



STUDY GUIDE

WHY WE'RE LOSING LIBERTY

KEY TERMS: liberty tyranny rights
amendment judicial-review

NOTE-TAKING COLUMN: Complete this section <u>during</u> the video. Include definitions and key terms.	CUE COLUMN: Complete this section <u>after</u> the video.
<p>Did the framers of the constitution give the power to enforce rights to the Supreme Court?</p> <p>How do most Americans view the Supreme Court?</p> <p>How can freedom be given away?</p>	<p>How has the federal government become so much bigger and powerful than the framers of the constitution designed it to be?</p> <p>What are the consequences to states and individual citizens of the federal government becoming so big and powerful?</p>

DISCUSSION & REVIEW QUESTIONS:

- Before watching this video, were you even aware of how much freedom you are losing? What do you think now? How do you think that losing so much freedom impacts you? Do you care? Why or why not?
- The framers of the constitution wished to prevent the kind of tyranny, the immense power of a government over its people, that the monarchical dynasties in Europe had imposed on its citizens from happening in the United States. So they drafted the constitution as a document to 'save people from the government' not to save the government from the people. Thus, the Federalists argued for judicial review because they believed that mechanisms limiting the national government would help protect the people from the government growing too large and powerful, and thus limiting the freedoms of the people. Further, as Professor George explains, "The Constitution did not envision a national government of general jurisdiction – meaning a government that could do whatever it wanted – but rather, a government of enumerated and delegated powers – a government that had authority over only specific areas of American life." Do you think that the federal government has too much power over our lives? Do you think the government, at this point, can 'do whatever it wants?' Why or why not?
- One insidious aspect of the erosion of American freedoms is that it has happened so gradually. Professor George inform us that, "These amendments [the ninth and tenth] reinforced the idea that the national government couldn't just assume powers it had not been specifically granted by the Constitution," but that, "The power grab the Federalists feared – the national government taking more and more control over more and more areas of American life – took place. Not immediately, but over time, and especially beginning in the second half of the 20th century." How much do you think that the gradual usurpation of power by the federal government happened due to lack of awareness by the general public? How much might have been due to apathy on the part of the general public? What factors do you think have contributed to all three branches of government overreaching their own power whilst not acting to limit the power of the others?
- The Supreme Court is not supposed to enforce anything or make new laws, either directly or indirectly. The courts were meant to limit the power of the other two branches of government by judicial review- the power to determine whether a law written by the legislative branch is constitutional or not- in other words whether it can and should be enforced by the executive branch or not. That what it means to 'interpret' the law- to see if it's eligible under the letter and/or spirit of the constitution to be enforced by the executive. That's all. But Professor George shares with us that, "...now, most Americans think of the Supreme Court as the ultimate arbiter of almost every social and political dispute," a role that the, "...Founders never envisioned [for] the court..." He cites as an example, "...Roe v. Wade in the 1970s, which legalized abortion throughout the United States – in which the justices have plainly overstepped the bounds of their authority by creating law from the bench, thereby further expanding their own power and that of the national government." Worse, we learn that, "...the Supreme Court has done little to stop the executive and legislative branches of the national government from unconstitutionally overreaching." Professor George cites the "Affordable Care Act," also known as "Obamacare," as an example of not placing an appropriate 'check' on the power of the other two branches: "The government defended this mandate as a legitimate exercise of its expressly delegated power to regulate commerce among the states. The trouble is that the mandate does not

- (cont.)
regulate commerce at all; rather, it forces people into commerce on pain of a financial penalty,” and that, “Congress and the president should have recognized and honored the fact that the Constitution simply does not empower the national government to impose a mandate on the people to purchase products, whether health insurance or anything else.” Why do you think the Supreme Court is failing so spectacularly? Why is the Supreme Court, supposed experts on the constitution, clearly accepting of all three branches overreaching their power without placing limits on each other? Are you comfortable with the Supreme Court having the final say in determining a de facto official government position on the acceptability of social issues (such as gay marriage and abortion)? Why or why not? Do you think that Justices of the Supreme Court not being elected and having lifetime terms contributes to the massive concentration of power it has amassed? Why or why not?
- At the end of the video, Professor George states, “We’ve drifted a long way from the original vision of the Founders. The further we’ve drifted, the more powerful the national government has grown, and the less free Americans have become.” Then, Professor George instructs us that to get, “...freedom back, we need to read America’s founding documents. All the freedom we ever wanted is there.” How exactly can this help? What can people do after reading the founding documents to take any degree of freedom back? Do you plan to do anything? If not, why not? If so, what do you plan to do?

