

# Teaching about Big Money in Elections: To Amend or Not to Amend the U.S. Constitution?

James M. M. Hartwick and Brett L. M. Levy

*“Politics has become so expensive that it takes a lot of money even to be defeated.”*

— Will Rogers (1879–1935)

Last summer, California and Massachusetts became the sixth and seventh states—along with Hawaii, New Mexico, Vermont, Rhode Island, and Maryland—to send a resolution to the U.S. Congress calling for a constitutional amendment to (1) end the court’s extension of personhood rights to corporations, and (2) enable the government to definitively regulate campaign finances. This fall, with the bipartisan support of its Democratic governor and Republican lieutenant governor, Montana is asking voters to consider a referendum advising Montana’s congressional delegation to support such a constitutional amendment. Meanwhile, the current Congress has already considered more than a dozen resolutions to amend the Constitution to strengthen Congress’s ability to limit corporate funding of election activities, and 20 states have introduced similar resolutions.<sup>1</sup>

Political support is growing. More than 120 members of Congress, 1,800 public officials,<sup>2</sup> and 200 cities, towns, and counties across the United States have called for such an amendment.<sup>3</sup> When the Senate held a Judiciary Subcommittee hearing on the topic in July, it received nearly 1.9 million pro-Amendment signatures,<sup>4</sup> and in August, President Obama indicated his support when he stated: “Over the longer term, I think we need to seriously consider mobilizing a constitutional amendment process to overturn *Citizens United*, assuming the Supreme Court doesn’t revisit it.”<sup>5</sup> Clearly, a movement is emerging, and given the high stakes, fostering understanding of the issues at hand is paramount.

What is all the fuss about? Since the landmark *Citizens United v. Federal*

*Elections Commission* (FEC) decision, American citizens and policymakers have vigorously debated how and if there should be limits on corporate rights and on the increasing power of big money in politics. In *Citizens United*, the Supreme Court ruled 5–4 that corporations and unions, like individual citizens, are endowed with free speech rights that can be exercised through political expenditures and that limits on such “speech” are unconstitutional. Two months later, the D.C. Court of Appeals extended these rules by deciding in *SpeechNow v. FEC* that non-profit political organizations, such as political action committees (PACs), could legally accept unlimited donations for the purpose of running advertisements advocating the election or defeat of candidates, as long as such

activity is independent of the candidates’ campaigns. These cases led to the rise of “superPACs.” As long as they do not coordinate with campaigns and do not contribute directly to the candidates, superPACs can raise unlimited funds from corporations, non-profits, unions, and individuals and may spend those funds to promote their favored political candidate or cause. In addition, non-profits, like “social welfare” groups (501 [c][4]s), may engage in unlimited non-coordinated independent spending on so-called educational issue advertisements, and unlike PACs and superPACs, these non-profits are not required to disclose their donor list.<sup>6</sup> This has opened the door to large contributions from corporations and others, perhaps even foreign interests, who wish to influence elections and keep their influence secret.

While the influence of big money on elections is not new, immediately after these landmark rulings, election spending in the 2010 midterm (non-presidential) election increased exponentially over the previous midterm elections.<sup>7</sup> Since 2010, “outside” election spending—campaign expenditures by individuals and organizations not officially affiliated with candidates—has increased enormously. Big donors have played an increasingly

## Excerpts from the *Citizens United vs. FEC* Decision

### Majority Opinion (Justice Kennedy)

Under the antidistortion rationale, Congress could also ban political speech of media corporations....Differential treatment of media corporations and other corporations cannot be squared with the First Amendment, and there is no support for the view that the Amendment's original meaning would permit suppressing media corporations' political speech.

Although the First Amendment provides that "Congress shall make no law... abridging the freedom of speech," 441b's prohibition on corporate independent expenditures is an outright ban on speech, backed by criminal sanctions. It is a ban notwithstanding the fact that a PAC created by a corporation can still speak, for a PAC is a separate association from the corporation. Because speech is an essential mechanism of democracy—it is the means to hold officials accountable to the people—political speech must prevail against laws that would suppress it by design or inadvertence.

