

*STUDENTS AND THE MOVEMENT TO
AMEND THE CONSTITUTION
FOR GOVERNMENT
OF, BY, AND FOR
THE PEOPLE*



People For the American Way's Government By the People campaign

Background

The American people have been forced [several times](#) to amend the Constitution to reverse the damage caused by the Supreme Court when it acts against the interest of the people.

In 1857, in the *Dred Scott* decision, the Supreme Court ruled that African Americans were not citizens and therefore not entitled to constitutional protections; in 1875, in *Minor v. Happersett*, the Court ruled that the Equal Protection Clause did not protect the right of women to vote; in 1937, in *Breedlove v. Suttles*, the Court rejected a constitutional attack on the imposition of poll taxes as a condition for voting. All of these decisions were overturned by constitutional amendment, in acts that strengthened the progress of what President Lincoln called "government of the people, by the people and for the people."

Most recently, in the bitterly divided *Citizens United* decision (2010), five Justices on the Roberts Court held that corporations have the right to spend unlimited sums of money promoting or disparaging political candidates. This decision struck yet another dangerous blow against popular democracy. With over \$7 billion [spent](#) on the 2012 federal elections alone, the problem's only getting worse as political organizations adapt to a post-*Citizens United* world.

Public officials are currently forced to raise ever-increasing amounts of campaign dollars from an elite set of wealthy donors, many of whom are giving on behalf of corporate interests. In addition, these officials must operate in an environment where corporations and billionaires can *independently* spend infinite sums on attack ads.¹

The result is that public officials, who should be hard at work representing their constituencies, end up spending exorbitant amounts of time fundraising from wealthy donors and then later catering to the needs of those donors when passing laws. And corporations, frequently hiding behind lax disclosure laws, are able to funnel huge amounts of money into elections, manipulating the political process to attain policy objectives that favor those corporations' bottom lines. In the words of the conservative populist Governor Buddy Roemer, "It's not that America's governing system is broken, it's that it's bought."

The choice is clear: We The People must once again overturn the Supreme Court's decisions by amending the Constitution to declare that:

- 1) Congress and the states shall have the authority to regulate election spending; and**
- 2) Corporations are not endowed with the same rights and privileges as human beings.**

To date, the movement to overturn *Citizens United* and related cases has witnessed 16 states and over 500 municipalities [call](#) for a constitutional amendment. Over 150 members of Congress and the sitting president have endorsed the amendment strategy, as have thousands of public officials at the state and local level.

In 2014, students are adding their voices to this movement.

Money In Politics And Corporate Power's Effect On College Affordability

Out of all the groups engaged in the amendment movement, students have the most at stake in its outcome. Notably, students must live with the negative consequences of our broken system the longest, while in the short term, students face unprecedented challenges paying for their educations due to corporate interests manipulating public policy.

The United States is, [by far](#), the most expensive place in the world to go to college. For decades, education costs, from tuitions to textbooks, have been rising at disproportionate rates of inflation, and to keep up, students have been taking on record levels of debt. From 1999 to 2011, student loan debt [grew](#) by a staggering 511%. With \$864 billion in federal loans and \$150 billion in private loans, student debt in America now [exceeds](#) \$1 trillion.

The social and economic effects of increasing debt levels and education costs are well-documented. Simply put, these increases lead to [unjust](#), [unequal](#), and [unproductive](#) societies. Stress, depression and other mental health impacts all result from increasing personal debt levels. In the face of high debt burdens, students from lower income families are more likely to drop out of college (or not enroll in the first place), while those who do graduate must grapple with usurious loan payments that cripple their adult lives.

However, although coping with student loan debt may be a nightmare for young people across the country, it's a bonanza for the financial industries that manage it. Those financial institutions, like the student loan lending giant Sallie Mae, [have accumulated](#) immense power over Congress and the states, as have textbook [manufacturers](#) and [for-profit](#) school operators. In [the words](#) of one US Senator who tried to pass financial reform in 2009, regarding Congress, "the banks frankly own the place." Therefore, the roots of America's college affordability problem can easily be identified: students have very little agency in our governing system.

