**Written Testimony Against SJR 1**

**Committee Meeting November 28, 2018**

Chairman Coley, Vice Chair Uecker, Ranking Minority Member Yuko, and Honorable Members of the Senate Government Oversight and Reform Committee: My name is Joanna Martin. I’m a former Army JAG officer, a retired litigation attorney, and have an undergraduate degree in philosophy where I specialized in political philosophy. I write and speak under the pen name, Publius Huldah, on our federal Constitution and the false remedy of an Article V convention.

What is really behind the push for an Article V convention?

* Do the factions pushing for a convention *really* want to limit government power?
* Or do they want a new Constitution?

The prospect of an Article V convention should make us “tremble”, for the same reason it made **James Madison,** Father of our Constitution, “tremble”: [[1]](#footnote-1) Aconvention gives the enemies of our Constitution the opportunity to get rid of it and impose a new one.

Article V of our Constitutionprovides two methods of amending it. *Congress***:**

* Proposes amendments; or
* Calls a convention to propose amendments if two thirds of the States apply for it.

The first method was used for the existing 27 amendments: *Congress* proposed them and sent them to the States for ratification or rejection.

Under the second method, *Congress* calls a convention. We’ve never had a convention under Article V – *they are dangerous* – and James Madison, Alexander Hamilton, 4 US Supreme Court Justices, and other eminent jurists and scholars, [[2]](#footnote-2) warned against it.

But the pro-convention lobby has been pushing for a convention for some 60 years – ever since the Ford Foundation produced the Constitution for the Newstates of America. Read [*this* proposed Constitution](http://www.sweetliberty.org/issues/concon/newstates.htm#.WM0vfaK1uMq) and tremble for your Country.

In the past, conservatives defeated the periodic pushes for a convention. So the convention lobby changed tactics. Now they are marketing a convention to appeal to conservatives: They are saying *the only way* to “limit the power and jurisdiction of the federal government” is *to amend our Constitution –* and we can only get the amendments which will do that *at a convention*.

**1. Our existing Constitution & its enumerated powers**

So let’s look at the Constitution the convention lobby says must be *amended* in order to “limit the power and jurisdiction of the federal government”.

When we ratified our Constitution of 1787, we *created* the federal government. It is

* a *federation* of sovereign States united under a national government ***only*** *for those limited purposes itemized* in the Constitution;
* with all other powers reserved by the States or the People.

We listed every power we delegated to the national [federal] government: Most of the powers delegated over the Country at Large are listed at Article I, §8, clauses 1-16.

All our Constitution authorizes the federal government to do over the Country at Large falls into four categories:

1. Military defense, international commerce and relations;
2. Immigration and naturalization;
3. Domestically, create a uniform commercial system with uniform weights and measures, patents and copyrights, a money system based on gold and silver, bankruptcy laws, mail delivery and some road building; and
4. With some of the Amendments, secure certain civil rights.

All other powers are reserved by the States or the People.

[This one-page Chart](https://publiushuldah.files.wordpress.com/2013/08/chart-showing-federal-structure-3-1-part-a2.pdf)

* illustrates *the federal structure* of our government; and
* lists *the powers* delegated to the federal government – *as you see, it’s a short list*.

It’s ***only*** with respect to the enumerated powers *listed* in the Constitution that the federal government has lawful authority:

* If it’s *on the list*, Congress may make laws about it.
* But if it’s **not** *on the list*, Congress usurps power and acts unlawfully when it interferes.

When a government merely secures God given Rights, as ours was *created* to do, [[3]](#footnote-3) we are never put in conflict with each other, because no one has his hand in anybody else’s pocket, or is telling them what to do.

**2. Why did the federal government turn into Frankenstein?**

Everybody *ignores* the Constitution.

It is *ignorance* of our Constitution - *along with* the collapse of religion, morality and personal responsibility, which brought us to the brink of destruction.

We forgot that the federal government has lawful authority *only* over the few powers *enumerated* in the Constitution.

