



Episode 498: Should We Hold an Article V Amendments Convention? A Debate

Guest: Kevin Gutzman and Bill Jasper

WOODS: All right, this is a debate topic that people have been asking about for a long time. They've wanted to know what my own opinion is and what should they think about it, so I thought, let's bring on two people who have been identified one way or another with this topic. And I guess we'll formulate the debate in the following way: we'll say, "Resolved: An Article V convention" – which could be in the form of the particular proposal that Kevin supports – "can advance the cause of liberty." And I will take Kevin as taking the affirmative and Bill as taking the negative. Kevin, I think, though, because people don't necessarily know about the particular version that you happen to be associated with, why don't you take 30 seconds to explain it, give the URL so people can know about it, and I'll link to it on the show notes page, and then we'll get into the back and forth.

GUTZMAN: Well, the effort is called Compact for America. Actually, Compact for America sponsors an idea called Compact for a Balanced Budget, which is an attempt to use the Constitution's interstate compact provision to arrange a one-off Article V convention whose sole purpose would be to vote yea or nay on a specific balanced budget amendment proposal. So far, four states have adopted the compact legislation, and it's an ongoing effort.

WOODS: All right, so people know that what you're talking about primarily is the Compact for America, but that you have not ruled out and would not say that it would necessarily be a bad idea to have a more open-ended Article V convention. I don't necessarily need to commit you to that here, but either way, we are talking about a convention as envisioned under Article V. So let's turn things over to Kevin, because you are taking the affirmative. I'll let you start, and you can talk for two minutes. Give us your pitch for why this is a good idea.

GUTZMAN: Well, I think that in general people recognize that the federal government is following an unsustainable path. Presently the unfunded obligations of the federal government are estimated at over \$220 trillion, which is 14 times GDP, or more than the entire gross economic product of the entire world. And so I favor an effort to use the unused section of Article V, the amendment article of the federal Constitution to require the federal government to live within its means.

The reason why I favor having the unused portion, the state-initiated portion of Article V be used for this purpose is because, as George Mason recognized in the Philadelphia Convention, where Congress is the problem, it's extremely unlikely that Congress will ever provide the solution. So it seems to me that the Madisonian approach here, having discovered through use of the Constitution that it has an imperfection, no limit on the federal government's capacity for borrowing, we need to change the Constitution to make it impossible for the federal government to leave our children an economic situation akin to that of Zimbabwe or South Africa or of Puerto Rico or of Detroit. And that's why I favor this effort.

WOODS: Wow, you have, for the first time in the history of the debates of this show, you've come in under your allowable time. Okay, that's good. You don't get to keep that. You get no credits for that. All right, let's turn things over to Bill Jasper now. Bill, you have two minutes to caution us about this idea.

JASPER: Okay. Before amending our Constitution or taking the even more perilous course of calling a convention to revise it, I think it important to ask some hard questions. One, does the federal government, by which we mean the Congress, the president, and the federal courts, follow the Constitution now?

Two, let us suppose that after an enormous expenditure of time, effort, and capital, we are successful in amending the Constitution for the better. Is there any rational hope that any of these same three branches of the federal government would suddenly obey the newly amended Constitution any more faithfully than now?

Is the problem the Constitution? Is it defective or deficient or is the problem ultimately the American voters, us? We who, whether through ignorance or apathy, continue to elect those who are supposed to follow the Constitution and do not. Is it not we, the people, who are deficient in our vigilance, that we have allowed the federal politicians to usurp power from us?

Four, foremost in many minds, as my opponent said, is the looming nightmare of the trillions of dollars of our national debt that are coming due. Is a balanced budget amendment the answer? Well, we are drowning in debt, because around 80% of our national debt is for unconstitutional spending. A balanced-budget amendment does not end any of these unconstitutional agencies, programs, or spending. A budget can be balanced by raising taxes, which is most likely what politicians would choose over cutting spending. Moreover, all of the balanced-budget amendments also have an escape clause for national emergencies – correct me if I'm wrong in this particular case. But we have been officially under continuous states of emergency for the past several decades.

Finally, convention risks throwing our entire Constitution and our liberties into serious jeopardy through a runaway convention that cannot be restricted to do what its promoters claim it will do.

WOODS: All right. Those are our opening statements. I'm going to give each of you a minute to respond to the other, so Kevin, you have one minute.

GUTZMAN: Well, there are several ideas in that statement that bear some consideration. The first is last, the idea of a runaway convention. Of course, a runaway convention is not possible under the Compact for America model, which is binding federal law requiring that the convention take up only the sole issue of voting yea or nay on our proposed balanced-budget amendment.

