

A Letter Co-Signed by Cenk Uygur, Buddy Roemer, and Larry Lessig

To all those currently serving as State Legislators in United States of America,

As fathers, we are deeply concerned about the political state we are leaving as our legacy to the next generation of Americans. In this generation, we should ask ourselves if our children will enjoy the blessings of representative democracy or will their voices be silenced by outside interests dominating the political debate? Though we come from varying political perspectives, it is our shared belief that it is our generation's greatest responsibility to fix our democracy and save the republic.

87% of Americans are deeply troubled by the corrupting influence that outside interests have over the actions of the federal government<sup>1</sup>. Congress currently has a 9% approval rating<sup>2</sup>, which makes them less popular than the King of England during the times of the Revolutionary War<sup>3</sup>. The federal decision in Citizens United has taken the appearance of impropriety and encoded it into our nation's legal code. At the highest levels of American government, something is rotten in the state of representative democracy.

As Americans who believe in self-government, we believe that citizens should be the ones choosing our elected representatives, the ones writing our own laws, and the ones determining the fate of our country. As James Madison said, "The federal government ... ought to be dependent on the people alone", but as Thomas Jefferson said, "The issue is the same today as it has been throughout all history, whether man shall be allowed to rule himself or be ruled by a small elite." When Congress is not dependent upon the people alone, Americans are ruled by a small elite, but that's not our destiny as a country.

All Americans who support freedom and oppose corruption should stand up for these American values. This is not a left or right issue; it's not a Republican or Democrat issue; it's not liberal vs. conservative – this is an American issue. In America, we believe very deeply in self-government – the ability of educated citizens to select representatives to serve in positions of public trust and to serve in the public interest.

But the dangerous and foolhardy decision in Citizens United places all that we hold sacred in jeopardy. It reverses decades of federal campaign finance regulation and over-rides a century of effective campaign finance law at the state level. When states have objected to this travesty and attempted to pass laws remedying the situation (such as Montana), their cases were rejected by federal courts or not even heard in Washington DC. Like Congress, our nation's highest court is refusing to listen to the will of the people.

It is clear now that the only remedy available to fix this problem, before it becomes even worse, is an Amendment to the United States Constitution. There exist only two ways to amend the Constitution provided to us by the Founding Fathers in Article V of the United States Constitution – one path is through Congress and one way is through the many States, which is why we are writing to you today.

Since Congress is the source of the dysfunction we aim to fix, they cannot be trusted to fix it. Members of Congress themselves have asked that we "free them from fundraising", and others state plainly that "the current Congress is incapable of proposing an amendment." Congress could not even pass something as simple and decent as the DISCLOSE Act, which would merely illuminate the illicit sources of the money pouring into our politics, some of which may come from foreign sources.

<sup>1</sup> USA Today/Gallup poll, July 19-22, 2012

<sup>2</sup> USA Today/Gallup poll, November, 2013

<sup>3</sup> "Loyalists, Fence-Sitters, & Patriots" Independence Hall Association, [ushistory.org/us/11b.asp](http://ushistory.org/us/11b.asp); see also "Encyclopedia of the Age of Political Revolutions and New Ideologies, 1760-1815", edited Gregory Fremont-Barnes, Greenwood Press 2007 p 436

This makes it plainly clear to us that the only path available to amending the Constitution is through the many States, including your state. As a State Legislator, the Founding Fathers intentionally gave you the power to rein in an out-of-control Congress, especially when they encroached on the states' rights to govern themselves. A convention of the states to propose amendments is the Founding Father's safeguard for representative democracy, and it is our right and our responsibility to use it.

The Constitution was originally sold by the Founders to the ratifying states on the basis that they retained their ultimate authority over the federal government through the amendment powers in Article V, which is the closing argument that Alexander Hamilton makes in the final Federalist Paper (No. 85). This process has been used at the state level hundreds of times to amend state constitutions, and there is ample evidence that a convention of this nature at the federal level is necessary, safe, and long overdue.

Once proposed at a convention, any amendment proposed to fix the corruption in our federal politics would then need to be ratified by 75% of the state legislatures. This is a high bar of support that must be passed before our nation's most cherished document can be successfully amended, and for good reason. The United States Constitution has been amended 27 other times, and at least once by every generation of Americans. We live in one of the longest stretches of time without an amendment since the creation of our union, but that's going to be fixed soon with the help of state leaders like you.

