

# ARTICLE V

OF THE U.S. CONSTITUTION

## MYTHS VS FACTS

*"One of the painful realities of our times is how long a political lie can survive, even after having been disproved years ago, or even generations ago."*

— Thomas Sowell

### MORE SOURCES



**Harvard Law Journal**  
journals.law.harvard.edu/jlpp/wp-content/uploads/sites/9/0/2017/03/Farris\_FINAL.pdf

**Articles of Confederation**  
archives.gov/milestone-documents/articles-of-confederation



**UW Madison - CSAC**  
csac.history.wisc.edu/document-collections/the-constitutional-convention/convention-delegates/

**The Federalist Number 40**  
founders.archives.gov/documents/Madison/01-10-02-0236



**Independence Institute**  
/i2i.org/no-a-convention-of-states-could-not-change-the-one-state-one-vote-rule/

### MYTH: THE CONVENTION WILL BE A RUNAWAY

#### FACTS

- State legislatures authorize and instruct delegates.
- Delegates act as agents of the state legislatures and must follow their instructions
- State legislatures can revoke delegates' authority.



### MYTH: THERE ARE NO RULES FOR CONVENTION

#### FACTS

- Historical precedent. 40+ interstate conventions.
- Convention can only act on agenda set by 34 state applications
- One vote per state.
- Majority of states present, and voting required for adoption of any measure.



### MYTH: IT CAN REWRITE OUR CONSTITUTION

#### FACTS

- By the plain text of Article V, a convention can only "propose amendments" to "this Constitution."
- Only extremely popular amendments can be proposed and ratified (38 states to ratify).
- Article V gives no authority to rewrite the Constitution.



### MYTH: NULLIFICATION IS THE ANSWER

#### FACTS

- Constitution gives the states no power of nullification, except through Article V.
- Many federal actions (spending, treaty-making, enforcement of federal laws against individuals) can't be stopped through nullification.



*Read more information in detail by scanning the QR Code.*

Disclaimer: Info provided is not exhaustive. Consult multiple sources for a comprehensive understanding. This content is intended for presentation of research and factual informational purposes to be used in combination with mobile device.

For even more information visit: [ConventionOfStates.com/resources](http://ConventionOfStates.com/resources)



CONVENTION of STATES ACTION

(540)441-7227 | [CONVENTIONOFSTATES.COM](http://CONVENTIONOFSTATES.COM)  
[FACEBOOK.COM/CONVENTIONOFSTATES](https://FACEBOOK.COM/CONVENTIONOFSTATES) | [X.COM/COSPROJECT](https://X.COM/COSPROJECT)

Talking Points on reverse side →

# TALKING POINTS

## ARTICLE V

## LEARN MORE

Learn more about these and other topics like "Dark Money", "Constitutional Convention" conflation, Fear Language: "Fundamental Change" "Rewrite Constitution" "Taking Away Rights" and more on these topics.

## GO TO

ConventionOfStates.com/-  
frequently-asked-questions  
Or to COScaucus.org/faqs



## 1 What is an Article V Convention?

<https://conventionofstates.com/learn-more>

An Article V convention is directed by the state legislatures for the purpose of proposing amendments to the Constitution. It is not a constitutional convention. It cannot throw out the Constitution because its authority is derived from the Constitution.



## 2 An Article V Convention Is Not a Constitutional Convention

[ConventionOfStates.com/news/article-v-vs-constitutional-convention](https://ConventionOfStates.com/news/article-v-vs-constitutional-convention)

The Article V convention's only power is to propose amendments to our current U.S. Constitution, which must fit the scope of the state applications and be ratified by law.



## 3 Scalia Against an Article V?

[conventionofstates.com/news/watch-antonin-scalia](https://conventionofstates.com/news/watch-antonin-scalia)

The late Supreme Court justice Antonin Scalia understood that the foundation of democracy is an accountable federal government.



## 4 Can we trust the U.S. Constitution?

[ConventionOfStates.com/files/can-we-trust-the-constitution](https://ConventionOfStates.com/files/can-we-trust-the-constitution)

The U.S. Constitution was properly ratified. The States, though imperfect, can be better trusted to propose amendments than Congress



## DIFFERENCES BETWEEN A CONSTITUTIONAL CONVENTION AND AN ARTICLE V CONVENTION

## ACTION

CONSTITUTIONAL  
CONVENTIONARTICLE V  
CONVENTION

Propose



Propose New Constitution

①



Propose Amendments

Power



Full Power, Unlimited

②

Limited to State Passed  
Subject ApplicationsRequirement  
To CallUnanimous Consent of States  
to be Bound,

③



Application of 2/3 States

Scope of Ratification  
by the States

New Constitution

④



Individual Amendments

Vote of Ratification  
by the StatesOnly binds States  
that Ratify

⑤

Ratified by three-fourths and  
binds all states

for a more in depth look and more differences between a constitutional Convention and an Article V convention go to:  
[conventionofstates.com/files/an-article-v-convention-is-not-a-constitutional-convention-1](https://conventionofstates.com/files/an-article-v-convention-is-not-a-constitutional-convention-1)