

HARVARD CRIMSON

# Harvard Law School Hosts 'Conference on the Constitutional Convention'

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Approximately 400 politicians, activists, and citizens from across the political spectrum convened this weekend at Harvard Law School to discuss the contentious possibility of holding a second constitutional convention.

The two-day “Conference on the Constitutional Convention”—hosted jointly by the Tea Party Patriots, Fix Congress First!, and HLS—consisted of a series of speeches and panels exploring the legal and political repercussions of holding an Article V Convention, as well as discussions of both liberal and conservative perspectives on the issue.

Article V of the United States Constitution provides that a convention to amend the Constitution may be held if two-thirds of state legislatures consent to it. Due to the difficulty of obtaining the necessary support, a constitutional convention has never been assembled under Article V.

Mark Meckler, co-chair of the conference and the national coordinator of the Tea Party Patriots, commented on recent media concerns that the Tea Party was “descending” on Harvard, saying that conference attendees should embrace rather than denounce differing political opinions.

“These are the differences and the debates that made our country great,” he said. “[Some of the Founding Fathers] disliked each other, sometimes intensely. They debated intensely, and they still came to consensus.”

Meckler’s sentiment was echoed by his co-chair Lawrence Lessig, a Law School professor and director of the Edmond J. Safra Center for Ethics at Harvard University. “We are American citizens, and we have a duty to pass to our children a republic as inspiring as the one our forefathers passed to us,” he said in his opening statement.

Those who attended the conference were united by a sense of mutual dissatisfaction with the current political climate. When one speaker asked the audience how many thought the system was broken, nearly every hand in the room went up.

“I am here out of desperation,” said Cenk K. Uygur, host of online news show The Young Turks, which airs on YouTube. “I don’t see an alternative to a system that is fundamentally broken.”

Richard D. Parker, a Law School professor, expressed similar disappointment in the presence of a “governmental academic media complex” in the United States—the result of which is the exclusion of regular Americans from political decision-making.

“The mass of Americans have come to loathe the governing class as much as the governing class loathes them, and that gives us [the non-governing class] power,” Parker said.

But not all attendees agreed that a constitutional convention was the answer.

Proponents see a constitutional convention called by the states as the only way to circumvent Congressional and Supreme Court decisions—notably in the areas of campaign financing and freedom of speech.

“The Framers knew there might be times when Congress is not capable of the proposing the amendments that the country needs,” Lessig said.

But even among the supporters of a convention, views differ on the underlying problems that necessitate constitutional reform.

John Samples of the Cato Institute expressed his belief that the intended power balance of federalism has been lost in contemporary government.

Uygur said he feared that the needs of citizens have become irrelevant in the political process.

And Christopher Blazejewski, a Rhode Island state representative, expressed his concern that present-day issues are so vastly different from those imagined by the Constitution’s authors that the document is simply out-of-date.

Opponents of the initiative expressed concerns that a runaway convention would lead delegates to deviate from an assigned agenda, resulting in radical and unprecedented changes to the Constitution.

“The timing is not appropriate for this type of experimentation. America is like a ship in the middle of a storm,” said Alexandra Filindra, a political scientist from William Paterson University, echoing the opinion held by many that the status quo might be less risky than a new approach.

As the weekend’s activities came to a close, panelists reflected on the uncertain future of a constitutional convention.

“One thing I really learned is how hard it’s going to be to bridge the gap between the willing participant, those who show up, and the general public,” Lessig said.

Meckler seemed even more undecided about the initiative's future, saying he was "neither for nor against" the idea. "For me, the point [of the conference] was to get people in a room together to discuss these things," he said.

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