Because we didn’t know what our Declaration of Independence and Constitution say, the federal government was able to usurp thousands of powers which are *not on the list* of delegated powers. State governments *collaborated* with the usurpations by taking federal funds to implement unconstitutional federal programs.

*To claim these problems can be fixed by amending our Constitution makes as much sense as saying that since people violate the Ten Commandments, God should amend the Ten Commandments.*

**3.** **COSP says we have to *amend* our Constitution before the federal government will obey it.**

The Convention of States Project (COSP) *insists* the problem is … the Constitution.

They say amendments will “limit the power and jurisdiction of the federal government.”

But our Constitution *already limits the power and jurisdiction of the federal government* to those “few and defined” powers listed in the Constitution. [[4]](#footnote-4)

So the claim that we can control those who ignore the Constitution, by amending the Constitution, is absurd!

Yet Mark Levin and Michael Farris are aggressive promoters of the COSP application for an Article V convention. They say we need a convention so we can get amendments which “limit the power and jurisdiction of the federal government.”

So let’s look at *their* proposed amendments:

**4. COSP’s proposed amendments *increase* the powers of the federal government!**

Michael Farris’[“parental rights” amendment](https://publiushuldah.files.wordpress.com/2014/09/parental-rights-amendment.png) ***delegates power*** over children to the federal government! Section 3 says:

“Neither the United States nor any state shall infringe these rights without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.” [[5]](#footnote-5)

Mark Levin’s “liberty amendments” also do the opposite of what he claims.

* His amendment **“to limit the federal bureaucracy**” *legalizes* what are now unconstitutional federal agencies: Education, Energy, Agriculture, Environmental Protection, etc., etc., etc. Our Constitution doesn’t authorize these agencies! They are **not** *on the list!* But Levin’s amendment legalizes all such agencies for as long as Congress re-authorizes them.
* Article I, §1 of our Constitution says only *Congress* may make laws. But since Woodrow Wilson, federal agencies have been writing “rules” – the Code of Federal Regulations. All these rules are unconstitutional as outside the scope of powers delegated, and as in violation of Art. I, §1. But Levin’s amendment to “limit the federal bureaucracy” *legalizes* these rules and rulemaking as long as Congress approves them!
* Levin’s amendment “**to limit federal spending**” also does the opposite of what he says. Our Constitution limits federal spending to the enumerated powers. **If you go thru the Constitution and highlight all the powers delegated to Congress and the President, you will have a complete list of the objects on which Congress is authorized to spend money.** That’s how our Constitution controls spending. But everyone ignores it!

Levin’s amendment substitutes a budget for the enumerated powers, and thus *legalizes* the current practice where Congress spends money on *whatever* is put in the budget. His amendment thus **changes the constitutional standard for spending *from*** whether the object is an enumerated power; **and creates a completely new *constitutional authority* to spend on *whatever* Congress or the President want to spend money on!**

And while his amendment *pretends* to impose a limit on ***the amount*** of spending, the limit is *fictitious* because it can be waived whenever Congress votes to waive it. [[6]](#footnote-6)

It is not surprising that Mr. Farris’ and Mr. Levin’s proposed amendments would increase the powers of the federal government: It is *impossible* to rein in the federal government by amendments because amendments can’t take away powers which weren’t delegated in the first place!

Furthermore*, when the federal government usurps powers not delegated, they are ignoring the existing limitations on their powers!*

**Accordingly, COSP can’t produce even one amendment which would fix the federal government’s violations of our Constitution**.

During September 2016, with great fanfare and hoopla, COSP staged a 3-day “simulated convention” at Williamsburg, Virginia, apparently to make us believe that at a convention called by Congress under Article V of our Constitution, the Delegates would come up with *wise* amendments which would “limit the power and jurisdiction of the federal government”.

