

Opponent Testimony for S.J.R. No. 3, Ohio Senate General Government Committee

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear, and Honorable Members of the Ohio Senate General Government Committee:

I am writing to you today in opposition to the proposed resolution calling for a constitutional convention.

When the Constitutional Convention was held in 1787, it was done under the pretext that the delegates would only propose amendments to the Articles of Confederation. That was quickly thrown out the window. The debates held that summer were done under a cloak of secrecy, not with the goal of improving the Articles of Confederation, but abandoning them altogether. Not only did they produce a completely new constitution, they also lowered the requirement for ratification. Under the Articles of Confederation, **all** the states had to ratify any amendments made. Under the new constitution, only 9 states had to ratify it in order for it to take effect.

History suggests that the exact same thing would happen again if another convention was called today.

While this and other state resolutions have language in place attempting to limit the magisterial power of Congress in calling the proposed convention, these resolutions ignore a more fundamental question. If you don't trust the people in Congress, what makes you believe that they'll stay within their bounds, especially when you're handing them a chance to do away with the present Constitution altogether?

The people in the federal Congress aren't the only ones deserving our distrust. Remember that the usurpation that occurred in 1787 was done by the state delegates, not the members of the federal congress. Do you trust that that state delegates will stay within their bounds? I certainly don't.

Putting aside the sheer foolishness of ignoring the warnings of history, calling a convention would fail to get to the real root of the problem. While our state and local representatives are pointing the finger at the politicians in Washington, they should be looking in the mirror to see where the blame truly lies. The federal Constitution already limits the power of Congress. Power has been usurped at the federal level because the states and the people have **allowed** it to happen. Ask yourself: how would it be possible for the feds to grab so much power, if they didn't have state and local support? What good would it do to alter the federal Constitution, if nobody is obeying it now?

I propose to you today a threefold strategy for rolling back the federal overreach.

1) Nullify any and all unconstitutional laws passed at the federal level. The tenth amendment states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, and to the people." Nullification is not just the right, but the **duty** of the lesser magistrates.

2) Stop accepting federal money. All such money has strings attached to it, and financial dependence is the prime mechanism for federal overreach.

3) Educate the people about the state and federal constitutions. This should be taught far and wide, in every school in the land. And when I say educate, I mean to teach the **actual** text, not a corrupt

interpretation of it. How can the people put a constitution into practice if they have no idea what it actually says?

In closing, article 1, section 2 of the Ohio Constitution clearly states: “All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter or abolish the same, whenever they may deem it necessary.” The power has been **ours** all along!