In a government in which money equals power, students, who are shackled by debt and have little to no ability to make campaign contributions, have very little power. The current governing structure does not provide incentives for lawmakers to fix the student debt and college cost crisis. In fact, it provides incentives to exacerbate it.

That is why in order to solve our education cost crisis, we must first solve our democracy crisis.

The reality is that students will not have access to affordable education until the undue influence of big banks and other special interests is removed from the political process.

Money In Politics and Corporate Power's Effect On The Issues Students Care About

Beyond directly affecting education costs, the “money in politics” and “corporate power” problem affects nearly every issue that students care about.

In our current political system, in order to become law, a reform has to survive an onslaught of moneyed attacks. Every industry with a stake in the outcome has the chance to pour money into Super PACs or "dark money" groups. Even when that doesn't happen, the mere threat of a scorched earth attack over a proposal is often enough to grind progress to a halt. That is why from rising unemployment to rising greenhouse gas emissions, the most imminent threats our country faces are not being dealt with by Congress and the states.

Consider the following articles.

American Legislative Exchange Council

[What is ALEC?](#) by the Center For Media and Democracy:

“ALEC operates in every state house in the country. Through ALEC, behind closed doors, corporations hand state legislators the changes to the law they desire that directly benefit their bottom line. Along with legislators, corporations have membership in ALEC. Corporations sit on all nine ALEC task forces and vote with legislators to approve “model” bills... The organization boasts 2,000 legislative members and 300 or more corporate members...

ALEC's appeal rests largely on the fact that legislators receive an all-expenses-paid trip that provides many part-time legislators with vacations that they could not afford on their own, along with the opportunity to rub shoulders with wealthy captains of industry (major prospective out-of-state donors to their political campaigns). For a few hours of work on a task force and a couple of indoctrination sessions by ALEC experts, part-time legislators can bring the whole family to ALEC's annual convention, work for a few hours, then stay in swank hotels, attend cool parties -- even strip clubs-- and raise funds for the campaign coffer, all heavily subsidized by the corporate till.”

[Resolution in Support of the Citizens United Decision](#) by the American Legislative Exchange Council:

“WHEREAS, the January 2010 Supreme Court decision in *Citizens United v. Federal Election Commission* restored and affirmed the First Amendment rights of corporations, labor organizations, and nonprofit advocacy groups to engage in political speech in campaigns; and...

THEREFORE BE IT RESOLVED that the American Legislative Exchange Council (ALEC) opposes efforts that are outlined above at the federal, state, and local level to undermine the Supreme Court's decision in *Citizens United v. Federal Election Commission*.”

Economic Inequality:

[Stacked Deck \[Political and Economic Inequality Are Mutually Enforcing\]](#) by DEMOS

“Economic and political inequality work to reinforce each other. Over recent decades, the wealthy have translated their wealth into political clout, and used that clout to increase their wealth—which in turn has further increased their ability to secure yet more special treatment through public policy. Among other things, rising economic inequality has both expanded the assets in the hands of the wealthy and increased the overall number of wealthy people in the U.S. who have the capacity to sway politics at either the national, state, or local level—financing candidates, ballot initiatives, or their own political careers. In 1982, the first Forbes list of the 400 richest Americans included just 13 billionaires and individuals with less than \$100 million made the list. In 2012, that list was exclusively made up of billionaires. The combined net worth of the Forbes 400 in 2012 was equal to 11 percent of GDP, up from 2.8 percent in 1982.