We now conclude that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption.

With the advent of the Internet, prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions...This transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages.

### Dissenting Opinion (Justice Stevens)

Although they make enormous contributions to our society, corporations are not actually members of it. They cannot vote or run for office...[t]he financial resources, legal structure, and instrumental orientation of corporations raise legitimate concerns about their role in the electoral process. Our lawmakers have a compelling constitutional basis, if not also a democratic duty, to take measures designed to guard against the potentially deleterious effects of corporate spending in local and national races.

It might also be added that corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established.

The Court's ruling threatens to undermine that integrity of elected institutions across the Nation. The path it has taken to reach its outcome will, I fear, do damage to this institution.

The marketplace of ideas is not actually a place where items—or laws—are meant to be bought and sold[.]

At bottom, the Court's opinion is thus a rejection of the common sense of the American people, who have recognized a need to prevent corporations from undermining self-government since the founding, and who have fought against the distinctive corrupting potential of corporate electioneering since the days of Theodore Roosevelt. It is a strange time to repudiate that common sense.

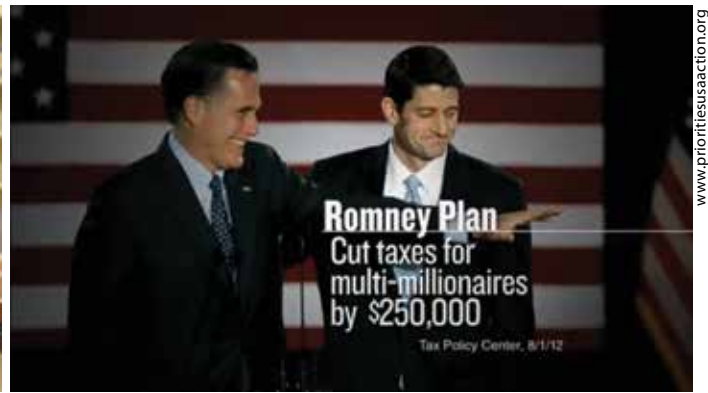
prominent role in supporting election campaigns, largely through superPACs. For example, in the 2012 Republican presidential primaries, 20 wealthy donors contributed about half the funds of the major superPACs<sup>8</sup>, and one couple expects to give up to \$100 million for this year's election.<sup>9</sup> All totaled, spending on the 2012 presidential contest is projected to exceed \$2 billion, breaking all previous records for election spending.<sup>10</sup>

With the huge sums of money being devoted to elections, what do big donors expect in return? A thorough analysis of elected officials' voting records indicate that politicians respond more readily to the opinions of constituents who are more able to make financial contributions.<sup>11</sup> In addition, there is a widespread perception of the corrupting influence on political leaders as a result of their need to secure big dollars to get elected. According to a recent Brennan Center for Justice at NYU School of Law poll, nearly 70 percent of Americans believe super-PAC spending will lead to corruption, and 85 percent of those who expressed an opinion believe that, compared with past elections, the money being spent by political groups this year is more likely to lead to corruption.<sup>12</sup> Undue influence, or at the very least the perception of quid pro quo corruption, is troubling and undermines citizens' faith in democracy.

### Proposals for a Constitutional Amendment

In the current Congress, there have been more than a dozen resolutions to amend the Constitution to strengthen Congress's ability to limit corporate funding of election activities and nullify the *Citizens United* ruling.<sup>13</sup> Along with the congressional proposals, there are many individuals and groups (e.g., Move to Amend, Free Speech for the People, Common Cause, and Public Citizen) who are seeking to bring about an amendment to address the problem of money in politics.

