

# The 1973 ABA Report

## The First Stab at the Constitution

By Bill Walker

Recently an old acquaintance of mine who goes by the name “Publius” on the website “Free Republic” published [an excerpt](#) from the 1973 ABA Report concerning an Article V Convention. As Publius has not revealed his name I will respect his privacy and not publish it here. Suffice to state that it was he who spent two years of his life editing what became the “Overlength Brief” submitted to the court in 2000. In that brief I included the full copy of the ABA Report together with a rebuttal to that report.

Basically the report, not referred to by others such as the John Birch Society, Compact for America in their assertions is the basis for the “same subject” argument presented by them. Indeed reading the full report makes it clear that ideas presented by people like Rob Natelson did not originate from him but instead were simply copied from the ABA Report.

The report is much too long to publish being some 65 pages long in total. The problem with publishing the excerpt is that it presents a false view of that report which the full view, that is all parts of the report, corrects. The fundamental problem with the report is that it advocates “same subject” amendment as the basis of a convention call with Congress in COMPLETE control of the convention process. Essentially the report recommends the convention become a committee of Congress.

The other problem with the report is it repudiates itself. It advocates “same subject” then when ITS OWN RESEARCH PROVES THAT SINCE AT LEAST 1971 THE STATES HAVE SUBMITTED ENOUGH APPLICATIONS ON AT LEAST TWO DIFFERENT AMENDMENT SUBJECTS TO CAUSE CONGRESS TO CALL A CONVENTION, the report backpedals and says their research is simply an “overview” and thus does no such thing. Of course now the actual applications can be read at [www.foavc.org](http://www.foavc.org) by one and all. A simple comparison of the table used by the ABA to reach its findings and the actual text of the applications can settle the matter once and for all. I can state already the applications prove same subject has been satisfied and is even more satisfied today. In 1973 the ABA report stated some 300 plus applications had been submitted by the states. That number has since risen to 748.

Still no convention call by the Congress. This is the problem, not that the states have not applied in sufficient number, not that they have not applied for the same amendment subject. The problem is Congress refuses to obey the Constitution and until people wake up and realize the dangers of this FACT, this nation is doomed. Whether or not you fear a convention or worry the other political side will control it so you urge it not happen the FACT IS WE ARE PASS THAT

POINT. BY ALL ACCOUNTS OF THOSE WHO HAVE RESEARCHED THIS ISSUE REGARDLESS OF WHETHER YOU SAY “SAME SUBJECT” OR NUMERIC COUNT, THE FACT IS THE STATES HAVE APPLIED IN SUFFICIENT NUMBER TO REQUIRE CONGRESS TO CALL A CONVENTION. TO SUGGEST THEY NOT DO SO IS TO URGE THE CONSTITUTION IS OVERTHROWN GIVING THE GOVERNMENT THE ABILITY TO IGNORE ANY PROVISION OF IT THE GOVERNMENT DESIRES. NONE OF US WANT THAT.

Because I feel it is vital people have the full story about the [ABA Report](#) I have excerpted the entire report so it can be read. Also because the rebuttal that I wrote at the time refers to material contained within my original [Overlength Brief](#) I am including a link to that document so that those footnotes and other reference material can be read.