FRIENDS OF THE ARTICLE V CONVENTION

One Friend At A Time . . . .

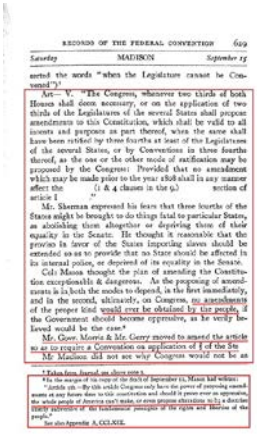
It's A Convention of the People, Not the States

One urban myth spread primarily by the political group "Convention of the States" or COS is an Article V Convention is a "Convention of the States." This means the convention is controlled by the state legislatures who determine convention agenda and choose who represents ***them*** at the convention.

According to COS the people have no place in the convention process. This means the people cannot vote to decide what changes are made to ***their*** Constitution or who represents ***them*** at a convention. COS lies.

As clearly shown by the public record, the 1787 Convention intended conventions represent ***the people*** not the state legislatures. The amendments convention was put in Article V because George Mason objected to the fact "***the people*** cannot make alterations" to it—not the state legislatures. The motion of Elbridge Gerry and Gouverneur Morris which followed Mason's comments clearly allowed for application by the states for a convention call—not for control of the convention. All conventions in the Constitution are elective, representative of ***the people*** not the state legislatures.

The Supreme Court has ruled conventions are "deliberative assemblages representative of ***the people***, which it was assumed would voice the will of ***the people***." For further details click here, here and here. To read Mason's comments and the Gerry/Morris motion click image below to enlarge.



RECORDS OF THE FEDERAL CONVENTION 629

Saturday MADISON *September 15*

serted the words "when the Legislature cannot be Convened")[1]

Art— V. "The Congress, whenever two thirds of both Houses shall deem necessary, or on the application of two thirds of the Legislatures of the several States shall propose amendments to this Constitution, which shall be valid to all intents and purposes as part thereof, when the same shall have been ratified by three fourths at least of the Legislatures of the several States, or by Conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided that no amendment which may be made prior to the year 1808 shall in any manner affect the (1 & 4 clauses in the 9.) section of article I "

Mr. Sherman expressed his fears that three fourths of the States might be brought to do things fatal to particular States, as abolishing them altogether or depriving them of their equality in the Senate. He thought it reasonable that the proviso in favor of the States importing slaves should be extended so as to provide that no State should be affected in its internal police, or deprived of its equality in the Senate.

Col: Mason thought the plan of amending the Constitution exceptionable & dangerous. As the proposing of amendments is in both the modes to depend, in the first immediately, and in the second, ultimately, on Congress, no amendments of the proper kind would ever be obtained by the people, if the Government should become oppressive, as he verily believed would be the case.[2]

Mr. Gouv. Morris & Mr. Gerry moved to amend the article so as to require a Convention on application of 3 of the Sts

Mr Madison did not see why Congress would not be as

[1] Taken from Journal see above note 3.

[2] In the margin of his copy of the Rec'd of September 15, Mason had written:

"Article 5th.—By this article Congress only have the power of proposing amendments at any future time to this constitution and should it prove ever so oppressive, the whole people of America can't make, or even propose alterations to it; a decided [illegible] of the fundamental principles of the rights and liberties of the people."

See also Appendix A, CCLXIX.