


By the People- The Convention of States Project Part 2

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Announcer: Today on Family Talk.

Roger Marsh: While constructing the constitution. The founding fathers thought that one day the government could become too powerful. To keep that from happening, the writers included a provision to limit legislative and executive power. Article Five of the United States constitution is the necessary constraint on the federal government to ensure that our rights are protected.

You're listening to Family Talk, a production of the James Dobson Family Institute. I'm Roger Marsh, and today we're continuing a discussion on this topic that Dr. Dobson began on yesterday's program.

Mark Meckler was our guest previously, and he joins us again today. He's the founder of the Convention of States project. Also joining the conversation is Jenna Ellis, our director of public policy, here at the James Dobson Family Institute.

Today, our panel will further explain this project and how it would be properly implemented in the legislative process. Mark Meckler will also identify some opposition to this initiative and why Americans must get involved in politics.

Here now is part two of a broadcast we've titled, By the People, here on Family Talk.

Mark Meckler: The organization is called Convention of States, and it is organized now in all 50 states in the nation. It was founded five years ago. Actually, Mike Farris, who you know and are friends with, was my co-founder of the organization.

Dr. Dobson: Remind us of what he does.

Mark Meckler: So Mike Farris is now the president of ADF, Alliance Defending Freedom, a religious liberties organization, luckily, one of my best friends and the guy who brought the idea of Convention of States to me. We have 30 employees, where, like I said we're organized in all 50 states. There are over 3.6 million people involved in the movement today, and Doctor, I think the most amazing thing, never before in American history has an organization done this. We have representatives literally in every single state legislative district in the nation.

What they do is they're out there talking to their legislators in their states, lobbying them, sending letters and emails to them, asking them to call a Convention of States to get involved in this process of taking power away from the federal government and giving it back to regular people and their families.

Dr. Dobson: I told you when you were in my office before we went on the air that this feels like a mountain a mile high. I mean, you're actually trying to have a convention ... It's not a convention. Is that what it ... It's a-

Mark Meckler: Well, people get a little bit confused. Some people will call it a constitutional convention. It's important that people remember that's not what it is. What it is, is a chance for the states to get together. I call it a suggesting meeting. They get together, have a discussion and suggest and propose amendments to the constitution.

Jenna Ellis: And I like to use the example ... So, we have in our two political parties, every presidential year, we'll have the Republican National Convention or the Democratic National Convention. Just because we use that term, convention, that doesn't mean that there's the same powers as a constitutional convention. All that term means is we're getting together for a purpose. And in 1787, that purpose was to draft and ratify what's become our US Constitution.

Today, and what Mark and I are very confident will happen is a Convention of the States, meaning the states, their delegates, will convene together for the only purpose, which is to propose amendments that will limit the federal government power and return it to we the people, to the families, to the individuals.

Mark Meckler: And to give you a status update, Doctor, where we're at today actually, and it is a mountain in a mile high, I think. It was intended by the founders to be a very high bar. It takes 34 states to get together to request this. Today we're over one-third of the way there. 12 states have already passed this resolution and have asked for this convention.

Dr. Dobson: Isn't that incredible?

Mark Meckler: I actually think it's nothing short of miraculous, and lot of people said, "You can't do it. You can't do it at all." But I have faith in the Lord, and I have faith in the American people.

Dr. Dobson: Listen to me everyone. I have a list here of well-known people, respected, highly-respected people who are part of this movement. Pay Attention. Mark Levin, Sean Hannity, Senator Rand Paul, Sarah Palin, Ben Shapiro, Senator Marco Rubio, Governor Mike Huckabee, Governor Bobby Jindal, Former Senator Tom Coburn, Michael Farris, Housing and Urban Development Secretary, Ben Carson, and Morton Blackwell and many others.

I mean, you got a good starting point there with that array of political leaders.

Mark Meckler: Yeah. We feel incredibly blessed to have all those people on board, but I have to add, Doctor, I think it's a pivotal moment to have you join and endorse the movement.

Dr. Dobson: I'm there.

Mark Meckler: We appreciate it.