At the same time, the upward shift in income has led to a huge expansion of those Americans earning above \$200,000. This mass affluence at the top of the income ladder, even as the middle class has hollowed out and poverty has risen, has also—in conjunction with higher turnout voter rates among the affluent—created a much larger block of campaign donors and well-to-do voters. In the 1992 election, for example, 6,341 Americans contributed over \$10,000 to political candidates and parties according to the Center for Responsive Politics. In 2008, there were 36,299 people who could afford to, and did, give at that same level.”

Education Costs:

[Influence 101: How Big Money Lobbyists And Campaign Donors Hurt Students](#) by “Public Campaign”

“As student loans have increased dramatically—doubling over the last 10 years—the student loan industry has kept a high profile to maintain government policies favorable to its bottom line. The student loan industry has spent \$50.1 million lobbying Congress and \$7.7 million in campaign contributions since 2000...

Even as textbook costs have risen from under \$325 in 1986 to \$1,168 today, the textbook industry has dumped \$1.4 million in campaign contributions to political candidates and parties and \$35 million in lobbying since 2000. They have used this influence to push for draconian intellectual property policies like the Stop Online Piracy Act, to help shut down competition that could save students money.”

Education Profiteering:

[Congress and Other Stuff For-Profit Colleges Buy With Your Tax Dollars](#) by David Halperin, “The Republic Report”

“America’s for-profit colleges are receiving as much as \$33 billion in a single year from your tax money, and billions more from the pockets of students, a lot of whom are left deep in debt and jobless from their encounters with predatory schools. Many of the biggest for-profit colleges get close to 90 percent of their revenue from federal grants and loans, and yet the cost for students of attending, after financial aid

awards, can be more than even private schools like Harvard. So what are for-profit colleges doing with all this money?

... The nation's biggest for-profit college, University of Phoenix, which itself spends only \$892 per student on instruction but \$2,225 on marketing.

Paying CEOs big money. Corinthian Colleges paid its CEO Jack Massimino \$3.4 million in 2011. According to a lawsuit filed by California's attorney general in October, Corinthian has systematically lied to students and regulators, especially about its job placement rates for students. EDMC, the second biggest for-profit college company, saw its stock plunge from \$43 in 2006 to \$2.84 in 2012, and student enrollments dropped significantly. EDMC responded by laying off hundreds of teachers, but increased the salary of its chairman, Todd Nelson, from \$1.8 million in 2009 to \$13 million in 2011. Meanwhile, the U.S. Justice Department and half a dozen states have sued EDMC for fraud, alleging the company paid its recruiters based on the number of students signed up, in violation of federal rules. Kaplan Education, which is under investigation by at least four state attorneys general, paid its CEO, Jonathan Grayer, \$76 million when he resigned in November 2008. University of Phoenix co-founder John Murphy made enough money to buy this unbelievably lavish \$27 million San Francisco mansion."

[Two House Democrats Lead Effort to Protect For-Profit Colleges, Betraying Students and Vets](#) by Lee Fang, "The Nation"

"Unlike non-profit private or public universities, proprietary career colleges exist to make money; lot's of it. For-profit colleges take in some \$33 billion in taxpayer money annually, funds designed to help veterans and students afford college. For many critics, the entire industry is built upon fraud. Multiple investigations show systematic deception in the industry -- recruiters lying to students about job placement rates, students graduating with incredibly high debt with few employment prospects, and marketing campaigns that obscure what is often a low-quality education.

Students that have gone to for-profit colleges are not only more likely graduate with high levels of debt -- for-profit students hold \$31,190 dollars in debt on average, compared to \$17,040 at private, nonprofit institutions and \$7,960 at public colleges -- they are also three times as likely to default on their loans."

Employment:

[Stacked Deck \[The Affluent Have Different Priorities\]](#) by "Demos"

"As private interests have come to wield more influence over public policy, with ever larger sums of money shaping elections and the policymaking process, our political system has become less responsive to those looking for a fair shot to improve their lives and move upward..."

Substantial research now documents the different ways in which the wealthy and the general public view policy issues. Significant differences between the two groups exist in such areas as tax and budget, trade and globalization, regulation of business, labor, the social safety net, and the overall role of government..."