The second point is that one often hears from opponents of a state-initiated amendment process that terrible things might happen if there were a convention, that a convention can make any kind of proposal it wants, and so we must not risk having one. Assuming we were even talking about an open convention without a compact limiting its agenda, this raises the question, well, isn't it true that Congress also can propose any amendment it wants? The logical conclusion from this objection is that we shouldn't allow Congress ever to meet either, because Congress is constitutionally entitled to make any amendment proposal it wants. Even if Congress were to make an undesirable amendment proposal, of course the idea here is that the states would ratify such an amendment proposal.

We also have the statement that well, of course it's useless to amend the Constitution, because people who are in federal office don't follow the Constitution anyway. And this is true only in regard to the rhetorical or the statements of principle in the Constitution, notably the Tenth Amendment. The Tenth Amendment isn't followed, because it doesn't have an enforcement mechanism. There are other – there are many provisions of the Constitution that actually are followed all the time. For example, Congress never sends to the president's desk for his signature a bill that's only been passed by one house. The bicameralism requirement of the Constitution is followed perfectly in every instance. And of course we know that there are many other structural provisions of the Constitution that are followed too –

WOODS: All right, ding, ding, ding. I already let you go way over, because I thought it was good material, and it was a crime to stop you, but now you're abusing your power, Kevin Gutzman. So because I'm such a softie of a moderator, Bill, I'm going to let you also take two full minutes if you want to go fully against Kevin, and then I'm going to give you after your two minutes an opportunity to ask Kevin just straight on anything you want to ask him and force him to answer it. Okay, go ahead. You've got two minutes.

JASPER: Well, first of all, the constitutional convention cannot be limited by state resolutions, state laws, any of the proposals that are proposed. That is the opinion put out extensively by the Congressional Research Service getting the history of all of the calls for convention and all amendment processes. That is the opinion of the Supreme Court.

And we know that in the case of who will actually decide what the rules are of a convention once it is called are that it will end up being Congress, which is the one

who actually makes the rules of the convention. The Congress, according to the Necessary and Proper Clause, is the department which has control over the rules or the laws that will govern it, and we know that in the event that a convention is called, all of the forces who are opposed to our Constitution, who want to liberate it from all the checks and balances that are currently imposed upon them, on their exercise of power, will use every maneuver possible, including taking it to the courts.

And in persuading the courts, which will not take a very difficult long time for them to do, they'll get the courts to go along with them in exercising congressional authority over the convention itself. So we are not getting away from congressional misbehavior now by going into a convention.

WOODS: All right, Bill, so go ahead and pose to Kevin the most challenging question you can think of on this.

JASPER: Well, there are several, but let's just ask this: In view of the fact that you are an expert on Madison and in view of that you've written books – at least one book on him, I know – and in view of the fact also that such highly promoted legal experts, so-called, as former Supreme Court justice, John Paul Stevens, Harvard Law professor, Lawrence Lessig, University of Texas Law professor, Sanford Levinson, and Texas A&M Law professor, Mary Penrose, to name but a few, have come out very forcefully and recently for radically overhauling the Constitution and wiping out many of our most basic rights, checks, and balances. So do you not, like Madison, tremble at the thought of a second convention, or are our circumstances more propitious, as you put it, today than they were in 1787?

WOODS: All right, Kevin, you can take two minutes here. Start up your clock and go.

GUTZMAN: Well, we hear some inconsistency in your comments. On one hand, you say that the Constitution is never observed, doesn't have any effect on people. On the other, you say, well, we have these wonderful checks and balances that are in place, and we see them in effect if an interstate compact were presented to Congress organizing a single-issue convention.

There is in fact no apposite case law on the question of an interstate compact to organize a constitutional amendment convention, because there's never been such a case. There's never been a compact for this purpose. You can't cite precedent where there is no precedence. Yes, it is true, there are radicals who want to change the Constitution. I would note for you that where people like Sanford Levinson, who was one of my law professors, Lawrence Lessig, with whom I'm familiar, and people like John Paul Stevens want changes to the Constitution, eventually what they do is they have federal courts declare that the Constitution means what they've always wanted it to mean, regardless of whether we've changed it, regardless of whether we've rejected amendments that they've proposed. This is the method that they consistently use.

