



Written by [Joe Wolverton, II, J.D.](#) on August 4, 2023

Progressives Promote Article V Convention as a Way to “Rethink Our Institutions and Make Them More Democratic”

“It’s been half a century since Congress last proposed a successful amendment. Could an Article V convention similarly usher in a new era of progressive reform?” asks John F. Kowal, the author of a [recent *Newsweek* opinion piece](#).

“A growing number of progressive scholars and reformers are asking whether it’s wise to take the [Article V] convention option off the table,” Kowal reports. “Speaking for the ‘convention curious,’ Columbia legal scholar David Pozen asks whether a convention might offer progressive reformers ‘a chance to rethink our institutions and make them more democratic.’”



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One of the compelling reasons to consider a convention of states, “constitutional scholar” Kowal explains, is “the dim prospects for change in a Congress that has dragged its feet on democracy reform.”

For anyone who has studied history, this sort of zeal for “democracy” is a recipe for violence and tyranny. As James Madison explained, “Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.”

Doesn’t sound like a very favorable climate for the pursuit of happiness, does it?

Next, given the political bent of Kowal and Pozen, it is reasonable to assume that this “rethink[ing] our institutions” would result in a Constitution far removed from the one we were given by our Founding Fathers.

Citing the story of the ratification of the 17th Amendment as a positive example, Kowal encourages progressives to be “cautiously open to the Article V route” toward democratizing the federal government.

As readers of *The New American* know, [the 17th Amendment is certainly a victory for democracy](#) — and a significant blow to state sovereignty. Its ratification resulted in a near-fatal blow to the sovereignty of the states and the control the Founding Fathers intended them to have over their agent, the federal government.

In fact, the Founding Fathers expressly cited their disdain of democracy as the purpose for having the state legislatures elect federal senators.

Edmund Randolph, Virginia’s governor and a delegate to the Constitutional Convention, said that the



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framers of the Constitution aimed to “control the democratic branch” through unique senatorial selection. He cautioned against democracy’s perils, advocating the Senate’s firmness in guarding the Constitution from executive encroachment.

James Madison deemed the Senate’s role to be “proceeding with more coolness, with more system, and more wisdom than the popular branch,” and protecting “the people against the transient impressions in which they themselves might be led.”

Luther Martin of Maryland stated plainly: “The Senate is to represent the states.”

In a letter to John Adams, Roger Sherman defended the method of electing federal senators, explaining, “The senators, being ... dependent on [state legislatures] for reelection, will be vigilant in supporting their rights against infringement by the legislature or executive of the United States.”

That effectively eliminates the ratification of the 17th Amendment as a positive event, although it certainly qualifies it as a “progressive” one.

While any support of an Article V constitutional convention is to be discouraged, it is nonetheless instructive to note the support that’s building among progressives who would welcome the chance to “rethink our institutions.”

Given their unrelenting pursuit of a convention, would the Convention of States (COS) leadership lock arms with the likes of Kowal and Pozen? And if so, wouldn’t that instantly expose COS’s fraudulent claim that the Constitution’s protection for something such as the right of the people to keep and bear arms would not be threatened by a convention of states?

Truthfully, there is nothing in the Constitution that would prevent progressives from being selected to represent a state or several states at such a gathering.

What is perhaps even more frightening to those of us who believe we should try following the Constitution rather than changing it is the undeniable fact that nowhere in the Constitution is it mandated that people selected to participate in an amendments convention have to be citizens of the United States. That constitutional silence is likely well-known to someone such as George Soros, who has come out in support of a convention of states.

Through his support of the Young Turks and other progressive organizations, George Soros — the financier of global fascism — [is pumping millions of dollars into the same Article V campaign](#) that is being promoted by COS and their roster of “conservative” celebrities.

According to Kowal’s article, the progressives are so committed to converting the United States into a democracy that they contend that following the precedent of the “practice at the Constitutional Convention of 1787, where each state had one vote,” would be “grossly unfair, giving a disproportionate advantage to states with small populations. Delegates should be apportioned according to a state’s population or its number of electoral votes.”

In other words, the delegates from California and New York will be the framers of the amendments coming out of an Article V convention.

Many of those supporting an Article V convention and COS would argue that such a scenario is simply a scare tactic and not at all likely to happen.

I would respond by asking them how they can be sure of that. There are many questions that must be answered before we run the risk of losing our rights and the Constitution that — for now — protects



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them. Questions such as:

- Where in the Constitution does it require delegates at an amendments convention to be U.S. citizens?
- Where in the Constitution does it lay out how states must choose their delegates?
- Where in the Constitution does it provide a process for putting limits on the convention once it gets started?
- Where in the Constitution do we find a procedure for adjourning an amendments convention if it exceeds those predetermined rules?

The irrefutable fact is that the Constitution is silent on all of those critical aspects of an Article V convention. Furthermore, the claim constantly repeated by COS that there's nothing Congress can do to prevent the people from taking back power from D.C. is an outright fabrication. The COS's leftist allies admit it.

"Finally, while Article V gives states the role [of] submitting petitions for a convention, it gives Congress the responsibility to 'call a convention.' Ultimately, those campaigning for a convention aren't in the driver's seat — Congress is," Kowal correctly explains.

Just as a refresher: Article V identifies *Congress* as the body that "shall call a convention for proposing amendments" and grants to *Congress* the power to propose the "mode of ratification" of those amendments. That sounds like quit a bit of control in the hands of Congress.

As for the states, Article V allows that "the legislatures of two thirds of the several states" can make an "application" for a convention to propose amendments, and, depending on what *Congress* decides, "the legislatures of three fourths of the several states, or ... conventions in three fourths thereof" will be called on to ratify or reject the proposed amendments. That's it.

Does that sound like a procedure that bypasses Congress, as COS claims it does?

So, now that COS has wrapped up their simulated constitutional convention whose delegates were all Republican lawmakers invited by COS leadership, perhaps they should coordinate with Kowal, Pozen, and Soros and conduct a simulated convention that would look a little more like one that would *actually* happen in the real world.





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