

The Convention of States's Con

Earlier this month of February 2015 Ken Cuccinelli and his close friend Mike Farris were reported at Bearing Drift, click [HERE](#), as stating, "It takes a fair amount of audacity for a pair of political bloggers to call a group of lawyers that includes professors from Princeton and Georgetown Law School, two former Supreme Court law clerks, a White House Counsel, a law school dean, an attorney with actual Article V litigation experience and a former attorney general of Virginia "a posse of supposed conservative constitutional scholars. What could merit this kind of sneering vilification from the local political bloggers?"

Okay, I get it – only lawyers are qualified to understand the U. S. Constitution. Local yokels, bloggers, and those otherwise not lawyers are ignorant rubes. This reminds me of a conversation I had about four years ago with a very well-known lawyer who was politically successful. He stated his understanding of the Constitution is based on court decisions he studied in law school. He went on to say that is how most lawyers have their understanding.

In the same Bearing Drift blog Farris is quoted as saying he is so frustrated with (State Senator) Black's opposition to the measure, (a bill calling for a Convention of States or CoS) that he is considering a primary challenge this year. "I can't stand by and let my own senator defeat the one thing I think has any chance of stopping the abuse of power by the federal government," Farris said.

Black, a former Marine combat pilot, said he is undaunted: "I laid out in the sun in Vietnam unconscious for loss of blood, and the idea that somehow I'm going to fear a primary? Give me a break."

Michael Farris is well known for his derogatory remarks and vilifying tirades about those who disagree with his campaign for a CoS. In a 2014 debate in Manassas with Delegate Marshall, click [HERE](#), and another one with General Council Richard Fry at the 2014 Republican Advance, click [HERE](#), I and many others in the audience were astounded at the lack of respect he demonstrated. Moreover if you watch these two YouTube's you will notice that about every other word he uses is either "I" or "me". Sort of reminds me of Obama. I personally experienced his abusive style when in a conversation with me, which he requested, following the Rules Committee hearing on his CoS Bill for the 2013 session of the General Assembly he called a well-respected Delegate a "heretic" for disagreeing with his CoS bill.

Farris is not alone in his vocal disrespect for those who disagree with a CoS. A woman lawyer who is affiliated with the Pro-CoS Lobby stated in an email after the failure of the CoS bills in the 2015 Session of the General Assembly: "We have taken on heavy fire over the past several weeks from a small, but noisy group of Article V naysayers. They are motivated by fear and have chosen to operate in the realm of conspiracy theories, deceptions, and historical fallacies."

My thought: “I have never witnessed such historical misconception and lack of understanding of the U. S. Constitution as has been demonstrated by the Pro-CoS Lobby. And as for ‘deception’, those lobbyists abound in it.”

So what does this have to do with the CoS’s Con? There are actually a number of ‘Cons’, whereby I mean ‘instances of deceiving or tricking someone’:

(1) The angry remarks made by the Pro-CoS Lobbyists towards people who do not believe the Constitution is at fault and therefore does not need amendments is no different in nature than that which Progressives vilify people who do not believe climate change is due to man’s activities.

Progressives attempt to con the public into believing Global Climate changes can be stopped by wind and solar energy and redistribution, i.e. anti-capitalism. The Pro-CoS Lobby is engaged in conning the public into believing bloated Government can be solved by adding more words to the Constitution. Pro-CoS Lobbyists, like Progressives, only see themselves in mirrors and their egos compound their blurred views. In essence they have conned themselves.

(2) The second Con lies in the Pro-CoS Lobby claim that they needed but one more vote in the 2015 Session of the General Assembly House to pass their CoS bill. If that is all they needed then why then did they deliberately take their bill out of consideration on the House floor? Surely if they that close after spending so much money they would not simply quit. Surely a few more dollars would have gained the remaining needed vote.

Their claim, if correct, means there were 50 House Delegates who had agreed to support the bill and vote affirmative for its passage. This means a large portion of those 50 Delegates were not being honest with Virginia citizens who opposed the CoS Bills. Those Delegates were not communicating with the Citizens that they did support the bill. Those Delegates were not even taking the time to listen and talk with the Citizens. So much for “representation.” It says a lot about the influence of the Lobbyists’ money and power. That is a significant con on We the People who elected them into office.

This highlights the fact that there is no difference in many, if not a majority, of elected “representatives of the people” in State Government as well as in the Federal Government. Yet, those elected representatives of the people in State government believe they can force those in Federal Government to listen and obey by means of a CoS from which will flow Amendments to the Constitution.

BUT WAIT – there is perhaps a still bigger Con. Let me explain.

In the 2015 Session of the General Assembly there was bill [HB 1283](#), entitled “Commission on Federal Oversight; report”. The Summary of this bill read: “Creates the Commission on Federal Oversight, consisting of eight legislative

members representing the House of Delegates and the Senate, to meet no less than four times a year, two of which meetings shall be with the members of the Virginia Congressional Delegation. The Commission shall address economic and public policy issues for which both the federal and state governments have responsibility with members of the Virginia Congressional Delegation.”

The intention of this bill was to reestablish some State influence on the Federal Government which was lost when the 17th Amendment was ratified. Yet this bill was tabled in the Rules Committee by a voice vote. [Keep in mind that the Rules Committee is chaired by the House Speaker, Delegate Howell, who vigorously endorsed the CoS bill.]

I think that at the root of why this bill did not even get out of the Rules Committee is the biggest Con. The Con is that the House Delegates who supported the CoS bill could say, “Look people we think the Federal Government is out of control and we did something about it. We voted for the passage of a bill calling for a CoS to amend the U.S. Constitution so the Federal Government is curtailed. What more could you want?”

But the truth is if a CoS Bill had passed those Delegates would have walked away from the real task – which is the face-to-face interaction with the Congress to actually curtail the Federal Government – such as HB 1283 intended. Without this face-to-face effort nothing will change, not in the Federal Government, not within State Government, and not even in Local Government. The biggest Con is that those Delegates do not want you to know they either do not intend to solve the problems or are not capable of solving the problems or did not want to take the time to solve the problems.

People, here is the bottom line: Only the People can solve the problems with “government.” The concern is whether or not, if ever, the People have what it takes to do so.