



Written by [William S. Hahn](#) on July 12, 2023

Gavin Newsom & the Gun Control Convention

California Governor Gavin Newsom recently made headlines with his latest attack on the Second Amendment. He's proposed to add a 28th Amendment to the federal Constitution to embed gun control into the law of the land. And how he plans to do this raised plenty of eyebrows.

We'll tell you the details in this episode of Analysis Behind the News, and suggest ways you can help avoid this.

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Bill Hahn

As presented on the [Campaign for Democracy website](#), Governor Newsom announced that the 28th Amendment will “enshrine background checks, an assault weapons ban, a minimum age [of 21] and reasonable waiting period for gun purchases in the United States Constitution.”

This is no surprise coming from the Governor, but what did get some attention from liberty circles is how he proposes to get the job done. He suggests calling for a constitutional convention, which is one of two methods allowed under Article V of the U.S. Constitution to amend the document. The other having Congress propose the amendment and then sent to the states for ratification.

The John Birch Society has long been opposed to utilizing the Constitutional Convention method, pointing to the 1787 Constitutional Convention as precedence, in which the delegates exceeded their limitations of merely revising the Articles of Confederation and instead scrapped them, and wrote an entirely new Constitution, with a new ratification procedure that made it easier to amend. This was done under the authority of what was stated in the Declaration of Independence, as to “the Right of the People to alter or to abolish it.”

Many of the Founding Fathers, including James Madison, the Father of the Constitution; George Washington; and Alexander Hamilton, did not want to see another convention.

Madison wrote in a 1788 letter to George Nicholas, “Conditional amendments or a second general Convention will be fatal.”

He also [wrote](#) in a separate 1788 letter, “I should tremble for the result of a Second [convention], meeting in the present temper of America, and under all the disadvantages I have mentioned.”

Washington [wrote](#) in a 1788 letter to Marquis de Lafayette, “Some respectable characters have wished that the States, after having pointed out whatever alterations and amendments may be judged necessary, would appoint another federal Convention to modify it upon these documents. For myself I have wondered that sensible men should not see the impracticability of the scheme. The members would go fortified with such Instructions that nothing but discordant ideas could prevail.”



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At the convention, Benjamin Franklin [said](#), “I doubt too whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected?”

Many Americans are looking for solutions to the problems facing society. Yet, if one does not fully understand the entire scope of the problem, then how do we expect to solve the problems if the solution doesn't match?

For instance, the founders intended that the Constitution be amended when there were defects or flaws found within it. Is such a bloated federal government as we see today the result of a flaw or defect in the Constitution? Or is it that the Constitutional limitations have not been obeyed by those that swear an oath to it?

Nearly all reasons that have so far been given as a reason for another convention is due to a largely ignorant body of elected officials that ignore the Constitution, as well as an electorate that lets them get away with it.

If the Constitution is being ignored now, then why would a new amendment suddenly be obeyed?

The John Birch Society has dozens of tools that explain the finer points of why calls for a new convention must be stopped at the state and federal levels and why nullification through the use of Article VI and the Tenth Amendment is a much safer and long-lasting solution. Would a convention have stopped the government tyranny most Americans went through during the early years of Covid? No.

Yet, after dozens of years, supporters are still trying to assemble a convention. What did work was nullification as practiced through many such elected officials as county sheriffs, mayors, governors, state legislators, city councils, town and county boards, prosecuting attorneys, and others. They brought immediate relief to constituents as they refused to enforce the tyrannical dictates.

Both conservative and liberal groups have been pushing for a convention. Now Governor Newsom joins the push for a convention for gun control. But he's not the first. This tactic was also proposed by state representatives in Hawaii in 2012. Christian Gomez reported through [The New American](#), “Hawaii lawmakers introduced House Concurrent Resolution 114, a radical constitutional convention application that sought, among other far-left proposals, to repeal the Second Amendment. HCR 114 proposed ratification of the following changes to the Constitution” including “the repeal or modification of the Second Amendment to strengthen firearms restrictions.”

And it's not just the liberal groups that promote gun control, either. The Convention of States, a leading conservative convention supporter, has a gentleman on its legal advisory board that co-authored the “Conservative Constitution” in August 2022. It was written as an exercise for a potential replacement of the Constitution. In it, the right to bear arms occurs in Section 12, Clause 7 of the proposed document, which reads, “Neither the States nor the United States shall make or enforce any law infringing the right to keep and bear arms of the sort ordinarily used for self-defense and recreational purposes, provided that States and the United States in places subject to its general regulatory authority, may enact and enforce reasonable regulations on the bearing of arms, and the keeping of arms by persons determined, with due process, to be dangerous to themselves or others.”

This decimates the Second Amendment. Ladies and gentlemen, if this is what happens to the Second Amendment in the hands of so-called friends, can you imagine what it would look like in the hands of



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unfriendly? In either case, the Constitution gets so watered down that it may as well be an addendum to the United Nation's Charter on Human Rights.

Should we trust Congress to call a convention that has the potential to rewrite the Constitution? Would the delegates be as educated as the Founders? Would the Left not find a way to take it over? If we have a hard time protecting elections now, how do you think a convention will fare?

This news of Governor Newsom should be a wake-up call for the GOP in state legislatures that support a convention. After all, Newsom has suggested that he will start the process by going to Republican-led states. And, the media has reported that Newsom's political action campaign has already raised more than \$4 million since the PAC was founded in April. The PAC doesn't seem to be used exclusively for the convention purpose, but you can bet that it'll help establish candidates that will want to vote for a call to Congress for a convention.

While the amendments proposed by each group are certainly different, there are efforts to pool all of these calls for a convention, so a general convention is called. So, any additional calls for a convention, regardless of the amendment or from which group is asking for a call, may lead to a convention being called. America should never lose its Constitutional foundation, so we need to be vigilant that a convention is not called and that we get back to obeying the Constitution as intended by the founders — especially through Article VI and the 10th Amendment.

[The John Birch Society](#) and many supporters throughout the country have halted the progress on various convention calls over the last 40 or so years. This year none of the Convention of States calls have gone through, leaving their donors wondering just exactly what their millions bought them.

The founders expected the electorate to be knowledgeable and engaged in the checks and balances that keep this Republic balanced to its original purpose of fostering freedom. We at The John Birch Society can help you. We're in all 50 states, and you would work in your local community to help fulfill the founder's vision.

Learn more about our efforts to [Stop a Constitutional Convention](#), as well as opportunities in your area to get involved.

I'm Bill Hahn for The John Birch Society, and until next time, learn more, take action, and get involved, patriots!





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