But as shown in [COS Project's "simulated convention" dog and pony show and what they did there](http://www.renewamerica.com/columns/huldah/180108), one of the amendments was for term limits, the other five would markedly *increase* the power of the federal government. The Delegates to the simulated convention (who were primarily Republican State Legislators handpicked by COSP) approved the following amendments:

* One would make Congress’s existing - and unconstitutional - practice of spending wildly on whatever they want, *constitutional* for as long as Congress continues to approve increases in the debt.
* Another would delegate to the federal government dictatorial new powers over individual Americans such as I witnessed over 40 years ago in Communist East Europe and the Soviet Union: *it delegates to the federal government total power over the “movement” or “transportation” of “persons” across state lines!* That amendment also would delegate to the federal government additional dictatorial powers over Americans.
* Under our existing Constitution, only Congress has the power to make law [Article I, §1], but one of the amendments would transform into "law" every word, order, dictate, ruling, opinion issued by anyone *in the Executive Branch* of the federal government.
* Another would authorize Congress to impose a national sales tax & a national value added tax.
* Another would legalize the regulatory administrative law state and rulemaking by federal executive agencies. All those rules and the rulemaking process are now unconstitutional as in violation of Article I, §1, and as outside the scope of the enumerated powers.

So their amendments **don’t** limit the power of the federal government – the amendments would ***increase*** the powers of the federal government by delegating new powers over Americans [some soviet style] and by legalizing powers the federal government has *already usurped*.

**5. COSP says we must amend the Constitution because people in Washington don’t understand it.**

Our Constitution is so simple Alexander Hamilton said *The People* are“the natural guardians of the Constitution”. Hamilton expected **us** to be “enlightened enough to distinguish between a legal exercise and an illegal usurpation of authority.” [[Federalist No. 16](http://www.foundingfathers.info/federalistpapers/fed16.htm), next to last para].

If it’s [*on the list*](https://publiushuldah.files.wordpress.com/2013/08/chart-showing-federal-structure-3-1-part-a2.pdf), the federal government may do it. But if it’s **not** *on the list*, they can’t lawfully do it.

For clauses the Supreme Court perverted, such as the “interstate commerce”, “general welfare” and “necessary and proper” clauses: We don’t need a convention to draft amendments to show what the clauses mean – just look them up in The Federalist Papers! I’ve already done it – [here it is on 1 page](https://publiushuldah.files.wordpress.com/2014/09/chart-on-three-clauses-the-supreme-court-perverts-1.pdf).

**6. The George Mason Fabrication**

COSP claims George Mason said the Article V convention was given to State Legislatures because Mason predicted that the federal government

“would violate its constitutional limitations and the States would need to make adjustments to the constitutional text in order to rein in the abuse of power by the federal government." [[7]](#footnote-7)

*But they have never produced the quote and can’t produce it because no Framer said that!*

James Madison kept **a Journal at the federal convention of 1787**. I went thru it and pulled out every reference to what became Art. V. I wrote it up [HERE](https://publiushuldah.wordpress.com/article-v/).

Madison’s Journal shows that the Framers agreed that *the purpose* of amendments is to remedy ***defects***in the Constitution; and that on [**June 11, 1787**](http://memory.loc.gov/cgi-bin/ampage?collId=llfr&fileName=001/llfr001.db&recNum=231&itemLink=r%3Fammem%2Fhlaw%3A%40field%28DOCID%2B%40lit%28fr0012%29%29%230010003&linkText=1), George Mason said:

**The Constitution now being formed “will certainly be defective**,” as the Articles of Confederation have been found to be. **“Amendments therefore will be necessary**, and it will be better to provide for them, in an easy, regular and Constitutional way than to trust to chance and violence. It would be improper to require the consent of the Natl. Legislature, because they may abuse their power, and refuse their consent…The opportunity for such an abuse, may be **the fault of the Constitution** [i.e., a defect] **calling for amendmt**.” [boldface mine]

The Framers discussed procedures for making amendments: Who should be able to propose them? Who should have to ratify them before they are effective?

George Mason wanted the people to be able to make amendments without approval of Congress.He said if only *Congress* can propose amendments, the People won’t get the amendments *they* want if Congress doesn’t agree. [[8]](#footnote-8) So the convention method was added.