One reason that the affluent may be less concerned about job creation than deficit reduction is that they have generally been less affected by high unemployment rates and the economic downturn. Unemployment rates vary greatly based on educational attainment, which also corresponds to affluence. The unemployment rate for those with less than a high school diploma was 12 percent in January 2013.

The unemployment rate in January 2013 for those with a bachelor's degree or higher, however, is 3.7 percent—a rate which is considered virtually full employment by most economists. More generally, upper income Americans were less negatively affected by the Great Recession and have recovered more quickly.”

[A Brief History of the Glass-Steagall Act](#) by James Lardner, “Demos”

“Glass-Steagall’s goal was to lay a new foundation of integrity and stability for America’s banks. It worked. Financial panics had been regular and devastating occurrences since before the Civil War. No more. While individual banks continued to fail occasionally, their depositors escaped largely unscathed. Trust in the stock and bond markets also grew; for investors around the world, the U.S. financial system seemed to set a high standard of transparency and reliability.

...The final push [to repeal Glass-Steagall] took a year and a half, and entailed hundreds of millions of dollars in lobbying and campaign contributions. But on November 12, 1999, Clinton signed the Financial Modernization Act (commonly known as Gramm-Leach-Bliley) into law.”

Environment:

[How the Influence Industry Killed Climate Change Legislation](#) by Suzanne Merkelson, “Moyers & Company”

“The country’s best opportunity to mitigate climate change came three years ago, soon after President Barack Obama took office, with a friendly Democratic Senate and House of Representatives. The American Clean Energy and Security Act (otherwise known as Waxman-Markey, after its sponsors) passed the House – barely.

It later failed in the Senate, punted along until it was eventually abandoned in July 2010. Since then, our elected officials have largely ignored the heat-trapping gases causing enormous disruptions across the planet.

The 2009 bill saw lobbying efforts unlike anything we’ve ever seen before. Environmental groups pushing for the legislation, including the Nature Conservancy and the Environmental Defense Fund, spent a record \$24.6 million lobbying in 2009, employing nearly 500 lobbyists in their hefty effort.

But even that kind of cash was grossly outmatched by the oil and gas industry, which also had a record spending year in lobbying: \$175 million and 807 lobbyists. No wonder the bill didn’t stand a chance.”

[Senators Who Voted To Protect Oil Tax Breaks Received \\$23,582,500 From Big Oil](#) by Rebecca Leber, “Think Progress”

“In a 51-47 vote, 43 Senate Republicans and four Democrats filibustered to protect \$24 billion in tax breaks for Big Oil. Although a majority voted for Sen. Robert Menendez’s (D-NJ) bill, it fell short of the 60

needed. The only two Republicans to break rank were Sen. Susan Collins (R-ME) and retiring Sen. Olympia Snowe (R-ME).

A Think Progress Green analysis shows how oil and gas companies have funneled cash to the same senators who protected its handouts:

- The 47 senators voting against the bill have received \$23,582,500 in career contributions from oil and gas. The 51 senators voting to repeal oil tax breaks have received \$5,873,600.”

[Natural Cash: How The Fracking Industry Fuels Congress](#) by “CREW”

“Like many industries under increasing scrutiny, the fracking industry has responded by ratcheting up campaign donations to help make new friends in Congress,” said CREW Executive Director Melanie Sloan. “As CREW’s report shows, the fracking boom isn’t just good for the industry, but also for congressional candidates in fracking districts.”

The steady increases in federal campaign contributions from the fracking industry correlate with the intensifying debate over whether the federal government should have more oversight of the industry. For example, the biggest increase in industry contributions — nearly 41 percent between the 2010 and 2012 election cycles — came at a time when Congress was actively debating fracking.”

