

## Our U.S. Constitution: A Brilliant Document

- ◆ Longest surviving constitution of any nation --over 200 years.
- ◆ George Washington called it “a miracle.”
- ◆ “The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man.” --William Gladstone, Former Prime Minister, United Kingdom

**Calling for a Convention to propose Amendments to the U.S. Constitution is the wrong tool to fix government.**

## Opinions of Those in the Know

- 1 “Having witnessed the difficulties and dangers experienced by the first Convention ... I should tremble for the result of a second... The most violent partisans ... individuals of insidious views” would strive to be delegates and would have “a dangerous opportunity of sapping the very foundations of the fabric” of our Country. --James Madison, November 2, 1788
- 2 “There is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights.” --Former U.S. Supreme Court Justice Arthur Goldberg, 1986
- 3 “A new Convention could plunge our Nation into constitutional confusion and confrontation at every turn ...” --Former U.S. Supreme Court Chief Justice Warren Burger, 1988

## So---What's the Remedy?

- ◆ Educate citizens, candidates and lawmakers about the Constitution.
- ◆ Hold public officials accountable; demand compliance with Constitution.
- ◆ Stay within the Constitutional enumerated powers.
- ◆ Uphold oath to defend Constitution.
- ◆ Steadily phase out unconstitutional spending and power.
- ◆ Nullification: Process by which state/local officials refuse to uphold unconstitutional federal laws.

### Endnotes

- 1 [washingtonpost.com/politics/conservative-lawmakers-weigh-bid-to-call-for-constitutional-convention/2015/04/04/b25d4f1e-db02-11e4-ba28-f2a685dc7f89\\_story.html?hpid=hp\\_hp-top-table-main-lawmakers%3Ahomepage%2Ftop&utm\\_term=.021378bef030](https://www.washingtonpost.com/politics/conservative-lawmakers-weigh-bid-to-call-for-constitutional-convention/2015/04/04/b25d4f1e-db02-11e4-ba28-f2a685dc7f89_story.html?hpid=hp_hp-top-table-main-lawmakers%3Ahomepage%2Ftop&utm_term=.021378bef030)
  - 2 [nraila.org/articles/20140221/dissenter-in-heller-mcdonald-argues-for-decisions-to-be-over-ruled-by-constitutional-amendment](https://www.nraila.org/articles/20140221/dissenter-in-heller-mcdonald-argues-for-decisions-to-be-over-ruled-by-constitutional-amendment)
  - 3 [nytimes.com/2018/03/27/opinion/john-paul-stevens-repeal-second-amendment.html](https://www.nytimes.com/2018/03/27/opinion/john-paul-stevens-repeal-second-amendment.html)
  - 4 [www.washingtontimes.com/news/2014/jun/3/senate-democrats-look-to-rewrite-first-amendment-i/](https://www.washingtontimes.com/news/2014/jun/3/senate-democrats-look-to-rewrite-first-amendment-i/)
  - 5 [concernedwomen.org/era-dead-amendment-revived-for-the-13th-time/](https://www.concernedwomen.org/era-dead-amendment-revived-for-the-13th-time/)
  - 6 [sweetliberty.org/issues/concon/newstates.htm](https://www.sweetliberty.org/issues/concon/newstates.htm)
- [thewashingtonstandard.com/the-convention-of-states-scam-the-war-over-the-constitution-and-how-the-states-sold-the-reserved-powers-to-the-feds/](https://www.thewashingtonstandard.com/the-convention-of-states-scam-the-war-over-the-constitution-and-how-the-states-sold-the-reserved-powers-to-the-feds/)

# The U.S. Constitution is NOT the Problem!



The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress.

CONCERNED  
**WOMEN** for **AMERICA**

P. O. Box 34300 | Washington, D.C. 20043  
ConcernedWomen.org | 202-488-7000

Some say our government is so out-of-control that “we need to do something.” They regard the Article V Convention to propose Amendments as the cure-all to control government spending and usurpation of power. But is that the right tool to rein in our government? We at Concerned Women for America say NO, and we refuse to take the dangerous risk of opening our U.S. Constitution to mischief.

