



Written by [Joe Wolverton, II, J.D.](#) on February 25, 2013

Eight Simple Questions Expose Dangers of a Constitutional Convention

Despite [its recent setback in Arizona](#) and several other states, the Compact for America organization continues spending millions of dollars to convince state legislators to call for a new constitutional convention. The convention, the Compact for America states, would be called for the sole purpose of considering and recommending to Congress a balanced budget amendment.



While there are many fundamental flaws with the balanced budget amendment promoted by the Compact for America, the most worrisome aspect of this movement is the fact that its plans are constitutionally and legally suspect.

The defects of the Compact for America have been [exposed by *The New American* on several occasions](#). As part of our effort to educate citizens and lawmakers as to the dangers posed by the calling of a constitutional convention, this writer appears as witness at state legislatures testifying against the adoption of the Compact for America or similar measures calling for an Article V constitutional convention.

Last week, for example, I appeared as an expert witness at a committee hearing of the Indiana state senate. The chairman of that committee, Senator David Long, was the chief sponsor of a call for a constitutional convention in the Hoosier State.

As I pointed out during my testimony, there has never been an Article V convention, and the stakes are too high to risk exposing our Constitution and the freedoms it protects to the machinations of special interests with billion-dollar budgets.

Furthermore, the plain fact of the matter is that there are no legal guidelines that would govern the proceedings at such a convention. As The John Birch Society has recently explained:

[The basic argument against convening an Article V constitutional convention](#) is that based on the right of the sovereign People in convention to alter their government whenever it fails to secure our rights (as proclaimed in the Declaration of Independence), an Article V constitutional convention could not be limited as to what amendments might be proposed, and therefore could lead to the proposal and ratification of dangerous alterations to the Constitution. The Article V requirement that three-fourths of the states must ratify any new amendment would not necessarily protect us from harmful amendments because, just as our original Constitutional Convention did in 1787, any new constitutional convention could prescribe an entirely new ratification procedure, such as holding a national referendum.

And as I have written elsewhere, imagine that a pro-choice governor serving as a delegate to the Compact for America's con-con, introduced an amendment calling for the absolute, unrestricted right to



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abortion. Or what would stop an anti-gun zealot from offering an amendment outlawing all private weapon ownership?

These scenarios are not straw men, they are real and frightening possible outcomes of an Article V constitutional convention. There is no legal or constitutional authority for the Compact for America's claim that the delegates could only consider a balanced budget amendment. That irrefutable fact of law and constitutional history should frighten Americans and spur them to oppose all attempts by states to call for a constitutional convention.

Art Thompson (photo above) is the CEO of The John Birch Society, and he travels frequently speaking to large groups gathered to learn about the pros and cons of a constitutional convention.

In an interview with this reporter, Thompson explained that while proponents of the con-con issue typically rely on arcana of historical examples of state compacts and conventions, he recommends that constitutionalists take a simpler, more direct approach in their opposition to the con-con.

"Stick to simple principles and logic and don't get sidetracked by historical rhetoric," Thompson counsels.

Thompson said that when he speaks on the subject of the Article V constitutional convention, he distills the arguments against it down to eight simple questions.

1. Does the Congress or the administration follow the Constitution now?
2. If changes were made for the better, why would they follow that? Especially when it takes less to get a vote to balance a budget — a simple majority vs. two-thirds?
3. Do you believe that no matter how the "convention" was held — governors or elected/appointed delegates — that those in control would rise to the level of men such as Founders Washington and Madison?
4. Do you believe that no matter what the means to convene the convention, that a sizeable contingent of delegates would be at the level of Gore or Obama?
5. Ask yourself, if now we are not electing constitutionalists to office from our area, what makes anyone think that we will send constitutionalists to any meeting?
6. Do you want a balanced budget?
7. Are you willing to pay for it?
8. Is the Constitution flawed?

Lest one assume from Thompson's questions six and seven that he is against a balanced budget, be aware that he wants a balanced budget, but one that cuts spending, not one that merely raises taxes to pay for present and future spending.

He elaborated:

Let us make it clear that we, too, desire a balanced budget. However, there can be no balanced budget if it does not bring into the equation the downsizing of the size and services of the government. And if it does not include social services such as Social Security, an amendment is worthless as a balancing factor.

So you see, a massive education program must be undertaken before any solution will work.



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As to question eight, he went on,

Apparently the promoters of a constitutional convention and/or Compact With America do believe the Constitution is flawed if they are constantly promoting these means to solve a problem that could be solved by simply adhering to the Constitution we have. Why are they not spending the time, energy, and money on getting Congress to adhere to the Constitution, rather than on making changes to the Constitution?

By addressing these eight simple and direct questions, citizens can disarm many of those fighting to drag our Constitution through an unwise and potentially destructive Article V constitutional convention.

As state legislators consider bills calling for a constitutional convention (a con-con bill has recently been re-introduced in the Georgia state senate), citizens can prepare to defend the Constitution by reading the article in The New American entitled "[How the Compact for America Threatens the Constitution](#)" and by asking state lawmakers the eight logical and direct questions suggested by Art Thompson.

The situation is critical, and now is the time to stand up for our Constitution and the God-given rights it protects and defend it against powerful lobbyists who want to see it "fixed" rather than followed.

As Thompson so rightly stated in our interview, "From every angle it [a constitutional convention] is dangerous to the freedom of the American people."

Photo: Art Thompson



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