Government Dysfunction:

[Politicians’ Extortion Racket](#) by Peter Schweizer, “New York Times”

“Consider this: of the thousands of bills introduced in Congress each year, only roughly 5 percent become law. Why do legislators bother proposing so many bills? What if many of those bills are written not to be passed but to pressure people into forking over cash?”

This is exactly what is happening. Politicians have developed a dizzying array of legislative tactics to bring in money.

Take the maneuver known inside the Beltway as the “tollbooth.” Here the speaker of the House or a powerful committee chairperson will create a procedural obstruction or postponement on the eve of an important vote. Campaign contributions are then implicitly solicited. If the tribute offered by those in favor of the bill’s passage is too small (or if the money from opponents is sufficiently high), the bill is delayed and does not proceed down the legislative highway.”

[Politicians seek fundraising payday from shutdown](#) by Fredreka Schouten, “USA Today”

“As a partial shutdown of the federal government looms, both Democrats and Republicans are working to exploit the budget crisis to raise campaign money.

The showdown coincides with the end of third-quarter fundraising period and political candidates, parties and outside groups have made it a theme of their frantic, last-minute pitches for cash.

Democrats, who view a shutdown as one of the best opportunities to retain control of the Senate in 2014 and possibly make gains in the GOP-controlled House, portrayed Republicans as recklessly endangering government operations by using a stopgap spending bill to delay implementation of the Affordable Care Act.

Republicans, meanwhile, urged donors to give them more money to help roll back the health care law and elect more conservatives to Congress who are willing to challenge President Obama.”

Gun Violence:

[Inside the NRA's Koch-Funded Dark-Money Campaign](#) by Peter Stone, “Mother Jones”

“Overall, the NRA spent just north of \$25 million on last year’s election: \$7 million supporting Republican candidates, and \$18 million attacking Democrats. This spending spree was boosted by the Supreme Court’s 2010 *Citizens United* ruling, which paved the way for activist groups to raise and spend unlimited amounts explicitly promoting or attacking candidates. The NRA also appealed to patrons who preferred to fly under the radar: The organization and its lobbying arm are both 501(c)(4) “social welfare” nonprofits and do not have to reveal their donors.”

[ALEC: The Hidden Player Behind ‘Stand Your Ground’ Laws](#) by Calvin Sloan, “People For the American Way”

“Despite their grassroots image, the NRA is far from being simply a grassroots organization. An extensive report by the Violence Policy Center documents how gun companies bankroll the NRA through their many opportunities to sponsor NRA programs and make direct contributions to the organization:

Since 2005, corporations—gun related and other—have contributed between \$19.8 million and \$52.6 million to the NRA as detailed in its Ring of Freedom corporate giving program. In a promotional brochure for the program, NRA Executive Vice President Wayne LaPierre promises that the “National Rifle Association’s newly expanded Corporate Partners Program is an opportunity for corporations to partner with the NRA....This program is geared toward your company’s corporate interests.” The vast majority of funds—74 percent—contributed to the NRA from “corporate partners” are members of the firearms industry: companies involved in the manufacture or sale of firearms or shooting-related products. Contributions to the NRA from the firearms industry since 2005 total between \$14.7 million and \$38.9 million.”

Healthcare:

[How Money in Politics Makes Healthcare Unaffordable](#) “United Republic”

“We can blame political corruption for this dramatic rise in costs and decline in quality of care. In 2009 and 2010, while lawmakers attempted to enact healthcare reform, the health insurance lobby spent \$263 million in Washington, D.C. Meanwhile, the pharmaceutical lobby, called the “biggest [lobby] in the nation” by the Center for Public Integrity hired 1,790 registered lobbyists to influence lawmakers. They used

every tool they have—lobbying, campaign donations, high-priced fundraisers, and more—to bend policies in their favor and preserve the lucrative status quo.”

