



Written by [Joe Wolverton, II, J.D.](#) on August 3, 2023

The Fix Is In at the Simulated Con-Con

The [gavel sounded](#) at the Convention of States Article V simulated constitutional convention this week, and outside of Comic-Con, I don't think there have ever been so many live-action role players under one roof!

Before exposing a particular aspect of the simulated convention that there is no chance whatsoever of happening if such a meeting should ever occur in reality, I want to expose an irrefutable truth about the purported goal of Convention of States and similar organizations.

Now, COS has always maintained that the convention they are funding would “limit the power and jurisdiction of the federal government, impose fiscal restraints, and place term limits on federal officials.” Let's consider the potential for that promise being kept.

First, every one of those three points is already part of the Constitution. The power and jurisdiction of the federal government is limited (the powers delegated are “few and defined,” as James Madison explained in *Federalist* 45); there are fiscal restraints on the federal government (acts of the federal government “which are not pursuant to its constitutional powers ... will be merely acts of usurpation and will deserve to be treated as such,” Alexander Hamilton pointed out in *Federalist* 33); and there are term limits on federal officials in the Constitution (federal officials will have “an immediate dependence on and sympathy with the people. Frequent elections are unquestionably the only policy by which this dependence and sympathy can be effectually secured,” Madison again in *Federalist* 52).

Regarding the idea of term limits, by the way, Hamilton wrote in *Federalist* 72 that “Nothing appears more plausible at first sight, nor more ill-founded upon close inspection.”

I think that accurately describes the entire movement to call a convention of states for the purpose of doing what's already been done!

“What constitutional amendment will save our nation?” COS asked in a [recent blog post](#). The answer is clear.

If the idea is to restrain the federal government and stop all the unconstitutional acts being carried out by the federal government, then the constitutional amendment that will “save our nation” is the Tenth Amendment!

But, you see, even though by applying the Tenth Amendment the states could force the federal beast back inside its constitutional cage, we don't need a convention to propose that amendment — and therefore the people backing COS can't profit from it.

Speaking of whether there's even a need for a convention, here are a few uncomfortable questions for



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the COS leadership and their “grassroots” water carriers: What standard do you want to see applied to the federal government? What limits could they abide by that would convince you to call off your push for a convention of states? Where would one find the limits that you think the federal government should respect and obey?

Would you find those limits laid out in the Constitution? If so, then you’re admitting that we already have the limits you’re looking to impose on the federal government, right? So we don’t need a convention of states, right? Great news, right, COS? I just saved you millions of dollars!

I am almost certain that many of the people who currently support COS would undoubtedly agree that if the federal government restrained itself within the limits already established in the Constitution, there would be no need for the convention they’re trying to call. The fact is, what you’re looking for has already been found. You’re welcome.

Now, we all know that COS is not going to answer those questions honestly. There is nothing that could compel them to stop spending millions to make a constitutional convention come to pass. They want it so badly they are willing to ignore the fact that the limits they want imposed are the limits already expressly defined in the Constitution.

And, as I explained earlier, if it were applied, the Tenth Amendment would empower “the people” to put restraints on the runaway federal government.

“Yes,” the COS people respond, “but they don’t follow that amendment or any other part of the Constitution.”

True. Politicians do not follow it, and what is the “it” they don’t follow? The already existing Constitution.

The place where the rubber meets the road — and exposes the Convention of States as a farce — is that the question isn’t one of limits or restraints, the question is one of virtue and honesty.

Federal officials violate the Constitution because they are not honest and they are not honorable. Honest and honorable men *fulfill* oaths that they swear to God, and every one of the men and women in Washington, D.C., swore such an oath. Nearly every one of them breaks that oath nearly every day.

There’s no amendment we could add to the Constitution that would convert federal officials into honest, oath-keeping people.

The simple and undeniable truth is that all who sincerely seek the cause of our current constitutional crisis know that the problem is not with the Constitution, but with the character of the politicians who hold offices created by it.

Finally, [in a story published by WGLT](#), Illinois public radio online, we learn that three Republican state lawmakers have been invited to represent Illinois at the simulated convention.

Wait a minute. The state of Illinois elected Republicans to represent them at the (simulated) convention of states?

Oh. I see. They weren’t *elected* by anyone in Illinois to represent that state at the (simulated) convention; they were “*invited*” by COS officials to represent that state at the (simulated) convention.

It is beyond belief that COS hasn’t likewise invited Republicans to represent all the states who will participate in the simulated convention. Notably, every one of the nominees for “president of the convention” [is a Republican lawmaker from a red state](#).



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With that in mind, is it even within the realm of possibility that anything decided upon — even in a simulation — by a room full of legislators who already support COS would look *anything at all* like the amendments that would come from the people who would *actually* be chosen to attend a *real* convention of states?

Just for the sake of demonstrating what I mean, here's a little information on the political landscape in Illinois:

Governor of Illinois: Democrat

Speaker of the House of Representatives in Illinois: Democrat

Attorney general of the state of Illinois: Democrat

Majority party of the Illinois House and Senate: Democratic (by a 2-1 margin over the Republicans in both chambers)

Percentage of adults in Illinois who identify as Democrats: 48

Percentage of the vote in Illinois won by Joe Biden in 2020: 57.5

Illinois isn't just a blue state, it's one of the ten bluest states in the union!

Yet, representing the Prairie State at the COS simulated convention are three Republicans.

There's a phrase that describes that sort of situation: stacking the deck.

I know that people say that only death and taxes are guaranteed, but I think we can add a third thing to that list: The people tapped by the state of Illinois to attend an *actual* convention of states would *not* be three Republicans.





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