James Madison went along with it because he knew that the people have the right to meet in convention and draft a new constitution whether or not the convention method were added to Art. V [e.g., [Madison's letter of Nov. 2, 1788 to Turberville](http://lf-oll.s3.amazonaws.com/titles/1937/1356.05_Bk.pdf) p. 299 at 2.]; and that they couldn't stop people in the future from doing what they themselves had already done twice: Throw off one government and set up a new one. [[9]](#footnote-9)

Our problem today is **not** a defectiveConstitution. Our problem is *disobedient state and federal governments* and *ignorant people*. That calls for different remedies and our Framers spelled them out.

**7. States have *no power* over an Article V convention.**

COSP insists the States will appoint the Delegates; each State gets one vote; and Congress and the Delegates have *no power* over the convention – the States run the whole show.

That’s not true. *Article V says States may “apply” for a convention*.

*Congress* “calls” it. Article I, §8, last clause, delegates*to Congress* the power to make the laws “necessary and proper” to carry out its power to “call” the convention.

Article V imposes no requirement that Congress permit States to select Delegates or even participate in the convention.

The [April 2014 Report of the Congressional Research Service](https://publiushuldah.files.wordpress.com/2014/09/crs-report.pdf) (CRS) shows that Congress sees Article V as *delegating* *to Congress* exclusive authority over setting up the convention; that Congress has traditionally claimed power to determine *the number and selection process* for Delegates; and that in Congress’ preparations for Article V conventions in the past, Congress has stated that Delegates would receive immunity from arrest. (For CRS quotes, see the Exhibit List [HERE](https://publiushuldah.wordpress.com/2017/04/19/exposing-the-real-agenda-behind-the-push-for-an-article-v-convention/).)

[Judge Van Sickle’s paper](https://publiushuldah.files.wordpress.com/2017/03/van-sickle03192017.pdf) points out that the text of Article V doesn’t authorize States to submit “limited” or “conditional” or “single subject” applications to Congress. The text of Article V shows that *the convention is the deliberative body - it cannot be limited or restricted by State legislatures!*

COSP insists they know *exactly* how a convention will operate. But page 27 of the CRS Report says:

**“In the final analysis, the question what sort of convention? is not likely to be resolved unless or until the 34-state threshold has been crossed and a convention assembles.”**

We’ll have to *get* a convention before we know how it is going to operate.

[This chart shows what State Legislatures, Congress, and Delegates have the power to do](https://publiushuldah.files.wordpress.com/2016/02/myth-v-fact-chart-caavc1.pdf). The only power the States have is to ask ***Congress*** to call a convention. Once that’s done, it’s **out of the States’ hands**.

So it’s not a “convention of states” - it’s a *federal* convention, called by the *federal* government, to perform a *federal* function. The States have no power at all – except to ask Congress to “call” it.

Why do they call it a “convention of states”?

Former law professor and COSP guru Rob Natelson said on [Sep 16, 2010](http://caavc.net/wp-content/uploads/2018/08/Natelson-con-con-Newspeak.pdf) (top of p. 2), that he would ***stop*** calling it a “constitutional convention”; henceforth, he would call it, among other things, a “convention of states”.

The term is *an Orwellian marketing gimmick* to make people believe that Article V provides for a convention controlled by States. See [Convention of States adopts Newspeak to sell the Con-Con](http://www.renewamerica.com/columns/caler/171007).

The Delegates won’t be under State or federal authority. They will be Sovereign Representatives of The People performing a federal function. As Sovereign Representatives, they can impose a new Constitution which *eliminates* the States and the federal government.

**8. COSP’s false assurances of safety**

COSP claims a convention is safe because three fourths of the States have to ratify whatever comes out”.

*That’s not true.* Here’s why:

**The Declaration of Independence** says **it’s the Right of the People to alter or abolish their *Form* of government, and set up a new government.**

* Our Representatives invoked that Principle in 1776 to throw off British rule. In 1778, we ratified [The Articles of Confederation](http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=127), to establish our new government.
* In 1787, we invoked *that same Principle* to throw off the Articles of Confederation and the government it created; and we set up a *new* Constitution which created a *new* government.
* If there is an Article V convention today, the Delegates will have the same power to get rid of our second Constitution and impose a third Constitution which creates a new government.