EXTEND THE LEARNING:

CASE STUDY: States Convention Solution

INSTRUCTIONS: Read the article, “Mark Levin: States Should Call Convention to Propose Amending Constitution,” then answer the questions that follow.

- Why do you think that the checks and balances built into the constitution are not working as well anymore? Do you think that calling a convention of state legislatures to propose amendments to the constitution is a good idea? Why or why not?
- Why is Mr. Levin calling for a convention of state legislators? Which amendments does Mr. Levin suggest be included for proposal at such a convention? Which amendments would you add or delete from Mr. Levin’s list? Why?
- From so-called ‘sanctuary cities’ to budget mandates to many laws on the books related to drugs, many executives from city mayors all the way up the President of the United States and directing the law enforcement agencies that they head to not enforce certain laws – they are picking and choosing which laws to enforce. What factors do you think are contributing to this behavior? How does the executive getting to pick and choose which laws to enforce erode the system of government, and how does it affect freedoms for individuals and organizations? How can they get away with this? Could a constitutional amendment help solve this problem? Why or why not?



QUIZ

WHY WE'RE LOSING LIBERTY

1. What has misunderstanding of the U.S. Constitution led to?

- a. A serious erosion of American freedom.
- b. More Amendments to the U.S. Constitution.
- c. More people reading America's founding documents.
- d. Further preservation of liberty.

2. Which of the following was a hotly debated item when the U.S. Constitution was being drafted?

- a. Interstate commerce
- b. Racial segregation
- c. The Bill of Rights
- d. The right to bear arms

3. What do the 9th and 10th amendments do?

- a. Reinforce the idea of a national government of general jurisdiction.
- b. Reinforce the idea that the national government can't assume powers it had not been specifically granted by the Constitution.
- c. Reinforce the idea of a national religion.
- d. Reinforce the ability for the national government to assume control of American life as it saw fit.

4. The Federalists wanted to add a Bill of Rights to the U.S. Constitution.

- a. True
- b. False

5. President Obama's "Affordable Care Act" is an example of which of the following?

- a. Regulation of commerce among the states.
- b. An obvious case of constitutional overreach by the national government
- c. Protection of forcing people into commerce.
- d. All of the above.



QUIZ - ANSWER KEY

WHY WE'RE LOSING LIBERTY

1. What has misunderstanding of the U.S. Constitution led to?

- a. A serious erosion of American freedom.
- b. More Amendments to the U.S. Constitution.
- c. More people reading America's founding documents.
- d. Further preservation of liberty.

2. Which of the following was a hotly debated item when the U.S. Constitution was being drafted?

- a. Interstate commerce
- b. Racial segregation
- c. The Bill of Rights
- d. The right to bear arms

3. What do the 9th and 10th amendments do?

- a. Reinforce the idea of a national government of general jurisdiction.
- b. Reinforce the idea that the national government can't assume powers it had not been specifically granted by the Constitution.
- c. Reinforce the idea of a national religion.
- d. Reinforce the ability for the national government to assume control of American life as it saw fit.

4. The Federalists wanted to add a Bill of Rights to the U.S. Constitution.

- a. True
- b. False

5. President Obama's "Affordable Care Act" is an example of which of the following?

- a. Regulation of commerce among the states.
- b. An obvious case of constitutional overreach by the national government
- c. Protection of forcing people into commerce.
- d. All of the above.

Mark Levin: States Should Call Convention to Propose Amending Constitution

(CNSNews.com) - Mark Levin, the nationally syndicated radio host who served as chief of staff in the Justice Department during the Reagan Administration, argues in his new book—[The Liberty Amendments: Restoring the American Republic](#) [1]—that state legislatures should use the authority granted them in the Constitution to call a convention to propose amendments to the Constitution.

“It is the only way out,” Levin said in an interview on CNSNews.com’s Online With Terry Jeffrey. “The federal government, Congress, the Supreme Court, the president, the bureaucracy, they are not going to reform themselves, they are not going to limit their activities. Only we can—through our state representatives from the bottom up.”

Levin’s proposal is based on Article 5 of the Constitution, which says constitutional amendments may be proposed in two ways—either by two-thirds majorities in both houses of Congress or by a convention called by two-thirds of the state legislatures. Whichever way an amendment is proposed, however, it cannot become part of the Constitution unless it is ratified by three-quarters of the states.

