

# Radio Host Mark Levin suggests the States call an Article Five Amendment Convention

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Top conservative radio talk show host, attorney and constitutional scholar Mark Levin announced the pending release of his new book, "The Liberty Amendments, Restoring the American Republic," this past Wednesday, July 10, 2013, during his regular broadcast. The book due out on or about August 13<sup>th</sup> of this year is sure to be well received and thoughtful exegesis regarding our Constitution, and in keeping with his best selling, "Liberty and Tyranny," as well as the more recent, "Ameritopia."

Levin previewed an argument under Article Five of the United States Constitution which expresses how the Constitution can be changed through the amendment process by using the traditional passage of a proposed amendment by two-thirds of both the House of Representatives and the Senate; then on to the several states for ratification. Once three-fourths of the states have ratified the proposed amendment, the approved Amendment becomes part of our United States Constitution.

What Levin also said was that the States could also propose a convention to add a specific amendment or reject a current amendment by calling an Amendment Convention. This convention would have no bearing on the existing framework of the Constitution, but would only affect the addition or subtraction of an amendment at hand.

Levin reported that under Article V of the Constitution, two-thirds of the several states could form a convention on their own through actions initiated through their own state legislatures. Once an amendment is successfully proposed, it could be ratified by approval of three-fourths of the legislatures of the several states, and then imparted into the Constitution.

The Founders placed this alternative method of amending the Constitution as an end-around the possible tyranny of an all-powerful federal government. The Founders knew the federal leviathan could never be completely trusted with policing itself and therefore gave ultimate authority to the states to make changes when they deemed it necessary.

Mr. Levin is correct in his assessment of the rights of the several states and their people to control their government, at every level. This contributor suggested a similar course of action in an [article](#) published by American Thinker on July 7, 2013 titled, " How to Repeal the 16<sup>th</sup> and 17<sup>th</sup> Amendments," where the proposal was made that the several states could initiate repeal of amendments by their respective legislatures voting to de-ratify or otherwise invalidate those current amendments.

Again, when two-thirds of the several states have filed an instrument to invalidate either the 16<sup>th</sup> or 17<sup>th</sup> Amendments, another vote takes place in many or all the states to approve or disapprove the amendment. Once three-fourths of the several states have voted to approve the proposed change, notification is presented to the Archivist of the National Archives for inclusion into the Constitution.

While some have expressed concern that a full Constitutional Convention is needed to effect changes outside the traditional Congressional process, Levin demonstrates this theory is not necessary and may be done by state's initiatives through their various legislatures in keeping with the people's wishes. An Article Five Amendment Convention is possible and maybe needed if the federal system continues to act outside

its limited and strictly enumerated authority.

This author submits that accepting differences in paperwork processing, the states de-ratifying of any existing amendments are tantamount to the same as an Article Five Amendment Convention.

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