Now, you mentioned Madison. Madison's response to a situation in which the constitution of the time, the Articles of Confederation, had proven inadequate to its purposes was to seek changes to the system. We now have the Nobel Prize-winning work of James Buchanan, the economist, who showed us that once you have a consolation of political incentives and once you have a particular political system, you're going to get essentially the same kind of results from it, regardless who holds the offices. And we've seen in our own lifetimes that regardless of the fact that Ronald Reagan won the election of 1980 and his allies took control of the Senate, regardless of the fact that conservative Republicans came to control certainly the House of Representatives in 1994 with at least grudging allies in the Senate, regardless of the fact that George –

WOODS: Okay, you've got to wrap it up now. Watch that clock.

GUTZMAN: Well, the bottom line is, just changing people who hold offices and even if the people themselves at large had wanted changes to the products, the system being unchanged has meant that Buchanan's thesis has been validated over and over just voting for different people, even when the people wanting change has not brought change. And that's why the Madisonian solution is to change the system.

WOODS: All right, you're over, so I'm going to take that as your question to Bill. Given that we have attempted this version of things, we've tried to just throw the bums out and elect new people, and no matter what happens, no matter which people we elect, the same results seem to occur, so why would we think that continuing down this path is going to make any difference?

JASPER: Well, that's a very valid point that of course has a very many people frustrated. But part of the reason for that is we have not done more than to just throw the bums out. We have to do the hard work that the Founders expected; that is, we have to not just vote party line, not just go along with the party leaders, but we have to clean house. And I've been working on that for 40 years. I would like to see an easier path to go down. I think we have to look back at what has really been done and say hey, it isn't that the system is wrong, that the Constitution is faulty; it's that we have to start applying it. Turn off the entertainment, and get busy with saving the country.

I think one of the things that we should be looking at is there are things outside of the ordinary that we can be doing. You, Tom, know about nullification. You wrote a book on it. We've been very busy in promoting that for many years, and state nullification is a way to effect change. And most people are unaware that we actually have been successful in stopping the federal onslaught, not by amending the Constitution, with regard to REAL ID. We don't have to every time somebody in Congress or the administration proposes some massive new invasion of our rights or states' powers go into a constitutional convention or amendment process, the states simply said no, we're not going to go along with the REAL ID, a national ID. And they still have not been able to get it through.

The same thing is happening with the drug decriminalization, medical marijuana thing. I'm not necessarily in favor of many of these proposals, but it shows that it can be done at the state level, that the federal government, the federal leviathan can be defied. It's also happened with the gun manufacturing laws. Those states that have said no, feds, you can't come in here and regulate our guns if they're made and stay within our state. There's many areas where we can actually be applying those things that are already available in the Constitution.

WOODS: All right, let me jump in here. Kevin, I want to ask you specifically a question. Then I've got one for Bill. I understand one of your arguments is a lot of the fears people have of a convention are misplaced, because they're saying things like, oh, they'll do terrible things to our Constitution, and who knows what will happen? But as you've said, what would we wind up with under a convention that we don't have already? We already have a Congress that feels it can legislate on plenary matters. It can do anything it wants to. We already have a president who thinks he can deploy troops anywhere in the world he wants. Like, we already have the nightmare scenario that people are painting as the outcome of a convention. We have that today. I get that.

But there's a part of me, though, that thinks it's not inconceivable that something bad could come out of a convention, given the woeful state of political and philosophical education in America, the fact that most people, if they really understood what the Constitution said, would go screaming in the other direction. Basically it says that almost everything the federal government is doing and all those checks with your names on them are unconstitutional. Most people wouldn't want the Constitution, even if it were presented to them. So if something came out of a convention that said we need a more egalitarian society and we need this or that program officially enshrined in the Constitution, you're telling me it's unlikely that the states would ratify that?

GUTZMAN: Well, two things. Number one, of course that's not the effort I'm —

WOODS: I understand. No, I'm talking more theoretically.

GUTZMAN: Well, I think the issue is weigh the risks against the rewards or weighing the seriousness of the situation we are actually presently in. You know, when I hear people say we don't have REAL ID because of state government resistance or we're having medical marijuana approved in various states, I have to think they don't think that our current situation is actually that bad.

\$220 trillion in unfunded obligations are a calamity. This is far worse in comparison to the national budget than the Greek debt situation, and yet people say well, maybe the federal government continues to plan to send boatloads of money to Mars and to build schools in Afghanistan and to send old Americans on vacation for 20 years on the tab of the younger generation, but at least we don't have REAL ID. I think that the situation we face now is entirely fraught. It's going to lead ultimately, if we don't do something about it, directly about the budget, about the debt, this is going to lead to some kind

of military government. It's going to lead to an un-republican America. We have to have immediate response to this problem.

