

ARTICLE V: A ROAD TO BETTER LEADERSHIP

A common theme today is the need for better leadership in Washington. Scott Adam's "Dilbert Principle" is telling: "leadership is nature's way of removing morons from the *productive flow*". Nature's way has transitioned from courage in battle to wisdom in thought and now to the preservation of power nourished by self-interest and the need for reelection. The "productive flow" will not survive until our nation insists on leaders who are wise and virtuous and who put their country first. In the meantime, the respect and harmony necessary for good government diminishes day by day.

The road to better leaders is Article V of the Constitution which authorizes the states to make amendments to the Constitution. The states are waking up to this authority. A spirit of federalism is bursting at the seams. The time is right to bring Americans together to make those constitutional changes that will give us better leaders and improve the management of our country. Denver's Professor Robert Natelson, our nation's leading scholar on the amendment process, said Article V of the Constitution is "the most important procedure for reforming the federal government". Hamilton wrote that "encroachment of national authority" should be met by barriers imposed by the states. Madison's injunction was even stronger, "the states...have the right, and are duty bound..." to take corrective action.

Article V deals with the process of amending the Constitution. Congress, by a two-thirds vote, can send a proposed amendment to the States. The amendment becomes law when approved by three-fourths of the state legislatures (38 states). Alternatively, two-thirds of the States (34 states) can apply for a convention. Congress must approve a proper application. Any proposed amendment at the convention must be approved by three-fourths of either the state legislatures or state constitutional conventions as decided by Congress.

In 2011, I made an effort to restore leadership. I dusted off a plan I wrote in 1982 to change the Constitution. I formed Campaign Constitution and wrote a book, *Fix the System: Reform the Constitution* (2012). The organization is non-partisan and proposes amendments of process rather than amendments of policy. F.A. Hayek said:

...while agreement is not possible on most of the particular ends which will not be known except to those who pursue them...agreement on means can to a great extent be achieved precisely because it is not known which particular ends they will serve.

I came up with 9 amendments containing 44 clauses to the Constitution which today one can vote on my website, <http://www.campaignconstitution.com/>. The business plan was to hold a mock convention of respected legislators selected to discuss the issues raised in the proposals in a forum that would attract and educate the American people. Thereafter, these legislators would go home and encourage their legislators to consent to a convention of states on one or more of the issues discussed. This plan has been superseded by growing interest of the states to hold Article V planning conventions. In 2016, 39 states introduced 88 proposals related to constitutional reform.

Campaign Constitution is not the only Article V organization. There are other small cadres of concerned citizens that believe changes to the Constitution would give us the wise and virtuous leaders we need. At last count, there are at least 15 organizations actively seeking to obtain a convention of the states by getting 34 of the legislatures to request it. Some of them pursue single subjects like term limits or balance the budget. Others seek more. Substantive changes frequently become partisan. For example, the Convention of States Project seeks a convention to consider “a small range of subjects” such as balance the budget, term limits, sunset provisions and limits on federal power. It has obtained consent from 12 legislatures but needs 34 legislatures. Its Achilles heel is that it is conspicuously supported by conservatives. This is a major weakness since three-quarters of the states must adopt an amendment before it becomes law. The Balanced Budget Amendment Task Force (BBATF) currently has 28 supporting state applications and has targeted six additional states in 2018. Over the years, sixteen states have petitioned for a general convention.

In September, 2017, Arizona hosted a formal “Balance Budget Amendment Planning Convention” of states, the first since 1861, not under Article V but by invitation to discuss Article V issues. Total consensus existed on resisting special interest influence and avoiding a runaway convention. An Iowa representative reported that the convention “was like a legislative session – ordered, professional and congenial – certainly not a political convention”. Nineteen states appeared with 71 credentialed participants who gave 4 days of their time to Article V issues and displayed eagerness to have another such convention.



**Delegates of the Balanced Budget Amendment Planning Convention
Wednesday, September 13, 2017, Phoenix, Arizona**

Article V success depends on the support of the American people. This can only be obtained by sticking to process amendments, remaining non-partisan and educating the people of a power they have but have never used. The voting on our website suggests broad support for process amendments designed to increase the quality of our leaders and the procedures under which they operate. In fact, most of our proposals are supported by at least 90% of those voting. www.campaignconstitution.com/vote-proposals.

Yet, remaining non-partisan is not as noble as it might seem. In the end, approval of any proposed amendment takes 38 states. This requirement tells any advocate seeking a convention of states to target and go after the 34 states most likely to support a convention and to ignore the rest. Predictably, these are all red states whose voters presumably favor more local control and influence.

The Founding Fathers were wise enough to include Article V in the Constitution. They knew times could change and did not draw the Constitution with arrogance that it would last forever. They knew that Greek democracy lasted less than 200 years. They knew that Sparta's government, with elements of democracy, oligarchy and monarchy, lasted 800 years. They knew that the Roman Republic lasted 400 years and then became the Roman Empire giving Romans autocratic and sometimes tyrannical rule for another 400 years. And they knew that the weaknesses of human nature could only be overcome by wise and virtuous leaders who put their country ahead of their ambitions.

Buried in *Federalist Paper No. 57*, Madison tells us:

The aim of every political constitution is, or ought to be, first to obtain, for rulers, men who possess most wisdom to discern, and most virtue to pursue the common good of the society: and, in the next place, to take the most effectual precautions for keeping them virtuous while they continue to hold their public trust.

Think about this and ask yourself whether we have wise and virtuous leaders. If not, what effectual precautions are we taking?

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