

(Below is from a JBS FB Page)

Now is a good time to write a message, ready to have once the state's assemblies start to convene and we get Alerts to contact the legislators asking them to vote NO to resolutions to apply to Congress to call a constitutional convention.

I like to have a couple messages already written to use when we get bombarded with Alerts. I can elaborate on them when the time comes, or just go with my prewritten message if my time is short. The legislators are also short on time at that point so a message to them doesn't have to be very long.

Using one of these suggestions along with your request that they vote against XXX for a resolution or

for XXX if it is for a rescission, is all that is necessary. Of course, phone calls are best and more detail is better, but just sending a short message is still a big help. It will be added to the number that the legislator receives on how many want them to vote that way on that issue.

Some points you might want to use, tweak or elaborate on are:

You can read Article V yourself and see that it is Congress that calls the convention. It states: "The Congress ... on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments..."

- **Of course. So what?**

A Balanced Budget Amendment (BBA) would expand the power of the federal government. It would legitimize the current spending, much of which is unconstitutional. Under the BBA, the criteria for spending is the amount of money involved - NOT the constitutionality.

The BBA would result in raising taxes, printing more money or borrowing money in order to make the balance unless spending cuts are agreed upon.

The BBA does not address entitlement programs or get rid of any unconstitutional federal agencies.

The BBA has provisions that allow it to be ignored for "national emergencies".

When would that ever happen?

Do you want term limits? We already have that. It is called an election.

- **I voted. It didn't work.**
- **I hold no power against a 40-year Congresswoman from another State, but *she* wields enormous power over *ME*.**

As for the Supreme Court members, they can be impeached and removed.

- **Congress shall have the sole power of impeachment. It will not impeach when there is cause, but will when there isn't.**

Wolf Pac would put campaign funding under federal control. Would you want your least favorite politicians deciding how much money each candidate would receive?

Wolf Pac would put election campaign funds in the hands of the federal government. Would you want someone like Hillary Clinton (for Republicans) or Donald Trump (for Democrats) deciding the allocation of your tax dollars to candidates ?

COS founder, Mark Meckler, who now asserts that they can control a convention, stated some time ago that they cannot determine what the rules would be at a con con. And, he now admits that even if they did prevail, their solution would not solve the problem. He was asked if there is any way to stop the federal government from ignoring amendments proposed by a convention that later become ratified! He answered "No."

Regarding The Convention of States: Idaho Representative Moon discovered that many of the names on the petition she received from COS were a fraud.

- She "discovered" no such thing, nor did she demonstrate it. She only *claimed* - falsely, in an act of slander - to have "discovered" this.

(Good for Republicans.) Do you want Alexandria Ocasio-Cortes, or any other person who is not a natural born citizen, to be able to run for president? She has supporters who want a con con in order to change the rules to make that possible.

- Such a proposal isn't germane to the COS application.

More amendments to the Constitution would not solve the problem since the Constitution is not the problem. Not adhering to the Constitution is the problem.

- The Constitution isn't the problem. The Constitution is the solution.

Why think that a legislator who ignores the Constitution we have now would magically, overnight, decide to adhere to a new amendment?.

All too often, Constitutionals can't control a political party, even at the local or state level. How are they going to control the convention?

If government ignores the Constitution, and usurps power now, what would the government do if we let them write a new constitution?

A constitutional convention is not the proper procedure for enforcing an existing law.

- *Agreed. But when a litany of systemic dysfunction in all three branches results in a massive imbalance of power concentrated in the federal government, a **convention for proposing amendments** is our right, our constitutionally-explicitly-guaranteed power, and our responsibility.*

To refute the one amendment proposal: The only reason that a constitutional convention is being promoted as the solution to just one problem, is that the hidden agenda would be considered to be totally outrageous.

Would you want to put the entire Constitution at risk for one amendment?

What would you do if a physician suggested a heart transplant because you have a broken arm? What would you do if a mechanic said to replace the motor when your car is simply out of gas?

- *Those are EXCELLENT questions! Do those consultants have the explicitly protected right to **propose** those solutions? What **WOULD** you do in either case? Are you obligated to have the transplant or replace the motor just because it was **proposed**?*

A constitutional convention is a legislative body which operates beyond the limitations of the Constitution. This makes it more powerful, and more dangerous, than any other legislative body.

- *So what? You're the only one talking about a constitutional convention. Article V doesn't even allow such an animal.*

Our problems have nothing to do with the Constitution. Our problems have to do with the ignoring of the Constitution.

- *Wrong. Our problems have to do with CONAN, the living, breathing, liberty-eating document which is changeable at federal whim but by the People only under Article V.*

The Constitution is not the problem, thus the solution is not changing the Constitution.

- *You said this already. The Constitution isn't the problem. The Constitution is the solution.*

Those who ignore the Constitution would like nothing better than to make their usurpation legal, by throwing out the Constitution, and replacing it with one that doesn't have the protections of our God-given rights that our present Constitution has.

There is a claim that we would be safe because our current Constitution says that ratification would be required by three fourths of the states. What if the new constitution does not say that? It could be fewer states or no states

- **What new Constitution?**

At the constitutional convention held in 1787, one of the first things that they did was change the rules for ratification that were in place under the Articles of Confederation. There is nothing to prevent that from happening again.

