

X. CONCLUSION

Despite the prestige of the commentators subscribing to the narrative of uncertainty, that narrative is contradicted by virtually all the legal and historical evidence. The sources inform us clearly that a convention for proposing amendments is a convention of the states—a sibling to the many other conventions of states and colonies held over the past three hundred years.²⁴⁴

The composition and protocols of such gatherings are well established: Each state selects a delegation of commissioners in the manner the state legislature (or its designee) determines. The states meet on terms of sovereign equality, with each delegation enjoying equal voting power. The state legislatures prescribe the subject matter in advance, and the commissioners may only propose solutions within the scope of that subject matter. State legislatures may instruct and recall their commissioners. The convention establishes its own rules, elects its own officers, and decides whether to propose amendments. Unless those rules specify otherwise, proposals and other substantive decisions are adopted by a majority of states present and voting.²⁴⁵