



ARTICLE V TALKING POINTS

1

The primary precedent for an Article V Convention is the 1787 Constitutional Convention. However, the 1787 Convention went beyond its original purpose to merely revise the Articles of Confederation, did its work in secret, and changed the ratification rules. This is a frightening precedent for a modern-day convention.

2

Absolutely nowhere in the text of Article V does it say or guarantee that the delegates to the convention can only be current or former state legislators.

3

Absolutely nowhere in the text of Article V does it say or guarantee that voting at the convention will be based on “one state, one vote.”

4

Absolutely nowhere in the text of Article V does it say or guarantee that a convention can be “limited” to a single-subject amendment.

5

In 2015, the late Supreme Court Justice Antonin Scalia stated, “This is not a good century to write a constitution.” This is true: There are few statesmen today who emulate the Founding Fathers. Furthermore, the Deep State and the Left despise the current Constitution and the values the United States was founded upon. Why would we give them an opportunity to influence the rewriting or amending of the Constitution?

6

Article V was put in the Constitution for the correction of errors. However, no one on the Right who favors a convention can identify a single defect in the Constitution itself that needs to be corrected. If it isn’t broken, then it doesn’t need to be fixed.

7

Calls for an Article V Convention are premised on the fact that the legislative, executive, and judicial branches of the federal government are usurping their authority and ignoring the limitations imposed on them by the current Constitution. But if the federal government is ignoring the current Constitution, why should we expect it to obey a revised version?

8

Rather than change the Constitution, state legislators should enforce it by nullifying all unconstitutional federal laws, regulations, executive orders, and court rulings. Nullification has been successfully used multiple times by the states, and it carries far less risk than a Con-Con.

ARTICLE V TALKING POINTS

9

Convention of States Action claims that if, after an Article V Convention and the ratification of new constitutional amendments, Congress continues to overstep its authority, we should educate members of Congress and their constituents on the need to obey those new amendments. If this is the case, why not simply forgo a convention and educate our elected officials and the electorate now to obey the current Constitution? There is simply no need for a convention that will at best have no effect, or at worst eliminate protections of our God-given rights.

10

Writing on the subject of an Article V Convention in the Fall 1990 issue of the *Hamline Law Review*, Federal Judge Bruce M. Van Sickle wrote, “A state does not have the power to limit a constitutional convention to particular topics.” What makes those who claim otherwise confident that they are right and that this judge is wrong?

11

If told that three-fourths of states would stop the ratification of any bad or radical constitutional amendments proposed from a convention, remember: Three-fourths of the state legislatures also approved both the progressive income tax (16th Amendment) and the direct election of U.S. senators (17th Amendment).

12

Regarding term limits, the 22nd Amendment limited presidents to two terms, along with serving out no “more than two years of a term to which some other person was elected President.” Since the amendment’s 1951 ratification, term limits have, by and large, not resulted in the election of “better” or pro-constitutionalist presidents. Likewise, term limits on members of Congress will not yield better congressmen.

13

California has term limits for its state legislators. However, term limits have not improved the California State Legislature or resulted in the election of more conservative and constitutionalist legislators. Likewise, term limits on Congress will not yield any improvement.

14

Term limits would remove all accountability on members of Congress serving their last term, as they know they would no longer face voters. This would create a lame-duck Congress with no incentive to vote any better than they currently do.

15

Article I, Section 8 lists the powers specifically enumerated to Congress, including what it is allowed to spend money on. If members of Congress obeyed those strict limitations already imposed on them, not only would we balance the budget, but we’d have a surplus, thereby negating any need for a Balanced Budget Amendment.

16

Every single proposed Balanced Budget Amendment contains loopholes in case of a “national emergency,” thereby constitutionalizing a way for never having to balance the budget.

17

No proposed constitutional amendment can substitute for an electorate and elected officials who are well-educated about the Constitution.