

Warning: The Proposed Article V Constitutional Convention (Con-Con) May Be A Mega Con

past time we began an investigation into what is called a “Proposed Article V Constitutional Convention” or a “CON-CON, also referred to as a “Convention of The States”. We examined the procedure that “Article V” of our 1787 Constitution specifies as to how our constitution is to be amended. We also looked at some “unwise” amendments ratified in the first quarter of the 20th century, and began to question the rationality of convening a NEW CON-CON, as well as the possible motives of the people and/or groups who are pushing hard for it—people who are attempting a “con-job”, first and foremost.

Before delving into this UNWISE AND POTENTIALLY DISASTEROUS “revision” of our present 1787 Constitution, let’s examine what six well known Americans have said about this subject:

- **James Madison, Letter to George Turbervill, November 2, 1788:**

“If a General Convention (called by unanimous consent or by Article V) were to take place for the avowed and sole purpose of revising the Constitution...an election into it would be courted by the most violent partisans on both sides; it...would no doubt contain individuals of insidious views, who...might have a dangerous opportunity of sapping the very foundations of the fabric.” (Now, Madison could be speaking of today’s “violent partisans”).

- 2) **Thomas Jefferson, December 25, 1788:**

“New York has written circular letters to the legislatures to adopt the other mode of amendment, provided also by the Constitution, that is to say, to assemble another federal convention. In this way the whole fabric would be submitted to alteration.”

- **Senator Barry Goldwater, February 26, 1979:**

“If we hold a constitutional convention, every group in the country—majority, minority, middle-of-the-road, left, right, up, down—is going to get its two bits in and we are going to wind up with a Constitution that will be so far different from the one we have lived under for 200 years that I doubt that the Republic could continue.”

- **Phyllis Schlafly, May 23, 2016:**

“Article V of the Constitution has only 22 words about a convention for proposing amendments, but the most important is the word ‘call’. Since only Congress can ‘call’ the convention, it means that states have no control over who can be a delegate, who makes the rules, who sets the agenda, or who wields the gavel.”

- **Justice Antonin Scalia, April 17, 2014:**

“I certainly would not want a Constitutional Convention. I mean-whoa. Who knows what would come out of that?”

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• ~~Former Congressman Ron Paul~~ February 1, 2017:

By W.H. Lamb

"I'm not opposed to the principle (of an Article V convention), it's just that the conditions today would present a danger."

Before proceeding, let me make perfectly clear MY opinion regarding this proposed CON-CON, which is that **a Balanced Budget Amendment Article V convention would be a THEAT to our present Constitution, which has served us well, (despite constant attacks against it by unscrupulous politicians and sinister demagogues ever since it was first ratified) because of its inherent power (and the distinct possibility) to be a RUNAWAY convention, and the tendency of a BBA Con-Con to move our nation from a "republic" based on laws to a "democracy" based on the passions and skullduggeries of men. (THIS IS A REPUBLIC, NOT A DEMOCRACY! REMEMBER?)** As I mentioned in Part 1 of this article, a "runaway convention" is exactly what happened in Philadelphia in the summer of 1787, when the delegates were at first led to believe that they would be meeting solely to modify or "improve" the Articles of Confederation that had governed the 13 states since being finally ratified in 1781, and that had proved to be unsatisfactory for governing such a large and mixed assembly of states and political passions.

Those of us who are historically literate know that the "ring leader" of the efforts to abandon the Articles of Confederation and agree

to a new truly federal constitution with a strong central government and an "Executive Branch" (a President) was James Madison, who has long been referred to as "the father of the constitution". Madison was small of stature and often sickly, but he possessed the intellectual and political acumen to launch the effort to create a new form of civil union among the 13 Confederate states that would eventually create the elusive balance between the strong powers inherent to a central government, which many of the delegates rightly feared, and the personal liberty of the citizens who would have to live under that government. In mid-May of 1787 Madison was joined by several other delegates who were also very dissatisfied with the chaotic political and social problems caused by the Articles of Confederation. Included in this small group were delegates from Virginia and Pennsylvania, notably Benjamin Franklin, General George Washington, James Wilson, and Gouverneur Morris. These men met for dinner and wine several times before the convention convened in the State House (now Independence Hall) in Philadelphia, late in May, 1787.

