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Who's Behind a Constitutional Convention?

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Nearly all conservatives agree that the federal government — under both Democrats and Republicans — continues to grow beyond the limitations set for it in the U.S. Constitution. As part of that overreach, the federal government has been swelling the national debt into the multiple trillions and treading on the rights of the states and of the people for more than a hundred years. The Insider/Internationalist/Big Government/Deep State/Globalist types — having created the problem in the first place — are now busily forming and funding organizations that offer a “solution” in the form of a modern-day constitutional convention that would have the power to rewrite the U.S. Constitution.

They are guilty of what 19th-century French economist Frédéric Bastiat called “concocting the antidote and the poison in the same laboratory.” Having administered a near fatal dose of the poison, they are now pushing slick, well-funded campaigns to sell the antidote. But here is the rub: Administering poison was never the real goal; its purpose was to make the antidote appear attractive.

To many conservatives — tired of seeing the federal government overstep its constitutional boundaries and expand its reach into areas it has no business being — nothing seems more “grassroots” than the idea of calling a convention to propose amendments to the Constitution and rein in said federal government. So it is not surprising that every few years new batches of legislation fly across the desks of state legislators to apply to Congress for such a convention.

Advocates of a constitutional convention (though they almost always refuse to call it that) claim that it is the only solution that will fix the problem. This erroneous argument comes from the self-appointed “leaders” of a push for a constitutional convention and is repeated by well-meaning (but misinformed and manipulated) patriots all across the country. The argument goes, “Article V gives

the state legislatures the power to call a convention to rein in an out-of-control federal government. The Founding Fathers gave us this one tool, and it is up to the state legislatures to use it.”

The devil, though, is in the details.

The first — and most obvious — problem with that argument is that Article V does not give state legislatures the power to call a convention. It says, “The Congress ... shall call a convention for proposing amendments” subsequent to “the application of the legislatures of two thirds of the several states.” State legislatures *apply* for a convention, but Congress *calls* a convention. Of course, that means that Congress — a branch of the same federal government the advocates of a convention claim the convention would rein in — has the power (according to Article I, Section 8) to “make all Laws which shall be necessary and proper for carrying into Execution” the convention. That means Congress, not the state legislatures, gets to make the rules for how delegates are chosen, and Congress, not the state legislatures, gets to decide the apportionment of votes. Congress will have much more power over the convention than will the states.

The second — and perhaps equally obvious — problem is that the state legislators who the advocates of a constitutional convention claim are going to save us by way of a convention are themselves complicit in the overreach of the federal government. First, most elected officials at the federal level came up to the “big league” through the “farm team” model of serving either on state legislatures or as governors. It is not as if they are somehow totally different creatures. Second, state legislatures routinely accept unconstitutional federal actions and spending as a normal part of their relationship with the federal government — so long as their state benefits from those unconstitutional actions and spending.

This incestuous relationship between state governments and the federal government does not inspire confidence that state legislators are apt to rein in the federal government. One will never slay a beast while suckling at its teat.

So, to market the idea of a modern-day constitutional convention, the Insider/Internationalist/Big Government/Deep State/Globalist cabal has launched and funded a litany of disingenuous marketing campaigns. These campaigns — promising to solve the problems created by ignoring and refusing to abide by the Constitution — are all based on the erroneous notion that to *save* the Constitution, America needs to *change* the Constitution. Completely ignored is the salient fact that unless the Constitution is to blame, changing it is not the answer.

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Of course, openly blaming the Constitution would be a self-defeating strategy. Add to that the fact

that true patriotic groups — such as this magazine's parent organization, The John Birch Society — have spent decades educating and warning people about the dangers of a modern-day constitutional convention, and it becomes apparent why pro-constitutional convention groups deny that what they are pushing for is a constitutional convention to rewrite the Constitution.

Their denials fly in the face of history, logic, and even established definitions. Black's Law Dictionary is the most widely used law dictionary in the United States and is the reference of choice for terms in legal briefs and court opinions. It has been cited as a secondary legal authority in many U.S. Supreme Court cases. It defines "Constitutional Convention" as "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."

And while the pro-constitutional convention crowd claims there is no danger of a convention rewriting the Constitution, the online version of Black's Law Dictionary gives the following example of the use of "constitutional convention" in a sentence: "Delegates to the constitutional convention convened in 1787 quickly dispensed with any thoughts of retaining the Articles of Confederation and turned, instead, to the creation of a new Constitution."