“It’s time to turn to the Constitution, to save the Constitution, if you love the Constitution, before there is no Constitution,” Levin told CNSNews.com.

Levin says in [The Liberty Amendments](#) [2] that he used to oppose the idea of the state legislatures convening a convention to propose constitutional amendments.

“I used to buy the argument that it’s a constitutional convention until I actually read Article V,” said Levin. “There is no constitutional convention. It’s a convention for proposing amendments—*proposing* amendments.”

“I used to think, well, we’ll have a constitutional convention, the people today aren’t nearly as bright as our original Framers, and we’ll have this runaway convention and the change of the government,” said Levin.

But after studying the language and history of Article V, Levin realized this was not the case, and given the current propensity of all three branches of the federal government to ignore the Constitution and its original meaning, he decided the time had come for the state legislatures to call for a convention to propose amendments that would renew the limits on federal power that the Framers intended the original Constitution to impose.

“There can be no runaway convention because three-fourths of the states still need to ratify [the amendments a convention proposes],” said Levin. “But we need to make it clear to the people in Washington that we do have a way out. There is a way forward. The states collectively, pressured by we the people, have enormous power.”

In addition to making the case that the state legislatures should call a convention to propose amendments to the Constitution, Levin’s [The Liberty Amendments](#) [2] also proposes a series of new amendments that Levin believes the convention should put up for ratification.

Some of the constitutional amendments Levin would like to see include imposing a 12-year limit on serving in Congress, returning the election of U.S. senators to state legislatures, requiring Congress to balance the budget and limiting federal spending to 17.5 percent of GDP, limiting federal taxation to 15 percent of an individual's or a corporation's earnings, empowering a special congressional committee to veto regulations issued by federal bureaucracies, prohibiting Congress from compelling anyone to participate in commerce (such as forcing them to buy health insurance), requiring Congress to publish the final text of any proposed legislation at least 30 days before holding a final vote on it, and requiring individuals to present a state-issued photo ID that establishes their identity and citizenship before they are allowed to register or vote.

Here is the transcript of the CNSNews.com interview with Mark Levin about The Liberty Amendments and his proposal that the states call for a convention to propose amendments to the Constitution:

Terry Jeffrey: Hi, and welcome to this edition of “Online with Terry Jeffrey” Our guest today is Mark Levin. Mark, of course, hosts a tremendously popular nationally syndicated radio show and is president of the Landmark Legal Foundation. In the Reagan administration, he served Attorney General Ed Meese as chief of staff in the U.S. Department of Justice. He is the author of multiple best-selling books, including *Men In Black*, *Liberty and Tyranny*, and *Ameritopia*. We’re going to talk to Mark today about his new book, *The Liberty Amendments: Restoring the American Republic*. Hey, Mark, thanks for doing this interview.

Mark Levin: Terry, thanks for having me.

Jeffrey: You know, some people might think it’s surprising that a conservative, especially one who is such an outspoken defender of the Constitution, and interpreting it according to its original meaning, would advocate ratifying a whole number of new amendments to the Constitution. Why are you doing that?

Levin: Well, first of all, I make the case that we are in a post-constitutional America. I make that case in *Ameritopia* and I make it in this book as well. Really, if you look at the Bill of Rights, the Bill of Rights in so many ways have nothing to do with the way that we live in this country today. Other clauses of the Constitution--the Commerce Clause, and I could go on and on--the Constitution has been mangled and disassembled after a hundred years of statist rule. The Supreme Court has done the same thing, the bureaucracy, the Congress, and the president today--talking about all the executive orders he’s going to issue. So, when we say we’re talking about the Constitution, what exactly are we talking about? Are we talking about the original Constitution? I am. What’s everybody else talking about in the media today? They don’t have any idea.

It’s hard to describe what our governing system is today. It’s not a federal republic. It’s not a constitutional republic. It’s hardly a representative republic, since the bureaucracy issues thousands of laws every year and we don’t even know who they are or why they’re doing it. So, after writing those other books, I decided to answer the question that I’m asked all the time: Well, Mark, what do we do about it?

