



Written by [Steve Byas](#) on February 16, 2018

South Dakota Latest State to Defeat Con-Con Effort

By a vote of 18-16 on Wednesday, the South Dakota Senate handed a stinging defeat to the national effort to call for a constitutional convention under Article V of the Constitution. Idaho and Virginia have also recently rejected calls for invoking Article V.

The bill, SJR 3, had 23 sponsors, all Republicans, led by Senator R. Blake Curd and Representative Lynne DiSanto. In addition, the effort to call for a Convention of the States enjoyed the work of four lobbyists and millions of dollars. Former Senator Tom Coburn (R-Okla.), who has traveled to over 30 states to personally lobby state legislators for the proposed convention, also pressured state senators before the vote.



Yet, the bill was defeated.

Andy Schlafly (son of the late Phyllis Schlafly, founder of the Eagle Forum and an ardent foe of a constitutional convention) gave much credit to Kitty Werthmann, whom he called “a most favorite Eagle of Phyllis Schlafly.”

“Kitty has been the leading conservative in South Dakota for 40 years,” Schlafly said after hearing of the effort’s defeat. “Last year, talk commentator Mark Levin [a strong proponent of calling for a convention] vented his frustration at her on his national show after she defeated ConCon then. Today she did it again.”

Schlafly added that since there was no motion for reconsideration, “the Convention of States is finished for the year in South Dakota.”

“Of course, she had lots of help from volunteers in South Dakota.... But in the end, it was the respect of legislators for Kitty that carried the day. Afterwards, House and Senate legislators, and their staff, gathered to hear a special presentation by her on her experience under Hitler-controlled Austria during World War II.”

The defeat of the constitutional convention (Con-Con) effort in South Dakota, combined with other recent defeats in Idaho and Virginia, has given hope to opponents that the momentum for the movement is waning. The Idaho legislature killed the proposal in committee last week, while in Virginia they also voted down legislation that would have codified limitations for actions of their state officials in these types of conventions. Unfortunately, such codified limitations only give legislators concerned about a runaway convention a false sense of security.

Also critical to the defeat of SJR 3 was the persistent educational campaign effort of John Birch Society members in the state. Even in states that have voted for the Con-Con in the past, JBS has teamed with like-minded constitutional activists to rescind those ill-advised applications to Congress to call a Con-



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Con.

Former Senator Coburn testified in favor of the Con-Con idea. He argued that the Con-Con would take power away from D.C. and hand it back over to the states. Since he gave up his U.S. Senate seat three years ago, Coburn has visited over 30 state capitols supporting the proposal. In his home state of Oklahoma, where I live, it was his personal lobbying effort that is credited with achieving its passage last year. More than one Oklahoma legislator told me that he was inclined to oppose the Con-Con, until Coburn was sitting in his office, across from his desk, pleading with him to pass the joint resolution calling for a constitutional convention. Some legislators even said that he threatened to support an opponent in the next election, if they would not vote for its passage. For Republican legislators, in a state where Coburn remains popular, this was a serious threat.

Perhaps Coburn does not have the pull in states such as Idaho, Virginia, and South Dakota that he still has in Oklahoma. Another factor in the proposal's defeat in South Dakota is a growing awareness that the idea of a Con-Con is being supported by many on the Left.

For example, Ryan Cooper wrote for the online edition of *The Week* that he would like to see an Article V Convention, not to rein in federal spending or federal power, but rather to throw out our present Constitution and "start over." In his article, in which he referred to the Constitution as "an outdated, malfunctioning piece of junk," he said the best possibility to improve the Constitution — in his leftist mind anyway — is to "throw the entire Constitution in the garbage."

Cooper wrote that the most likely method to accomplish this goal is through "a constitutional convention," which would likely lead to a "new constitution." After all, Cooper argued, "Other countries regularly ditch or overhaul their constitutions to deal with new problems."

Clearly, conservatives such as Levin and Coburn, and those who have been taken in by their dubious arguments, need to wake up and understand that many on the Left are salivating at the thought of using such a convention to scrap the entire document — and replace it, altering our very form of government.

Thanks to the efforts of patriots such as the late Phyllis Schlafly and Kitty Werthmann, the chances of such a dangerous convention taking place have been greatly reduced. Kitty Werthmann told Andy Schlafly that "this is a Valentine's Day present to Phyllis Schlafly." And not only to her, but to all the patriots of Eagle Forum and the John Birch Society (parent organization of *The New American*), the two organizations who have done the most to save our country from the disaster of a constitutional convention.

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