



Written by [Steve Byas](#) on April 6, 2018

Con-Con Effort Fails in Nebraska

The national effort to call for a national “Convention of the States” to consider altering the Constitution of the United States took yet another defeat Thursday, this time in Nebraska. Responding to the concern of opponents to a Constitutional Convention that such a convention could not be limited to any particular issue, proponents ran a “Faithful Delegate” bill. The proposal failed to obtain the 25 votes necessary to pass the Nebraska Senate, and is now dead for this year.



Nebraska is a unicameral (one house) legislative body, meaning that had a proposal passed in the Senate, there would not have been a required corresponding vote in a House of Representatives.

The proposed amendment specified that any delegates to an Article V Convention of the States (COS) would include four constitutional officers and the speaker.

It was clear early in the floor debate that anti-COS activists had been able to reach Nebraska senators with their message that the “Faithful Delegate” proposal was a bad idea. Supporters complained during debate that “fear-mongers” had given legislators “misinformation.”

No doubt the alleged “fear mongers” were several members of the conservative John Birch Society (JBS). Dan Sexson, field coordinator with the JBS, told The New American that several JBS members had made phone calls and sent emails to their state senators. Far from being “fear mongers” peddling “misinformation,” these activists were armed with well-researched materials made available by the JBS. What supporters of COS falsely refer to as “misinformation” is actually information that reveals the true dangers of a Con-Con, and they just don’t like it.

“I feel the members in the trenches contributed a lot to the effort” in defeating the COS push in Nebraska, Sexson said.

The John Birch Society has long opposed the Con-Con idea and the defeat in Nebraska illustrates why its members are so often successful. The JBS materials are heavily-researched and are distilled into a short enough length that busy legislators have time to read and digest. The second thing that is a necessity in their strategy is the passion and motivation of its members to take the time to contact legislators in an organized, educated, and respectful manner.

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Janine Hansen, the national “constitutional issues” chairman for Eagle Forum, explained why the delegate bill was dangerous. “Delegate bills are designed by the proponents of Article V Constitutional Conventions to take the worry out of a wide-open Constitutional Convention proposing limitless amendments.... Delegate bills are a smoke screen designed to obscure the limitless amendments COS has up their sleeve.”

Hansen noted that on pages 33 and 34 of the Convention of States booklet available on their website, COS itself lists “an eye-opening number of limitless possible amendments to consider at an Article V



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Constitutional Convention.”

Last fall, I wrote an article for *The New American* in which I addressed a troubling Facebook post concerning the Second Amendment right to keep and bear arms and the Convention of the States group. In that Facebook post on the Convention of States Project page, someone asked, “Why not include an update to the second amendment in COS? Gun control advocates wear out the point that it was written when people had only muskets, so why not make it read the way we want it to read now?” The questioner certainly had a great point. I would add this question for the enemies of the right to keep and bear arms: If the Second Amendment protects only weapons in use in 1791, does that mean that newspapers may use only printing presses that were in existence at the time, as well?

The response of the Convention of States Project, however, is troubling. “It’s called a ‘Clarification Clause,’ Rick, and that’s *very much on the agenda* of any number of the study groups that are currently being conducted around the country composed of COS Project advocates and their state legislators.” (Emphasis added.) In other words, it is very much on the agenda of the COS to alter the wording of the Second Amendment, in order to “clarify” its language for how they want it to read now.

Now, COS may very well argue that they have no intention of watering down the Second Amendment with a “clarification,” but it powerfully illustrates the dangers of a convention in which we could expect opponents of the Second Amendment to be present. It would be the height of naivete to think there would be no anti-Second Amendment delegates present.

The defeat for the Con-Con advocates in Nebraska was their second recent defeat. Those concerned about the dangers inherent in a Constitutional Convention won a huge victory when, just last month, the Mississippi Senate allowed House Concurrent Resolution 56 to die, a resolution that would have made an application to Congress for a convention to propose amendments to the U.S. Constitution.

Many conservatives and others frustrated by the failure of the federal government to adhere to the Constitution have pushed for a so-called Convention of the States to consider amendments to the Constitution, ostensibly to rein in an out-of-control federal behemoth. But this is a dangerous game, and The John Birch Society (JBS) in Mississippi fortunately alerted its members to those dangers. (The JBS is the parent organization for *The New American* magazine.)

After its passage in the Mississippi House of Representatives, an “Urgent Action” alert was sent to JBS members asking them to call their senators and give them some of the reasons why calling a national convention to consider constitutional amendments could, as the alert warned, lead to “a potentially disastrous convention.”

The stunning defeat of the resolution in Mississippi and now in Nebraska is a powerful demonstration of how an educated citizenry can make a decisive difference, especially when such knowledge is combined with concerted action, as was the case with JBS members in the Magnolia State, and now with Eagle Forum’s successful opposition in Nebraska.

Perhaps the biggest danger is that well-meaning patriotic Americans can be duped into believing the slick propaganda of the COS forces. For example, in January of this year, Mark Meckler, president of Citizens for Self-Governance and co-founder of the Tea Party Patriots, argued that a Con-Con was needed because, “The federal government is too big and does too much.” Unfortunately, such rhetoric by COS leaders such as Meckler can deceive many to support a Con-Con.

Senator Laura Ebke was the author of a COS resolution last year in the Nebraska Senate, and she attempted to soothe the well-founded fears of COS opponents, according to the *Lincoln Journal-Star*, by



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saying that fears of a runaway convention that would consider amendments on other topics are overstated. Readers should note that Senator Ebke did not say that such fears were impossible, just overstated. This is much like asking someone to play Russian Roulette to win a dollar, then attempting to allay their fears by saying the chance of the hammer landing on the only chamber of six that holds a deadly bullet is low. Are we willing to take that chance with our very form of government?

Fortunately, the senators of Nebraska opted out of putting our Constitution at risk of a runaway convention. This was because of citizens who are informed of the dangers of a constitutional convention, and then took the time to share that knowledge with Nebraska's senators.

Patriots concerned about a constitutional convention should now watch for upcoming battles in the Iowa Legislature and the Minnesota Legislature, which have active COS resolutions that have already passed one house of their bicameral legislative bodies.

Note: Additional information was added to this article after it was originally published.

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