



Written by [Steve Byas](#) on March 24, 2019

Beto's Desire to Change Constitution Should Give Pause to Conservative Con-Con Advocates

Before his losing campaign against Senator Ted Cruz (R-Texas), then-Texas Congressman Robert Francis "Beto" O'Rourke, a Democrat from El Paso, told the *Washington Post* that he did not believe our Constitution was adequate to manage our present "empire."

It is breathtaking in and of itself that O'Rourke, now a candidate for president of the United States, openly said that America was now an empire — rather than a republic, since that is what the Constitution established. But O'Rourke's blunt words should provide a warning to those misguided conservatives who have been deluded into thinking the solution to our present problems of federal government overreach lie with a Constitutional Convention, often called an Article V Convention or a Convention of States.

During the two-hour interview, O'Rourke expressed pessimism that the country was capable of implementing the sweeping changes he would like to see — largely because of the restraints of our Constitution. "Does this [our present system of government] still work?" O'Rourke wondered. Considering that the U.S. is so different than the country we had at the time the Constitution was adopted, O'Rourke explained, noting that we now have a global military presence and global trade deals, "can it still be managed by the same principles that were set down 230-plus years ago?"

Indeed, when Rome expanded beyond an Italian-based republic into a Mediterranean Empire, its system of limited government fell into monarchical rule with the Caesars. But instead of following the Roman example, and morphing from a republic into an empire with a corresponding change in the "principles" found in our 1789 Constitution — limited government, checks and balances, and federalism — it would be far better to return to those principles, and abandoning our global empire.

The problem is *not* the Constitution crafted by James Madison and George Washington, but rather the failure to follow it. It follows then that the solution is not to call for an Article V Constitutional Convention to add amendments, but rather to force our public officials to obey the Constitution.





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Unfortunately, there are many conservatives (along with, no doubt, some charlatans, who are not conservatives at all — certainly not constitutionalists) who have sincerely bought into the idea that we need to “rein in” the out-of-control federal government by means of a convention. They should understand — and O’Rourke provides a very powerful example of this — that there are many liberals who are salivating at the opportunity to take over any such national convention and use it to make the radical changes they have long sought, such as gutting the First Amendment’s protections of free speech and religious liberty and with the Second Amendment’s protection of the right to keep and bear arms.

In fact, there are many on the Left who would use the opportunity of a Con-Con to abolish the Electoral College, along with the United States Senate, and turn our country into a unitary democracy instead of a federal republic. In short, if they could, many would love to scrap our Constitution and start over with one that would be more to their socialist liking.

A constitutional convention would quite possibly allow these radicals who hate our present form of government to do at one time what they have been accomplishing piecemeal for decades by usurpation, i.e., through courts amending the Constitution through “decisions,” presidents making law through executive orders, federal bureaucrats making “rules” that have the effect of law, and a compliant Congress sitting by and letting it happen. Some argue that some of these changes have been good changes. Even if that were true, our first president, George Washington, spoke to that point in his “Farewell Address” when he said, “But there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.”

Certainly, there is a theoretical possibility that a convention could meet and only good amendments be added to the Constitution. But why would our present federal government respect those good amendments any more than they respect our present Constitution? After all, only seven years after the First Amendment was adopted, prohibiting congressional abridgement of freedom of speech and freedom of the press, Congress did exactly that in 1798 with the Sedition Act.

As it stands now, Congress, the courts, and the executive branch routinely ignore their duty to follow the Constitution. With changes to the Constitution, or even an entirely new document, why would things be any different, as long as the same people are running the federal government? In fact, there is a very real possibility that this country would move even further to the Left.

And Americans would no longer have their Republic.



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