Dr. Dobson: Jenna, how excited are you about even the possibility of Article Five being put into effect in this way?

Jenna Ellis: I think it's so exciting, and the reason is because when we look at who our founding fathers were as lawyers and also as people who understood that our rights are pre-political, meaning they don't come from the government.

Dr. Dobson: They come from God.

Jenna Ellis: They come from God himself, and so to have this clause that's in Article Five never being used in our history is actually remarkable that it hasn't been used. I think this is the most important step that we can possibly take to protect and preserve our liberty for my generation and all of the generations that come after.

Dr. Dobson: Well Jenna, we need to understand more about what would be done at that convention. People worry about opening that door. The far left will try to run through it and change everything, but it can have very limited scope if it's set up that way. Is that right?

Jenna Ellis: Yes. And there are several protections against that. And so any of those concerns really go against what's not only in the text of the constitution, but also how we have amended our constitution before. So remember, we have 27 amendments throughout our nation's history. I'm very grateful that as a woman I can vote. We've amended our constitution to allow that.

So, we have continued to make sure that we're protecting the rights of individuals through perfecting our document. And that's what Article Five allows us to do. We've only done it through congress, but now we can do it through the states, but the states have to agree initially what is the subject matter, what limited things are we going to talk about. So currently, there are over 400 live applications or petitions that have gone through state legislatures, but they've never agreed on what to talk about. So, we've never called a Convention of the States. So, what Mark's movement is doing, what the Convention of States movement is doing is having a uniform petition to say we the states agree on what we're going to talk about.

Mark Meckler: And people can find, by the way, the language of that petition if they're curious. They can go to ConventionofStates.com, and they can actually read the petition, and Doctor, I want to refer back to something that you mentioned, which is about the fear of somehow the left in America taking over and running away with this, and the best evidence that that's not the case is what the left itself says about the idea of calling a Convention of States and the Convention of States project.

Amazingly, on Good Friday, about a year and a half ago now, a year ago Good Friday, over 230 groups on the American left signed a single press release against what we're doing. It was led by every name you can possibly imagine. Planned Parenthood was on there. La Rosa was on there. All the anti-family organizations, literally in the United States of America, every single one of them was on this press release against it.

Dr. Dobson: They were afraid of the American people, weren't they?

Mark Meckler: That is correct. Well, Doctor, they've been essentially amending the constitution

for decades via the Supreme Court. They are concerned that people like us, good conservative Americans, are now going to use the constitution to protect the constitution.

Dr. Dobson: The reason for me not to worry about such a convention is that it has to be ratified by 34 states. You're not going to get some off the wall interpretation of the constitution if it is not simply an end in itself, people get together, and they decide we're gonna change the Bill of Rights, or we're going to get rid of it, or what have you. That can't happen if you've got this check and balance. You've got 34 states. What role does Congress play in this?

Jenna Ellis: Absolutely none. And so that's a protection and a check. And so this is where we get into the idea that the American people and our state legislatures will definitely not have some crazy runaway amendment.

Dr. Dobson: Mark, what topics would you like to see considered?

Mark Meckler: Well, the subject matters, as set out in the application, and again, people can look at that at ConventionofStates.com. That's where they can get involved too. But the subject matter, it's three subject matter areas.

One is we can talk about, in Convention, anything that would put fiscal restraints on the federal government. As families, we know, we've got to watch the checkbook and watch that balance. We can't spend more than we have, and we're all frustrated the federal government doesn't follow the same rules.

Dr. Dobson: We have 20 trillion dollars' worth of debt right now.

Mark Meckler: Yeah. Right there on the books.

Dr. Dobson: And that could be addressed.

Mark Meckler: Absolutely. So things like a balanced budget amendment or putting limitations on what they can tax and what they can spend. Those are things we could impose.

Another one is term limits. You mentioned that people don't like the fact that we have these career politicians in Washington DC. They go there forever. They get rich. We can impose term limits on them, and I think another important part of term limits is term limits on the federal bureaucrats, and this is a place where families are really suffering. We have bureaucrats in Washington DC, for example, making educational decisions for families that they have no right to be making, and they shouldn't be there for 30 and 40 years, having these incredibly powerful positions. We can limit those things. And then Doctor, I think the most important, what I call the central plank of the Convention of States resolution, is limiting the scope, the power and the jurisdiction of the federal government.

