


By the People- The Convention of States Project Part 1

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Dr. Clinton: Well thank you everyone for tuning in to our program today. You may know that Family Talk is a listener supported program and we remain on the air by your generosity, literally. If you can help us financially we would certainly appreciate it. God's blessings to you all.

Announcer: Today on Family Talk.

Roger Marsh: Welcome everyone to Family Talk. The radio ministry of the James Dobson Family Institute. I'm Roger Marsh and whether you are listening to us on the radio or online we are so glad you've joined us today. Today is September the 17th and 231 years ago the United States adopted the Constitution. This document is the oldest of its kind and was the basis for many other forms of law. Unfortunately many politicians are attempting to change or undermine the Constitution and infringe on our rights. The government we see today is far more demanding than what the Founding Fathers envisioned and it's our responsibility to return that power back to us the citizens. This is the passion of our guest today on this special edition of Family Talk. His name is Mark Meckler. He is the Founder and President of the Convention of States Project. This initiative is focused on Article V of the Constitution which involves citizens more in the legislative process. Today, Dr. Dobson sits down with Mark Meckler to discuss his organization and why the Constitution must be protected. Also joining in on today's broadcast is our Dobson Public Policy Director Jenna Ellis. With all of that let's get to the broadcast now. Here is Dr. James Dobson to introduce our guests and our topic on this edition of Family Talk.

Dr. Dobson: I really think you're going to find this subject interesting and highly relevant to your personal lives even though many of you are not into politics. Believe me this is not a political issue. This is the bread and butter of what this nation stands for. And we must understand it and understand how to protect it. Now we have two guests with us today. The first is a familiar name to many of you. She is Jenna Ellis who is our Director of Public Policy. And I tell you, Jenna you are a busy lady these days. You got in here from Washington D.C. or New York?

Jenna Ellis: From New York.

Dr. Dobson: From New York. At 5 o'clock this morning?

Jenna Ellis: Just about yes.

Dr. Dobson: You flew all night to get back and you have been there for what purpose?

Jenna Ellis: Yes and because this broadcast was so important to be here today is why I flew all night. And I was there for the Cavanaugh confirmation hearings and to speak in the media to all of our very concerned American families about why having a conservative on the

Supreme Court is so important, that conservative majority. And with the op-ed, Doctor, that you placed in Fox News that was very important to bring that voice [crosstalk 00:03:08].

Dr. Dobson: Did that open doors for you.

Jenna Ellis: It did. And that was very exciting to see.

Dr. Dobson: Did you do any television or radio while you were back there?

Jenna Ellis: Both and quite a lot of it. And of course Fox News and in particular Neil Cavuto has been very kind to us and also I met your friend Sean Hannity who said to tell you hello and was very gracious there.

Dr. Dobson: Well that's a good place for us to pause to introduce our other guest. Mark Meckler is his name and he is an attorney, he was a practicing attorney for a time. He has another responsibility related to the Constitution that we're going to hear about. But Mark, apparently you and I either met or crossed paths once before. Tell us what that was.

Mark Meckler: Well it was a pretty pivotal event in my life doctor and so it's important for people to know that I'm a fairly recent believer. I came to Christ about five years ago and I am now-

Dr. Dobson: You were raised as a secular Jew.

Mark Meckler: That's correct. I was raised in Los Angeles as a secular Jew.

Dr. Dobson: You were a confirmed atheist when you went off to college.

Mark Meckler: Yeah I would say probably militant atheist is a better way to put it after I came out of college like so many kids-

Dr. Dobson: How in the world did you get from there to here?

Mark Meckler: God is merciful, I would say is the most important thing I could say. But I got involved in politics and I think that's an odd path to come to Christ. But I crossed paths with a lot of incredible Christians and you and I crossed paths. I wouldn't expect that you would remember it but we were at an important political event sitting at a big table at a fancy dinner. And I was there and you were there with your beautiful wife and sitting around this table all kinds of political discussion going on and just honestly watching you I was amazed. I had met through politics many powerful influential people and so many of them, Doctor, are so impressed with their own power. And we see this as people get on TV.