While these groups and individuals appear to agree on the problem, the wording of the proposed amendments



varies. However, most seek to reverse the *Citizens United* decision, end corporate personhood rights,<sup>14</sup> and affirm the power of legislators to regulate funds aimed at influencing electoral outcomes.<sup>15</sup> Meanwhile, a few seek to charge Congress with enacting a public financing system<sup>16</sup> and make Election Day a federal holiday.<sup>17</sup> One proposed amendment has garnered tremendous attention. Introduced by Representative Theodore Deutch (D-FL) and Senator Bernie Sanders (I-VT), the *Saving American Democracy Amendment* (S.J. Res. 33) aims to (1) eliminate for-profit corporate personhood rights, (2) enable the government to regulate corporations, (3) prohibit corporate and private entities from political contributions and election expenditures, (4) empower Congress and the States to regulate all election contributions and expenditures, and (5) require full disclosure of political contributions and election expenditures.<sup>14</sup> (The exact wording of this proposed amendment is in the sidebar.)

If this amendment were passed, for-profit corporations and similar business entities would be prohibited from contributing to or spending on elections. In its current form, however, the amendment may leave significant legal loopholes. First, corporations could create “shell” public purpose non-profits to minimize the regulatory impact of the first three sections of the amendment. Second, whereas the first three sections of this proposed amendment pertain to for-profit corporations, they do not address non-profits, unions, or extremely wealthy individuals. Nonetheless, based on the

fourth section, legislators at the state and federal levels would be constitutionally permitted to limit the amount of money that non-profits, unions, and individuals could contribute to candidates and non-affiliated political organizations (e.g., superPACs). Thus, the amendment as a whole would enable Congress to impose significant spending limits that *Citizens United* now prohibits.

Despite the growing support for the *Saving American Democracy Amendment* or some similar amendment, securing ratification would likely require a sustained effort. The most common way to amend the Constitution is for two-thirds of both the House and Senate to approve an amendment and then for three-fourths of the state legislatures to do

so. Given that many citizens and legislators would need to be persuaded, these are significant hurdles to clear.

Despite the movement to amend the Constitution, national consensus has yet to be reached. Numerous arguments opposing a constitutional amendment are provided on page 242 in Table 1: *Examples of Arguments and Resources*. Ultimately, citizens and elected leaders will need to carefully weigh the merits, consider the alternatives, and wrestle with the question of whether or not we should attempt to amend the Constitution.

### Teaching Strategies

Given the vigorous national debate about a constitutional amendment, it is increasingly important for youth to (1) explore the

## The Proposed *Saving American Democracy Amendment*

Section 1. The rights protected by the Constitution of the United States are the rights of natural persons and do not extend to for-profit corporations, limited liability companies, or other private entities established for business purposes or to promote business interests under the laws of any state, the United States, or any foreign state.

Section 2. Such corporate and other private entities established under law are subject to regulation by the people through the legislative process so long as such regulations are consistent with the powers of Congress and the States and do not limit the freedom of the press.

Section 3. Such corporate and other private entities shall be prohibited from making contributions or expenditures in any election of any candidate for public office or the vote upon any ballot measure submitted to the people.

Section 4. Congress and the States shall have the power to regulate and set limits on all election contributions and expenditures, including a candidate’s own spending, and to authorize the establishment of political committees to receive, spend, and publicly disclose the sources of those contributions and expenditures.

**Table 1: Examples of Arguments and Resources**

Note: To support this lesson, numerous educational resources as well as comprehensive descriptions of how to use them are posted online at [www.teachingcampaignfinance.org](http://www.teachingcampaignfinance.org).