Most people, in one way or another, are frustrated by things that the federal government is telling them they can and can't do. It was never meant to be the role of the federal government, and we can take those powers away from the federal government in a convention.

Dr. Dobson: And we can never expect congress to do this to themselves because they love

power. And they love to stay there. Incumbency is everything to them, and therefore, there are these crazy laws that are passed, and then we have to bear the burden. And in many cases they don't even apply the laws to themselves.

Mark Meckler: Yeah. And you know, that's just human nature, right? I mean, human beings, we're flawed and fallen creatures, and ultimate power corrupts ultimately, right? Total power is total corruption. Well, so the thing is that we understood this when we founded the country, and the founders set up a system of checks and balances to prevent that. And I think this is a really important point. Some people will say, Doctor, "Well, we should just elect better people." And by the way, I agree with that. We should work really hard to elect better, more moral people to office. That's our obligation as citizens.

But we have structural defects in our system of governance that we, the people, have the responsibility to fix.

Dr. Dobson: Listen, I've watched this process now for about 40 years, and I'm telling you that you vote for people based on what they promise, and they get to Washington, and there's something called Potomac Fever, and they began to want more and more power and to spend more and more money, and they change. I'm telling you, they change.

Jenna Ellis: And that's why it's so important to remember that this convention is outside of Washington. And we often talk about a separation of powers when we're just talking about the three branches of the federal government, but people need to also remember that there's a separation between Washington and the states and the people. The ninth and 10th amendments provide that the specific powers not granted to the federal government should be reserved to the states and to the people. And Article Five provides the way that we, the people, through the states, outside of Washington, can reign in.

Roger Marsh: Well, we have reached the midpoint of today's broadcast. Once again, I'm Roger Marsh, and I hope that you've been captivated by today's discussion. Learn more about Mark Meckler's project by visiting ConventionofStates.com.

Before we return to the conclusion of this broadcast, I want to quickly thank everyone who is listening to the broadcast today for the incredible support that you're showing with your prayers and your generous financial contributions. They allow us to continue caring for marriages and families. Go to DrJamesDobson.org or call 877-732-6825 to see how easy it is for you to partner with us. And now, let's return to the conclusion of Dr. James Dobson's. Conversation with Mark Meckler here on Family Talk.

Dr. Dobson: Who would run it administratively? Who would set this up, and how would it be governed? I mean, can the Supreme Court say that's not constitutional to do what you're trying to do?

Mark Meckler: No, and as Jenna was describing, the federal government actually itself has no involvement in the process whatsoever. The constitution-

Dr. Dobson: Not even the Supreme Court?

Mark Meckler: Not even the Supreme Court. The constitution-

Dr. Dobson: So, who makes that decision?

Mark Meckler: To me, this is one of the most exciting things about the whole process. So, the congress will set the time and place for convention only. Other than that, they have no role to play. So, what happens is each state selects its own delegates by whatever process it decides, and I love that because our system is a, what's called a, federalist system, meaning the states have independent powers, separate from the federal government. So, each state will decide for itself. Each state will decide who the delegates are and how many to send. Each state will give them whatever authority they want to give them. And when they get to Convention, in Convention, they get together, and the delegates from the states will run the convention themselves. Really important to note. One vote per state, period. That's how it's always been. It's the only way it could be. And so the big states and the small states have the same vote. I know there are people who are worried about New York or my crazy home state of California. There's some good people there, by the way. I know people worry about the very liberal states, but they're going to have the same exact amount of votes as smaller states like maybe Kansas or Iowa.

Dr. Dobson: So, who would be in charge?