Dr. Dobson: It's seductive, isn't it?

Mark Meckler: It is seductive. And so I had met a lot of people like that and I'm really just a country boy. I don't like fame and power, I'm not attracted to it. But you see a lot of people that do and sitting at that table at dinner that night I don't think you and I said a lot to each other but I watched you interact with the people at that table and what I saw was the most extraordinary,

obvious sense of humility, honestly, that I'd ever witnessed in my life. And it had a profound impact on me. Honestly, I get a little bit emotional talking about it today. And I just remember watching you and your wife and how you interacted with other people and just thinking I don't know what that is but whatever that is it's very attractive and I want to be like that.

Dr. Dobson: I don't know what it is either, maybe we could bottle it. I didn't know you were watching me. Isn't it interesting how your Christianity, if it's real, does have an influence on other people?

Mark Meckler: Well it had a profound impact on my walk and bringing me to Christ ultimately, but it also has a profound impact on me every day in how I try to walk because I remember that dinner and I remember the impact you had on me, and I know that you didn't know and you weren't doing it to have an impact. You were just walking with Christ. And so I try to emulate that every day of my life.

Dr. Dobson: When did you come to Christ and how did that happen?

Mark Meckler: Well the brief version of a long story is crossing paths with Michael Ferris, with you, and a lot of other people who were I think really walking the walk with Christ. And then, to be honest, I'm a very logical person. I'm a lawyer and so I consider myself extremely logical. I had to do a lot of reading. I read apologetics. I read scripture. I had some incredible mentors who were directing me along the way. And it's a little bit embarrassing. I wish I could tell you that there was a moment and I felt the Holy Spirit flood over me, it really isn't like that. It was one day it just didn't make any sense to me anymore not to believe. The proof had become so obvious and overwhelming to me that I became a believer and I have to give some credit also to my wife who's always been a believer. So as of last month we've been married 25 years. I think that makes her the most patient woman on earth and she was willing to walk by my side all those years without me being a believer. So, she plays a big role in this for me.

Dr. Dobson: You know I often say to people who've come the path that you have come that it is amazing that God wanted you before you knew him, that he found a way into your life and that Jesus had an impact on you before you even understood what the gospel was all about. And he drew you. The scripture says that "No man comes to the father except that he be drawn by the Holy Spirit." You were drawn, weren't you?

Mark Meckler: You know when I look back over the course of my life I've been drawn my whole life towards the Holy Spirit. I'm just a little bit of a slow learner I'm afraid.

Dr. Dobson: Well how did you get interested in the Constitution? And what about it had such an impact on you?

Mark Meckler: As a lawyer, you study the Constitution in law school, so I've been paying attention to it for a long time. One of the things among lawyers that's so strange that your listeners will probably be surprised to hear is you go to law school every law student in their very first year of law school takes a constitutional law course. And I had somebody ask me

once if I read the Constitution in law school. I was a little bit offended by the question and a little bit reacted to that and when I thought about it the real answer was: "No." I had never read the Constitution.

Dr. Dobson: You studied it but didn't read it all.

Mark Meckler: Well we never even studied the Constitution itself, Doctor. Amazingly, the way it's taught in law school is you read the opinions of Supreme Court justices about what they think about how we should think about the Constitution. You never actually read the document.

Dr. Dobson: That's really breathtaking when you consider, as I said before, what the Founding Fathers did for us. That is an unbelievable document that stood all of these years, 231 years today. And yet we don't give it more credibility than that in a law school.

Mark Meckler: Well I think we've come to the point unfortunately and I would argue this started happening probably about 115 years ago or so where we cared more as a society and as a government about what people in black robes think about the Constitution than what the Constitution actually says and what the Founders meant.

