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June 4, 2018,

Dear Speaker Moore,

My mentor Phyllis Schlafly was known as one of our nation's leading constitutional scholars. I learned a lot from her, but one thing that stands out in my mind is her strong opposition to any attempt to petition Congress to call an Article V convention. Whether you call it a "Convention of States," a "Constitutional Convention," or a "Con Con," the outcome is the same. It would open up our beloved founding document to attack from all kinds of special interest groups with intentions far less noble than the Founding Fathers.

Here are three concrete reasons Phyllis Schlafly opposed an Article V convention:

- **Congress has ultimate control over the process.** The Congressional Research Service confirms that Congress will call the convention, determine the agenda, choose the delegates, and define the rules of the convention.
- **Activist judges control the outcome of a convention.** The American Bar Association acknowledged that a convention under Article V, like every other part of our Constitution, will be subject to judicial review. With just one lawsuit filed by either liberals or conservatives, this would give unelected judges the chance to control the actual wording of the Constitution through judicial fiat.
- **The Constitution is not the problem.** Everyone acknowledges that the real problem with our federal government is not the powers given to it by the Constitution, but the powers the government has usurped outside the bounds placed on it by the Constitution. Why would anyone think that the federal government will suddenly start obeying the rules when we write more of them?

Phyllis Schlafly was not alone in her conviction that an Article V convention would be a bad idea. Many other notable constitutional scholars agreed with her. Chief Justice Warren Burger said "A Constitutional Convention today would be a free-for-all for special interest groups, television coverage, and press speculation." Justice Antonin Scalia, often cited by convention proponents for a statement he made long before taking the bench, avidly opposed an Article V convention when he had the knowledge and experience of having worked in the justice system for many years. He called it a "horrible idea." Even current proponents of a convention like Mark Meckler admit that having one convention will open the door to many more. "There is no way to prevent the cycle [of multiple conventions] from happening because the cycle of it is the cycle of human nature."

**Please do your part to prevent this attack on the Constitution by voting NO on SJR 36.**

All the best.

Ed Martin

President, Eagle Forum Education & Legal Defense Fund

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