

More On The Constitutional Convention Debate

I have joined with Shirley Spellerberg's posts calling for dismissal of the idea of a national Constitutional Convention. This and the fact that she was at the center of the 1996 convention fight to have Initiative And Referendum removed from The Republican Party of Texas platform, tell me that she is a thinker and not merely an emotive reactor. I was at that convention in San Antonio as a relatively ambivalent 39 year old naïf who only later came to realize what a hideous an un-republican idea it was.

Many have and do support the states calling for a Constitutional Convention, which is the only way to amend The Constitution to restrain Congress, without a 2/3 vote of both its Houses, which is extremely unlikely. Even the libertarian Cato Institute, whose raison d'être is to hold Congress from the social and commercial public grill, thinks a Constitutional Convention might be necessary. Others of us fear that such a convention could open The Constitution for terrible corruption, and I ask why future Congresses wouldn't flout new rules as it has the old ones. At the tail of the comments on my post against the Con Con, Nancy Oliver, a patriot with whom I've had a few exchanges and who is (as are most of us) impatient with the irresponsible misbehavior of Washington politicians, **posted comments which included these:**

*Larry...I truly do respect your opinions and ya know I love Connie to death...However, that (our discussion) is an idealistic world and (our world has not been ideal) since the garden of Eden and that original sin of Adam and Eve.... Let me throw this at ...you. How was our Constitution Ratified? The States. How will a Con Con take place? 32 states of which there is 31 now will push Congress to do so...Even after they do...38 states are needed to ratify. Now in all of 38 states...do we have the majority of those that are corrupt? If so...**Buddy we have more problems than our Constitution being caught up.** We need to load and take the SAFETY OFF. And what did Ben Franklin say about our new Constitution...Without posting his long quote...however...will if necessary...but in essence Franklin said our Constitution was as good as it gets for A NUMBER OF YEARS! Now as you know I have studied Am. History for 45 yrs. I especially love our Forefathers and our great and proud heritage...I threw a fit to censor Mark Twain...but then realized...maybe it needs to be. Get over the pride and look at the issue. It may be the worst move ever...I agree but when our original was drafted only 1/3 of the people even wanted a federal government. So where are we now?*

What is being proposed is a balanced budget Amendment...I see where we need that. (sure) It is smart business in this corrupt global society for sure...But that leaves Amendment 16 wide open for us to be taxed more! So if we do one...we need to do the other...If this is going to happen we need to get on this and make it known...We have ears in Washington...and we have ears in our states. And if we have so much Tyranny that this does not work...then we have Revolution! And for the sake of no one touching this issue Larry because so little is known today of the process and all...all that is out there is the slanted uninformed versions. We need honest discussion.

Nancy makes the important point that a large number of states is needed to enact a change. And in fact, at this very moment because of our buddy Obama and the motley previous Congress, we have what seems to me an unprecedented nationwide reaction, and some good direction could be produced. But would it be obeyed? And, here's my fear: I highlighted Nancy's line above in bold. We DO have bigger problems than the state of The

Constitution. Because the public has reacted against an overreach in one direction, doesn't mean that they are clear on the other. I've long known that we have a problem with ambiguity in the public mind, but that was pounded home in 2008 and I said after the election that the real problem is not Barack Obama himself, but a public that is so distracted and ambiguous on principle so as to elect him. They are jerking their hand out of the fire, but that doesn't make me comfortable with the American heart in their hands. Besides, these are human beings. Ought we tempt them with the ability to legitimize enhancement of their own power over America and its treasure? With American ideals so faded in the public mind, The actual document of The Constitution is all we have to point to. I'll play out my years in tears and sackcloth and ashes if those high ideals are corrupted and/or diminished.

Let me pose an example. I know the blinkered and rosy-voiced folks over at MSNBC have a small audience for their delusions, but they aren't stupid. And they think Bill O'Reilly is a rabid conservative. Since he has for years had the number one program on cable news on FOX, obviously a lot of people like it. But though he is bright, socially conservative, and perhaps as a man of wealth, has some sense of the potential of government overreach to restrain economic activity, O'Reilly is nothing close to a lucid conservative.

O'Reilly grew up in New York and spent many years in the popular news media culture. He almost constantly grinds on supposed corporate thugs and crooks. Corporate operatives are human like everyone else, and will take the money they can earn, just like most of the rest of us will. We all sell what we have for as much as we can get for it. Set aside for a moment the question of why O'Reilly thinks government chiefs and bureaucrats are a nobler breed to control corporations. He doesn't understand the regulating power of free markets and their chastening power in addition to the productive potential of freedom. In all fairness to him, universities are full of bright people who don't, and obviously relatively few in New York *do*.

My point is that I think, and his ratings suggest, I might be right, that his attitudes are generally mirrored in a large segment of the American public. The public distrusts government AND big business. I've recently discussed that I think state legislatures need no special license to refuse to submit to unconstitutional direction from the federal government. If they can't persuade them of the rectitude of their actions, their state constituents will dispose of them. I just don't want to open The Constitution to meddling with the misunderstood treasure of freedom. First just tell them "no," and if they want to resort to force, there is no need to call a revolution. **They** will have done so. As I've written, I think Obamacare is looking to be in precarious straits on more than one front. But, I think states need to summon the courage to push the federal government back to its constitutionally enumerated powers and duties. Mind the constitutional compact as it is, or just forget the whole thing.

• By [Larry Perrault](#) at Feb 7, 2011 9:43 AM