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## TESTIMONY TO THE HOUSE SPECIAL COMMITTEE ON JOINT RESOLUTIONS 3017 AND 3125

7 February 2020

The League of Women Voters opposes bills calling for a constitutional convention under Article V of the U. S. Constitution. These proposals are a threat to every American's constitutional rights and civil liberties. The League also specifically opposes a balanced budget amendment.

The United States Constitution became effective in 1789, following the original convention in 1787. Since that time no constitutional convention has been held, for wise reasons. It is unnecessary for single issues and – far more important – Article V of the Constitution provides no language limiting the scope of a convention once it is called. There is no confidence among experts (including several Supreme Court justices who have commented) that restraints can be placed on its powers and processes. Claims by proponents that there is no reason for concern because 38 of 50 states would not agree to something unwise is contradicted by the presupposition that they already would have agreed to support something quite dangerous, the convention itself. All of our civil liberties and our system of government would be at risk, and that in support of an unwise experiment in federal budgeting.

The League supports federal deficit reduction but opposes constitutional balanced budget amendments because it is the business of Congress and the President to balance competing interests to develop and approve provisions for federal revenue and expenditures. They can be voted out if we don't like how they do their jobs. Further, the federal budget is not like state budgets and it is even less like household budgets. Our individual households, local governments, and even states don't serve as the ultimate financial backup in a crisis, as the federal government does. The federal government must maintain the flexibility to respond to natural, economic, and national security needs, which often arrive with little warning.

When a bill proposing a constitutional convention was last heard in a subcommittee of the SC General Assembly, South Carolinians representing the full political spectrum in our state testified against the measure, recognizing the great danger that it poses to our rights as citizens and to our system of government. Who supported the bill? Attorneys representing national organizations arrived to press for the resolution. Now, ex-governors from distant states have flown in to try to influence South Carolina, funded by national sponsors who have not been publicly identified. They provide no legal assurance that the scope of a constitutional convention can be constrained, because no such assurance is possible, as 230 years of constitutional scholars have recognized.

This tumultuous time in our politics is not appropriate for an experiment with a process that has been considered excessively dangerous for more than 230 years. This would be no different than throwing a lit match into gasoline-soaked rags. It is also not a time to tie the hands of our federal government to respond to our needs.

The LWVUS 2018-2020 *Impact on Issues* provides our positions on constitutional conventions on pages 32-33, and on a federal budget on pages 76-77. *Impact on Issues* is available at <https://www.lwv.org/impact-issues>.

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