratification convention” because neither would be able to modify the amendments they are charged with voting for or against. That defeats the whole purpose of an Article V “Convention for proposing Amendments.”*

*These folks simply want to go through the motions of a convention to satisfy the Constitutional requirements, but have no intention of allowing this deliberative body to actually “deliberate.”*

10. *An amendments convention, because it only proposes amendments and does not make law, is not an effective vehicle for staging a government takeover.*

*I guess I’ll be taking that “Amendments conventions and government takeovers for Dummies” handbook back to Barnes & Noble. Who said anything about a government takeover?*

*If these proponents of an Article V “Convention for proposing Amendments” are so sure that the Philadelphia Convention didn’t exceed its assigned task, then why are they so hell-bent on tying the hands of the delegates? To prevent something that they say won’t occur because it never did occur? You can’t have it both ways.*

***A convention of states controlled by these pundits  
would surely be a convention of snakes.***



*When folks have to lie or distort the facts as part of their sales pitch, there is probably a good reason, or rather, a BAD REASON for their deceptions. They will say and promise anything to trigger an Article V "Convention for proposing Amendments."*

*Desperation and frustration with the current government's refusal to uphold the Constitution is not a valid reason to amend the Constitution. Replace the oath breakers with oath keepers, and then keep your eye on them.*

*As Jefferson warned, "In questions of power, let us hear no more of trust in men, but rather bind them down from mischief with the chains of the Constitution."*

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Watch "Analyzing the Con Con As A Solution" PowerPoint here:

<http://patriotcoalition.com/docs/Con-Con-short-5-show.ppsx>

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