The answer is: We embrace the Constitution. The answer is: We look at the Constitution. Unlike our opponents, who seek to eviscerate it, we go to the Constitution where the Framers of the Constitution at the Constitutional Convention said: You know what? Despite what we’re doing here, despite our best efforts to control this potential for a centralized all-powerful government, which is the downfall of every society, the day can come—and, in George Mason’s view, would come--when Congress and the executive branch and the Supreme Court would become too powerful. And they said to our progeny: We’re going to create an amendment process under Article V--two amendments, the second amendment process--and should that day come, you can be able to rescue yourselves and reclaim your heritage.

Jeffrey: All right, now, let me ask you about that, Mark. In the book, you write, you argue that: There must be “an acknowledgement of the federal government’s unmooring from its constitutional foundation.

Second, an acceptance that the condition is urgent and if untreated will ultimately be the death-knell of the American republic.” Those are pretty strong words. How close do you think we are to the point of no return in being able to restore a constitutionally limited government, where individuals are able to enjoy liberty the way the Founding Fathers envisioned it?

Levin: I think we’re close enough. You know, a lot of people think it’s over. A lot of people think that our demise is inevitable. When you listen to members of Congress, and particularly Republicans, when they’re talking about Obamacare, it can’t be defunded, or, when you listen to how they talk, there are too many people who have surrendered to or been conquered by this federal Leviathan.

So, if you look at our financial situation, it is absolutely dire. We have \$90 trillion in unfunded liability, \$17 trillion in on-budget debt, massive QE2 Federal Reserve—technically, money printing--going on, and this is a disaster. These entitlements are completely out of control. You look at the demographics, it’s going to be impossible to pay any of this. There’s not enough money in the entire planet to address these things. So, to answer your question--now that’s just financially we’re here and the problem is--even if we’re going to have a chance to reverse course, to reestablish a constitutional republic, it’s going to be a long haul and my view is we have to start today. So, the premise of your question is important for conservatives and constitutionalists out there: It’s time to turn to the Constitution to save the Constitution, if you love the Constitution, before there is no Constitution.

Jeffrey: Mark, in the book you mention that people of various places in the philosophical spectrum talk about the financial situation you mention being unsustainable. There seems to be actually general agreement that we can’t possibly sustain this path we’re on with the welfare state. Do you anticipate that there could be sometime in the not-so-distant future a political crisis precipitated by the economic crisis we inevitably face and that the sorts of solutions you’re arguing for in this book would be timely in terms of trying to bring us back to where we ought to be when that political crisis happens?

Levin: Yes, economic demise creates political anarchy and that tends to lead to totalitarian types of regimes. You can see it in the Middle East right now, you can see it all over the place.

The bottom line is this: What I’m suggesting is, under the Constitution, people shouldn’t be afraid of the two methods for amending. One method is--I want to be clear about this--Congress, two-thirds of both houses, proposes amendments. What I’m saying is there’s another part of the very same Constitution that people take an oath to uphold in Congress and that those of us embrace and revere, the second part of that Article V says that the states--two-thirds of the states--can meet and propose amendments, and three-fourths of the states under both systems have to ratify. So there’s nothing radical about this, and it is time for conservatives and constitutionalists, people who love liberty, Tea Party activists, to stop allowing the left to tell us how to think, where we can go, to keep us in a box, and I’m saying we need to embrace the Constitution to save the Republic.

Jeffrey: In the book, Mark, you write that you used not to be a fan of that second way of amending the Constitution, having the states call a convention for amendments. Why did you change your mind on that?

Levin: First of all, I used to buy the argument that it’s a constitutional convention until I actually read Article V. There is no constitutional convention. It’s a convention for proposing amendments. Proposing amendments. So two-thirds of the states meet at a convention--and as a matter of fact, at the beginning of our country, states used to meet all the time. The states used to enter into compacts all the time. They don’t do it anymore because the heavy fist of the federal government seems to take up all this space.

What I’m saying is we ought to reconsider that, get back to that, the Constitution encourages it. And I used to think, well, we’ll have a constitutional convention, the people today aren’t nearly as bright as our original Framers, and we’ll have this runaway convention and the change of the government. It’s not possible, because you still need three-fourths of the states to ratify. So, what do I get? I get two arguments: One, we’ll never get three-fourths of the states to ratify, and the other end is, well, we’re going to destroy

the Constitution. So which is it? The bottom line is this is a process, a gradual process, and I want to encourage as many people as I can to talk about it with family and friends and co-workers, to explain it, to promote it, because it is the only way out. The federal government, Congress, the Supreme Court, the president, the bureaucracy, they are not going to reform themselves, they are not going to limit their activities. Only we can, through our state representatives from the bottom up.

