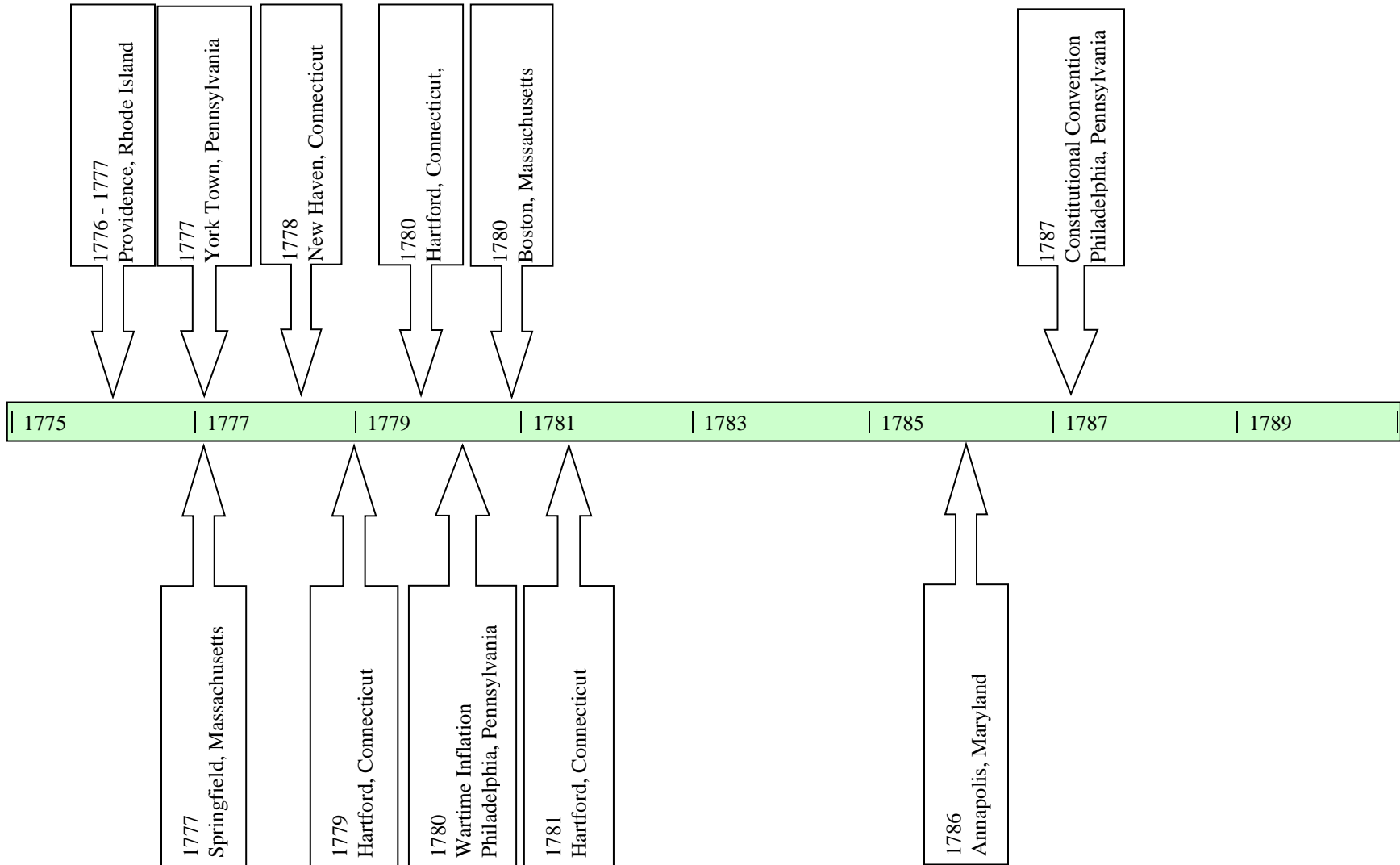


# Early Conventions of the States



During the colonial era, British colonies in North America would send representatives to temporary assemblies charged with proposing solutions to prescribed problems. These assemblies were called a variety of names, including convention, council and congress. Most of the early conventions were regional and only included a handful of colonies, but some were general conventions that included all the colonies. Some notable conventions from this era were the 1754 Albany Congress, the 1765 Stamp Act Congress and the First Continental Congress in 1774.