Dr. Dobson: Well that took you on a path that you're still on today. In fact, I've failed to mention, Jenna, that you are an attorney too and you've been through law school and so you understand what Mark was talking about.

Jenna Ellis: Absolutely and that was my same experience and I'm a millennial of course so went through law school a few years after Mark. But I can attest then to having the exact same experience and even starting at a law school where my constitutional law professor was openly a Christian. Even in that context we still didn't read the Constitution. We only learned about the opinions, and law is tight as totally arbitrary, meaning there is no right or wrong foundation, it's just whatever our current society and our current government want the law to be and want the law to mean. That's what is the justification for law. And so, as I went through law school, that was profoundly discouraging to me as a Christian, to say well, so, at the time same sex marriage for example, the Obergefell decision had not come down yet but people were talking about it. And that opinion then magically one day now everything is legal. And so there's no difference and there's no predictability, there's no firm morality. And that is so completely the opposite of what the founders intended.

Dr. Dobson: That is discouraging to the rest of us who haven't been there and heard that and I had assumed that lawyers carry a copy of the Constitution in their vest pocket. That's not necessarily true.

Jenna Ellis: I wish that they did.

Dr. Dobson: They're looking at precedent more than they are at the words of the Constitution.

Jenna Ellis: When they go into court everything that they reference will be Supreme Court precedent. If we look back even at the confirmation hearings of Judge Kavanaugh, so many questions were geared toward precedent. For example, Senator Feinstein made a big deal out of saying, "Is Roe vs. Wade settled law? Isn't that opinion valid?" They made more of a big deal about what the Supreme Court has said than what our Constitution itself says.

Dr. Dobson: Well the Constitution doesn't say anything about Roe v. Wade or the background for it, does it?

Jenna Ellis: It doesn't.

Mark Meckler: You know Doctor there's an example of this that I think's really important which is, you referenced the pocket Constitution that some people carry around with them, a lot of people carry around today. So that's the one that the Founders gave us, the Framers gave us. The original is in the National Archives, it's beautiful if you ever get the chance as a family to go to Washington D.C. and see it, I recommend it. And so that's the document that you and I think about when we think of the Constitution. Today if you order a Constitution from the government publishing office which you can do, it's about \$130. It's over 2800 pages long. It's called the United States Constitution.

Dr. Dobson: Those are rulings though, aren't they?

Mark Meckler: That's it. So all the case law. So what that means to the families that are listening to this is when you think about living under the United States Constitution, we believe, we think it's this little document that we can carry in a pocket. It's actually now over 2800 pages of rulings.

Dr. Dobson: Unbelievable. Whereas the Constitution is really a very small little booklet.

Mark Meckler: Well it was meant for regular people. It's very simple to understand. And yet all these justices have told us over all these decades that they're so smart they have to explain to us through 2800 pages what it actually means.

Roger Marsh: You are listening to Family Talk, a radio production of the James Dobson Family Institute. I'm Roger Marsh. I'm jumping in here for just a moment, encouraging you to visit dobsonfamilyinstitute.com to discover how our ministry is growing. There you can read about the four pillars of influence that this expansion is built upon. Those areas are through our Public Policy Center, educational partnerships, The Dobson Digital Library and these broadcasts. That website again is dobsonfamilyinstitute.com. And of course we wouldn't be able to accomplish any of this progress without your consistent help. We rely on God for your generous financial contributions and every gift that you give has a tremendous impact on the people that we are able to reach through this ministry. Go to drjamesdobson.org or call 877-732-6825 and learn how easy it is to give a gift of financial support of our ministry either on the phone or online. OK. Here now is the remainder of today's broadcast on this edition of Family Talk.

Dr. Dobson: Now therein lies the rub because from that understanding the rulings by the legal profession, the judges, and especially the Supreme Court justices, changes the meaning of the Constitution by their interpretation. And in a way it's sort of a mini Constitutional Convention whenever they meet because what they say it means is what it means.