Now, we've had Madison's name mentioned a couple of times in this conversation. Madison could have said exactly what my colleague here has been saying: well, if we just teach the people to abide by the Articles of Confederation, the Articles of Confederation are perfectly good. We don't need to change them; we just need to have people elect people who will comply with the law. Madison's idea was, well, no, clearly the experience of the Articles of Confederation has shown that they're inadequate, and the only way you're going to end up with the kind of government we need is to have a different system. We need to make changes to the fundamental law.

WOODS: All right, let's see. I think I'll ask Bill a question, and then I'm going to let you guys kind of go back and forth. Bill, based on what I just said, that it doesn't seem like there's all that much to be afraid of, given that if I'm to believe *The New American* magazine and I'm to believe the John Birch Society, things are about as bad as they could possibly be. So how much worse could a convention make them?

JASPER: Well, you know, if you've read the magazine, we have not been cheering on this evolution of our country and our economy over the past four years. We've been reporting on it and declaiming against it, etc. However, it is very clear both from the forces on the Left, who are for total government, who are against all restraints on us, who want to have – in fact, many of them have proposed that we have gay marriage written into the Constitution, that we have the inclusivity, etc., all of the Obamacare and all of the wish lists of the collectivists put into law, they would like to see all restrictions swept away.

Do we still have some semblance of constitutional limited government? Yes, we still get challenges from states when federal government oversteps its mark. Yes, unfortunately not as much as we would like to see. We are seeing and have been watching an unfolding, rolling juggernaut of the federal government taking over more and more of our lives, taking more power, taking more and more of our incomes, and it will reach a point at which it is completely untenable, and liberty will go by the wayside. That always happens. The wheels of power will exert itself.

And so, what then is the solution? To throw the whole thing up in the air and allow the forces with the most power – now, perhaps those promoting the constitutional convention for a balanced budget think that they will be able to control it. I really don't think so. I think all the media is against it. There is the Obama camp and in the left wing camp; you're not going to get a whole lot of resistance from the Republican leadership, and my question would be, I don't know about the particular BBA, balanced-budget amendment that you're proposing, Kevin, with the compact, but does it have an emergency clause in it?

GUTZMAN: Yes, it does.

JASPER: And we have been in a state of national emergency for terrorism because of Burma, human rights, for the last 30 different or 40 different national emergencies that are still ongoing, that are renewed ever year –

GUTZMAN: That observation isn't relevant to the provision of our proposal.

JASPER: And why would it not be?

GUTZMAN: Well, because what you're talking about are situations in which the federal government has decided to give the federal government more authority by declaring "emergencies," which would empower the federal government. And what our –

JASPER: But you would suddenly have a different federal government that wouldn't engage in those kinds of usurpations under the new BBA?

GUTZMAN: No, we wouldn't, because it wouldn't be up to the federal government to decide whether there was an emergency. It would be up to the state legislatures, of whom a majority of state legislatures would be required to say there was an emergency in order for the federal government to spend more money. In other words, our proposal represents a turning back of the clock to the days before the 17th Amendment, when ultimate control over federal spending was in the hands, not of people in Washington, but of people in state legislatures. In other words, it would be up to people who didn't have an incentive for the federal government to spend more money to allow the federal government in case of an emergency to spend more money.

And you can bet the people in Hartford or people in Austin or people in Sacramento would be slower to say, well, it's time for the federal government to spend more money than those guys in Washington who get to be on the front page of the paper or have their name on a new building or have their name in the newspaper just saying what wonderful statesmen they were. It would be certainly far less likely that we would have this kind of a situation in case the state governments had the old check on federal spending.

So in other words, as I said earlier in our conversation, it's true that the federal government, 90% of the line items in the federal budget are unconstitutional, but the reason that that can happen is that it's the federal government that decides how much power the federal government has. It's the federal judges who have the responsibility, which they have not observed since 1937, of saying here are the limits of federal power.

But if you change the system, if you put actual checks on the federal Congress, if you said, no, you have to abide by this limit on the debt and the only way around it is in time of emergency and we name two or three kinds of emergencies, one being of course an unanticipated war, it's up to the state legislatures to decide that there's an emergency. I think it's very unlikely that state legislators would vote to declare a federal emergency unless there actually was a military conflict. So this –

JASPER: Well, I live in what is considered by many people to be one of the most conservative states with one of the most conservative governors and state legislatures. I live in the state of Idaho, and our governor, unfortunately, has caved into the federal government, because he wants the federal money – our state legislature has likewise – on a number of cases. And so we have – it seems to me, our position is that the federal government is far too large right now. It is spending over 80% of it on unconstitutional agencies, departments, programs, etc. A balanced-budget amendment that allows all of these to stay in place, does not remove any of these federal agencies, allows the spending to go on.