<b>Should we attempt to amend the Constitution to eliminate corporate personhood rights and allow the government to regulate all spending on elections?</b>	
<b>Yes (Pro)</b> Pursuing ratification is a good idea because...	<b>No (Con)</b> Pursuing ratification is a bad idea because...
<ul style="list-style-type: none"> <li>Other approaches that fall short of a constitutional amendment are inadequate and do not fully address the variety of interconnected issues.</li> </ul>	<ul style="list-style-type: none"> <li>In a modern society, the perspective of corporations and similar entities are essential—democracy is best served by more speech, not less.</li> </ul>
<ul style="list-style-type: none"> <li>The effort creates political pressure for alternative partial solutions (e.g., the Courts overturning <i>Citizens United</i>, enabling the passage of campaign finance legislation and required disclosure).</li> </ul>	<ul style="list-style-type: none"> <li>When citizens associate together, they should not lose their collective free speech rights.</li> </ul>
<ul style="list-style-type: none"> <li>It has strong bipartisan support of the people.</li> </ul>	<ul style="list-style-type: none"> <li>People can discern what is true from what is false. They don't need a paternalistic government "protecting them" from information and perspectives.</li> </ul>
<ul style="list-style-type: none"> <li>It eliminates corruption and the perception of corruption.</li> </ul>	<ul style="list-style-type: none"> <li>Based on the experience of some states having limits on corporate spending, while other states do not, allowing for unlimited spending does not appear to lead to corruption.</li> </ul>
<ul style="list-style-type: none"> <li>It equalizes speech rights, so smaller voices are not drowned out.</li> </ul>	<ul style="list-style-type: none"> <li>Permitting unlimited spending on elections makes for more competitive races.</li> </ul>
<ul style="list-style-type: none"> <li>It forces elected representatives to pay more attention to needs of a wide array of voters, not just those with deep pockets.</li> </ul>	<ul style="list-style-type: none"> <li>It may threaten freedom of the press, as these media corporations might face censure from the government.</li> </ul>
<ul style="list-style-type: none"> <li>Ending corporate personhood rights would allow for better regulation and oversight of powerful multi-national corporations.</li> </ul>	<ul style="list-style-type: none"> <li>It unfairly privileges mainstream media corporations over other corporations who might wish to have their views known.</li> </ul>
<ul style="list-style-type: none"> <li>It requires all political donors to disclose their identities, thus exposing influence-seekers.</li> </ul>	<ul style="list-style-type: none"> <li>It favors liberal leaning groups (e.g., unions) over traditionally conservative groups (e.g., for-profit corporations).</li> </ul>
<ul style="list-style-type: none"> <li>It prevents foreign or multi-national corporations from seeking to influence U.S. voters and U.S. elections.</li> </ul>	<ul style="list-style-type: none"> <li>Relative to the size of the GNP, spending on elections remains quite modest under current rules.</li> </ul>
<ul style="list-style-type: none"> <li>It benefits small business, the engine for innovation and economic growth, by leveling the playing field between small businesses and large corporations.</li> </ul>	<ul style="list-style-type: none"> <li>Corporate personhood rights allow for a functional economic system, where property rights are protected, contracts are held, and business entities are treated fairly.</li> </ul>
<ul style="list-style-type: none"> <li>It eliminates pressures from big donors for legislation that favors their interests.</li> </ul>	<ul style="list-style-type: none"> <li>It will be difficult and take a long time to get an amendment passed by Congress and state legislatures. This energy is better spent on more feasible legislative solutions, such as the Disclose Act and public financing options.</li> </ul>

**Background**

**Reading:**  
Campaign Finance (Super PACs) – Assign the section Background: The Citizens United Case, in "Campaign Finance (Super PACs)", *The New York Times*, sec. Times Topics (updated August 30, 2012), [http://topics.nytimes.com/top/reference/timestopics/subjects/c/campaign\\_finance/index.html](http://topics.nytimes.com/top/reference/timestopics/subjects/c/campaign_finance/index.html).

Timeline: "Changes in the Way Corporations Can Finance Campaigns" *The New York Times*, sec Politics, (updated January 21, 2010), [www.nytimes.com/interactive/2010/01/19/us/politics/0120-scotus-campaign.html](http://www.nytimes.com/interactive/2010/01/19/us/politics/0120-scotus-campaign.html).