U.S. President Dwight D. Eisenhower favored a federal convention, and he once said, "Through their state legislatures and without regard to the federal government, the people can demand a convention to propose amendments that can and will reverse any trends they see as fatal to true representative government." That time is now upon us, and the question is whether we leave our children a nation where the citizens embrace self-government or a country that is ruled by illegitimate outside interests.

Let's take action today to wash away the corruption that is plaguing our nation's politics, to remove the appearance of impropriety for our elected officials, and to restore the faith between the citizens of our country and those they elect to positions of public trust. Let us ensure that the elections our children vote in someday are free and fair here in America, so that their elected representatives are beyond repute and citizen's voices are heard once again in the halls of our governments. Let us use the tools the Founding Fathers provided to revitalize our democracy and save the republic.

Thank you for your consideration of the proposals before you today that will address this most vital issue. We implore you to consider how the decisions that you make today will affect our children, your children, and the many generations of Americans yet to come. Our country's original Founding Fathers placed their lives, their fortunes, and their sacred honor on the line in order to create a more perfect union, and we encourage you to act in that patriotic spirit today.

Sincerely and Patriotically Yours,



**Cenk Uygur**  
Host & Businessman  
The Young Turks  
Wolf-PAC.com



**Larry Lessig**  
Law Professor  
Harvard University  
Rootstrikers.org



**Buddy Roemer**  
Fmr. Governor (LA)  
Fmr. Congressman  
TheReformProject.org

WOLF  
PAC

wolf-pac.com

*We the People*  
*Tranquillity for*  
*fair a.*

WHAT IS **WOLF-PAC**?

Wolf-PAC is a cross-partisan organization seeking to restore our representative democracy by removing the corrupting influence of money in politics through an **Article V Convention**.

*Join the fight for Free and Fair Elections in the United States!*

**87%** of Americans are deeply troubled by the corrupting influence that money has over our political process. It's past time to do something about it.

- USA Today/Gallup Poll, July 19-22, 2012



**OUR REPRESENTATIVE DEMOCRACY IS BROKEN. STATE LEGISLATORS HAVE THE POWER TO FIX THIS PROBLEM.**

SO HOW DO WE EVEN BEGIN TO SOLVE THIS **COMPLEX ISSUE**?

The only way to limit the massive influence outside money has over Congress and our political process is to **Amend the Constitution**.

THERE ARE ONLY TWO WAYS TO AMEND THE CONSTITUTION

1. Through Congress.
2. **Through our state legislatures via an Article V Convention.**

Congress could not pass something as basic and reasonable as the DISCLOSE Act (disclosing who is giving money to federal candidates). Since Congress is the source of the problem, we cannot trust them to solve the problem. **That leaves only one option...**

THE ARTICLE V CONVENTION CALLED BY **STATE LEGISLATURES**

The solution starts at the state level, closer to We the People. People trust their State Legislators more than Congress. People often know their State Legislators personally. **State Legislators have the power to compel Congress to call a convention to fix our democracy and restore the republic.**

THE FOUNDERS' SAFEGUARD FOR **REPRESENTATIVE DEMOCRACY**

- Article V is a core component of the Constitution. It is meant to be used by the States and We the People to reign in an out-of-control Congress (Alexander Hamilton, Federalist 85).
- The Constitution requires 2/3 of the States to call for a convention and 3/4 of all State Legislatures to ratify any proposed amendment before it is added to the Constitution.
- A convention has no more authority to propose amendments than Congress and Congress meets all the time.
- A constitutional convention process has been used by the states 233 times to amend state constitutions.
- The founders intended for every generation to call a convention, though the power of this process has remained unused for centuries. Now is the time to embrace the full vision and wisdom of the founders.

www.wolf-pac.com



THE **PROBLEM**

We've lost our representative democracy. It's that simple. Congress no longer represents us, they represent their funders. We have to restore our democracy.

**THIS IS NOT A LEFT OR RIGHT ISSUE: IT'S AN AMERICAN ISSUE**

No matter what is important to you, money in politics works against you. Here are just a few examples:

HOW \$ IN POLITICS WORKS AGAINST PROGRESSIVES

- Industries dominate policy conversations and We the People's voices are not heard.
- Critical social services are severely cut while corporate lobbyists secure tax breaks and subsidies.
- A government that places privilege for the few over the benefit of all Americans.