- **Article V prevents that from happening again. Any proposals to change the rules for ratification must be ratified by 3/4ths of the States.**
- **In 1787, the plan for the ratification of the proposed Constitution was accepted as provided for in Article XIII of the Articles of Confederation. "The fifth page of the Constitution" proves this.**

I also like to offer a solution. Possibilities are:

The Tenth Amendment of the U S Constitution whereby the states can nullify federal laws.

- **Wrong. If the power isn't granted in the Constitution, it's not a "constitutional power" even if Jefferson theorized about it in essays.**
- **Nullification may in fact be the right of any given State to do - but that doesn't make it a "constitutional power."**
- **Nullification is a tantrum, not a "constitutional power."**
- **Unlike Article V, the 10th Amendment grants no power and provides no remedy for anything. All it does is acknowledge that States retain any undelegated powers. From that point forward, all discussion is hypothetical. Unlike Article V.**

Differences between a constitutional convention and nullification are:

- **The *convention method* is explicitly guaranteed by the Constitution. *Nullification* is *inferred* by naive optimists; the word does not appear in any clause of any Article.**
- **Conventions have a proven record of success at the tasks given to them. 39 cases over 300 years. *Nullification* was tried once in 1832 and helped bring on the civil war.**
- **Amendments are systemic fixes. Separate *nullification resolutions* must be passed in each legislature for every measure a given legislature doesn't like. **One each for every law.** And one State's success in passing a nullification resolution doesn't restrain the government elsewhere - or probably even within that State! And since the theory doesn't even contemplate executive orders and regulations - let alone Court rulings - it's not even clear if resolving to nullify each of tens of thousands of regulations separately would mean**

anything. And good luck nullifying the debt! I'd love to see you persuade China to honor any one State's refusal to pay up on the grounds of an arcane and unconstitutional political theory.

With nullification the Constitution is left intact. With a convention the Constitution is changed – and possibly even scrapped altogether.

- The Constitution's not intact - it's in tatters!
- The Constitution allows only *proposals* of amendments "**TO THIS CONSTITUTION.**" It does not allow "scrapping the Constitution."

With nullification the end is known. With a convention it is unknown. Even the language of any proposed amendment is not formulated until the convention delegates are in session and debate the issue.

- Nothing is known of the outcome of future events either way; when one rolls out of bed in the morning, the end of the day is unknown. Their likely outcomes may only be conceived through a study of history.
- The last time nullification was tried - in 1832 - the end is known. When States last met in convention - in 2018 - the end is also known.

With nullification the elected legislature is the authority. With a convention no one knows who the delegates will be.

- The legislatures know who the delegates will be... they commission them!

With nullification there are no amendments that need to be ratified. With a convention, should flawed amendments come through the process due to untoward influence to the delegates, a great deal of money and mass media support could cause the ratification of amendments that actually, though subtly, subvert the original intent of the Constitution.

- With nullification, no federal powers are reduced. No federal imbalance is rectified.
- Money and media do not "cause" ratification.
- Amendments can be repealed by subsequent amendment.
- With nullification, even if the supremacy-clause-drunk federal government honors the State's resolution (THAT'S a laugh!), nothing changes beyond the State boundaries. They just pass a different law that binds the State to the same situation.

And the rules of ratification could be changed by the convention delegates.

- Changes to the ratification process may be *proposed* - *not changed* - in a convention where such is on the table in the language of the call. Those proposed changes would have

to be ratified under the current rules.

Article VI instead of Article V

With Article V and a constitutional convention, the Constitution would be changed or abolished and replaced. Proponents address problems that could all be solved by constitutional enforcement.

- "Enforcement" is not a mechanism provided in the Constitution and therefore there's no such thing as "constitutional enforcement."
- Article V allows only *proposals* of amendments "**TO THIS CONSTITUTION.**" It does not allow "abolishing" or "replacing" the Constitution.
- The Constitution "would be changed or abolished and replaced?" Earlier you said the end is "unknown." Make up your mind!
- If nothing is ratified, then a convention wouldn't accomplish any of that.

With Article VI constitutional violations are met with constitutional enforcement.

- "Enforcement" is not a remedy provided in Article VI. No remedy or power of any kind is provided, expressed, or implied in Article VI. All there is in Article VI is room for *inferring* that a *hypothetical* argument *might* be made that **some laws might** not be supreme.
- There's no such thing as "constitutional enforcement."

Local, state and federal officers swear an oath to defend and uphold the Constitution. They have a duty to honor that oath.

- Proposing amendments is entirely in keeping with that oath.
- "When we speak of *preserving* the Constitution, we mean not the *paper* on which it is written, but the *spirit which dwells in it...* Republicanism, unless you guard it, will creep out of its case of parchment *like a snake out of its skin.* You may have a Despotism under the name of a Republic. You may... see [a government] possesses all the external modes of freedom, and yet find nothing of the *essence*, the *vitality* of freedom in it; just as you may contemplate the embalmed body, where art hath preserved proportion and form, amidst nerves without motion, and veins void of blood."

-An Anniversary Address Delivered by Daniel Webster before the Federal Gentlemen of Concord and its Vicinity, July 4, 1806

[This is also the reply when they give you the "Miracles do not cluster" quote (which they usually say refers to the Constitution but actually refers to the

"government")... because they don't know that this is THE VERY NEXT LINE in that same speech! - John A.]

And, we citizens have a responsibility to hold them to it.

- How's that working out in the cases of Lois Lerner and Robert Mueller? Or the Supreme Court?