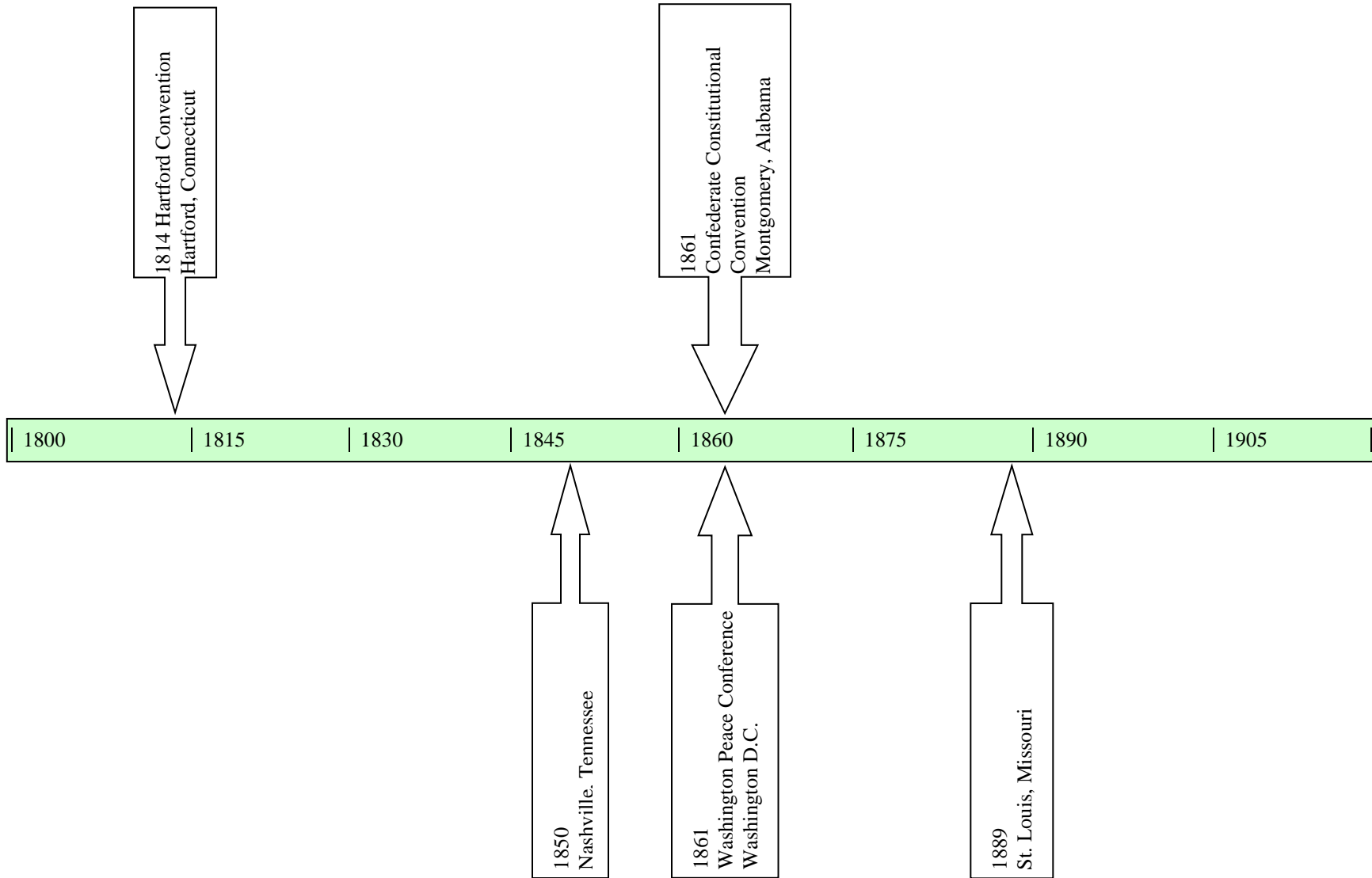
In 1776, the Second Continental Congress wrote and adopted the Declaration of Independence. The newly liberated states continued to meet among themselves in temporary conventions of states. During and after the Revolutionary War, regional and general conventions occurred regularly. As a result of the frequency with which conventions occurred, the following became the generally accepted protocol:

1. A state, Congress or prior convention would issue a call specifying which states were invited, the time and place of the first meeting and the problems to be addressed<sup>i</sup>.
2. The invited states would decide whether to accept the call, usually the state legislatures would decide. If a state accepted the call, then it would choose and instruct commissioners.
3. When a quorum of invited states arrived at the designated time and place, a temporary presiding officer would call the group to order and they would elect permanent officers.
4. Large conventions would commission a committee to propose formal rules to be discussed, amended and adopted on the floor.
5. The convention would begin to work on the problems stated in the call.

In 1786, Virginia issued a call for a general convention that was to meet in Philadelphia in May the next year<sup>ii</sup>. The subject of the convention was "devising and discussing all such alterations and farther provisions as may be necessary to render the Federal Constitution adequate to the exigencies of the Union." This convention would come to be known as the Constitutional Convention, and Article V of the new Constitution explicitly recognizes conventions of the states as a tool for proposing constitutional amendments.

Note: An Article V Convention only allows discussion for a proposed amendment, which must be germane to the subject matter of the calls from a 2/3 majority of the individual states to Congress. In the case of an Article V Convention, anything outside the subject matter of the states call to Congress is an illegal proposal and would not stand up in court.

# 19<sup>th</sup> Century Conventions of the States

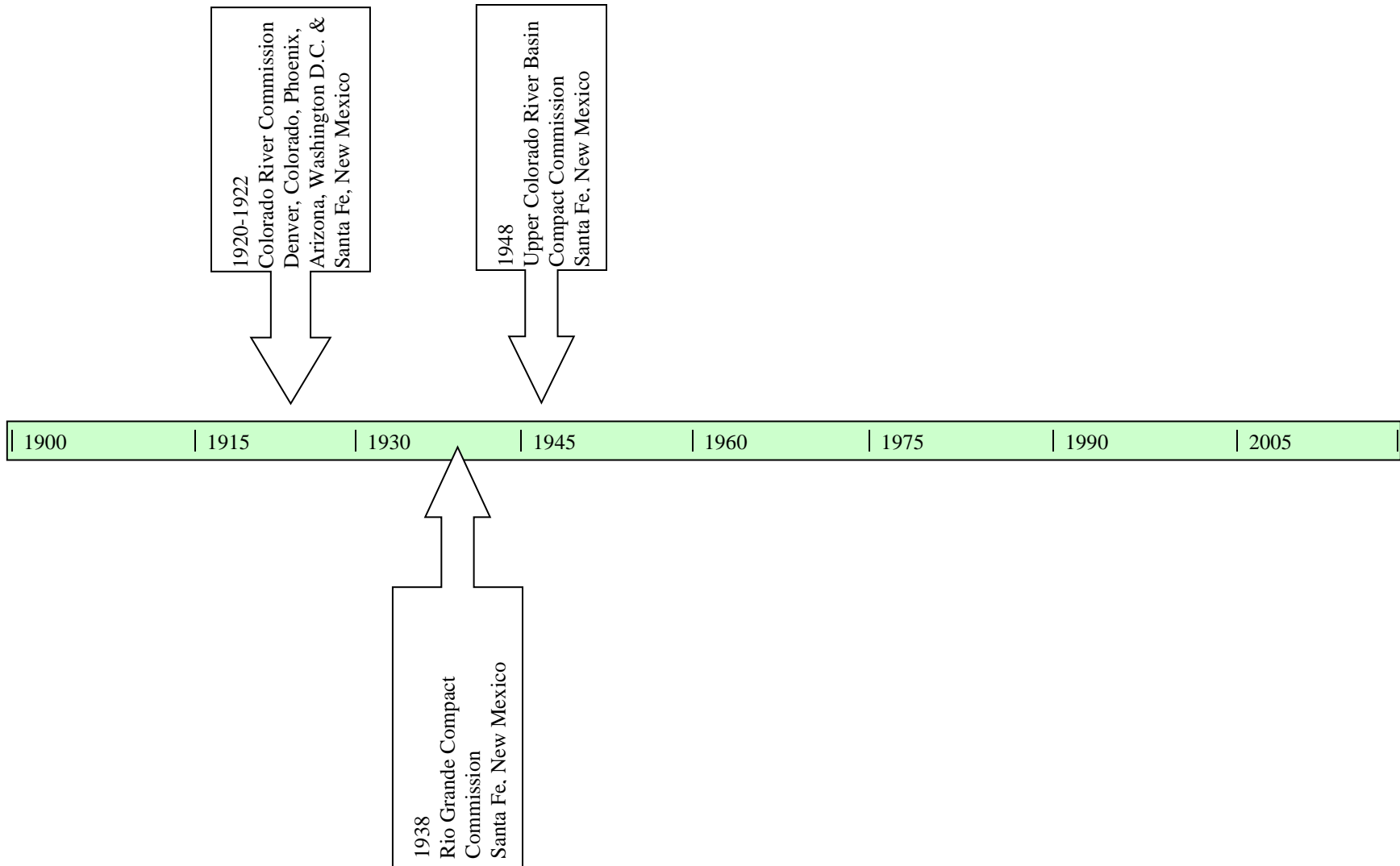


The creation of the federal government in its current form reduced the need for general conventions, but they remained a valuable tool for states to address various issues. Some of the most notable conventions are:

- In 1814, the New England states convened in Hartford, Connecticut to address grievances from the War of 1812<sup>iii</sup>,
- In 1850, the Nashville Convention met to develop a "Southern strategy against Northern aggression"<sup>iv</sup>,