So when the leaders of the organizations pushing for an "Article V Convention," "Convention of States," "Amendments Convention," etc., claim that what they are proposing is something distinct from a constitutional convention, they are being deliberately dishonest. And their dishonesty masks the very real danger that America could lose what liberty she has left by a new convention replacing our current Constitution with one much more to the liking of the people responsible for creating the problem in the first place.

To be clear, this writer wishes to draw a distinction between the "leaders" who practice deceit in their push for a constitutional convention and those who are deceived by them into repeating lies they believe to be true. But ignorance can be as dangerous as dishonesty, and there is far too much at stake here to allow either to take America down this path.

Once one knows (and considers) the players behind the organizations promoting the notion that the Constitution needs to be amended to rein in a federal government that ignores the Constitution, it quickly becomes apparent that the Constitution itself is the real target. So who are those players and how do they fund the organizations pushing for a constitutional convention?

Over the past several years, one of the key organizations at the forefront of the push for a constitutional convention has been the Convention of States. Co-founded by lawyers Michael Farris and Mark Meckler, the Convention of States has gone by various names, including Convention of States Project and Convention of States Action. When Farris left the organization for greener pastures in January 2017, Meckler assumed sole leadership of the organization.

Both Farris and Meckler seem to suffer from the delusion that the best answer to almost any problem is to amend the Constitution. Besides pushing for a "convention of states," both have backed other dangerous drives to amend the Constitution, including an amendment to grant to the federal government the power to define marriage and a separate amendment to allow it to define parental rights. The Marriage Amendment failed and the Parental Rights Amendment is

languishing. It is important to note, though, that the recent decision by the Supreme Court to upend the traditional definition of marriage in favor of “gay marriage” should serve as a strong warning that allowing the federal government to define parental rights would also likely end badly.

As part of its push for a constitutional convention, Meckler’s Convention of States hosted a mock convention in Colonial Williamsburg, Virginia, in September 2016. The mock convention was attended by state legislators from all over the country — with many of them having their expenses covered by the event’s organizers. An article published August 2, 2018 by *Time* magazine explained:

The mock convention in Virginia was the creation of two nonprofits operated out of the same office suite in Houston, Texas, run by the same man: Mark Meckler, co-founder of the Tea Party Patriots, an attorney and former Herbalife distributor. The two groups, Citizens for Self-Governance and Convention of States Action, paid at least \$130,000 combined for 81 of those lawmakers to attend the trial run. Convention of States Action also promotes model legislation, provides citizen toolkits and lobbies state legislatures to promote a convention of states.

But when asked about the source of the money used to finance the tightly scripted and carefully stage-managed mock convention, the ordinarily verbose Meckler had nothing to say. As *Time* reported:

Meckler declined to discuss the groups’ finances. But both organizations have been growing financially, albeit from largely secret benefactors, according to their tax records.

Citizens for Self-Governance, also known as the John Hancock Committee for the States, collected more than \$4.2 million in 2016, quadrupling its revenue since it began six years earlier. The conservative Mercer family that helped underwrite Donald Trump’s presidential campaign has donated at least \$500,000, according to a Center for Public Integrity analysis of tax records. The Greater Houston Community Foundation, a donor-advised fund that doesn’t need to disclose its funders, has contributed more than \$2 million to the nonprofit, too.

Convention of States Action raised just under \$122,000 in its first year in 2014, but in 2016 that amount shot up to almost \$5 million, in part after one mystery donor gave just under \$1.7 million.

With “secret benefactors” funding not only the mock convention but also the expenses of many of the attendees, and Meckler “declin[ing] to discuss the groups’ finances,” there is cause for concern. Add to that secrecy such blatant dishonesty that even Meckler has trouble keeping up with his own spin, and the concern-meter begins to redline.

For example, as might be expected from one who refuses to admit that what he is proposing and advocating is a constitutional convention, Meckler was less than honest about the purpose of the murkily funded mock convention. In fact, he both denied and confirmed what anyone paying attention already knew: The mock convention was designed to convince state legislators to get behind the idea of applying to Congress for a “convention of states.”

Time reported that in a statement to the Center for Public Integrity, Meckler claimed the mock convention was a strictly educational, nonpartisan event, and that it was not designed to advocate

for a convention, to motivate people to author legislation, or to push the movement forward. “It was specifically not the purpose of the event,” he said. “We provided an educational experience for them. If somebody was excited by that, I think it’s just great that somebody got excited by education.”