**Video:**  
ABC television news story, "Shaking Things Up" - Focuses on the influence of money on elections and the supposed independence of superPACs (2:11) - Diane Sawyer, "Jon Stewart to Oversee Stephen Colbert SuperPAC" (<http://www.youtube.com/watch?v=AuqSELPyNSo>)  
Senator Sanders' (I-VT) testimony before the Senate, where he introduces his resolution calling for a Constitutional Amendment (12:29) - Bernie Sanders, "The Saving American Democracy Amendment" ([www.youtube.com/watch?v=G9qZZVqSdQo](http://www.youtube.com/watch?v=G9qZZVqSdQo)).

**Recommended Student Readings (Pro):**  
Deutch, Ted, and Bernie Sanders. "Saving American Democracy Amendment." (FAQ pdf, [www.sanders.senate.gov/imo/media/doc/Constitutional%20Amendment%20FAQs.pdf](http://www.sanders.senate.gov/imo/media/doc/Constitutional%20Amendment%20FAQs.pdf))  
Marty, John. "A 'Buy-Partisan' Problem." *Sojourners* (August 2012).  
Nader, Ralph, and Robert Weismann. "The Case Against Corporate Speech." *The Wall Street Journal*, sec. Opinion (Feb. 11, 2010).  
Penniman, Nick. "Rotten to the Core." *Sojourners* (August 2012).  
Domini, Amy. "Citizens United is Bad for Business, Too." *The Hill's Congress Blog* (July 16, 2012).

**Recommended Student Readings (Con):**  
Bossie, David, and Theodore Olson. "How the Citizens United Ruling Freed Political Speech." *The Washington Post* (January 21, 2011).  
Beckel, Michael. "Conservative Lawyers Dismiss Threat of Foreign Money, Anonymous Political Spending at CPAC." *iWatch News: The Center for Public Integrity*, (Feb. 10 2012).  
Kramer, John. "Citizens United, Two Years Later: Institute for Justice Continues to Defend Landmark Free Speech Ruling." Institute for Justice (Jan. 20, 2012).  
Hayward, Allison R. "High Court Rules for Free Speech." *The New York Post*, January 23, 2010.  
Taranto, James. "Bernie Sander's America: A Socialist Senator's Monstrous Fantasies." *The Wall Street Journal*, sec. Opinion (Dec. 13, 2011).

**Videos (Pro):**  
Montana's Democratic Governor and Republican Lt. Governor calling for citizens to support a Constitutional Amendment (2:51) - Bohlinger, John, and Brian Schweitzer, [www.electionsareforus.org](http://www.electionsareforus.org).  
MSNBC, and Bernie Sanders, Saving American Democracy Amendment (3:44) [www.youtube.com/watch?feature=player\\_detailpage&v=ZiwcGzNpxqg](http://www.youtube.com/watch?feature=player_detailpage&v=ZiwcGzNpxqg) (Uploaded December 13, 2011)

**Videos (Con):**  
Justice Scalia's Defense of Citizens United (2:37) – Lamb, Brian and Antonin Scalia, (C-SPAN), July 29, 2012, [www.youtube.com/watch?v=UgQGJJQq4uk](http://www.youtube.com/watch?v=UgQGJJQq4uk).  
A video produced by Citizens United – the plaintiff in the famous court case – portraying their defense of the Court's favorable decision (3:14) – Bragg, Meredith, and Nick Gillespie, "3 Reasons Not to Sweat the 'Citizens United' SCOTUS Ruling," [www.youtube.com/watch?v=rUdFalyZnWU](http://www.youtube.com/watch?v=rUdFalyZnWU).



issues surrounding corporate personhood and campaign finance and (2) discuss and analyze possible courses of action. We see an opportunity for social studies teachers to realize these aims by engaging students in a Structured Academic Controversy (SAC)<sup>15</sup> lesson focusing on the essential question: Should we attempt to amend the U.S. Constitution to eliminate corporate personhood and allow the government to regulate all spending on elections?