- In 1861, the Southern states convened in Montgomery, Alabama to form the Confederate States of America<sup>v</sup> while Northern states convened in the District of Columbia to propose a constitutional amendment to prevent the Civil War<sup>vi</sup>, and
- In 1889, nine states convened to propose a solution to monopolistic practices in the meat industry which led to the adoption of remedial state laws and the passage of the Sherman Anti-Trust Act in 1890<sup>vii</sup>.

The 19<sup>th</sup> century conventions followed the same protocols established in the 18<sup>th</sup> century, except that the St. Louis Convention gave each state eight votes instead of one.

# Modern Conventions of the States



Regional conventions addressing water rights took place in the 20<sup>th</sup> century. The most notable 20<sup>th</sup> century convention was the Santa Fe Convention, also known as the Colorado River Compact Commission. It convened 27 times in 1922 – seven times in the Washington D.C., once in Phoenix, once in Denver and 18 times in Santa Fe. The Santa Fe Convention followed the same protocols as earlier conventions except that it adopted a unanimous voting rule, invited a federal representative, rotated the meetings among different cities and adjourned for weeks at a time to allow the technical staff to work<sup>viii</sup>.

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<sup>i</sup> <http://articleinfocenter.com/what-is-an-amendments-convention-application-what-is-a-call/>

<sup>ii</sup> <http://articleinfocenter.com/newly-rediscovered-1889-st-louis-convention-states/>

<sup>iii</sup> <https://www.britannica.com/event/Hartford-Convention>

<sup>iv</sup> <https://www.britannica.com/event/Nashville-Convention>

<sup>v</sup> <http://www.history.com/this-day-in-history/states-meet-to-form-confederacy>

<sup>vi</sup> <http://bbaplanningconvention.org/wp-content/uploads/2017/06/WashingtonPeaceConference.pdf>

<sup>vii</sup> <https://i2i.org/the-1889-st-louis-convention-of-states/>

<sup>viii</sup> <http://articleinfocenter.com/the-santa-fe-convention-a-20th-century-convention-of-states/>