How did we get from our first Constitution to our second Constitution?

T**here was a convention to propose Amendments to our first Constitution!** Pursuant to Article XIII of [The Articles of Confederation](http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=127), the **Continental Congress** [resolved on February 21, 1787](http://memory.loc.gov/cgi-bin/ampage?collId=llfr&fileName=003/llfr003.db&recNum=16&itemLink=r?ammem/hlaw:@field%28DOCID+@lit%28fr0032%29%29%230030003&linkText=1) to call a convention to be held at Philadelphia:

“**for the sole and express purpose of revising the Articles of Confederation”.**

But the Delegates *ignored* this limitation, and they ignored [the instructions from their States](http://memory.loc.gov/cgi-bin/ampage?collId=llfr&fileName=003/llfr003.db&recNum=562&itemLink=r%3Fammem%2Fhlaw%3A%40field%28DOCID%2B%40lit%28fr0032%29%29%230030003&linkText=1) [[10]](#footnote-10) and they *wrote* ***our second Constitution****.*  Because of *the inherent authority of Delegates to throw off their Form of government;* it is impossible to stop it from happening at another convention.

If we have a convention now, George Washington, James Madison, Benjamin Franklin, and Alexander Hamilton won’t be there to protect you. You don’t know who the delegates will be. But they will have the power to impose a third Constitution.

PLEASE UNDERSTAND: A third Constitution will have its own *new mode* of ratification.

Our first Constitution (at [ART. 13](http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=001/llsl001.db&recNum=131)) required the Continental Congress and *all*of the then 13 States to ratify Amendments.

But our second Constitution, drafted at the *amendments* convention of 1787, provided at Article VII that it would require only 9 States for ratification:

* 13 States ***and*** the Continental Congress needed to ratify *amendments* to *our first Constitution*; but only
* 9 States needed to ratify *our second Constitution*.

If we have a convention today, there is *nothing* to stop Delegates from proposing a ***third*** Constitution with its own new mode of ratification. New Constitutions are already prepared or in the works. E.g.,

* The [Constitution for the Newstates of America](http://www.sweetliberty.org/issues/concon/newstates.htm#.WM1pN6K1uMq) is **ratified by a national referendum** [Art 12, § 1]. The States are dissolved and replaced by regional governments answerable to the new national government.
* Here’s the proposed [Constitution for “The New Socialist Republic in North America”](http://revcom.us/socialistconstitution/SocialistConstitution-en.pdf).
* The [Constitution 2020 movement](http://keywiki.org/Constitution_2020) **is backed by George Soros, Eric Holder, Cass Sunstein,** and Marxist law professors. They want a Marxist Constitution *in place* by the year 2020.
* Do you know about the [North American Union](http://www.cfr.org/canada/building-north-american-community/p8102)? During 2005, George W. Bush met on his ranch with the Prime Minister of Canada and the President of Mexico and they sketched it out. The three Countries basically merge and a Parliament is set up over them. Read the Task Force Report on the North American Union. **It erases our Country. [[11]](#footnote-11)**

They need a new Constitution to transform us ***from*** a sovereign nation ***to*** a member state in the North American Union; and they need *a convention* to get that new Constitution.

How do they get a convention? Tell State legislators and the American People that the purpose of a convention is to get amendments to “limit the power and jurisdiction of the federal government”.

**9. COSP claims States can control Delegates with “unfaithful delegate” laws**

They can’t. Delegates would be the Sovereign Representatives of the People performing a *federal* function – not a state function - and wouldn’t be under the control of the state or federal legislatures - which are merely “creatures” of the Constitutions which created them. See para 2 of [**this flyer for Ohio**](http://caavc.net/wp-content/uploads/2018/11/OH-flyer-2018.pdf).

