



Written by [Joe Wolverton, II, J.D.](#) on January 22, 2014

## In Defense of Con-Con, Meckler Chooses Ridicule Over Rebuttal

LOL. Those are the letters with which Mark Meckler, president of Citizens for Self-Governance and a leader of the movement to bring about an Article V constitutional convention to alter the Constitution, chose to open his response to [my article](#) exposing the radical leftist fellow travelers in the “convention of the states” movement.

At [The John Birch Society](#), the parent organization of *The New American*, we take federalism and the Constitution seriously, and we would choose three other letters to describe the situation: SOS.



This Republic is in trouble. This is something all of us agree on. We agree that Washington has run amok, and we all believe the stables on Capitol Hill need to be washed clean, and we know it will take a Herculean effort to do it.

We all believe that the answer to our current awful situation is to restore the Constitution. Or do we?

There is so much sarcasm and side-stepping in much of the pro-constitutional convention responses that it is difficult to determine what they truly recommend as a remedy (we know, though, it isn't Jefferson's “rightful remedy” of nullification). In much of the material the leadership of the Convention of the States group produces, it seems they would prefer to repair the Constitution rather than restore it.

Ask any antiques dealer and he'll tell you that there is a big difference between restoration and repair. Restoration is done in a way that will preserve the value and function of the original piece, while repair simply attempts to “fix” what is broken or poorly functioning on the aged item. Someone repairing an invaluable antique will introduce external material, believing that such will strengthen the broken parts.

A restorer, however, knows that only original pieces, no matter how difficult to preserve or attain, must be used to return the treasure to its prior glory.

In the hands of experts, in fact, the antique can be restored in such a careful manner that it will not only retain the value of the original, but it will increase it.

Perhaps the worst part of dealing in antiques restoration is trying to undo someone's unskilled repair. What could and should have been done delicately and according to tried and true techniques is scrapped by a hasty repair job, making a proper, lasting restoration much more difficult.

The analogy is obvious. Our Constitution is indeed an antique, a priceless heirloom handed down to us by our noble forefathers. Lately, some of the Constitution's caretakers have damaged the document, and admirers of the document recognize that it's time to restore it and to restrain the federal government any time it tries to put a hand on it.

Unwisely, the con-con collaborators have chosen to try to “fix” the broken Constitution. While there are



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admittedly several qualified constitutional experts found among the “convention of the states” proponents, there are many in their camp who would slap shoddy materials on the Constitution, leaving it worthless and non-working.

As I revealed in a [previous article](#), there are dozens of socialist, progressive, and radically leftist organizations that are not only supporting the con-con movement, but behind them are billionaire fascists who will throw good money after bad to ensure these organizations (that work for them) get a seat at the “convention of the states.”

Which brings me to my next point: Are Messrs. Meckler, Levin, Dranias, et al. prepared to abide by the radical amendments to our Constitution that could be the product of their beloved convention?

Legally and constitutionally speaking, there is nothing the “conservative” bloc of the convention advocates could do to prevent delegates selected from the leftist wing of their movement from attending and influencing the convention they propose.

Imagine for a minute some of the “repairs” to our Constitution that the progressive delegates would offer. Actually, we don’t have to imagine. In an upcoming article, I will expose the shocking slate of items on the radical agenda of the many representatives of the leftist lobby fighting for the Article V convention.

That’s not to say we are going to give the self-described “conservatives” a pass. Not at all. In fact, a separate article will reveal strong ties between establishment Republicans and many of those pushing for a con-con who claim to be from the Right Wing. Suffice for now to say that many of the rank and file in the army calling for an Article V convention will be dismayed to learn the details of their leaders’ association with groups with records contrary to constitutional principles.

And what about some of the self-professed conservatives who are clamoring for a convention? Imagine the good use the powers behind the promoters could make of a few popular, “conservative” Republicans. These trusted representatives of the Right could effect small but significant changes to the Bill of Rights, and those changes would be packaged and sold to the public as “improvements” for their safety.

