



SAFEGUARD THE CONSTITUTION: **OPPOSE ALL ARTICLE V CONSTITUTIONAL CONVENTION RESOLUTIONS**



Stop Article V Constitutional Convention Resolutions

Rep. Hageman: Article V Con-Con is Dangerous!

Lawmakers across the country are being lobbied into introducing and passing resolutions making application to Congress to call a convention for proposing amendments to the Constitution, also known as a federal [constitutional convention](#) (Con-Con), Article V convention, or a “convention of states” as some erroneously call it.

Any Article V convention could lead to a [runaway convention](#) that would reverse many of the Constitution’s limitations on government power and interference. In other words, **a Con-Con could accomplish the same goals that many of its advocates claim to be fighting against.** As evidence, both a [2016](#) and [2023 simulated “Convention of States”](#) resulted in amendments massively increasing the federal government and expanding its spending powers.

Rather than pushing resolutions that apply to Congress for an [Article V Convention](#), state legislators should consider [nullification](#) to rein in federal overreach. **To safeguard the Constitution, urge your state legislators to oppose all Article V constitutional convention resolutions.**

When speaking to your legislators, emphasize the following irrefutable facts about an Article V convention for proposing amendments:

1. There is no constitutional authority for a limited convention.
2. There is no guidance on how delegates would be selected.
3. There is no guidance on who could qualify as a delegate.
4. There is no guidance on how many delegates each state could send.
5. There is no provision for stopping a runaway convention.
6. There is no provision for how rules would be established.
7. There is no provision for how rules would be enforced.
8. There is no role provided for the people to play in the process.

The John Birch Society

Author: [Peter Rykowski](#)

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9. There is no power provided for the people to stop a convention once it starts.
10. There is no description of the ratification conventions Congress could choose to call.
11. There are no rules governing the ratification conventions Congress could choose to call.
12. There is no means provided for either the states or the people to challenge Congress's choice of the method of ratification.
13. There is no test provided for a qualifying application submitted by a state.
14. The acceptance by one Congress of a state application for a convention does not bind subsequent Congresses from accepting that application.
15. Application for a convention submitted by one state legislature does not prevent subsequent state legislatures from revoking the previous application.
16. All these issues would be challenged in court and would take years to be decided.
17. The issues to be addressed at a convention to propose amendments would likely be moot by the time the challenges reached the U.S. Supreme Court for final adjudication.
18. If 100 percent of registered voters opposed an amendment proposed by a convention, but the requisite number of state legislatures or ratifying conventions (according to the process determined by Congress for consideration of proposed amendments) supported it, then that amendment would become part of the Constitution regardless of the will of the people.
19. The same scenario is true if a proposed amendment were approved by 100 percent of registered voters but rejected by the ratification conventions or state legislatures (according to the process determined by Congress for consideration of proposed amendments).

A runaway convention is a serious risk. Use the following points to help educate your legislators about this threat:

1. Historical evidence such as *The Federalist*, No. 40, debunks claims that a runaway convention is unfounded; such an event has already occurred in history. James Madison himself acknowledged in *Federalist* 40 that the 1787 Constitutional Convention overstepped its mandate, creating a new Constitution and form of government.
2. Today's potential delegates (e.g., Gavin Newsom, George Soros, or Hillary Clinton) could use their influence to push personal agendas, far from the original intention of constitutional amendment. Similarly, delegates from states with strict gun laws could undermine the Second Amendment in the name of "safety" and "happiness."
3. Today's political climate — rife with corruption, cronyism, and political factions — heightens the risk of a convention being manipulated by special interests and wealthy and influential individuals.
4. Given the scarcity of true constitutionalists in state leadership, there's a significant risk regarding who would be chosen to amend the Constitution, and the irreversible damage they could inflict on both the Constitution and civil liberties.
5. Those selling a convention claim that corrupt politicians and politically-powerful people are at the heart of the tyrannical tack of the federal government, yet they deny that such corruption would have any sort of effect on a convention for proposing amendments to the Constitution.

Term limits and a so-called Balanced Budget Amendment are two of the main excuses for applying for an Article V convention. Here are some points refuting a Balanced Budget Amendment:

1. The federal government lacks constitutional authority for its current spending and tax collection practices, a fact that remains true despite efforts to convene a convention for proposing amendments.
2. The U.S. Constitution is a list of specific powers granted to the federal government, not a list of prohibitions, meaning any power not listed remains with the states and the people. The Tenth Amendment reinforces this fact.
3. Like an employee overstepping their authority, the federal government often exceeds its constitutional powers, especially if state legislatures (middle managers) fail to enforce limitations.
4. State legislatures play a crucial role in monitoring and restricting the federal government's actions to

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ensure adherence to the Constitution. A principled and watchful figure (e.g., a state legislature) can enforce the Constitution by highlighting and stopping unauthorized federal actions.

5. The federal budget would be significantly reduced simply by following the Constitution.

And for term limits:

1. Term limits don't tackle the fundamental issue of public understanding and responsibility for electing representatives.
2. Imposing term limits would limit the electoral choices of voters and potentially remove good, constitutionalist congressmen.
3. Imposing term limits contradicts the American government system established by the Founders. The Constitution's provision for frequent elections effectively serves as term limits, as intended by the Founders like James Madison.
4. Alexander Hamilton, in *The Federalist*, No. 72, criticized the superficial appeal of term limits, a view applicable to many COS proposals. At the Constitutional Convention, Gouverneur Morris warned against term limits for their negative impact on motivation and good governance.
5. The Constitution already sets "good behavior" as a term limit for federal judges, with removal power vested in Congress. COS's push to limit Supreme Court justices' terms overlooks the existing constitutional provision and responsibility of Congress to impeach underperforming judges.
6. Effective governance can be achieved by enforcing the existing Constitution, not by amending it to limit terms.

An Article V convention possesses the inherent power to propose **any** changes to the U.S. Constitution, including drafting and proposing an entirely new "modern" (i.e. socialist) constitution. Instead, **every state should consider [Article VI](#) and [nullify unconstitutional laws](#)**. Ultimately, **State legislatures and Congress should enforce the Constitution, not empower a convention that could rewrite it.**

The Harsh Reality of a "Convention of States"