HOW \$ IN POLITICS HURTS EVERYONE

- Members of Congress spend 50-70% of their time fundraising, not working.
- Voters are subjected to never-ending negative campaign commercials funded by secretive SuperPACs.
- Special interests lobby Congress to force unfunded mandates on State governments, requiring them to spend money without providing sufficient resources.
- Banks that were "too big to fail" before are now bigger and still gambling with our economy.
- A Congress that works for corrupt special interests, not We the People.

HOW \$ IN POLITICS WORKS AGAINST CONSERVATIVES

- Tax increases due to wasteful spending, expensive subsidies, and unnecessary earmarks.
- Special interests working with government regulators to stifle competition in the marketplace.
- A Congress that isn't listening to most Americans, but keeps telling us what to do.

“A CROSS-PARTISAN MOVEMENT vs. THE POLITICS OF DIVISION”

*“This movement must be cross-partisan. Not ‘bi-partisan’ in that we all agree – we don’t all agree – but cross-partisan in that it cuts across partisan lines.”*

- Lawrence Lessig, Law Professor & Innovator  
Author of “Republic, Lost”

*“As a great American President once said, ‘A house divided against itself cannot stand.’ Partisan politics may provide the fuel for fundraising, but it is a recipe for perpetual gridlock in our nation’s Capitol. Now is the time to join together across partisanship and ideology to take our country back and move forward together.”*

- Todd Jagger, Wolf PAC Texas State Director  
(1st State to Introduce a Resolution with Wolf PAC)

THE **SOLUTION**



*“Through their state legislatures and without regard to the federal government, the people can demand a convention to propose amendments that can and will reverse any trends they see as fatal to true representative government.”*

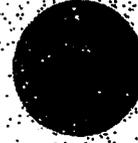
- President Dwight D. Eisenhower

← NOW IS THE TIME TO CALL AN ARTICLE V CONVENTION. →

*Together we can Save the Republic. Let's make History.*

If you have issues viewing or accessing this file contact us at [NCJRS.gov](http://NCJRS.gov).

U.S. Department of Justice  
Office of Legal Policy



---

## Report to the Attorney General

Limited Constitutional  
Conventions under Article V  
of the  
United States Constitution

*September 10, 1987*

115134



## EXECUTIVE SUMMARY

The attached paper examines the process of amending the Constitution through a constitutional convention. Specifically, the paper explores the question of whether such a convention, authorized by Article V of the Constitution, can be limited to the consideration of particular subjects.

The paper concludes that Article V permits the states to apply for, and the Congress to call, a constitutional convention for limited purposes, and that a variety of practical means to enforce such limitations are available. The language and structure of Article V, as well as the history of its drafting, support this conclusion because the two methods of constitutional amendment, Congressional initiative and the state-called convention, are treated by Article V as equally available procedural alternatives. There is no suggestion that the alternative modes are substantively distinct, that one is subordinate to the other, or that use of one mode is restricted to particular topics or circumstances.

Since it is undisputed that Congress possesses the authority to propose amendments limited to a single topic or group of topics, it follows that the applications of the states for calling a constitutional convention also may be limited. This understanding is reinforced by the normal practice of the states in limiting by subject their applications to the Congress.

The paper also notes that the requirements of Article V are designed to ensure that a consensus exists as to the desirability of amendment, whichever method of amendment is employed. As the Supreme Court has held, an Article V consensus is a super-majority agreement on the same subject at the same time that has been made manifest and clear by following the procedures outlined in Article V. If the states choose to condition their application for a convention on discussion of a particular amendment or subject, then the Congress must call a convention of that kind if the principle of consensus is to be vindicated.

After establishing that Article V does permit limited constitutional conventions, the paper examines the procedural strictures available to ensure that such limitations are enforced. In particular, the paper concludes that Congress has the authority to adopt legislation providing for the enforcement of limitations. The report also suggests that judicial review to curb convention irregularities and the possibility of holding convention delegates to their oaths of office are other potentially effective enforcement devices.

The paper concludes by recognizing that there are inevitable uncertainties associated with any as-yet-untried process. However, it is suggested that the adoption of convention-procedure legislation by the Congress would minimize greatly any remaining uncertainties associated with the convention method of amendment.