[The Health Care Industry vs. Health Reform Wendell Potter](#), Wendell Potter, “Center For Media and Democracy”

“I’m the former insurance industry insider now speaking out about how big for-profit insurers have hijacked our health care system and turned it into a giant ATM for Wall Street investors, and how the industry is using its massive wealth and influence to determine what is (and is not) included in the health care reform legislation members of Congress are now writing.”

Prison Industrial Complex:

[Private prisons profit from illegal immigrants](#) “Associated Press”

“The U.S. is locking up more illegal immigrants than ever, generating lucrative profits for the nation's largest prison companies, and an Associated Press review shows the businesses have spent tens of millions of dollars lobbying lawmakers and contributing to campaigns.

The cost to American taxpayers is on track to top \$2 billion for this year, and the companies are expecting their biggest cut of that yet in the next few years with government plans for new facilities to house the 400,000 immigrants detained annually.

After a decade of expansion, the sprawling private system is largely controlled by just three companies.”

[Ties That Bind: Arizona Politicians and the Private Prison Industry](#) by Beau Hodai, “In These Times”

Over the past several years private-prison companies Corrections Corporation of America (CCA) and the Geo Group, through their work as members of the American Legislative Exchange Council (ALEC) and through their ties to the Arizona Legislature and the office of Gov. Jan Brewer, have had ample opportunity—and obvious intent—to ensure the passage of S.B. 1070...

A little over a week after Pearce introduced S.B. 1070 on the floor of the Arizona Senate, CCA enlisted Highground Consulting, one of the most influential lobbying firms in Phoenix, to represent its interests in the state. Lobby disclosure forms filed with the Arizona Secretary of State indicate that Maricopa County also employed Highground during the time of the bill’s formation. Highground’s owner and principal, Charles “Chuck” Coughlin, is a top advisor and the current campaign manager of Gov. Brewer.

Workers' Rights:

[Just How Low Can Your Salary Go? ALEC Bills Fuel Race to the Bottom in Wages and Worker Rights](#) by Mary Bottari and Rebekah Wilce, "Center For Media and Democracy"

"The move generated massive protests, an 18-day occupation of the Capitol, and an attempted recall. Video of Walker talking to a billionaire campaign contributor surfaced in which he explained that the goal was to "divide and conquer" -- first going after public sector workers, then private sector. Another governor with deep ties to ALEC, Governor John Kasich of Ohio, and his ALEC legislators followed Wisconsin's lead when they attempted to strip some 350,000 workers of their collective bargaining rights, but the Ohioans succeeded in overturning the law by statewide referendum in November 2011."

[The Attack On US Workers' Rights](#) by "Amnesty International"

"The Wisconsin bill is symbolic of a wider attack on unions in the USA, where workers and are facing an onslaught from the authorities.

Many employees are already struggling because of the economic crisis and these laws will undermine fundamental human rights and labor rights protections, which are sorely needed to ensure that employees do not bear the brunt of the crisis. It will also jeopardize the delivery of vital public services that these employees deliver.

Under international law, all workers have a human right to organize and to bargain collectively.

These rights are an essential foundation to the realization of other rights, and are enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Social and Cultural Rights (ICESCR) and the Rights of All Migrant Workers and Members of their Families, as well as conventions adopted by the International Labour Organization (ILO).

As a state party to the ICCPR and a signatory to the ICESCR, the USA has an obligation to respect the human rights under these instruments and treaties."

Quotes From Institutional Leaders In Support Of A Constitutional Amendment

Issue by issue, the “money in politics” and “corporate power” problem strikes at the heart of reform and good governance. Below are quotes from movement leaders, from across the political and policy spectrum, about the need for reform.



Marge Baker, Vice President of People For the American Way:

“A constitutional amendment is the only way to completely reverse the damage done to our democracy by the devastating *Citizens United* decision and related cases. No one takes amending the Constitution lightly, but there have been multiple moments in American history where the people have had to collectively undo the harm done by the Supreme Court when it acts against justice, democracy, and the common good.”