But in both a speech at the mock convention and a video livestreamed on YouTube the last day of the event, Meckler forgot those talking points. He told the assembled “delegates” that the success of the mock convention was proof that America is ready for a “convention of states” to amend the Constitution. And in the YouTube video, Meckler said, “This is the real deal. I mean this is kind of the precursor to the real Super Bowl. It’s sort of a dress rehearsal.”

With double-talk and spin of that magnitude coming from Meckler and his organizations, American patriots would do well to question the veracity of his claims that a “convention of states” is a safe solution to America’s problems.

While Meckler’s pro-constitutional convention groups conduct their disingenuous push for a constitutional convention while being funded by “secret benefactors,” other pro-constitutional convention groups are even worse.

Take the Balanced Budget Amendment Foundation (BBA Foundation) as a prime example. [Since this article was initially published, the BBA Foundation has been renamed the **Center for State-led National Debt Solutions** (CSNDS); 01/22/2019]. While it is *theoretically* a distinct organization from the Balanced Budget Amendment Task Force (BBA Task Force), BBA Foundation [CSNDS] President Loren Enns is the BBA Task Force campaigns director and four BBA co-founders sit on the BBA Foundation [CSNDS] boards of directors and advisors. Those boards’ membership rosters are a litany of “the usual suspects” — typical neocons, members of the globalist Council on Foreign Relations, and Deep State operatives.

Here is a sample:

- William Owens is a retired four-star Navy Admiral who also served as vice chairman of the U.S. Joint Chiefs of Staff. Besides being a member of the Council on Foreign Relations (CFR), he also serves on the boards of globalist organizations such as the Carnegie Foundation, Brookings Institution, and EastWest Institute, which “convenes annually the only three-party dialogue between the U.S. Democratic and Republican Parties and the Communist Party of China and between senior retired U.S. and Chinese military officers to ensure productive dialogue and common ground between the two nations,” according to its website.
- Tommy Thompson was the governor of Wisconsin from 1987 to 2001. He then served as President George W. Bush’s secretary of health and human services from 2001 to 2005. He is also a member of the CFR.
- R. James Woolsey was the head of the CIA from 1993 to 1995. He was also ambassador to the Negotiation on Conventional Armed Forces in Europe (CFE) from Vienna from 1989 to 1991, under secretary of the Navy from 1977 to 1979, and general counsel to the U.S. Senate Committee on Armed Services from 1970 to 1973, and is a CFR member.

- David Walker served as comptroller general (head of the Government Accountability Office/GAO) for the U.S. government from 1998 to 2008 as an appointee of President Bill Clinton. In 2008, he was personally recruited by CFR Director Emeritus Peter G. Peterson as the CEO of the newly formed globalist Peterson Foundation. Most recently, Walker tried to run for governor of Connecticut.

While the constitutional convention crowd claims that theirs is a grassroots movement to rein in the federal government, the rosters of their leadership are swollen with government insiders, globalists, and operatives of the Deep State. A group less likely to want to rein in the federal government would be difficult to find.

While the short space of this article limits this writer's ability to fully expose the agendas of the groups listed above, perhaps a brief primer on the establishment powerhouse known as the Council on Foreign Relations will suffice to both make the point and encourage the reader to investigate the others himself.

The CFR was founded in 1921 — after the refusal of the United States to enter the League of Nations — for the purpose of creating an environment conducive to world governance. The CFR boasts a disproportionate degree of political weight: While now only having a membership of 5,000 (equal to about .000015 percent of the U.S. population), it dominates fields such as politics, media, and tax-exempt foundations. The CFR has — since its inception — used its influence to openly push for an erosion of national sovereignty in favor of globalism/internationalism.

As part of its globalist agenda, the CFR has long favored the idea of rewriting the Constitution by way of a convention. As *The New American's* Gary Benoit wrote in an article entitled “Bicentennial Plot” for an issue of this magazine in 1986 (and later made available online), CFR member Zbigniew Brzezinski made the goal of a modern-day constitutional convention very clear:

In his 1970 book *Between Two Ages*, Council on Foreign Relations member Zbigniew Brzezinski (National Security Advisor in the Carter Administration) discussed the potential for using a convention to bring about change. “The approaching two-hundredth anniversary of the Declaration of Independence,” he stated, “could justify the call for a national constitutional convention to reexamine the nation's formal institutional framework. Either 1976 or 1989 — the two-hundredth anniversary of the Constitution — could serve as a suitable target date.”