Mark Meckler: Well, the way the convention works, and we've actually run one of these, Doctor in Williamsburg, Virginia about a year and a half ago. We ran a simulated convention. When the delegates get together, they will elect their own officers in the same way any legislature does, and they will vote upon a set of rules by which they will run the convention. Likely, those will be the same sort of rules that they use in state legislatures because most of the people who will attend likely will be either sitting state legislators or retired state legislators, and then they will operate in Convention according to that set of rules.

Dr. Dobson: Mark, you talked yesterday about some people that you admire and some people that were heroes to you. One of my heroes was Phyllis Schlafly, and she had a great influence on me in the early years of my professional life and I got acquainted with her, and I heard what she said, and I thought she made a lot of sense, and she had a great impact on this country. She was opposed to this idea. Do you know why?

Mark Meckler: First I have to tell you: one of my heroes too. I mean, if you're a conservative in America, if you're a pro-life person, and Phyllis Schlafly isn't one of your heroes, you probably don't know who she was. Really an icon, and I think she was right about almost everything. On this instance, she was wrong, and here's what I know about it. I never spoke to her about it personally. She worked with Mike Ferris a lot, my partner in this. They worked together on a lot of important issues in America.

Here's what I know about the story. Phyllis Schlafly wrote a letter to Chief Justice Warren Burger asking him what he thought about the idea of calling one of these conventions. It's important we remember, and most people won't know this, but Chief Justice Warren Burger presided over Roe V. Wade. So, he was the sitting chief justice of the United States Supreme Court when they issued Roe versus Wade. She asked him this question at a time when states were proposing Article Five resolutions to repeal Roe versus Wade, to overturn Roe versus Wade.

So when he gets this letter from Phyllis Schlafly, frankly, the leader of the pro-life movement, or one of the primary leaders, asking what he thinks about this sort of convention, it's pretty obvious what he's going to say. And what he said to her was, "It's crazy. We could have a runaway convention, and we could lose our beloved constitution."

And Phyllis, I think this was a mistake, carried that letter with her around the country for a lot of years after that, saying that we could lose our constitution. And I frankly don't think that she understood that she had been a little bit bamboozled by the Chief Justice, and we actually ... People can read this at ConventionofStates.com. You can see the letter. You can see that the left played on that. They got professors from Harvard and Yale to start writing law review articles about the runaway convention. And that has continued from that time to try to stop people on the right from restoring their constitutional rights.

Dr. Dobson: Tell me what your organization does day by day to advance this cause.

Mark Meckler: Well there's a broad range of activities. I would describe the vast majority of them as grassroots. So, I'm a grassroots, regular guy. I lived on some acreage out in the country. Those are my people, Doctor, so probably like most of your listeners, just regular folks. And what we do is we recruit and train and educate regular people about their rights under the constitution, and rights always come with responsibilities. And so, one of our fundamental responsibilities is to protect that beloved document and help it to continue to protect our rights. And so, we're encouraging them to get involved in the movement.

Once they're involved, we have another organization that teaches them how to lobby their legislators and calls them to do so when the time is right and asks them to ask their legislators to call for a Convention of States.

So, that's a broad range of activities. The vast majority of them are what I would describe as grassroots actions.

Jenna Ellis: The main idea of this, when we talk about reining in the federal government, what that means is that we, the people, said, "We are preserving all of our rights." We aren't like old England where our founders came from in that system of government. Their bill of rights was to say, in order for the government to protect you and I, the individual, we will give up all of our rights to the government in exchange for protection.

And then the bill of rights was saying, well, we're going to reserve some of those rights and say, government, you shouldn't infringe on these very specific things.

Our constitution works very differently. We, the people, are saying, "We're not giving anything to the government except very, very, very limited power because we are a government of the people, by the people and for the people."

Dr. Dobson: That was Abraham Lincoln's statement in his Gettysburg Address in 1863.

Jenna Ellis: Yes. And so this whole idea is what we, the people, have to recognize is still embedded in our constitution and why it's so important to protect it. This isn't changing anything about our federal government except returning it to that original proposition, which is to say that we, the people, are sovereign. We have from God, our creator, our rights.

And so this movement isn't about further infringing. It's not about a runaway government. It's not about a runaway convention. It's about saying "Washington DC, you have gone so far outside the margins of your limited power. We are going to narrow that and to tell you these are the things you're allowed to legislate on period."