As Sovereign Representatives of The People addressing our federal Constitution, Delegates would have Sovereign Immunity for whatever they do.

Remember! The second paragraph of the Declaration of Independence recognizes their right to throw off our present Constitution and set up a new constitution which creates a new system of government.

**“Faithful delegate” bills are misleading because they create the false impression that an Article V convention is “safe”. Persons who believe that would do well do heed the warnings of the “Brilliant Men” in the next section**.

**10. Brilliant men have warned that delegates to a convention can’t be controlled**

* During April 1788, our future 1st US Supreme Court Chief Justice John Jay wrote that another convention would run an **"**[**extravagant risque**](http://oll.libertyfund.org/pages/1787-jay-address-to-the-people-of-n-y-pamphlet)."
* In[**Federalist No. 49**](http://www.foundingfathers.info/federalistpapers/fed49.htm), James Madison shows a convention is **neither proper nor effective** to restrain government when it encroaches.
* In his Nov. 2, 1788 letter to **[Turberville](http://oll.libertyfund.org/titles/madison-the-writings-vol-5-1787-1790%22%20%5Cl%20%22lf1356-05_mnt081%22%20%5Ct%20%22_blank)**, Madison said he “trembled” at the prospect of a 2nd convention; and if there were an Article V convention:  “the most violent partizans”, and “individuals of insidious views” would strive to be delegates and would have “a dangerous opportunity of sapping the very foundations of the fabric” of our Country.
* [**In Federalist No. 85**](http://www.foundingfathers.info/federalistpapers/fed85.htm)**(last para)**, Hamilton said he “dreads” the consequences of another convention because the enemies of the Constitution want to get rid of it.
* **Justice Arthur Goldberg** said in [**his 1986 editorial in the Miami Herald**](https://publiushuldah.files.wordpress.com/2014/12/arthur-j-goldberg.pdf) that “**it cannot be denied that**" the Philadelphia convention of 1787 "**broke every restraint intended to limit its power and agenda**”, and “**any attempt at limiting the agenda [at an Article V convention] would almost certainly be unenforceable.”**
* **Chief Justice Warren Burger** said in his [**June 1988 letter to Phyllis**](http://www.eagleforum.org/topics/concon/pdf/WarrenBurger-letter.pdf)**Schlafly**:   “…there is no effective way to limit or muzzle the actions of a Constitutional Convention… After a Convention is convened, it will be too late to stop the Convention if we don’t like its agenda… A new Convention could plunge our Nation into constitutional confusion and confrontation at every turn…”
* **Justice Scalia** said on April 17, 2014 [**at the 1:06 mark of this video**](https://www.youtube.com/watch?v=z0utJAu_iG4&feature=youtu.be&t=1h6m2s):  **"I certainly would not want a Constitutional Convention. I mean whoa. Who knows what would come out of that?"**
* **Other eminent legal scholars have said the same – Neither the States nor Congress can control the Delegates. See**[**THIS**](http://caavc.net/wp-content/uploads/2018/03/A5C-compendium-Booklet.pdf)**.**

Yet convention supporters ridicule these warnings as “fear mongering.” And they quote *law professor*Scalia ***in 1979***, ***before*** his decades of experience as a Supreme Court Justice, to “prove” otherwise.

Ask yourself, "Is it possible that James Madison, Alexander Hamilton, Chief Justice Jay, Justice

Goldberg, Chief Justice Burger and Justice Scalia understood something about the plenipotentiary powers of Delegates to an Article V convention which the pro-convention lobby hasn’t grasped?

Are there “violent partizans” and “individuals of insidious views” among us today? Yes, and they want a convention.

But COSP says only “moral and wise” people will be Delegates. Let’s look at that claim. There are three ways to select delegates:

* **Congress:** Do you trust Congress to appoint “moral and wise” people as Delegates?
* **State Legislators**: Do you trust State Legislatures *in the other States* to appoint “moral and wise” people as Delegates?
* **Popular Election**: Do you trust the People to elect “moral and wise” Delegates?

