What Is the Big Difference Between an Article V Convention and a Convention of States?

The big difference between an open, freely elected Article V Convention and a closed, unelected Convention of States (COS) is the Article V Convention considers all amendment subjects and therefore all ideas associated with those subjects. A Convention of States, with its locked, pre-determined political agenda, excludes all subjects and therefore all ideas except those agreeing with the pre-determined COS political agenda.

In a Convention of States one of the biggest advantages of a convention, the ability to reason out issues and formulate new ideas and approaches such as was done in the 1787 Convention is completely off the table. A Convention of States is a formality intended to advance the particular political agenda of Convention of States. The American people make no contribution whatsoever at the Convention of States.

An example demonstrates the difference. Convention of States Project, the political advocacy group behind Convention of States (COS) advocates a “fiscal restraint” or balanced budget amendment. Under COS the amendment language is pre-determined. Under threat of felony arrest delegates are confined to only consider that pre-determined language. Little or no debate is permitted in a COS convention.

One argument against a balanced budget amendment is government officials might figure out a way to get around the amendment and thus end up spending more money than is permitted. As the amendment language in a COS convention is pre-determined there is no way for the delegates to address this issue by considering new approaches to answer this argument.

One of the agenda subjects of the Article V Convention not permitted by a COS convention is an IRR amendment. IRR stands for Initiative, Referendum, and Recall. Using the concept of IRR, the delegates could consider an amendment which requires a referendum vote by the people before any budget increase takes place. The amendment could also allow for an initiative to require reductions in the federal budget. Thus, the people, not federal officials, become the final judge on whether to increase government spending.

This example is not intended to indicate advocacy for a balanced budget amendment. It is intended to demonstrate an Article V Convention elected by the people permits delegates to consider new options and possibilities to solve national problems. The Convention of States, controlled by an oligarchy of state legislators using the threat of felony arrest for delegates failing to follow their “instructions” does not offer this option to the American people.

This is big difference between an elected Article V Convention and a unelected Convention of States; thoughtful consideration of new ideas and approaches to solve national problems versus dictatorial decision by an oligarchy closed to any new approach or idea to solve national problems.