### *Framing the Issue*

To pique student interest and help them see the current relevance of the topic, we recommend showing them advertisements from the two sides of an ongoing campaign—using either videos, newspaper ads, or otherwise. In this year’s presidential contest, for example, a teacher could screen television commercials by the pro-Romney superPAC Restore Our Future ([www.restoreourfuture.com](http://www.restoreourfuture.com)) and the pro-Obama superPAC Priorities USA Action ([www.prioritiesusaaction.org](http://www.prioritiesusaaction.org)). The teacher should help students critically debrief these videos by asking them the following questions: (1) From the commercials, can you tell who is behind the SuperPACs? Who is trying to influence you? (2) How might disproportionately large amounts of spending by a few groups or individuals potentially affect the access and treatment these large donors might receive from an elected official? (3) Is more speech (i.e., commercials, which voice a particular perspective) better, or do some groups have an unfair advantage, which might drown out the views of others?

Guided by the teacher, students should develop background knowledge about the *Citizens United* case and how it spawned the creation of superPACs, which have resulted in a dramatic increase in election spending. To accomplish this, students should read an article that provides an overview of the decision and its consequences. In addition to the articles listed in Table 1, most major newspapers have comprehensive relevant articles online, and the sidebar on page 240 summarizes the Justices’ main arguments in the case. In addition, to help students understand

arguments in favor and against a constitutional amendment, teachers can screen brief online videos identified in Table 1.

Next, students should work in groups to interpret the meaning and likely consequences of the amendment recently proposed by Rep. Deutch and Sen. Sanders (detailed on page 241). With the teacher’s support, they can complete a T-chart that includes the four sections of the proposed amendment on the left and students’ understanding of each section on the right. Once students grasp the meaning of the text, the teacher should walk students through the steps required to ratify an amendment, which are explained in Article 5 of the Constitution. Finally, to focus the lesson, the teacher should introduce and publicly post the essential question noted above.

### *Structured Academic Controversy*

We recommend facilitating the well-established discussion procedure known as a Structured Academic Controversy to help students explore the major arguments for and against ratification of the *Saving American Democracy Amendment*. Through this process, students have the opportunity to work in small groups to examine and present both sides of an argument, allowing for the thorough exploration of the issue.

First, students are assigned to groups of four, and then to partnerships within each group. One pair in each group is assigned to carefully read articles and prepare arguments for the *yes* side of the issue, and the other pair is assigned to do likewise with the *no* side of the issue. The teacher provides students with short readings to help them generate a list of the strongest arguments in support of the position to which they have been assigned. (See Table 1 readings for key pro and con arguments). When the pairs are ready, each *yes* pair presents the pro arguments to the audience pair in their group. Once the presentation is complete, the audience pair can ask questions for clarification to better understand the arguments. (This is not meant to be a debate.) Next, each *no* pair presents the con arguments and

responds to questions.

After this, using notes taken from the presentation of the opposite partnership and reviewing the opposite pair’s readings, each pair presents the arguments of the opposite partnership back to that pair (i.e., the original *yes* pair presents the *no* pair’s arguments and vice versa). Once each pair is knowledgeable about the arguments in support of each side of the issue, the pairs are released from their assigned roles, and each group of four discusses the amendment and related issues, trying to come to consensus on at least some aspect of the issue. Seeking consensus on some aspect of the issue (e.g., which arguments are strongest, or which evidence they would need to reach a more informed opinion) provides students with an opportunity to explore their personal perspectives on the amendment and campaign finance more generally.

Finally, the teacher facilitates a full-class discussion of the question, starting with each group’s issues of consensus and disagreement. To open this class discussion, each group shares their consensus items and the sources of their disagreements. Following the class discussion, the teacher conducts a debrief with the class on how well they worked, learned, and discussed together. (Videos and materials about these steps can be found at [www.dda.deliberating.org/](http://www.dda.deliberating.org/).)

### *Assessment*

During discussion, teachers should consider how carefully and accurately students analyze and evaluate key arguments related to the amendment and its rationale and viability. For the primary assessment, we suggest assigning students to write or present (1) a thoughtful, well-supported response to the essential question, and (2) a plan for how they might advocate for their views—whether by persuading others, pressuring elected leaders, or building coalitions.

