



Written by [Alex Newman](#) on April 25, 2015

Oklahoma Defeats Push for Risky Article V Convention

After a long and arduous battle in Oklahoma, lawmakers late this week ultimately decided to quash various measures that would have put the state on record calling for a Constitutional Convention (Con Con) under Article V of the U.S. Constitution. The victory for anti-Con-Con forces in Oklahoma was especially noteworthy because U.S. Senator Tom Coburn, a Republican who has a positive and conservative reputation among most Oklahomans, was strongly in favor of calling a convention. However, in the end, lawmakers and activists told *The New American* that the risks to the existing Constitution of calling a convention in the current political climate were simply too great.



On April 21, the state House of Representatives voted 56 to 42 to quash Senate Joint Resolution 4, which would have sent an application to Congress on behalf of Oklahoma asking it to convene a convention to amend the U.S. Constitution. The text of the resolution would have attempted to limit the scope of the convention to amendments that impose “fiscal restraints on, and limit the power and jurisdiction of, the federal government,” as well as limiting the terms of office for federal officials and members of Congress. Another measure that also ended up failing would have sought a balanced-budget amendment.

If 34 states apply under Article V, a constitutional convention would be convened — the first since delegates met to amend the Articles of Confederation and ended up replacing it with the current Constitution. About two dozen states have applied so far.

In Oklahoma, though, at least until next year’s legislative session, the issue is dead. And activists who spoke to *The New American*, citing the risks to the Constitution, said they intend to make sure it stays dead.

Supporters of the measure argued that a Con Con represents the last hope for reining in a federal government that more than two-thirds of Americans say in polls is “out of control” and a threat to liberty. Few involved in the battle disagreed with the assertion that Washington, D.C., has gone off the rails and needs to be urgently restrained. The question of how to do that, though, was a crucial focal point amid the debate, with critics of the Con-Con plan [saying the solution is the Constitution, not changing it](#).

Among those opposing the Con-Con effort was Oklahoma Representative Mike Ritze, a constitutional conservative and doctor. After nearly six combined hours of floor discussion and debate on two separate proposals, during which he and others cited the risk of a “runaway convention” and other concerns, Oklahoma defeated the Article V agenda, Representative Ritze explained.



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“I was very proud of my Constitutional Conservative colleagues in the Oklahoma House and Senate,” he told *The New American* after the measure was defeated, adding that the victory was “monumental” considering the array of forces heavily lobbying for a convention using “a lot of hyperbole.”

“The pro-Article V forces had paid staff locally and out-of-state,” Ritze continued. Several lawmakers from Georgia and a group called “Appeal to Heaven” both went to the Oklahoma Capitol to support the effort, he said. “Many other notables” including the powerful American Legislative Exchange Council (ALEC) and prominent radio talk-show host Mark Levin, who wrote a book promoting an Article V Convention, have also had a presence in the current legislative session over the last three months.

“I personally had threats from many people by phone and emails from out-of-state supporters of the Article V,” Ritze added. “In the end truth and common sense prevailed with a very exhausting battle for freedom.”

Other lawmakers pointed out that potential delegates to any Con Con would hardly be of the same caliber as the Framers of the existing Constitution. “I don’t know if you’ve noticed, but there aren’t any Thomas Jeffersons or James Madisons out there,” state Representative David Brumbaugh, a Republican, warned his colleagues.

At first, it seemed almost like a lost cause to many of the grassroots leaders in Oklahoma working to stop an application for an Article V Convention. In March, Senator Coburn, who has numerous connections in Oklahoma, urged the state legislature in an op-ed “to use their authority under Article V of the U.S. Constitution to rein in the power of Washington, D.C.” by calling for a “Convention of the States” to propose amending the supreme law of the land. “I have spent enough time in our nation’s capital to know that the federal government will never limit its own power,” he added, dismissing the fears of critics.

Pro-Con-Con forces ultimately came close to success — too close for comfort among activists opposed to the plan. One Article V measure, House Joint Resolution 1018, did pass in the House, and a separate one passed in the Senate. In the end, though, neither was approved by both chambers, effectively killing the effort for the year.

One activist leader who helped organize volunteers to educate lawmakers on the risks of an Article V Convention was Bob Donohoo. A section leader for The John Birch Society, a constitutionalist organization with chapters in all 50 states and an affiliate of this magazine, said members of the society made multiple visits to the Oklahoma Capitol to encourage lawmakers not to support any of the myriad resolutions pushing a Con Con.

“With each visit we explained that while the Convention of States Project was telling state legislators that they could set the rules for a Con Con, the Congressional Research Service was advising Congress that they could do the same,” Donohoo told *The New American*. “This revealed a conflict destined for the Supreme Court where the outcome was far from predictable. Other dangers were spoken of as well. A healthy portion of our talking points were repeated on the House and Senate Floors as the measures were considered.”

Of course, JBS, which has been [slandered with outrageous smears in recent months](#) — with accusations that it is a “partner” of billionaire leftist George Soros in the effort, for example, or that [it has no solution to offer for reining in the federal government](#) — was not alone in opposing a Con Con. Other groups, such as the Oklahoma branch of the Eagle Forum, along with members of the homeschooling movement, conservative and constitutionalist activists, and many other Oklahomans, all played crucial



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roles, as well. According to Donohoo, exposing some of the less-than-stellar votes and statements of Senator Coburn was also important.

“We reminded state legislators that Senator Coburn voted for TARP, said that Barack Obama would make a fine President even before he announced he was running, and endorsed John McCain in the 2008 Republican Presidential Primary,” he said. “For these reasons, they should evaluate the risks of a Convention instead of just trusting Coburn.”

Throughout the process, Donohoo said, proponents of a Con Con made “robocalls” around the state, sent hundreds of e-mails to legislators every day, provided breakfast to lawmakers, and even brought in outsiders to support the effort. “It must have cost thousands,” he added. “We kept emphasizing the dangers.”

“They brought in the giants, we brought in the content, and we won,” Donohoo concluded.

The primary concern cited by opponents of an Article V Convention is that it could put the entire existing Constitution at risk, making it virtually impossible to restore it and the liberties it protects. For critics of the Con Con, the Constitution is not and never was the problem. Instead, the problem is that the Constitution is often ignored by federal officials who take an oath to uphold, and that the American people allow it to happen due to a lack of understanding. As such, more amendments to be ignored, even *if* they were good ones, are not the solution.

Supporters have largely dismissed the fears of a runaway convention, arguing that states could limit the scope of the convention and block any bad amendments that may emerge. However, there is ample evidence to suggest that it would be impossible to restrain a convention once it is called. The late U.S. Supreme Court Chief Justice Warren Burger, for example, is among the many legal experts and scholars who have warned that a Con Con cannot be limited.

“I have repeatedly given my opinion that there is no effective way to limit or muzzle the actions of a Constitutional Convention,” he said. “The Convention could make its own rules and set its own agenda. Congress might try to limit the Convention to one amendment or to one issue, but there is no way to assure that the Convention would obey. After a Convention is convened, it would be too late to stop the Convention if we don’t like its agenda.... Our 1787 Constitution was referred to by several of its authors as a ‘miracle.’ Whatever gain might be hoped for from a new Constitutional Convention could not be worth the risks involved.”

While the issue may be dead in Oklahoma for this year, the battle to stop a Con Con is far from finished. Supporters of the effort are working across America to have states apply for a convention, as opponents work to stop it. Considering the well-documented risks, the American people and their elected representatives must become educated about the potential dangers. If and when the Constitution is gone, there will be no going back.

Photo: Oklahoma state capitol building

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