



Written by [Steve Byas](#) on February 14, 2021

# John Birch Society Credited With Killing Constitutional Convention Call in Montana

Once again, the constitutionalist John Birch Society (JBS) has killed a call for a national convention to change the Constitution of the United States, this time with the Montana Senate voting against the proposed Senate Joint Resolution 2 this past Wednesday.

One of the senators leading the charge against the proposal was Senator Theresa Manzella, a Republican from Hamilton. She used information from JBS — an organization based in Appleton, Wisconsin, and the parent of *The New American* magazine — to argue against the proposal. She also used material from organizations concerned that such as proposed constitutional convention would undermine or even repeal the Second Amendment, which guarantees the right of individual American citizens to keep and bear arms.



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What was unusual about the debate was that JBS, an organization that is opposed to the secular-progressive forces at work in the country, was joined in its opposition to the calling of a national constitutional convention by every Democrat in the Montana Senate.

With all 19 Democrats voting no, along with seven Republicans, the proposal failed, 24-26. All 24 “yes” votes came from Senate Republicans.

Why did the Republicans mostly support the proposal, and the Democrats unanimously oppose it? And, why does the John Birch Society so adamantly oppose any national convention to propose changes to the Constitution?

Many staunch conservatives favor the idea of a national convention to consider changes to the Constitution, understandably frustrated at the tendency of the federal government to ignore the Constitution’s restrictions upon them. Proponents of a national convention (often called an Article V Convention or a Convention of States) often advocate that such a convention propose an amendment to the Constitution to require a balanced federal budget (a balanced-budget amendment, or BBA) or require term limits for members of Congress.

Senator Tom McGillvray, a Republican from Billings, said, “We currently know in the state of Montana, the federal government has gone way beyond their power. They’re involved in our wildlife, our air, our water — just recently, the president shut down the Keystone pipeline, which is definitely a takings.”

Democratic legislators, on the other hand, usually favor the way the federal government ignores the Constitution so as to expand its powers. They see the Constitution as an obstacle to expanding the



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heavy hand of government in our daily lives.

The JBS opposition to an Article V convention is not for the same reasons as the Democrats, obviously. Take the idea of amending the Constitution to require a balanced budget. While JBS members certainly favor the federal government living within a budget, they don't see a balanced budget amendment as a good solution. Instead, they favor cutting federal spending and restricting that spending to items authorized for such spending in the Constitution. In other words, Congress is already violating the Constitution with a large portion of its present spending practices. Were Congress to restrain itself to spending only on items authorized by the Constitution, the budget would be easily balanced. Making a balanced budget part of the Constitution would do nothing to correct this problem, and could lead to massive tax increases. After all, raising taxes, rather than cutting spending, could also "balance" the federal budget.

This also explains another reason that JBS opposes an Article V Convention. Why amend the Constitution if Congress is just going to ignore the new restriction? After all, they are not following the present restrictions.

Senator McGillvray, who supported the call for a national convention, offered the example of President Joe Biden's executive order shutting down the Keystone pipeline as a "takings," (which he correctly noted is a violation of the 5th Amendment to the Constitution). But, that is the point that so many conservative-leaning proponents of the Convention of States idea miss — the Constitution already prohibits what Biden did. Does he and other proponents of the convention idea believe that adding another such prohibition is going to make any difference to those who disrespect our Constitution? It's almost as if they're saying, "The federal government doesn't follow the rules, so we're going to make a new rule that says they have to follow the rules."

Term limits is another idea that sounds good, but replacing one liberal with another liberal does nothing to advance the cause of limited government. Rather than waste time pushing such "feel good" measures, conservatives need to concentrate on educating the voters on our present Constitution, so they will elect members of Congress who will follow it.

While the Democrats in the Montana Senate voted "no" to a call for a national convention to change the Constitution, there are many on the Left who are salivating at the thought. One must remember that the same electorate that chose our present Congress would be choosing delegates to any convention. This means that a convention could be populated by secular-progressives as well as constitutional conservatives. And the secular-progressives see a Convention of States as a prime opportunity to undermine the Second Amendment, abolish the Electoral College, place limitations on religious liberty, free speech, and even scrapping our present Constitution.

The late Justice Antonin Scalia told the Federalist Society that he believed this is a bad century in which to write a Constitution. I would rather stick with the one that James Madison and other Framers created than one that any politicians of today could conceive.

So, we are fortunate that the Democratic senators in Montana joined with seven Republicans in voting against this highly dangerous proposal, and that the John Birch Society gave them the ammunition to kill it.



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