

After the Steal, It's Crazy for Trump Supporters to Support an Article V Constitutional Convention

By Janine Hansen, Eagle Forum National Constitutional Issues Chairman,
director@nevadafamilies.org, 775-397-6859

Because of the 2020 election Trump supporters have lost faith in the operation of our Constitutional Republic. Understandably, we saw massive election fraud, corrupt judges, and a crooked Congress confirming the steal.

Our Constitutional Republic stands at a crossroads. Now more than ever our activism is critical. BUT, we cannot allow ourselves to be used to further undermine and destroy our U.S. Constitution.

For decades before her passing, Phyllis Schlafly valiantly fought a dangerous threat to our Constitution, an Article V "convention for proposing amendments" or as we would call it a Constitutional Convention. There are almost no rules for the convention in Article V of the Constitution. Exceptions are: that after 34 states have made application for a Convention that Congress "shall call a Convention" and that the amendments passed by the Constitutional Convention become part of the Constitution when ratified by three fourths of the several states or by Conventions in those states.

This ratification by the states seems like a safeguard to a run-away Constitutional Convention, but is it? In the original Constitutional Convention, the only national precedent we have, the ratification process was changed from a unanimous requirement in the Articles of Confederation to only nine states required in the New Constitution. In other words, they changed the ratification process in the original Constitutional Convention before they sent it out to the states to be ratified. The Constitution itself in Article V does not prohibit changing the ratification process. Could that happen now? In the political environment in which we find ourselves with no regard for truth or the sacredness of our fundamental constitutional processes like elections, what might we expect?

If the delegates at the Constitutional Convention felt that they could not get their many new amendments passed by enough states, they could change the number of states required to ratify their multiple amendments. Consider how many Red states there are and how many blue states there are. Are there enough states, either red or blue to equal three-fourths of the states that could agree on any amendments? So it is logical in order to achieve the ratification of all the new amendments that the ratification process would have to be changed, lowered as to the number of states required.

Another important question is: who sets the rules for the Convention? Pro-convention groups like Convention of States claim that "the states would set the rules". How? Congress calls the Convention sets the time and location and then Congress would set the rules. Does that give you comfort knowing the Pelosi and Schumer would be deciding the rules for a Constitutional Convention and who controlled the gavel?

Numerous times while in the U.S. Senate, former Senator Orrin Hatch of Utah had a set of rules for a Constitutional Convention passed by the U.S. Senate. These rules always

contained a provision that the votes accorded to the states would be according to the Electoral College. In other words, if your state has 8 Congressmen and 2 Senators then your state would have 10 votes out of 538 at the Constitutional Convention. Radical California would have 55 and New York would have 29. Most conservative Red states have much smaller populations and therefore much smaller representation.

How would the delegates to the Constitutional Convention be chosen? Well, there is no guidance in Article V and we don't really know. In the original Constitutional Convention and the proponents of the Convention of States claim the State Legislatures will choose the delegates. Do you have full confidence in your State Legislature to choose delegates who would represent you and stand solidly behind our Constitutional Republic? Having worked in my own Nevada Legislature for decades I would say, they have about as much integrity as the U.S. Congress. That's downright scary to consider putting our sacred Constitution in the hands of compromised and corrupt politicians who are supposed to fix it. You can bet that the first thing to go would be our Right to Keep and Bear Arms, next our Freedom of Religion, Freedom of Speech and Assembly.