# Con Con Is a Terrible Idea

by Phyllis Schlafly December 19, 2008

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The mind-boggling amounts of the bailouts Congress has passed and is still debating, plus shocking Wall Street frauds, seem to have plunged some lawmakers into a silly season. Ohio state legislators this month held a surprise hearing on a resolution calling for a national constitutional convention, and then canceled a vote after dozens of citizens showed up to speak against it.

We already have a U.S. Constitution that has withstood the slings and arrows of outrageous fortune for more than two centuries, and we don't need a new constitution. There is nothing wrong with the one we have except that politicians are not obeying it and judges are indulging in too much activism.

The idea that adding new words to the Constitution to require balancing the federal budget, or to give President Barack Obama a line-item veto so he can veto the extravagant spending he has already endorsed, is delusionary. The only thing more outlandish is the fanciful notion that a 2009 Con Con could adopt such requirements while avoiding other mistakes.

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The most influential players in any new constitutional convention (colloquially known as a Con Con) would be Big Media giving us round-the-clock television coverage. The 2008 presidential campaign proved that the media consider themselves actors in the political process, not merely reporters.

Outside of a Con Con hall, demonstrators would hold court demanding constitutional changes. These would be staged by gay activists and their opponents, pro-abortionists and pro-lifers, radical feminists, the environmentalists, gun control

advocates, animal rights extremists, D.C. Statehood agitators, those who want to relax immigration and those who would restrict it, mortgage defaulters, and the unions -- all demanding consideration of amendments to recognize their claimed rights.

Article V requires Congress to call a new Constitutional Convention to consider "amendments" (note the plural) if two-thirds (34) of the states pass resolutions calling for it. There are no other rules in the Constitution or in federal law to list or limit a Con Con's purpose, procedure, agenda, or election of delegates.

The whole process would be a prescription for political chaos, controversy, confrontation, litigation, and judicial activism. Just about the only thing we can predict with certainty is that it could not be secret from the media and the public, as was the original 1787 Constitutional Convention.

Many prestigious constitutional authorities say it is impossible for Congress or anyone else to restrict what a Con Con does. The late Chief Justice Warren Burger wrote, "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."

Powerful and politically active pressure groups, from both the right and the left, are working for other significant constitutional changes including changes in the First Amendment's treatment of religion, getting rid of the Electoral College, term limitation, and modifying our Separation of Powers (which they call "gridlock") in order to move us toward a parliamentary form of government.

It is not credible that politically active groups would pass up the chance to force a Con Con to vote for their special interest. It's not believable that the powerful forces working to take away our right to own guns would overlook a golden opportunity to rescind the Second Amendment.

The confusion, uncertainty, and court cases involved in a Con Con would make us look foolish in the eyes of the world. A constitutional convention could not be the formula to restore respect for our government when a Con Con would start off making the world wonder if our American system of government will survive.

There is NO public support across America for a constitutional convention. A flurry of pro-Con Con activity during the Jimmy Carter Administration died out, no state has passed a Con Con resolution in the last 25 years, during the 1980s five states voted down a call for a Con Con, and three states repealed their earlier Con Con resolutions.

The miracle of our great United States Constitution is that it has lasted for 220 years, accommodating our great geographic and economic expansion and political problems, while preserving individual liberties. We are now witnessing, following November's election, how Americans are peacefully accepting a transfer of power from one party to the other.

I don't see any James Madisons, George Washingtons, Ben Franklins or Alexander Hamiltons around today who could do as good a job as was done in 1787, and I'm very concerned about the politicians who think they can improve on our Founding Fathers. Ohio state legislators will make themselves a national laughing stock if they persist in the foolish pursuit of a new constitutional convention.