Author: Peter Rykowski
Date: March 11, 2025



Support North Carolina Con-Con Rescission Bill SB 262

Members of the North Carolina General Assembly are attempting to pass a bill to rescind every live application to Congress calling for a convention to propose amendments, under Article V of the Constitution, otherwise known as a federal constitutional convention (Con-Con).

Senate Bill 262 (SB 262) is sponsored by Senator Ralph Hise (R-Spruce Pine). The bill declares:

> The General Assembly rescinds all extant applications by the General Assembly to the Congress of the United States ratified prior to December 1, 2024, to call for a convention to propose amendments to the Constitution of the United States, pursuant to the terms of Article V of the Constitution of the United States thereof, regardless of whether the applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects

Any Article V convention, no matter how well intentioned, could lead to a runaway convention and reverse many of the Constitution's limitations on government power and interference. In other words, **a Con-Con could accomplish the same goals that many of its advocates claim to be fighting against.** As evidence, both a 2016 and 2023 simulated "Convention of States" resulted in amendments massively increasing the federal government and expanding its spending powers.

Additionally, in the last years of his life, the late Justice Antonin Scalia stood opposed to an Article V convention. Asked about it in a 2015 interview, he remarked that **"This is not a good century to write a constitution."** Furthermore, ***what kind of delegates would North Carolina send to such a convention? Constitutionalist conservatives or RINO moderates and liberals?***

On December 9, 2021, constitutionalist U.S. Representative Thomas Massie (R-Ky.), warning against a Con-Con, tweeted:

> Show me a single state where Constitutionalists comprise a majority of the state legislature.
>
> At this point in history, an Article V Convention of the States would be a disaster.

In 1979, then-U.S. Senator Barry Goldwater of Arizona, correctly warned about an Article V convention:

> If we hold a constitutional convention, every group in the country — majority, minority, middle-of-the-road, left, right, up, down — is going to get its two bits in and we are going to wind up with a constitution that will be so far different from the one we have lived under for 200 years that I doubt that the Republic could continue.

An Article V constitutional convention is unnecessary to protect individual liberty and limit the size and scope of government. If anything, a constitutional convention would more than likely ***undermine those protections and increase the size and scope of the federal government*** rather than impose any meaningful limitations on its jurisdiction, as the resolution purportedly seeks to accomplish. The massive expansion of government and growing infringements on our liberties are not because of "problems" or "flaws" with the Constitution, but rather due to misinterpretation, wrongful application, or lack of enforcement altogether. If applied faithfully and accurately, in accordance with its original meaning, at least 80 percent of the federal government's programs would likely be found unconstitutional. This fact negates any reason for convening an Article V convention today. The correct solution is constitutional enforcement, not a constitutional convention.

Rather than passing Article V convention applications, which risk a runaway convention threatening our God-given rights and individual liberty, ***the General Assembly should consider Article VI and nullify unconstitutional laws.*** Above all, **urge your state representative and senator to support SB 262, rescind all Article V convention applications, and to consider nullification as a safe and constitutional means to limit government instead.**

Robert Brown: The Harsh Reality of a "Convention of States"