

The Article V Movement Picks Up Steam

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In the wake of the RyanCare debacle, it has become blatantly obvious that draining the Washington swamp will likely never come from the White House nor the Capitol. To that end, states have taken it upon themselves to solve the largest issues facing our nation. This week, the Arizona and North Dakota legislatures became the ninth and tenth states in the union to pass the Convention of States, utilizing the Constitution's Article V authority for states to call an amendment convention to pass major reforms in the structure and function of our government. Arizona also passed the Compact for America, joining other member states through an interstate compact to call for an Article V convention for a balanced budget amendment to the Constitution.

Both of these bills are gaining nation-wide momentum, and it's putting DC on notice. From the Koch brothers, to Mark Levin, to the Cato Institute's Ilya Shapiro, to former Sen. Tom Coburn, the potential for monumental constitutionally conservative change is finally on the horizon.

Article V of the US Constitution allows two ways to amend the document. The only method utilized in our nation's history is by way of a bill from Congress, passed by supermajorities in both houses before being sent to the states for ratification. The second method is through a convention from the states themselves, thereby bypassing any legislative approval by Congress. States can call an amendment convention, if 2/3 of the states apply for such a convention. If the requisite number of states call for an Art. V, Congress is bound to facilitate the amendment convention. Proponents of this methodology call this the best tool to reign in a federal government that simply refuses to place substantial limitations on its own power.

The Convention of states hopes to be passed in seven other state legislatures this year. In a simulation of how such a convention may play out, over one hundred representatives gathered for a simulated convention, proposing amendments that included state supermajority approval for tax increases, congressional term limits, and reigning in federal bureaucratic overreach.

A more novel, yet potentially more politically safe approach comes by way of the Compact for America. By filtering an Article V convention through the established and utilized interstate compact system, the Compact for America seeks specific language for a single amendment: a constitutionally conservative balanced budget amendment that places taxing and spending power in the hands of state approval after Congressional passage. This places the states in a "Board of Directors" role over the whims of Congress. Opponents of the Convention of States fear a "runaway convention," where progressive amendments can poison our document. The Compact for America's language is so specific that any deviation in the process can blow up the compact, thereby solving the "runaway convention" problem.

With so much power and failed policy centralized in Washington, it's looking more and more like states are beginning to finally recognize the role provided for them by the Framers over two centuries ago. Whether its through meaningful tax reform or regulatory reform, the fifty "laboratories of democracy" are achieving far better results than we can ever expect out of the Capitol. An Article V convention is a lofty yet achievable goal in cementing America's bright future. It is the states, after all, who are united.