It was soon obvious to all of the delegates that this small group had concocted a plan to NOT amend the Articles of Confederation, but to push for an entirely NEW agreement to create an original and strong NATIONAL government based on the "consent of the people", and not on the demands and passions of the various states. This small group of national-minded men was able to more or less set the terms of debate during the early days of this Philadelphia Convention. Soon the discussion changed toward not WHETHER, but HOW a vastly strengthened government for all of the states could be devised and agreed upon. Eventually, after about four months of debate and often bitter arguments, all kept SECRET from the press and the people, the "Virginia Plan" was

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originally agreed upon by a majority of the delegates. With certain changes, that was the plan that resulted in being adopted as the U.S. Constitution on September 17, 1787, minus the “Bill of Rights”, the first 10 Amendments that were promised to come “soon” in order to get the original Constitution ratified, and that would be ratified by 1791.

I have only gone into detail about the “machinations” that went on prior to the 1787 Constitutional Convention to prove that what happened

among our Founding Generation, involving men that we all admire, could easily happen today, loud protests to the contrary notwithstanding, and potentially involving men and women that many of us DO NOT admire. You might care to read the original Articles of Confederation (it’s on the web site—LEX REX). The ONLY precedent for an Article V convention is our 1787 CON-CON, where as I said earlier, the delegates changed the rules found in Article X111 of the Articles of Confederation, which said:

“The Articles of Confederation shall be INVIOLABLY observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of EVERY State.”

Obviously, the 1787 CON-CON greatly “lowered the bar” for ratification from “*the legislatures of every state*” (13 of them) to “*the conventions of nine states*” in the new Article V11, thereby removing Congress AND the states’ legislatures from the process totally. Also obviously, the delegates agreed to do this so as to make it much easier to ratify our new Constitution. These secret decisions made by the delegates to the 1787 Philadelphia CON-CON are mostly unknown to today’s Americans, the majority of whom have never even read our constitution and have little or no idea as to how it came to be written and ratified.

The proponents of a new BBA CON-CON, or “CONVENTION OF THE STATES”, apparently ignore the actual text of our constitution’s Article V, which tells us that the ONLY power that is guaranteed to our state legislatures is the right to APPLY for a CON-CON—if 2/3 of them apply for a convention (all at the same time or separately over a period of time, no one has decided), then Congress calls for the Convention; and the Convention can propose ONE OR MORE amendments (such as a “balanced budget” amendment or a “term limits” amendment or ANY number of such, some of which could negate our right to “free speech” or our “right to keep and bear arms”). Article V does NOT say that via their applications the states can set the CON-CON agenda, OR that the states can select their own delegates, although the proponents of a new CON-CON always claim that a Convention of The States can control all or any of this process, which is debatable. **Those who propose such a convention are walking on “thin ice” if they believe that Congress will let them determine the rules, particularly if hard-nosed “special interest” groups are involved in setting the agenda.** And it is not much of a stretch of the imagination to envision hordes of the vermin from “Black Lives Matter”, “AntiFa”, or the genital hat wearing female harpies of “The Women’s March” violently surrounding the site of the CON-CON, agitating

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AMERICAN influence!

for this or that ultra-liberal and freedom destroying amendment to be included, while the despicable ultra-wealthy “special interest string pullers” like George Soros, Michael Bloomberg, Tom Steyer, et. al. hide in the shadows and try to control the entire process with their vast wealth and ANTI-AMERICAN influence!

It is doubtful that the legislators of each state can control what exactly happens if and when an Article V CON-CON is called. Back in 2014, the **Congressional Research Service** reported on the “dozens of bills” that were introduced in the House and Senate between 1973 and 1992 to establish basic procedures for any Article V CON-CON. The CRS reported that “**typically these bills specified that delegate apportionment would be based on the Electoral College model, which would give each state a proportional number of delegates and votes out of 535, based on population,**” thus virtually assuring that the larger, more heavily populated (and mostly liberal) states would have “more say” in any CON-CON than the smaller or less populated states. This does not agree with the claims of many CON-CON proponents that each state would have only ONE vote in an Article V convention. Obviously one or the other method of apportioning delegates would have to be agreed upon in advance, and likely would require law suits stretching over many years to settle on a method.