Jeffrey: So, specifically what you're calling for is that state legislatures around the country, using their power under Article V of the Constitution, pass resolutions calling for a convention of the states to propose amendments to the Constitution.

Levin: And they're proposing amendments to the Constitution, to all the states. So three-fourths still have to ratify. This will take time. We have a lot of blue states, who are perfectly happy with an all-powerful centralized government, with governors and legislators that kind of enjoy that. We are going to have a lot of Republicans who are not going to want to fight this because they tend to be weak status-quo type Republicans. So, we're going to have to focus on state representatives and state senators. And a lot of these states that are blue now, they're going to collapse. They can't print money. You see what happened in Detroit. This is just the beginning.

So the left, the statists, have been at this for a century, from the income tax to the elimination of the way the senators were picked, the progressive movement. We conservatives are always looking for quick fixes. You know, if we can't fix something in 15 minutes, then we give up. I'm saying we have to be as resolute, if not more so, than the left, and begin this process now.

Jeffrey: So, these resolutions to call for this national convention for amendments could be approved by a simple majority of state legislatures?

Levin: That's correct.

Jeffrey: Would the governors be involved?

Levin: Congress isn't involved either. Under the Constitution, Congress's job is ministerial, like a part-time Obamacare employee, where they basically collect the resolutions of the states, they turn it into the archivist of the United States, and if there's two-thirds, then the states can go ahead and meet. If Congress tries to interfere, as was stated in the Federalist papers by none other than Alexander Hamilton, who was one of the advocates for more centralized government, Congress has no role. If Congress tries to obstruct it or prevent it, the states should meet in any event.

Jeffrey: Now, let's talk about some of the amendments you'd like to see come out of that type of convention and then be ratified by the states. You talk in the book about how in the Constitutional Convention, they put term lengths on federal officials--the president serves for four years, senators for six, congressmen for two--but they didn't actually limit their terms. Were the Founding Fathers opposed to term limits per se?

Levin: No they weren't. The reason they didn't put it in the Constitution is because they would be shocked to hear of this professional political class. Many of the framers talked about rotation, rotation in office. Jefferson, who was not at the Constitutional Convention, he was in France, one of his criticisms was: Hey, look guys, we have to put this in the Constitution, I don't think these members of the House should serve more than one year at a time.

So, it was well understood that these were citizen legislatures, a citizen president, even citizen Supreme Court justices, even though they had lifetime appointments, would rotate in and out of office, who would go back home and do their jobs because it wasn't felt that the federal government was all that important. The thinking was the state governments were more important, and, even more important than the states,

your own life and your own family. So, what you'll notice in this amendment and all the other amendments that I propose--and I don't claim to have all the knowledge, these are just my suggestions--is that there's nothing novel or abstract about these amendments. They are tied to what the Framers' intent was, what the Framers believed at the time, and so there's nothing radical or unusual about these. What I'm trying to do is rebalance our government in a way that the framers had intended, and said they had intended.

Jeffrey: And, of course, in the book you go back and you point to where Founding Fathers specifically advocated these ideas and discussed these very issues.

Levin: That's absolutely correct. The things that I am proposing go back to the fundamentals that were debated, not only at the Constitutional Convention in Philadelphia, but subsequent to that at the state ratification conventions, too, which were crucially important.

Jeffrey: So how long would you let people serve in the U.S. Congress?

Levin: Twelve years. They would have 12 years, whether in one house or the other, but 12 years total and out!

Jeffrey: They could serve in a state legislature, they can be governor or they can run for president, but no more than Congress.

Levin: That's correct. Twelve years in and out. Rotate in and out.

Jeffrey: One of the amendments you offer—

Levin: I should mention that the first 50 years of the republic, 50 percent of the members of the House of Representatives served one term and were out. Fifty percent. So this argument that we need continuity in government, actually, we need continuity in our civil society and that doesn't involve government at all, does it?

Jeffrey: You do point out that the further we've come forward in time, the longer people tend to want to stay in the United States Congress.

Levin: The problem is we do have these governing masterminds, so to speak, this ruling class, and really, these amendments are aimed at unraveling that establishment, because this is absolutely antithetical to what the framers had intended. You know, we rail against the ruling class, and it will be the ruling class that are dug in, and there will be ferocious, fanatic supporters who will be opposing this. But the fact of the matter is, we have to break up what's going on in Washington and bring the government back to the people.