GUTZMAN: Well, I don't believe that that's true. I think, for example, I was actually just having a conversation about this with my history students yesterday at the university where I teach. It seems to me that the way the structure of the government works now, is if your state, say, elects somebody like Raul Labrador and sends him to D.C., and he votes against this kind of spending, people back home think, if the bill passes and the federal government is still lobbying out money through the Department of Education or the Department of Agriculture, which of course Idaho's a big recipient of, or some other federal bureaucracy, they expect their cut of it. They're not going to turn down the money, because the money is being spent whether Idaho accepts its share or not.

That's a different kind of situation from one in which the question is shall we have a brake put on the borrowing. Shall we say enough of this borrowing in general? It's not just that Idaho decides Idaho would rather have its share of the federal largesse apportioned out among Connecticut, New Hampshire, and Kansas. Instead the question is shall we stop the borrowing altogether?

I think people need to realize that presently the unfunded obligations of the federal government come to over \$700,000 per American. In other words, if you're a family of four, your share of that is just under \$3 million. Now, does anybody think that there's any way that the federal government can continue with plans to send people to Mars and give everybody 20 years of vacation and raise the amount of money they're spending on wars and so on? Does anybody think this is possible? Can America avoid the effect of mathematics forever? The answer is no, we can't.

JASPER: What about – I'm with you completely on that. It's the method and the route to getting back to sanity that's the question. Here I have – and this really gets to the concerns that many of us have, and again, I would defer to Madison, the same letter that we're referring to. He's talking about a second general convention, and he said if it were to come about, "an election to it would be courted by the most virulent, violent partisans on both sides. It probably would consist of the most heterogeneous characters. It would be the very focus of that flame, which has already too much heat as men of all parties. It would no doubt contain individuals of insidious views, who under the mask of seeking alterations, popular in some parts but inadmissible in other parts of the Union, might have a dangerous opportunity of sapping the very foundations of the fabric." So why do you not see the same thing happening this time?

GUTZMAN: Madison was actually concerned that if there were a second convention, the central government would end up with less power than he wanted it to have. And I say good. If there's another convention, I honestly think the federal government would end up with less power than it has now. And the alternative – you know, here's the – I think one of my main points of frustration with people who make the argument that you're making is the assumption that somehow the Left doesn't get whatever it wants anyway.

I mean, just think back to America 30 or 40 years ago. What was the most common epithet that people called each other? Okay, now that's a right. You couldn't make a more absurd scenario up for the extension of federal authority than what we have seen in recent days. There is simply no limit to the legislative power of the federal courts, who, whenever they feel like it, completely remake the absolutely most basic laws of the state governments. There is literally no limit on the war-making authority of the president, who, without even so much as a nod toward the Congress, felt free to go overthrow the government of Libya. There's just no limit –

JASPER: Okay, but don't you agree that there would be one or two or three or four or five justices on the Supreme Court who would find penumbras emanating from the Constitution to allow the Congress to exceed a balanced-budget amendment? I mean, we're calling for putting a lot of effort, time, and expenditure into accomplishing something like a balanced-budget amendment, which I don't see as having a snowball's –

WOODS: All right, well we lost Bill at the end there, but I guess we know what his gist is. Kevin?

GUTZMAN: Well, actually I don't think it takes a lot of effort. So far we've had four states pass legislation that's requisite for it, and once it is ultimately adopted, the compact will require a meeting that will take one day, and they'll vote, first, that they have a quorum, and secondly, yes or no on the amendment. This isn't a huge effort. It doesn't take a lot of time.

And again, people could have made the exact same objections to adopting the current U.S. Constitution as you're taking to amending the current U.S. Constitution. Well, we already have a Constitution. Well, we know these guys in Philadelphia are ignoring it. Well, if only people would elect people who would do what the Articles of Confederation say, we'd be just fine. There's no reason to have any kind of change. It'll cost a lot of money to send people to a convention in Philadelphia. We don't know what those guys will do. They didn't even know they were going to be behind closed doors, and who knows? Maybe when they get through with it, they'll give more power to the central government than we want. It'll overthrow the revolution. I think things are going just fine now. We don't know what'll happen to our rights if we have a new constitutional convention. And so on. The same exact arguments. But the point is, the people –

JASPER: But we are not faced with the same exact circumstances –

GUTZMAN: No, we're not.

