

# CONVENTION OF STATES

## A SOLUTION AS BIG AS OUR FEDERAL PROBLEMS

**TRY AS THEY DID TO ENSURE** that the federal government would always remain accountable to “We the People,” America’s Founding Fathers suspected that one day this government of, by, and for the people would forget who it was created to serve.

George Mason, for example, “verily believed” that the federal government would become “oppressive.” Once this happened, the people and the states would need a process to keep the federal government in check.

At the 1787 Constitutional Convention, these concerns led to the creation of the Article V convention process, enabling the states to forcibly rein in the federal government *without* approval from Congress, the president, or anyone else in Washington. As Alexander Hamilton put it in Federalist No. 85, “national rulers... will have *no option* upon the subject.”

The final version of Article V thus gives the same power to propose constitutional amendments to Congress and the state legislatures.

So, what exactly does an Article V convention entail? According to this neglected constitutional provision, once “two thirds of the several States” apply for a convention to propose amendments, Congress “calls” the convention by setting the time and date for its initial meeting. Implicit in their power to apply for the convention is the states’ power to set its agenda, so two-thirds of the states must agree on the subject matter.

In the case of the Convention of States Action application, the topic of amendments is limited to (1) imposing fiscal restraints on the federal government, (2) limiting its power and jurisdiction, and (3) setting term limits for federal officials. Once the convention is called, each state legislature chooses and commissions delegates to represent it at the convention. Delegates act as the legal “agents”

of their state legislatures and are completely subject to their instructions and control.

Contrary to popular misconceptions, a convention cannot “rewrite the Constitution.” Again, Article V merely gives the convention the same power that Congress has: the power to *propose* amendments.

Once a majority of the state delegations agree to an amendment proposal, it goes back to the states for ratification. Only *after* the proposal crosses Article V’s 38-state ratification threshold will the amendment take effect.

And there is nothing Washington can do to stop it. From beginning to end, this process is entirely in the hands of the American people, through their state legislatures.

George Washington once advised, “If in the opinion of *the people*, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates.”

Convention of States Action, the nonpartisan Article V grassroots movement, believes our federal government has taken on too much power and—according to consistent national polling—two-thirds of Americans agree with us! So we are hard at work to use this long-neglected tool to set things straight. With 20 of the 34 needed states already on board, we are well on our way.

For more information, visit  
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**For responses to common fears about the Article V convention process, watch these short videos:**