Jeffrey: We talked about this fiscal crisis, and in it there was this last few years, we've had trillion-dollar run by the federal government and we've had the federal government spending up to 24 percent--about a quarter of the GDP--every year, just the federal government. You offer a very interesting amendment, Mark, about limiting taxing and spending, and some of it I think will be familiar because there are people who have been pushing for a balanced budget. You call for limiting the percent of GDP that the government, the federal government, can spend in the Constitution. What level would you set it at and why do you think we need to do that?

Levin: Well, that originally came to mind because it was a proposal by the late, great Dr. Milton Friedman. He said the best way to limit the size of government is to limit the percentage of Gross Domestic Product the government can take, and I agree with that. But he suggested, I believe it was 18 or 19 percent. I put it at 17.5 percent, not because I'm some sort of genius, but because I think that's a good starting point for a debate at a convention.

I'd also do a number of other things. I limit the level of a tax, a flat tax, at 15 percent, and if Congress wants to adjust it underneath 15 percent, that's perfectly fine. And of course I add a footnote to say that if we can get a fair tax, I'm all for it, but I think that would be more difficult, but I don't object, of course.

Jeffrey: So, no matter how they taxed it away, the federal government couldn't take more than 15 percent of your income.

Levin: Well, under the circumstances, no individual--and by individual, I also mean legal individual, corporations, what have you--under no circumstance could they take more than 15 percent of anyone's income in any given year. I don't care if we include death taxes, corporate taxes, individual income taxes, whatever it is. And, also, there ought to be no other forms of taxation, like a national sales tax or a VAT tax or what have you. Period.

Jeffrey: Okay, now, I think one of the most--

Levin: And I should add one other thing: I would move tax day to the day before Election Day. And I think this is very important, because if you'll notice, Election Day and tax day are about as far apart as they can get, like seven months apart, seven and a half months apart. So we're voting on the promises of politicians rather than the reality of what these politicians have done.

In my view, particularly when it comes to incumbent politicians, those of us who still pay federal income taxes, we pay our taxes, then the next day we go out and vote. And I think that is crucially important, so we are linking reality to the electoral process.

Jeffrey: The other thing is the official language of your amendment says, "The deadline for the filing of tax returns shall be the day before the day of elections to federal office." So that would mean that if it were in force last November, we would have gone out on Monday and paid all our taxes to the Obama regime and gone out the next day and decided who we wanted to vote for.

Levin: That's exactly right, and the reason the federal government keeps those two as far apart as possible is because incumbents prefer to tell you what they're going to do, and issue promises and muck up their records, and others who run for office, again, would prefer to talk about how much they're going to spend, how much they're going to give you, how much you're entitled to. I just feel there needs to be a connection between what the government actually does and how you're voting.

Jeffrey: Now, we've seen, as you point out in the book, in recent years these massive bills. I think the Obamacare bill was like 1,170 pages--

Levin: --but who's counting?

Jeffrey: Right. But, you know, all the time they're rolling these things out. This immigration bill that passed the Senate is more than a thousand pages. You have an amendment where you would control the bureaucracy, and the regulations that they issue coming out of these types of legislation. Explain that.

Levin: First of all, those are two amendments. The first one is, these massive bills--again, I didn't just make these things up, I turned to Thomas Jefferson, who was responding to a letter from James Madison when he was in Paris, that is, Jefferson. And Madison really wanted to bring Jefferson in and make sure he was--because Jefferson was, you know, he supported the Constitution, but in many ways he was an Anti-Federalist.

And among other things, Jefferson said, look, one of the things that bothers me about this proposed constitution and these state constitutions--because these state constitutions in many cases were adopted in 1775, 1776, 1777--he said, look, I've got a problem with these big bills that are just brought up and they're

passed. He said: So I would propose that no bill can be voted on unless it is engrossed for 12 months, that it is publicly available, on the table, in final form for 12 months without a single change, and then this new Congress can vote on it.

And I said: He's right, particularly given what's been going on in our own country with these massive, monstrous laws are passed. And they're done quickly for a reason: So we don't know what's in them. So what I'm suggesting, listening to Jefferson, seeing what's going on today is, no bill can be passed unless it's engrossed--that is, it is on the table for the whole world to see, including those who vote for it--for a full 30 calendar days, in final form with amendments. And the only way to over-ride that is with a two-thirds vote in both houses of Congress, in case there is an emergency--you know, a war, or something like that.