And you know what's not in the constitution? Healthcare, anything about domestic relations, anything related to any of those social issues that we care about, school choice, all of the things that families and parents, on a daily basis, are making decisions about. Those things aren't in the constitution,

Dr. Dobson: Mark, we're almost out of time, and I wish we had another 10, 15 minutes to answer this question but you're going to have to truncate it a bit. How can people let their voices be heard? How can they participate? How can they advance this cause? Summarize it very quickly for us, and then Jenna, I want you to end with that.

Mark Meckler: Sure. Well, so the way they get involved is going to ConventionofStates.com, signing up and getting involved in the process. And Doctor, I know some people will be scared of that because it's politics, right? And people don't want to be involved in politics. I got to tell you, this is not politics. It's not partisan. What we're talking about is the preservation of the values of the nation that you love.

Dr. Dobson: It's you and your kids and your family.

Mark Meckler: Absolutely.

Dr. Dobson: And your church.

Mark Meckler: You know, this is ... At its most simple, this is the way I describe the movement. This is a movement about who decides. Are we, the people, going to allow Washington DC to decide for us, or are we going to decide for ourselves and our own families? And I would encourage people to not be afraid. I hear a lot of people say, "Ah, I'm afraid of this." And you know, I've been wearing a dog tag around my neck for years, ever since I became a believer. My son gave this to me. He's in the Marines, and he got it from the chaplain in the Marines. It's got Joshua 1:9 on it. To paraphrase it, "Do not be terrified or discouraged. Be strong and

courageous for the Lord, my God, is always with me." And so in this fight, if you're going to engage in this fight, don't be afraid. Go to ConventionofStates.com. Get engaged, and get involved in saving the country for your kids.

Dr. Dobson: How about motivation to participate in midterm elections, not only for your representatives in Washington, but for your state representatives as well.

Mark Meckler: Doctor, I've been in 44 states in the last couple of years, and I'll tell you, you have to participate. This is baseline stuff about preserving the nation for your family, getting the government out of your business at the state and the federal level. You have to vote, and I would say voting is not enough. You have to get your friends and your neighbors and fellow members of your congregation or church to get out and vote as well. Voting is a fundamental of preservation of liberty in this country.

Jenna Ellis: And I would just say that this is an exciting thing that we get to participate in. Our government is structured in a way that we don't have to sit on the sidelines. We can have a voice and actively participate, and not only is that an exciting thing we can do, I think it's an obligation of every Christian and every parent to make sure we're involved in this process because our constitution allows it.

Dr. Dobson: Ladies and Gentlemen, I hope you've heard it. I wish you would get copies of this program and give it to everybody you know. Try to help them understand what's at stake here. Be sure you vote. Get to the polls and vote. And finally, pray about this. Our country is in serious jeopardy. I really do believe that. I believe we've been given a little reprieve here, but that's not going to last very long, and that there's a socialist movement out there that would essentially change the constitution. That worries me for my grandchildren and future generations. I ask you to take this seriously and do what you can to protect this great country.

Thank you all. It's been a wonderful two-day program. It's different than what we usually address here, but this is the foundation of what our country's all about, including our ability to serve God with a willing mind and according to scripture. That's at stake too. God's blessings to you all.

Mark Meckler: Thank you, Doctor.

Jenna Ellis: Thank you.

Roger Marsh: And on that note, we conclude today's edition of Family Talk featuring a discussion Dr. James Dobson had with Mark Meckler from Convention of States project. Go to ConventionofStates.com to find out how you can be part of this movement.

Now during today's broadcast, you also heard from our director of public policy, Jenna Ellis as well. You can visit DobsonFamilyInstitute.com to read her various blogs and learn more about the Dobson Policy Center.

Thanks for listening to today's broadcast and be sure to join us again tomorrow to hear about the Battles in Fatherhood from author and speaker Phil Callaway. That's coming up next time on Family Talk, a production of the James Dobson Family Institute.

I'm Roger Marsh. Have a great day everyone.

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