Mark Meckler: Well and let me give you a really specific example for families. In the Constitution there is no authority for the federal government to be involved in education at all. Yet the families that are listening know that the federal government has lots of rules about education.

Dr. Dobson: Or healthcare.

Mark Meckler: Or healthcare. Thomas Jefferson when he was founding the University of Virginia was specifically asked by one of his friends to get federal funding for that institution and he said, "There's no authority in the Constitution for that. We would need an amendment." That amendment's never been passed except for the Supreme Court has done exactly what you've said, they've given the federal government the authority, just given it, by what I would call judicial fiat. By amending on their own they've given the federal government the authority to be involved in education and we need to fix that.

Dr. Dobson: And it has eroded in its meaning as a result of that.

Mark Meckler: Absolutely.

Dr. Dobson: And that's why we need to protect it.

Mark Meckler: Correct.

Dr. Dobson: Jenna, you agree?

Jenna Ellis: Absolutely. And we have to remember that the Constitution is just the limited powers that we the people give to the federal government for the purpose of protecting us. The document itself doesn't delegate to us what our rights are and does not tell how the federal government can regulate those and to Mark's example tell us about what families can do for parental rights for school choice, for things like health care, for things like pro-life. That's not what the Constitution says but that's what the Supreme Court will say because they want to take that power away from you the parent and say someone in Washington gets to tell you how to raise your kids. And that's why to me this project that we're talking about today about how to protect that is so important.

Dr. Dobson: Well let's get to it because it's so important, and by the way this is one of those days when I don't have a very clear voice, it just comes and goes. And this is one of the days where it went, but I think people will understand. In my introduction I talked about protecting and preserving the Constitution and how to preserve the rights that are enumerated there. I'm sure that there are many people in our audience that don't know that in addition to setting up

the structure and the frame on which government is built it is a document to protect you and me. Our private rights, our freedom of speech, freedom of religion and on it goes. You all can name them for me in the Bill of Rights real quickly, can you do that?

Jenna Ellis: Well our first amendment provides what I like to call our triad of first liberties which is freedom of speech, freedom of association and freedom of religion. It also provides freedom of the press as well and to petition the government for what they call redress of grievances. So why those are so important is because we have to be able to speak, to speak truth and to speak freely. We have to do what we're doing here today and with the millions of people that are listening, we are associating together for the purpose of talking about something. What is that our free exercise of religion means we get to speak freely together and talk about God.

Dr. Dobson: They tried during the Obama administration, both he and Hilary, tried to change the wording there to freedom of worship and what that means is you can worship in your church house but don't take it into the public square. But the truth of the matter is the Founding Fathers said it's freedom of religion, anywhere you go you are free to express it.

Jenna Ellis: Absolutely. I don't stop being a Christian when I walk out the doors of my church.

Dr. Dobson: Well let's get to your organization now Mark. You're involved in an effort to protect the Constitution by the terms of Article V in the constitution which was the last article put into the Constitution by the Framers. Tell us the story of how it came about and why it's relevant to you and me today.

Mark Meckler: Yeah, it's an extraordinary piece of American history that most people don't know. I think every kid should know this story. So, two days before the anniversary date today, so on September 15th, 1787, Colonel George Mason from Virginia stands to address the assembly. And I think it's important to remember where they were at. They'd been there for months. They were tired. They were pretty much done and ready to go home. In fact the document was finished. And he addressed the assembly and he said something like this that "We've made a mistake. We have given the right to Congress to propose amendments if they think they become necessary. But we haven't given that same right to the people." And then he asked a question which I think resonates 231 years later, he said "Are we so foolish that we believe that Congress will propose amendments to restrain its own tyranny?"