I mean, how the hell can you have a representative republic and an informed republic with the manner in which they're passing these massive bills? You see, Washington doesn't want us informed. Washington wants us dumbfounded. Washington wants to manipulate us.

It's like this immigration bill. I choose not to rely on John McCain to tell me what's in this immigration bill. These bills should be on the table for 30 days for you and me and the whole world, supporters, opponents, whatever, to view and to go through thoroughly before they're voted on. You remember they pushed an amendment at the last minute on a Friday night. They voted on it on a Monday or a Tuesday, and none of us had any opportunity to read it.

Jeffrey: And there you're talking about the final text of the bill that would be enacted into law. So, in other words--

Levin: The final text that would be the law so the House and the Senate and their conference committees have to be all done. It's on the table. Then we the people can have some input into it--because, after all, these laws are passed to control us. So it'd be nice to have an opportunity to know what's in them.

Jeffrey: And, of course, as you know, the Republicans, when they ran in the 2010 elections and they had their "Pledge to America," they said they were going to put all their bills out there for 72 hours. They're not even doing that.

Levin: And 72 hours is absurd. They're not even doing that. Look, the purpose for systemic change is to address these systemic abominations and abuses of the Constitution. This government in Washington operates so far from the Constitution that actually many leftists are proud of it. If you read what Thomas Freeman has said, Richard Cohen, and even hear what members of Congress have to say, you know--Of course it's constitutional. Why wouldn't it be constitutional? You know, that Constitution belongs to us. This country belongs to us. That government belongs to us. And it's about time we take control of it.

Jeffrey: And when you look at something like forcing Congress to have a bill completely settled for 30 days before they vote on it, Congress is not going to impose that kind of rule on itself.

Levin: Listen, the people that we're hoping will reform these things are the people who designed these things. So the idea that they're going to reform themselves, the idea that they're going to unravel what they've done, the idea that they're going to control themselves--Listen to Obama! Listen to Harry Reid! Listen to John Boehner! Read what the Supreme Court's saying! They're telling us! They're doing it! There's no guesswork here.

Jeffrey: One last idea you put out, Mark, I want to talk about here: Under Article V, the state legislatures can vote to call a national convention to propose amendments to the Constitution, but in your set of amendments you suggest even liberalizing that policy a little bit. Explain that.

Levin: Yes, because it's enormously difficult. Believe it or not, in 1963, Dwight Eisenhower gave a speech, a commencement speech, at a college--the college was actually called Defiance College--and he said to the young people there: You know there's a provision in the Constitution that you the people can use to control what's going on in Washington. Because looking back, he was fed up with what the Kennedy administration had done, he was fed up with the Warren court. And he said: How do we address this? And he specifically cited the second amendment process in Article V—no radical, Dwight Eisenhower. And he encouraged the people of the nation to use it.

Ronald Reagan referred to the same thing several times during his presidency because he could not get Congress to vote on a balanced budget amendment and he kept threatening them that the people might rise up one day and impose it on you. I think it is time that we grow this movement, that we breathe life into this movement, that we start having a discussion about this.

There can be no runaway convention because three-fourths of the states still need to ratify. But we need to make it clear to the people in Washington we do have a way out. There is a way forward. The states collectively, pressured by we the people, have enormous power--for the very reason the Framers of the Constitution said two days before the end of the Constitutional Convention. That's when they adopted this. James Madison predicted we would have an oppressive federal government, Congress would not pass amendments to control it, and we the people, he said, have to have a course short of violence, short of revolution, to address an oppressive government. He was right. This is it.

Jeffrey: And you believe this is it. This is the answer to another revolution. It's a peaceful, constitutional, legislative revolution, driven from the grassroots up by the people.

Levin: I would say this: If there's another idea, I'm certainly open to it. But this is not a revolution. What's happened is a counterrevolution to the American Revolution, which is what we're living under today. This is embracing the Constitution, following a constitutional process, following a civil, legitimate process whereas our opponents try on everything they can to nullify and undermine the Constitution of the United States. We need to make this clear: We've got to get our language right. We've got to get our mindset right. We need to spread the word.

Jeffrey: Mark Levin, author of *The Liberty Amendments*, thank you very much.

Levin: God bless you. Thank you, Terry.

Source URL: <http://cnsnews.com/news/article/mark-levin-states-should-call-convention-propose-amending-constitution>