



Support Oklahoma Con-Con Rescission Resolution HCR 1002



Members of the Oklahoma Legislature are attempting to pass a resolution that would rescind every live application to Congress calling for a convention to propose amendments, under Article V of the Constitution,

The John Birch Society

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otherwise known as a constitutional convention (Con-Con) or a “convention of states.”

House Concurrent Resolution 1002 ([HCR 1002](#)), authored by Representative Jim Olsen (R-Sallisaw), would, if enacted, rescind “rescind, repeal, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of Oklahoma to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof.”

The resolution correctly notes the dangers of an Article V constitutional convention:

WHEREAS, the Declaration of Independence proclaims that “it is the Right of the People to alter or to abolish” their form of government whenever it fails to secure their rights, which implies that a convention of representatives of the sovereign people in an Article V “convention for proposing amendments” would have the inherent power to propose sweeping changes to the Constitution (also known as a “runaway” convention), any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government as defined by our present Constitution; and

WHEREAS, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to an Article V constitutional convention, and has been interpreted for more than two hundred years and has been found to be a sound document which protects the lives and liberties of the citizens; and

WHEREAS, there is no need for, rather, there is great danger in, subjecting our form of government, which is based on the Declaration of Independence and the Constitution, to sweeping changes that would undermine its philosophical foundation of instituting government based on the principle of securing God-given rights; and

WHEREAS, the best solution for reining in the federal government is an informed electorate which will hold public officials accountable to our existing Constitution with its principles of limited government, rather than risking a runaway Article V convention.

HCR 1002 and its drafters are correct. Any Article V convention, no matter how well intentioned, could lead to a [runaway convention](#) and 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.

Additionally, in the last years of his life, the late Justice Antonin Scalia stood opposed to an Article V convention. Asked about it in a 2015 interview, he [remarked](#) that **“This is not a good century to write a constitution.”** Furthermore, ***what kind of delegates would Oklahoma send to such a convention? Constitutionalist conservatives or RINO moderates and liberals?***

On December 9, 2021, constitutionalist U.S. Representative [Thomas Massie](#) (R-Ky.), warning against a Con-Con, [tweeted](#):

Show me a single state where Constitutionals comprise a majority of the state legislature.

At this point in history, an Article V Convention of the States would be a disaster.

In 1979, then-U.S. Senator Barry Goldwater of Arizona, correctly warned about an Article V convention:

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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.

An Article V constitutional convention is unnecessary to protect individual liberty and limit the size and scope of government. If anything, a constitutional convention would more than likely **undermine those protections and increase the size and scope of the federal government** rather than impose any meaningful limitations on its jurisdiction, as the resolution purportedly seeks to accomplish. The massive expansion of government and growing infringements on our liberties are not because of “problems” or “flaws” with the Constitution, but rather due to misinterpretation, wrongful application, or lack of enforcement altogether. If applied faithfully and accurately, in accordance with its original meaning, at least 80 percent of the federal government’s programs would likely be found unconstitutional. This fact negates any reason for convening an Article V convention today. The correct solution is constitutional enforcement, not a constitutional convention.

Rather than passing Article V convention applications, which risk a runaway convention threatening our God-given rights and individual liberty, **the Legislature should consider [Article VI](#) and nullify unconstitutional laws**. Above all, **urge your state representative and senator to support HCR 1002, rescind all Article V convention applications, and to [consider nullification](#) as a safe and constitutional means to limit government instead.**

Robert Brown: The Harsh Reality of a “Convention of States”