Senator Bernie Sanders:

“If we do not want to move this nation to a form of society where a handful of billionaires can determine the outcome of elections, then it is imperative not only we overturn *Citizens United*, but we put a lid on how much people can contribute in elections. Freedom of speech, in my view, does not mean the freedom to buy the United States government.”



Rev. Dr. William Barber II, President of NC NAACP:

“We know firsthand that when you undermine laws that guard against voter suppression and you undo regulations on the ability for corporations and individuals to spend unchecked amounts of money to influence and to infiltrate and to literally infect the democratic process, it has an extreme impact.”



Kica Matos, Director at the Center for Community Change:

“The moral outrage of rampant deportations, of children going hungry, of massive and seemingly permanent unemployment in many communities in this, the richest country in the world, is made all the more outrageous when the institutions supposed to serve justice and the people only conspire to make them more invisible. Giving unlimited power to the richest and most privileged among us is morally repulsive. It is an affront to our values and it is deeply un-American. We should not stand for this. I’m here with my brothers and sisters today to say enough: it’s time to take money out of politics and restore democracy.”



Michael Brune, Executive Director of the Sierra Club:

“If we want more attacks on our air, our water, and our climate, then all we need to do is roll our eyes and turn away in disgust at the political posturing on Capitol Hill. But if we want to restore a democracy that works for Americans and will preserve a healthy planet for future generations, it's time to stand up and fight back. For our people, for our parks, and for our democracy.”



Aquene Freechild, Senior Organizer of Public Citizen:

“Momentum against the unpopular ruling is growing rapidly. Voters are attuned to the corrosive effects of money and politics, as well as corporate power in our democracy, and they are demanding it end.”



David Levine, CEO of American Sustainable Business Council:

“Business leaders would rather invest their money to create jobs than have to compete with big business bank accounts to be heard, and they are fighting back. More than 2,000 business leaders have joined the American Sustainable Business Council's Business for Democracy campaign to fight for a constitutional amendment that overturns the *Citizens United* decision.”



New York Times Editorial Board:

“There may be some changes in how unlimited money is spent, but now that it has been unleashed, only a constitutional amendment or a careful system of regulation can bottle it back up. The need to do so will remain one of the most urgent challenges facing every lawmaker.”



Brendien Mitchell, YP4 Fellow of Howard University:

“Today we as young people gather to challenge any law or policy that undermines our ability to actively participate as citizens and we gather to say that this is our country and that in a case of money versus people the answer should be apparent: the people.”



Larry Cohen, Communication Workers of America:

The role of money in politics must be completely overhauled. Today it dwarfs everything else and is distorting our democracy. CWA is committed to stopping the flow of secret cash to political campaigns and making it clear to all dollars are not speech. This effort will require constitutional changes and other measures to overturn the U.S. Supreme Court’s *Citizens United* decision.

Talking Points For Students

Here are some tips on how you can talk about *Citizens United*, money in politics, corporate power in the political sphere and the need for a constitutional amendment. Also, please be sure to check out "[Talking Points For Conservatives](#)," prepared by Public Citizen.

- **In order to solve the student debt crisis, we must first solve our democracy crisis.** And if we want to solve our democracy crisis, the entire paradigm must be shifted by amending the Constitution to place our elections in the hands of the people, not deep pocketed corporate and special interests. Once those interests lose their out-sized power, we will witness real reform on student issues.
- From education to healthcare to employment opportunities, America is failing to live up to its obligations to its people. These problems are greater than any president or political party; they are structural. **Structural problems demand structural solutions.** Amending our founding document to enact real democracy is a structural solution.
- Getting the "money out" of elections by amending the Constitution allows for a more ideologically diverse set of **candidates to run on ideas approved by their constituencies**, and not exclusively those bought by the "donor class."
- **Constitutional amendments are warranted in only the most extreme circumstances. This is one of them.** The Supreme Court's decisions in *Citizens United* and related cases threaten the democratic system set up by our Constitution.
- **The people have repeatedly amended the Constitution when the Supreme Court makes common cause with the opponents of popular democracy.** As Justice Thurgood Marshall observed in his famous speech on the Bicentennial of the Constitution, "the true miracle was not the birth of the Constitution, but its life, a life nurtured through two centuries of our own making..."
- **There is growing momentum across the country for pro-democracy reforms and students are joining it.** Sixteen states and more than 500 towns and cities – including New York and Los Angeles – have gone on record in support of amending the Constitution to ensure our elections and democracy remain in the hands of the people.