These well-promoted tweaks, however, would effectively repeal fundamental rights: the Tenth Amendment (“Let’s once and for all eliminate this nullification nonsense”), the Second Amendment (Even conservatives shun the “militia types”), the First Amendment (“right to worship” replaces free exercise thereof), and maybe the Sixth Amendment, too (“Sit down. Shut up! You don’t get a lawyer!”). Surely supporters who are savvy recognize that those changes mentioned are all being pushed by “conservatives” in the convention movement.

Even if we could count on genuine conservative (I prefer the label “constitutionalist”) bona fides of the organizers of the con-con movement, the irrefutable fact is that a convention would not occur in a conservative vacuum. Lobbyists from every industry and every social and political band of the spectrum will slaver for a chance to get their hands on the keys to the kingdom. How will we — those concerned for the Constitution and zealous for its perpetuation — be able to verify the good intentions of the many delegates sent to the convention of the states? Simply stated: We won’t.

And that brings up the issue of the election/selection of delegates. Article V is silent on the matter, making it certain that states themselves will establish guidelines for who can be chosen as a delegate and how they will be chosen. Suppose that a state legislature dominated by Republicans drafts the rules in such a way as to gerrymander the convention, making it next to impossible for Democrats to get



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elected/selected as delegates.

Can you imagine the legal donnybrook that would break out? No matter the schedule set by the Article V leadership, the opening of any “convention of the states” would undoubtedly be indefinitely delayed while the multiple federal lawsuits filed by those who felt disenfranchised by the process worked their way through the judicial system.

Next, the most frequent target of pro-convention vitriol is the suggestion, by those of us opposed to a convention, of the so-called runaway convention. I believe history teaches us that there is a legitimate danger that the convention, regardless of prior restraints, could break those chains and run off with the Constitution.

Article V advocates contend that the constitutional convention held in Philadelphia in the summer of 1787 did not exceed its mandate.

They claim that the historical record of the convention of 1787 proves that it was not a “runaway convention” and that a modern-day convention could be carried out without exceeding a very limited purpose. They are wrong for two reasons.

First, as soon as Edmund Randolph presented the Virginia Plan on May 29, 1787, the convention broke through boundaries set by some of the participating states. The resolutions proposed by Randolph (and written by James Madison) were not intended (and admittedly so) to “revise the Articles of Confederation,” but to replace them. Look it up. I’ve yet to hear one cogent or convincing argument to the contrary. The fact is that the Articles of Confederation document was the law, and there was a legal (constitutional) method for proposing amendments. That method was mentioned in Congress’ call for a convention in Philadelphia. That prescribed method was disregarded from day one. That could happen again and this time, we won’t be in the capable hands of James Madison, James Wilson, et al.

Second, it is the unalienable right of the people “to alter or to abolish [our government], and to institute new Government.” Article V establishes the constitutional method for calling a convention of the sovereign people of the United States for this very purpose. Any intellectually honest and historically accurate proponent of the Article V “convention of the states” must admit that this convention could exercise that God-given right to rule and to replace the “broken” government with a “better” one. That happened in Philadelphia in 1787.

Over the next week or so, *The New American* will publish articles expanding on the points I presented above. These articles are not intended to attack anyone personally. I will not do that. If I have done that in the past, I’m sincerely sorry. I intend these articles to serve the purpose of educating and warning the many good-hearted, well-intentioned constitutionalists currently found among the ranks of the army calling for a new constitutional convention.

Despite what Mark Meckler claimed in his response to my earlier articles, I do not believe that the constitutionalists on his side of this argument are dupes. I just don’t believe they are aware of who’s fighting alongside them and how closely many of the front-line leaders of their movement are tied to establishment Republicans and other big money lobbyists who are desperate to get their hands on the purse strings.

I am hopeful that Mr. Meckler, Mr. Levin, or some other chief of the Convention of the States coalition would write a thoughtful rather than a sarcastic rebuttal to all the points I’ve put forth in this article. If any of you talk to either of them or see them around, maybe you can convince them to put down the poison pen and lay out their case with respect — respect for the opposition and respect for the



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intelligence of their own adherents.

*Image of Gadsden flag, used during the Revolutionary War*

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