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## Article V and Mark R. Levin's Argument

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[Mellany Lamb](#) Signature Track · [a month ago](#) 🔒

Mark Levin is organizing a Constitutional Convention of the States to bypass Congress, due to the current administration's actions. Does he have a legal case per the Constitution? Why or why not?

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[Anonymous](#) · [a month ago](#) 🔒

Mark Levin is a hotheaded commentator that gets millions from pretending to be some sort of "leader" and you can be sure that like other liberal and conservative commentators, he is in it for the money. Beware the greedy fools that try to inflame the liberals and the conservatives.

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[Michael Scott](#) Signature Track · [a month ago](#) 🔒

Listen to Anony he has this guy and the rest of the professional agitators pegged. Even some of the guys I like to listen to I know its all BS...

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[Devin Watkins](#) · [a month ago](#) 🔒

The constitution in article 5 says that "Congress... on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which ... shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states". So, yes if Mark Levin can convince 2/3 of the states to ask for a constitutional convention, then a convention will be held to propose amendments which if ratified would be a part of the constitution. As to if we SHOULD do so, that's up to each person and each state legislature to think about.

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Michael Scott Signature Track · a month ago

You surely just mean in theory a radio talk personality could get 2/3 of the state legislatures file the necessary paper work and other protocol. That he alone could start a Constitutional Convention? I would say no. Anything is possible one could say that if you got control of enough electors they could vote whomever they wished for President. Once voted in by the electors the Chief Justice would swear him in? It would then be up to the House and Senate to impeach and have a trial in the Senate to remove the interloper. If someone can't get the result they are looking for in the USA by voting the voters in the USA would never stand for anything so Machiavellian.

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Anonymous · a month ago

Mark Levin is a nut.

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Elizabeth M Rogers · a month ago

It would be interesting if he managed to do it but I think he forgets that there are more than just conservatives in the US and many many people find some of his ideas distasteful. Or disastrous in practice. So it is possible that he could get 2/3s to go along and then find that they pass things that he would be horrified at-like say an amendment that guarantees a minimum wage tied to inflation. (I doubt that would go but anything is possible.)

Or marriage equality. Or something else that I am not thinking of. Or even freakier (and never ever happen)-a repeal of the 2nd. :P

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Michael Scott Signature Track · a month ago

I'd say 2nd Amendment is safer than almost anything else. Too many guns to collect them all.

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Elizabeth M Rogers · a month ago 

They said that alcohol would never be banned and yet...

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Michael Scott Signature Track · a month ago 

Yes ..how did that work out? Nobody stopped drinking the profits just went to criminals.

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Elizabeth M Rogers · a month ago 

Actually drinking dropped dramatically-even to this day drinking remains lower than it was before the enactment of the 18th.

And profits did not exactly all go to criminals-plenty of legal companies came up with weaselly ways around it. For instance, one juice company told their buyers how to avoid the inadvertent creation of alcohol by printing directions on how to make alcohol and sticking it on their products.

<http://www.wineportfolio.com/sectionLearnProhibition.html>

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David E. Johnson · a month ago 

**Elizabeth M Rogers**

I like that doctors could prescribe whiskey during prohibition. Reminds me of the medical marijuana market today.

<http://www.smithsonianmag.com/history/during-prohibition-your-doctor-could-write-you-prescription-bo...>

/ Was Joe Kennedy a criminal or was his bootlegging a myth?

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Elizabeth M Rogers · a month ago 

Take two shots and call me in the morning.

I have no idea if he was or not. He was a part of the Boston machine but I have never looked extensively into it.

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[Michael Scott](#) Signature Track · [a month ago](#) 🔗

Blaq Inc Media another PR firm just because its on the Internet doesn't make it true. Why not find some serious historical work rather than Google the first blog that has paid to be at the top of the choices.

Joe Kennedy had connections with the English and Irish Whiskey people. He had to close down his legal distribution system and sold new shipments outside the USA territorial limits. He made his real money on the stock market. No doubt there he was a crook of the first order.

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[Elizabeth M Rogers](#) · [a month ago](#) 🔗

<http://www.youtube.com/watch?v=WsJSRP7cZVo>

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[Michael Scott](#) Signature Track · [a month ago](#) 🔗

WHAT?

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[Elizabeth M Rogers](#) · [a month ago](#) 🔗

Exactly. What?

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[Mellany Lamb](#) Signature Track · [a month ago](#) 🔗

Shortly after I had posted my question yesterday, this was published by Jen Kuznicki. She writes about the Article V Convention of States and Levin's push at this time. Interesting to her point that this is the most peaceful means to pursue a change in the Constitution. I need to read Levin's "The Liberty Amendments" to understand this in full, but it appears to me that this is the most democratic way to seek change and we are privileged to have this right within the Articles.

<http://jenkuznicki.com/2014/02/michigans-involvement-in-an-article-v-convention-of-states-a-rebuttal->

[to-norman-hughes/](#)

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Mellany,

Its a radio talk show..he deals in satire...He is the white people's answer to Marcus Garvey and is somebody with an audience smaller than Jay Leno has now...

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Michael,

I do not want to get in a debate of who Levin is, but started the discussion since Professor Amar brought up Article V in the video lecture this week and the timing of Levin's pursuit of Article V Convention of States and has garnered support from various political groups. Whether it's Levin as a talk show host or political analyst or former Reagan cabinet member or a regular citizen such as you and I, can this action hold water? After reading Devin Watkins' reply and researching further, it appears that Levin has initiated the wheels of democracy. Is that such a bad thing? It does appear to be a right afforded by Article V and we should be glad that it can be used as a peaceful method for review of the law and possible change.

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[+ Comment](#)[Michael Scott](#) Signature Track · [a month ago](#) 🔗

In our country's history we have had this option but never used it; 225 years is a long time not to use a rule. As it takes 3/4 of the states to ratify any changes I am also understanding that the House and Senate would have to vote 2/3's for passage. I can't see any substantive changes because as a country we are so divided. I presume the reason for the convention is to get something a group wants in the law changed that cannot be achieved by a normal vote. The people you would have to convenience are the same people you can get your desired legislation. Now the other option would be to tear up the rules and make new rules. Divided as we are that would make us experience another Civil War.

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[Elizabeth M Rogers](#) · [a month ago](#) 🔗

Levin's idea is to get changes rammed through that he wants based on my understanding of his comments. On one hand it is a great way to get books sold but on the other, it is Berzelius Windrip's horrific list of "changes" to America.

He would need to get 34 states to go along with the scheme. Based on the suggestions he has written out I speculate wildly he could get:

Alabama, Arkansas, Mississippi, Kentucky, the Carolinas, Georgia, Montana, North or South Dakota, Nebraska, Texas, Tennessee, Oklahoma, Utah, Idaho and either Missouri or Iowa. Toss ups would be Arizona (which tends towards libertarian views despite the nonsense the state lege puts out), Florida and possibly one or two more that I cannot think of.

But Wisconsin, Michigan, Illinois, Indiana, New England, and the Pacific states would never agree and with those, you have enough states to put a kibosh on the whole idea.

That also ignores the vast practical details that have never been fleshed out-where would it be held? Who would host it? How do the 34 state leges make their application? Do they all just pass resolutions? I know that to ratify they can all have their state lege vote on a bill-would this be similar?

And you are right Michael about how it is simpler to just pester our own legislators at the national level-getting active in politics means that eventually one day you will know the person sitting in your Congressional seat and can call them to lobby them personally.

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