JASPER: — the folks who are already in Congress have already shown that they want more power, that they are not going to relinquish it.

GUTZMAN: Yes, right. You're underscoring my point. We have a very —

JASPER: I think you're missing it there. Not only the wolf pack and John Paul Stevens and others that are pushing for are going to be there at the convention also; you think that your folks are going to be able to run the convention and do better than the Founding Fathers did and keep powers in check, rather than see the other side be able to sweep away what remains of our tattered, battered Constitution and what few remnants of restraint that it offers?

WOODS: All right, listen, I'm going to say just for the sake of both of your time, because I did make promises to you both, Kevin, take two minutes to wrap things up, and then Bill, I'll give you two minutes to wrap things up, and then we'll call it a day.

GUTZMAN: Again, I don't accept a lot of the premises of what Bill's saying. First of all, he says essentially that the federal government does what it wants, and then he says but we don't want to try to amend the Constitution to rein in the federal government, because we'll lose this wonderful Constitution that limits the federal government. My point is that's just inaccurate. It's inaccurate, because ultimately all three branches of the federal government feel entirely entitled to do exactly whatever they want.

And James Buchanan, the economist, won the Nobel Prize for an insight that was absolutely accurate. Once you have a certain set of incentives in a political system, once you have a certain structure of government, it doesn't matter whether the Speaker of the House is Tom Foley or Jim Wright or Newt Gingrich. You're going to get the same kind of product. You're going to have the same kind of situation.

And this is exactly the insight that led people like Madison to say we need a change to the system. We need to actually make the structure fit the times. We've had insights since the time of the Founding Fathers. You know, a minute ago Bill tried to put me in opposition to the Founding Fathers. You think you're going to do better than the Founding Fathers? It was the Founding Fathers who gave us the amendment provision. It was the Founding Fathers who wrote Article V. They thought that once the Constitution was put into effect, imperfections would become evident, and we could correct them.

But what we've decided to do instead is we see gaping holes in the constitutional system. We see that it's just putting — it's going to make serfs of all of our children, because \$700,000 each in unfunded obligations. And what should we do? We should say oh no, we should freeze the Constitution in amber while the other side is ignoring its most important limitations on the federal government, its most important protections of our rights. We should say, well, we like the form of it, even if it doesn't actually, I don't know, work, so let's not change it. I think that is a mistake, and the Madisonian

solution is a remedy that takes into account the experience we've had since the Constitution went into effect. That's why I favor a balanced-budget amendment.

WOODS: All right, before I go to Bill, I'll tell people that anything that either one of these gentlemen would like me to link to on the show notes page so people can find out more – for example, the Compact for America – anything Bill wants me to link, any articles, link to *The New American*, that'll all be up at TomWoods.com/498, so you can read more about what these gentlemen are saying. Bill, the last word goes to you.

JASPER: Well again, I would draw back on Madison. As Professor Gutzman knows, he mentioned that a constitution is a parchment barrier. It is a piece of paper. The Constitution is not self-enforcing. The Constitution does not prevent government from doing bad things. That's our job. They give us the law; we have to then use it. If we are remiss in our duties, as Americans woefully have been for decades and generations, allowing the siren song of government benefits and various government perks to dull our sense of jealousy of our liberties, we gradually lose them, and that is what has been happening. The various branches of the government have taken over. They have usurped their authority from us, from the states, and from the people, and we have to take it back.

My opponent says that the best way to do that or the way he's advocating is to have a convention for a balanced budget. That to me seems frightfully dangerous. There are still remnants of the Constitution that we can use, which is why so many people on the other side who want all restraint removed would like to see, are hoping to see, are working to see that all of these are removed in a new Constitution. They have very powerful forces on their side. John Paul Stevens is advocating getting rid of the Second Amendment. He has six amendments that he's calling for. He has many allies in the major media, the academia, and the think tanks, and all of the punditry out there. We have still a Constitution, ultimately we still can use it and work with it. It's going to require Herculean efforts on our part, but we need to save it.

WOODS: All right, and that is that. Again, TomWoods.com/498 is where you can find out more information about this entire discussion. My thanks to both you gentlemen, to Kevin and to Bill for making the time to do this, and I know everybody will benefit from it. Thank you very much.

JASPER: Thank you.

GUTZMAN: You're welcome.