I believe that most Americans who are seriously concerned over the truly dangerous direction that “our” government has taken all of us over recent decades must admit that the Federal Government has long been OUT OF COMPLIANCE with our Constitution. What Americans don’t seem to agree upon is whether or not the solution to our many national problems rests in simply “changing” our present constitution OR demanding that it be enforced AS IS. One would have to be pretty naïve to believe that very powerful and very wealthy special interests would NOT try to revise our constitution to favor themselves and/or their financial/business/political interests. We all know that “money talks” all throughout history, and the “Golden Rule” always applies: “**HE WHO HAS THE MOST GOLD RULES!**”

America’s judicial community has long depended upon **Black’s Law Dictionary**, which defines a “constitutional convention” as follows: “**A duly constituted assembly of delegates or representatives of the people of a state or nation for the purpose of framing, revising, or amending its constitution.**” Simply calling it a “Convention of the States” does NOT change what it is, and what **Black’s Law Dictionary** in 1979 said: “An Article V convention IS an example of a “constitutional convention”. You who believe otherwise are going against common sense and against what appears to be the original intent of our Founders!

I believe that it’s reasonable to conclude that Americans must NOT take the totally unnecessary risk of a “runaway CON-CON” that could totally scrap our existing constitution that has allowed a greater degree of prosperity and liberty for more people than any other system devised by man throughout world history. These proposed amendments to “balance the budget” or “establish term limits” for Congress won’t really resolve our problems, and could begin the process of completely mutilating or destroying our venerable 1787 constitution and our 1791 Bill of Rights! I say that **we SHOULD NOT—WE MUST NOT—CHANGE OUR CONSTITUTION! We should OBEY**

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It that would solve most of our nation's problems. Why don't ALL OF US—the American people who are supposed to be in charge of our nation—INSIST that our elected representatives actually DO what we elected them to do? Is that a novel idea, or what? How about letting your National House Representatives and your Senators know that you expect them to really work on balancing our extremely bloated federal budget, AND let your State Representatives and your State Governor know how YOU feel about this this proposed MEGA CON JOB called a “Convention of the States”. And do it SOON, before the dual forces of “desperation” and “cunningness” accomplish their anti-liberty goals!

Now I'm writing mostly to the citizens of South Carolina, which still has NOT officially called for a “Convention of the States”, although there is much activity in the state favoring this UNWISE action. For South Carolinians, please immediately call or email Governor Henry McMaster, and use the information from this article to encourage him to NOT support a con-con. Then we MUST contact the members of the S.C. HOUSE JUDICIARY COMMITTEE, and urge them to OPPOSE this unwise folly of a con-con. Go to www.scstatehouse.gov/CommitteeInfo/housejudiciary.phb, for a list of all the current members of the S.C. House Judiciary Committee. For South Carolinians particularly, put pressure AS THEIR CONSTITUENTS on any committee members who are your state's district representatives, and URGE them to stop this potentially disastrous Con-Con nonsense. This is especially urgent for you readers in the Myrtle Beach area, because your S.C. House Rep is a “really bad apple” named Alan Clemmons, who is strongly pushing this Con-Con. Push back, and let Mr. Clemmons know how wrong he is. In fact, let ALL of the members of the S.C. House Judiciary Committee know about your opposition to a “con-con” or “Convention of the States”. For you in other states who read this article, check with your own state government or do on-line research to see if your state is one of the 28 that have already called for this DANGEROUS Con-Con. I'm not certain if a state that has called for a Con-Con can rescind its decision, but it's worth investigating. Concerned patriots MUST act now, before 6 more States' legislatures finalize their calls for a Con-Con. IF a Con-Con is called for, it will be too late, and there is little doubt that the results of that action will NOT be supportive of our freedoms!

For a more detailed analysis of this issue, I recommend my readers log onto www.thenewamerican.com/usnews/constitution/item/21626-t..., for the article titled: *THE NEW BBA CON-CON THREAT*, by Larry Greenley, dated September 22, 2015.