

# Good Advice Against an *Article V* Convention

The Father of the U.S. Constitution, James Madison, wrote this warning on November 2, 1788, against calling another general constitutional convention:

"If a General Convention were to take place for the avowed and sole purpose of revising the Constitution, it would naturally consider itself as having a greater latitude than the Congress appointed to administer and support as well as to amend the system; it would consequently give greater agitation to the public mind; an election into it would be courted by the most violent partisans on both sides; it would probably consist of the most heterogeneous characters; would be the very focus of that flame which has already too much heated men of all parties; would no doubt contain individuals of insidious views, who under the mask of seeking alterations popular in some parts but inadmissible in other parts of the Union might have a dangerous opportunity of sapping the very foundations of the fabric.

"Under all these circumstances it seems scarcely to be presumable that the deliberations of the body could be conducted in harmony, or terminate in the general good. Having witnessed the difficulties and dangers experienced by the first Convention which assembled under every propitious circumstance, I should tremble for the result of a Second, meeting in the present temper of America, and under all the disadvantages I have mentioned."

Madison's prophetic warnings against calling a convention to amend our Constitution are even more compelling today. Let's examine his arguments . . .

1. A new convention would "naturally consider itself as having a greater latitude than the Congress" to amend the Constitution. Indeed, that's exactly what the *Article V* convention advocates want: a convention to bypass Congress and do what Congress won't do.
2. A new convention would "give greater agitation to the public mind." Indeed, a convention about amending the Constitution would attract dozens of groups agitating for various changes, creating a bigger media event even than a presidential election and dominated by Mainstream Media and theatrical demonstrators.
3. The election of convention delegates "would be courted by the most violent partisans on both sides." Of course, it would.
4. The convention would "probably consist of the most heterogeneous characters . . . heated men of all parties."
5. The amendments convention "would no doubt contain individuals of insidious views, who under the mask of seeking alterations popular in some parts . . . might have a dangerous opportunity of sapping the very foundations" of our Constitution. A convention called under *Article V* would, indeed, be a magnet for individuals of "insidious" and "dangerous" views that could eat away at the foundations of liberty and a sovereign independent republic. These would include pressure groups seeking elimination of the Second Amendment, global governance through treaty law, deletion of the provision that requires a two-thirds majority of Senators to ratify treaties, the addition of new constitutional rights (such as gender equality and government health care), elimination of the Electoral College, and other "insidious" and "dangerous" changes.
6. We could not presume that "the deliberations of the body could be conducted in harmony." "Harmony"? You must be dreaming! Indeed, it would be a wild and raucous political event of world-class magnitude. Have you ever attended a hotly contested Republican or Democratic National Nominating Convention? Think the Democrats in Chicago in 1968 or Republicans in San Francisco in 1964 or Chicago in 1952.
7. Madison trembled for the result of another convention in the "temper of America" in his time. We should, indeed, tremble for the result "in the present temper of America."
8. Madison reminded us that the first Constitutional Convention "assembled under every propitious circumstance." Those propitious circumstances included having George Washington as convention chairman. Somehow, we don't see any George Washington or James Madison today, and we don't want to put our fate in the hands of men who think they can improve on the work of George Washington and James Madison.