



Written by [Steve Byas](#) on October 23, 2018

Con-Con Suffered Yet Another Defeat in Pennsylvania

Pennsylvania is the latest state to reject resolutions to call for a convention to revise the Constitution of the United States. With the refusal of the Pennsylvania Senate State Government Committee to even take a vote this week on resolutions pushed by the Convention of the States (COS) organization, the resolutions are dead for the remainder of the session.



The victory against the ill-advised effort to call for a national convention to consider changes to the U.S. Constitution can be credited to the work of the John Birch Society, Eagle Forum, and like-minded patriotic citizens.

Under Article V of the Constitution, adopted in 1789, there are two methods to propose changes to the document and two ways to ratify such proposals.

All 27 amendments to the Constitution have been proposed via the first method — a two-thirds vote of each house of Congress. The second method of proposing an amendment — through a constitutional convention — has never been used. In fact, James Madison, whose work on the Constitution that went into operation in 1787 was so great that he is often dubbed “The Father of the Constitution,” expressed fear for the future of America if a second constitutional convention were ever held.

Ratification requires the approval of three-fourths of the state legislatures or three-fourths of state conventions. The second method of ratification has been used only once.

A closer examination of why the effort to call such a convention resolution failed to even receive a vote in a committee of the Pennsylvania Senate illustrates how an educated and activist citizenry can turn back such a resolution, despite it being backed by well-financed and powerful political leaders across the country. For years, the John Birch Society (JBS), both nationally and in Pennsylvania, has been working tirelessly to alert their fellow citizens of the dangers of a convention.

These educated activists have had to overcome the support for the constitutional convention (Con-Con) from many well-respected, but incorrect, “conservative” leaders.

The JBS and its allies believe that the document produced by George Washington, James Madison, and Alexander Hamilton is far superior to anything our present generation of politicians is likely to produce. As the late Supreme Court Justice Antonin Scalia once observed, the 21st century is a “bad century” in which to write a new U.S. Constitution.



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Can anyone seriously believe that an electorate that has sent our present bunch of politicians to Congress would suddenly wise up and send a better bunch to a modern convention? The powerful special interests that presently influence Congress and state legislatures would not sit idly by and let any such convention be dominated by patriots who favor limited government, liberty, and free markets.

As Andy Schlafly (son of the late Phyllis Schlafly) said of the consequences of a convention in our time, “Imagine the chaos if the entire Constitution were opened to rewriting it! Also, the contentiousness of our times, with politicians being harassed as they have dinner in restaurants, make this a very bad time to rewrite the Constitution.” Schlafly leads the anti-convention Phyllis Schlafly Eagles.

In fact, the socialist publication *Jacobin*, named after one of the radical clubs that engineered the bloody French Revolution, published a recent op-ed calling for “a new political system” to replace the Constitution crafted by Madison and Washington. Is anyone so naïve as to think leftists such as those at *Jacobin* would just allow conservatives to run a new convention?

Make no mistake: Leftists such as these socialists would be represented at any such convention called by Congress at the behest of these state resolutions, such as the one that failed in Pennsylvania. *They may even constitute a majority!* And what would these socialists propose at a convention? They want to replace our present Constitution because they claim it has “long been venerated by conservative business elites ... on the grounds that it hands them the power to fend off attempts to redistribute wealth.”

This explains why Birchers in Pennsylvania and other states, along with like-minded allies such as Eagle Forum members, have long fought the idea of calling a convention that could replace our present Constitution with one more to the liking of radicals. One of those against calling a constitutional convention is Publius Hulda, who travels the country speaking against the Con-Con.

Mark Affleck, a long-time member of the John Birch Society in Pennsylvania, submitted written testimony during the hearing in the name of the Pennsylvania JBS, and it was hot linked on the website for all the senators, as well as the general public, to read. Another JBS member submitted testimony that was also hot linked. Several Birch members contacted senators to alert them to the dangers of a constitutional convention.

Since there was limited time for oral testimony, Affleck and other Birchers willingly gave up their speaking time to Andy Schlafly of Phyllis Schlafly Eagles. As Ronald Reagan famously said, “There is no limit to the amount of good you can do if you don’t care who gets the credit.”

That is certainly the case with the Birch Society. Others have borrowed heavily from the research of the Birchers, in this and other patriotic causes.

Schlafly specifically praised Affleck for surrendering his own speaking time. In his remarks, Schlafly noted the “circus of the recent Kavanaugh hearings,” which “concerned merely one new Supreme Court



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justice. Imagine the chaos if the entire Constitution were opened to rewriting it!" He also reminded the senators that Philadelphia was the "birthplace of our Constitution," adding that "Pennsylvania should be the leader in defending it."

Since Schlafly and the Birch Society argue that the call for a convention of the states is such a dangerous idea, what is the real solution? It is to invoke Article VI of the Constitution, rather than taking a chance with an Article V Convention. Article VI stipulates that the Constitution itself is the supreme law of the land, and all other laws and court decisions must follow it. In other words, it is not the Constitution itself that is the problem, but rather the failure to follow it.

As the 19th century Congressman John Randolph of Roanoke once said, the Constitution is "just parchment" if we do not make our elected representatives follow it.





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