This is the most corrupt period in our history; and “moral and wise” people haven’t been in charge of anything for 100 years.

**11. Why Americans have been misled**

COSP has been able to mislead people because *they don’t know* that our Constitution ***already limits*** the federal government ***to*** the “few and defined” enumerated powers listed in the Constitution; and that our Constitution ***already limits*** Congress’ spending ***to*** the enumerated powers.

Because they don’t know, they can be *manipulated* to believe *the Constitution* is the problem.

But Amendments don’t control governments which already ignore the Constitution:

* The First Amendment didn’t stop them from banning Christian speech.
* The Second Amendment didn’t stop them from restricting guns.
* The Fourth Amendment didn’t stop them from spying on us without a warrant.
* The Fifth Amendment didn’t stop them from uncompensated regulatory takings; and
* The Tenth Amendment didn’t stop them from usurping thousands of other powers not delegated.

**12. With federal money comes federal control**

The Tenth Amendment says all powers not delegated to the United States by the Constitution are reserved to the States or the People. *What happened to these reserved powers*?

The States *sold them* to the federal government.

According to [the PEW Report, for FY 2016](http://www.pewtrusts.org/en/multimedia/data-visualizations/2014/fiscal-50#ind1), 35.1% of **the Ohio State government’s** revenue was from federal funds.

The States aren’t victims of federal tyranny - they *go along* with federal tyranny. They do it for the money, and all that money is added to the national debt.

**13. The push for an Article V convention is from the top down – it is not “grass roots”**

Billionaire globalists are funding this push for an Article V convention.  Many people are being paid lots of money to push this: [[12]](#footnote-12)

* [Kochs Bankroll Move to Rewrite the Constitution](https://www.prwatch.org/news/2017/03/13229/koch-brothers-bankroll-constitutional-convention)
* [Mega-rich conservative donors are behind Texas’ obsession with amending the Constitution](https://www.dallasnews.com/news/texas-legislature/2017/03/01/major-conservatives-piggy-banks-behind-texas-obsession-amending-constitution)
* [Disturbing Radical Agenda Behind Article V Amendment Convention (Con-Con)](https://securetherepublic.com/arkansas/2017/01/16/disturbing-radical-agenda-behind-article-v-amendment-convention-con-con/)
* [Socialists and Soros Fight for Article V Convention](https://www.thenewamerican.com/usnews/constitution/item/17402-socialists-and-soros-fight-for-article-v-convention)
* [Working Together to Rewrite the Constitution](https://www.thenewamerican.com/usnews/constitution/item/18332-working-together-to-rewrite-the-constitution)
* [Soros in Vermont: Leftist billionaire behind state's call to keep money out of politics](https://www.watchdog.org/news/soros-in-vermont-leftist-billionaire-behind-state-s-call-to/article_bc5e36cf-debb-5421-b011-da69aecb9a03.html)

WHY does Big Money want an Article V convention? To get a new Constitution: the establishment elite want to move us into the North American Union!

**14. Our Framers told States to nullify unconstitutional acts of the federal government**

State officials take an Oath to support the federal Constitution – Article VI, clause 3, US Constitution.

## Our Framers said that when the federal government violates the Constitution, the States must obey the *Constitution* and refuse to go along with the violation. See “[Nullification: The Original Right of Self-Defense](https://publiushuldah.wordpress.com/2015/05/03/nullification-the-original-right-of-self-defense/)” and “[What Should States Do When the Fed gov’t Usurps Power?](https://publiushuldah.wordpress.com/2010/04/03/what-should-states-do-when-the-federal-government-usurps-power/)”

Nullification is what our Framers advised when acts of the federal government are unconstitutional.

**And the States, as the “creators” of the federal government, are *the final authority* on whether acts of their “creature” violate the constitutional compact the States made with each other.**

Please contact me with your questions or comments.