Taking Action: Sample Resolution

The following sample resolution text should be amended and adjusted to fit your needs, introduced and debated, and passed on your campus. For more guidance on how to start a Students United For Democracy amendment campaign, visit the "[Start a campaign](#)" page.

RESOLUTION TO SUPPORT AMENDING THE UNITED STATES CONSTITUTION FOR DEMOCRACY OF, BY, AND FOR THE PEOPLE

WHEREAS, the United States Supreme Court rulings in *Citizens United v. Federal Elections Commission (2010)* and related cases disproportionately elevate the role of corporate interests and wealthy individuals in elections and diminish the voices and influence of the students of the University of Y in our democracy; and

WHEREAS, due to corporate interests manipulating public policy, the United States is by far the most expensive place in the world to go to college; and

WHEREAS, financial institutions and for-profit education providers have accumulated immense power over public officials by spending millions of dollars on campaign contributions and lobbying; and

WHEREAS, students of the University of Y will have to live the longest in the depraved political system brought upon by *Citizens United* and related cases until those decisions are overturned; and

WHEREAS, in 2010, the Supreme Court's 5-4 decision in *Citizens United v. FEC* broke with long-settled legal precedents that acknowledged the power of citizens through their elected representatives to limit corporate influence in elections; and

WHEREAS, since *Buckley v. Valeo* in 1976, the Supreme Court has infringed on the rights of Congress and the states to enact commonsense election spending regulations multiple times; and

WHEREAS, due to *Citizens United* and related cases, Congress and the states are constitutionally prohibited from issuing any quantitative limit on independent expenditures or on contributions to independent election spending entities, and thus billionaires and corporations can spend infinite sums on elections, at times anonymously; and

WHEREAS, fair elections are fundamental to the health and well-being of our democracy; and

WHEREAS, the *Citizen United* Court's radical rewrite of the First Amendment's protections has permitted even greater corporate influence over our political process; and

WHEREAS, the Supreme Court's elevation of corporate "rights" has constitutional repercussions that go far beyond *Citizens United* and undermine the ability of the people to regulate corporations in numerous policy areas affecting people's health, wealth, and opportunities; and

WHEREAS, the American people, through their local, state, and federal governments, must reclaim their rightful place as sovereigns in our democracy and protect the electoral process from corporate and special interest domination; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican form of self-government; and

NOW, THEREFORE, BE IT RESOLVED BY THE UNIVERSITY OF Y THAT:

1. The University of Y strongly condemns the Supreme Court's rulings in *Citizens United vs. FEC* and related cases, calls for reforming our elections, and supports a constitutional amendment that would declare:
 - Congress and the states shall have the authority to regulate election spending; and
 - Corporations are not endowed with the same rights and privileges as human beings.
2. The University of Y encourages public officials at all levels of government – from representatives of municipal and state governments to members of Congress – to support the growing movement to pass and ratify such an amendment.

¹ Under the *Citizens United* [ruling](#), a 5-4 majority of the Supreme Court imprudently found that “independent” spending (that is, spending not made in coordination with a candidate’s campaign), “including those made by corporations, do not give rise to corruption or the appearance of corruption.” That decision became the underpinning of a future case, *Speech Now v. FEC* that removed limits on contributions to political committees that solely engage in electoral activity independent of candidates or campaigns, giving birth to so-called Super PACs.