And I imagine that they laughed. I mean we don't have video, unfortunately, but I bet they laughed. And I think we can actually tell they did laugh. And here's how we can tell. Madison has really amazing notes from this. Madison's notes in that section read just two little Latin words, "nin com," and what that means doctor is: no comment. There is literally not one person said anything. I think they all slapped their foreheads and laughed and said "This is so obvious. Of course we have to have the power." And so they voted on it. It's the only thing to go into the Constitution unanimously and what it does is it gives you and me, families out there, regular people, the power to get our states together in an assembly where we can propose amendments to restore rights to the people that the federal government has taken away.

Dr. Dobson: Now so few people understand that. The Constitution allows us to actually amend itself, isn't that incredible? What forethought that they could look down to our day and recognize that our congressmen and senators and in some cases our Chief Executive Officer or the president and the courts have gone their own way and have invaded our world. As you know, in the last few years, Family Talk was required by the Obama administration to give contraceptives to our employees who asked for them that would be a threat to an unborn baby. That was unconscionable to us. I wrote the president and said "I will not do it. Come get me if you must." But that was an invasion of my right and our rights here at Family Talk and other Christian organizations not to be involved in abortion in that way. And there was an assault on fundamental rights given to us in the Constitution. Article V allows us to change that if we can just agree on it.

Mark Meckler: It does and what's important about that particular situation is remember that they did that under the cover of a healthcare program, right. So, what's commonly known as Obamacare, which by the way I believe there is no constitutional justification for Obamacare. And so what the Article V movement is all about is restoring the intent of the original Constitution, restoring the idea that federal power is limited and it can't intrude on the basic fundamental rights of individuals and families. And so yeah we could prohibit stuff like that in a convention and I expect that we will.

Dr. Dobson: Well I said at the top of the program that this was going to be a very important discussion today and one that we don't usually deal with or at least that historical perspective. But now I think our listeners can see that this is relevant to me. This is my right to worship as I want. This is my right to raise my children as my spouse and I feel it should be done and my right to assemble with others and all of those things are protected in the Constitution. But it is changing and we've got people that are staying in power long after the Founding Fathers thought that they would. They would never have expected career politicians. There's so many things about the Constitution that we need to talk about and we can't do it in a half hour program. So we're going to talk about it again tomorrow. I beg our listeners to be back with us tomorrow because we're gonna get to the substance of what can be done to protect the Constitution. And you guys have agreed to be with us next time, right?

Mark Meckler: Absolutely.

Jenna Ellis: Of course.

Dr. Dobson: You better Jenna.

Jenna Ellis: I will sir, absolutely. Thank you.

Dr. Dobson: Thank you for being there Mark. Thank you for what you're doing. I didn't get the name of your organization said as a place to close today. Tell me what it is.

Mark Meckler: People, if they want to get involved or just learn more, go to conventionofstates.com, that's conventionofstates.com. It's easy, it's simple. You can learn all you want to know about this idea.

Dr. Dobson: And you will tell us more next time.

Mark Meckler: Looking forward to it.

Dr. Dobson: Thank you all.

Roger Marsh: We hope you have enjoyed this discussion about the history of the Constitution. Find more information about the Convention of States Project by going to our broadcast page at drjamesdobson.org. There you'll see a link to their site where you can sign their petition and also much, much more. That's drjamesdobson.org and then click on to the broadcast page. Another way you can connect with us is through our social media accounts. You can follow Family Talk on Facebook, Twitter, Instagram, Pinterest or YouTube. Our profiles have great content that you want to read and then share with your family and friends. You can read various articles or blogs that we've posted, listen to radio broadcasts just like this one or watch our newest informative videos. If you are discouraged by what you're seeing on social media right now be sure to like and follow our pages. Simply search for Family Talk and get plugged in with us. Thanks for tuning into today's broadcast. Be sure to join us again tomorrow to hear the conclusion of the discussion on the Convention of States Project. I'm Roger Marsh and I hope you'll be with us again next time right here on Family Talk.

Announcer: This has been a presentation of the Dr. James Dobson Family Institute.