Article V of the U.S. Constitution provides two methods for making amendments. You may be familiar with the first method, which we view as an arduous but prudent process that has been used 27 times (including the Bill of Rights).

### The First Method for Amending the Constitution - *The Secure Way*

- ◆ Congress *proposes* an amendment.
- ◆ House and Senate require  $\frac{2}{3}$  majority for proposal of an amendment.
- ◆ Ratification (approval) by  $\frac{3}{4}$  state legislatures *or* state conventions.

### The Second Method for Amending the Constitution - *The Insecure Way*

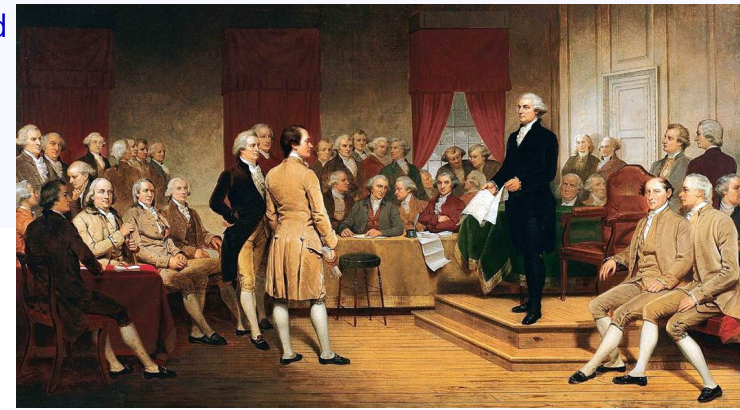
- ◆ State legislatures *apply* for Convention to propose Amendments.
- ◆ When  $\frac{2}{3}$  of states *have applied*, Congress *calls* a convention (Convention to propose Amendments).
- ◆ We have never had a convention under Article V of our U.S. Constitution.
- ◆ At the Constitutional Convention in 1787, which created our current U.S. Constitution, delegates were instructed to *only revise* the Articles of Confederation, our first Constitution. However, delegates violated their instructions.

Do we believe delegates chosen to participate in an Article V Convention to propose Amendments would NOT violate the instructions/rules?  
**Don't be deceived!**

Constitutional Convention, Article V Convention, Convention of States, Amendments Convention or a Con Con: different names, but same concept. All done under Article V of U. S. Constitution.

### A Modern Day Constitution Convention - *High Risk for our Constitution*

- A. A dangerous time to proceed with an Article V Convention to propose Amendments. Fierce national division, outspoken interest groups, protesters, media frenzy.
- B. Would delegate apportionment be “one state, one vote,” or according to Electoral College model, giving some states very few delegates?
- C. Once a Convention to propose Amendments is called, delegates are sovereign representatives of the people, not of the state legislatures. Delegates can set their own rules or propose a new constitution with a new ratification mode as was done in 1787.
- D. Ratification by 38 states is not fail-safe against a bad amendment. Congress could call for ratification by *selected* delegates at a state convention rather than in state legislatures (e.g., 21st Amendment), or as occurred at the 1787 Convention.
- E. Who would select delegates? Would they represent your views?



Do we REALLY want to go down THIS ROAD? SHOCKING amendments being considered for approval through a Convention to propose Amendments:

- ◆ Abolish Electoral College,<sup>1</sup> rendering lesser-populated states powerless.
- ◆ Second Amendment revision<sup>2</sup> (restricting gun ownership to militia only) and repeal.<sup>3</sup>
- ◆ Alterations to the First Amendment,<sup>4</sup> recommended by a U.S. senator.
- ◆ Equal Rights Amendment,<sup>5</sup> solidifying tax payer funded “abortion rights” into the Constitution. ERA was within three votes of ratification in 1970s.
- ◆ Several NEW Constitutions have even been proposed or are in progress.<sup>6</sup>

**So why the drive for an Article V Convention to propose Amendments to the U.S. Constitution?**

*Balanced Budget Amendment, fiscal restraint, limit power/jurisdiction of federal government?*

Though worthy goals, the Constitution already provides for restraint and accountability.

“A Constitutional Convention is a horrible idea.” - The Late Justice Antonin Scalia stated in 2015