CFR members in public office have spent their careers undermining the Constitution — further growing the size and scope of the out-of-control problem those advocating for a constitutional convention claim they want to solve. But the people who got America into this mess are not the ones to trust to get us out of it. And the plan they have had all along to “reexamine the nation's formal institutional framework” by bringing about “a national constitutional convention” should be seen for what it is: a manipulative, dishonest ploy authored by conspirators hell-bent on altering the United States by changing — or replacing — the Constitution.

And they are playing the long game. While twisting and distorting simple truths into convoluted lies in an effort to sell their “solution,” the leaders of the pro-constitutional convention crowd are already looking ahead to their next move. That move is to change the Constitution and then keep on

changing it. One such group is the misnamed American Constitution Foundation (ACF), which, not surprisingly, has as its vice president Neal Schuerer, who is also an “advisor to the Balanced Budget Amendment Task Force,” according to its website. Other leaders of ACF include Ron Scott, whose bio includes one of his claims to fame as “Colorado State Director and Senior Advisor, Article V Convention of States Project,” and Denny Meridith, who — besides being a “Senior Political Advisor and Consular Officer in U.S. Department of State” — serves on the boards of both the American School of the Hague in the Netherlands and the International School of Krakow in Poland, where he is also acting president.

ACF claims in its mission statement that it is “dedicated to the restoration of the Constitution as the governing document for America.” If that is so, then why is the group working to amend (change) the document it claims to want restored to its proper place? Furthermore, the group’s website states: “Once a convention is called, the first Amendment of an Article V Convention must be one that opens the door for States to more easily convene Conventions.”

And (to put in the for-what-it’s-worth column), the push for a constitutional convention does not only come from the Right. Many on the Left are openly pushing for the same thing. The only difference between the two is the ostensible reasons behind wanting a convention. Liberal groups such as Wolf PAC openly advocate for a convention that would have the power to reframe our founding document. And on August 9, the *New York Times* republished an [article](#) from the leftist *Jacobin* entitled “Think the Constitution Will Save Us? Think Again,” openly calling for a replacement for the Constitution. Make no mistake: If the efforts by “conservative” groups such as BBA Task Force, BBA Foundation [CSNDS], and Convention of States lead America to a constitutional convention, the Left will be there and will be prepared to introduce their own new constitution. In the final summary, the “Article V Convention” movement, while pretending to be both grassroots and pro-Constitution, is neither. Built on subterfuge, secretly funded, and powered by slick, expensive campaigns, the push for a constitutional convention is just another con job by the one-world-government crowd to strip the United States of the liberty protected by the Constitution by opening the document up to either one major change or a series of smaller changes.

Patriotic Americans owe it to themselves, their country, and future generations to reject the plans of the Insider/Internationalist/Big Government/Deep State/Globalist types and demand that the Constitution be enforced, not changed.

What Can Be Done?

What can Americans do to rein in the out-of-control federal government? Plenty!

First, continue to educate yourself and others — particularly state legislators and congressmen — about the Constitution. As long as the American people accept — whether out of ignorance or apathy — the status quo of elected officials ignoring constitutional boundaries, the problems will only get worse. By taking the time to understand constitutional principles and meeting — either in groups or one-on-one — with your state legislators and congressmen you can be part of a real solution that restores the Constitution to its proper place.

Another important element of that solution is that it is Article VI, not Article V, that — if applied —

would rein in the federal beast that has overrun the boundaries set for it. Article V creates a constitutional amendment process designed to correct errors or weaknesses in the Constitution, and such a convention could abolish or replace the Constitution. Article VI, on the other hand, addresses errors or weaknesses in the character of elected officials. It states that the Constitution and laws made in pursuance thereof are the supreme law of the land, creates a constitutional oath taken by all public servants, and creates a duty to reject and oppose all constitutional violations.

Finally, in harmony with Article VI, the 10th Amendment allows state legislatures to nullify all unconstitutional laws, since they are not valid in the first place. In *United States v. Sprague* (1931), the Supreme Court stated, “The Tenth Amendment was intended to confirm the understanding of the people at the time the Constitution was adopted, that powers not granted to the United States were reserved to the States or to the people. It added nothing to the instrument as originally ratified.”

If the “leaders” of the push for a constitutional convention were truly interested in saving our constitutional republic, they would be working to see Article VI and the 10th Amendment applied. Instead, they claim — despite the clear language of those parts of the Constitution — that neither will do the job, preferring to push for a dangerous convention that could undo what liberty and rights Americans have left.

But the American people — you — can do what those “leaders” will not. By applying the Constitution, instead of trying to change it, you can be part of the solution. For information and to find tools for educating yourself and others, visit [JBS.org/con-con](https://www.jbs.org/con-con).



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