At your service,

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1. [Madison’s letter of Nov. 2, 1788 to Turberville](http://oll.libertyfund.org/titles/madison-the-writings-vol-5-1787-1790#lf1356-05_mnt081). [↑](#footnote-ref-1)
2. See part 10 below [↑](#footnote-ref-2)
3. “…That to secure these rights, Governments are instituted among Men…” (Declaration of Independence, 2nd para) [↑](#footnote-ref-3)
4. “The powers delegated by the proposed Constitution to the federal government are few and defined.” [Federalist Paper No. 4](http://www.foundingfathers.info/federalistpapers/fed45.htm)5 , 3rd para from the end (Madison). [↑](#footnote-ref-4)
5. Under our Constitution, the federal government now has ***no*** lawful authority (over the Country at Large) over the rearing of children!

 [↑](#footnote-ref-5)
6. These and other of Levin’s proposed amendments are addressed in [Mark Levin's "liberty" amendments: legalizing tyranny](http://www.renewamerica.com/columns/huldah/140415). [↑](#footnote-ref-6)
7. Michael Farris' paper, "Answering the John Birch Society Questions about Article V." [HERE](https://d3n8a8pro7vhmx.cloudfront.net/conventionofstates/pages/145/attachments/original/1410015960/Answers-to-JBS-arguments_Long-Version.pdf?1410015960) or [HERE](https://publiushuldah.files.wordpress.com/2017/05/answers-to-jbs-arguments_long-version.pdf). [↑](#footnote-ref-7)
8. Madison’s Journal for [Sep. 15, 1787](http://memory.loc.gov/cgi-bin/ampage?collId=llfr&fileName=002/llfr002.db&recNum=634&itemLink=r%3Fammem%2Fhlaw%3A%40field%28DOCID%2B%40lit%28fr0022%29%29%230020003&linkText=1)  on page 629. [↑](#footnote-ref-8)
9. We have twice invoked the Right, acknowledged in the 2nd para of our Declaration of Independence, to throw off one government and set up a new one. We invoked it during 1776 to throw off the British Monarchy; and during 1787 to throw off the Articles of Confederation – and the government it created – and set up a new Constitution which created a new government. See [Federalist No. 40](http://www.foundingfathers.info/federalistpapers/fed40.htm), 15th para (Madison).

*George Mason and the other Antifederalists hated the new Constitution*. During the federal convention of 1787 and ratification of the new Constitution, they were agitating for another convention so they could draft a new Constitution. ***This is why*** **Madison, Alexander Hamilton & John Jay promptly started warning of the dangers of another convention** (see the Brilliant Men’s words at 10. below) and this article: “[What the Framers *really said* about the purpose of amendments to our Constitution”](http://www.renewamerica.com/columns/huldah/181030). [↑](#footnote-ref-9)
10. Article XIII of the Articles of Confederation required approval of amendments by the Continental Congress and by every State. The Instructions to Delegates from their States said the purpose of the Convention was:

	* for “alterations to the Federal Constitution which, **when agreed to by Congress and the several States, would become effective**“:  Virginia, Pennsylvania, Delaware, Georgia, S. Carolina, Maryland, & New Hampshire;
	* “**for the purpose of revising the Federal Constitution**”: Virginia, Pennsylvania, North Carolina, Delaware, and Georgia;
	* “**for the sole and express purpose of revising the Articles of Confederation**”: New York, Massachusetts, and Connecticut;“**provisions to make the Constitution of the federal Government adequate**”: New Jersey. [↑](#footnote-ref-10)
11. The Establishment Elite of both parties and the Council on Foreign Relations (CFR) want to move the United States into the North American Union. If the CFR takes down its link to the Report of the Task Force, go [HERE](https://publiushuldah.wordpress.com/2017/02/05/how-to-use-article-v-of-our-constitution-to-move-us-into-the-north-american-union/). [↑](#footnote-ref-11)
12. E.g., [COSP’s [COS Action] tax return for 2016](http://caavc.net/wp-content/uploads/2018/10/Tom-Coburn-240k-compensation-from-COS-Action-Form-990-2016.pdf) shows that former US Senator Tom Coburn was paid $240,000. to lobby for the COSP application during 2016. [↑](#footnote-ref-12)