### **Conclusion**

Discussion of the proposed constitutional amendment curtailing corporate personhood rights and enabling the government

to regulate spending on elections will naturally address such central tenets of democracy as freedom of speech, fair elections, and responsive representative leadership. Students will learn to thoughtfully analyze and respectfully discuss both sides of an issue. They will also practice listening and talking with their peers to generate consensus on something on which they can all agree. Grappling with these central tenets of democracy and practicing collaborative citizenship skills prepares students to be thoughtful individuals who work for the common good. 🌐

2011) <https://movetoamend.org/why-abolish-all-corporate-constitutional-rights>.

15. For example, the proposed Udall Amendment addresses the ability of Congress and the states to regulate contribution of funds to candidates and the expenditure of funds intended to influence the outcome of elections. However, this amendment does not address corporate constitutional rights – See: “Other Amendments,” Move to Amend, [movetoamend.org/other-amendments](http://movetoamend.org/other-amendments).
16. For example, the proposed Wolf Pac and the Lessing, Yarmuth Amendments charge Congress with enacting a public financing system. (See United Re:Public Democracy is not for sale, [unitedrepublic.org/amendments-guide](http://unitedrepublic.org/amendments-guide).)
17. For example, the proposed Get the Money Out and the Yarmuth Amendments seek to make Election Day a federal holiday. (Ibid.)
18. In the House of Representatives, this amendment resolution is known as The OCCUPIED Amendment (H.J. Res. 90). In addition, Move to

Amend has offered another proposed amendment that has received a good deal of support.

19. David Johnson and Roger Johnson, *Creative Controversy: Intellectual Conflict in the Classroom* (3rd ed.) (Edina, Minn.: Interaction, 1995). For video explaining and showing a version of the SAC procedure used by Deliberating in a Democracy, see, [www.did.deliberating.org/lessons/proceduresvideo.html](http://www.did.deliberating.org/lessons/proceduresvideo.html).

**JAMES M. M. HARTWICK** is associate professor at the University of Wisconsin-Whitewater. He can be reached at [hartwicj@uww.edu](mailto:hartwicj@uww.edu). **BRETT L. M. LEVY** is a visiting assistant professor at the University of Wisconsin-Madison. He can be reached at [bmlevy@wisc.edu](mailto:bmlevy@wisc.edu).

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## Notes

1. “*Citizens United v. FEC* Constitutional Remedies: List of Local, State and Federal Resolution Efforts,” People For the American Way (June 17, 2012), [www.pfaw.org/issues/government-the-people/citizens-united-v-fec-constitutional-remedies-list-of-local-state-and-f](http://www.pfaw.org/issues/government-the-people/citizens-united-v-fec-constitutional-remedies-list-of-local-state-and-f)
2. “Endorsing Organizations,” United for the People, [united4thepeople.org/endorsers.html](http://united4thepeople.org/endorsers.html), accessed August 11, 2012.
3. “*Citizens United v. FEC* Constitutional Remedies: List of Local, State and Federal Resolution Efforts,” People For the American Way (June 17, 2012).
4. Warren Richey, “Constitutional Amendment Required to undo Citizens United, Senate Panel Told,” *Christian Science Monitor* (July 25, 2012).
5. Paul Blumenthal, “Obama Endorses Anti-Citizens United Amendment in Reddit Chat,” *Huffington Post* (August 29, 2012), [www.huffingtonpost.com](http://www.huffingtonpost.com).
6. Mike McIntire and Nicholas Confessore, “Tax-Exempt Groups Shield Political Gifts of Businesses,” *The New York Times* (July 7, 2012); “Editorial: Transparency for Donations,” *Newsday*, sec. Opinion, (July 11, 2012).
7. “Outside Spending,” Open Secrets, Center for Responsive Politics, [www.opensecrets.org/outside-spending/](http://www.opensecrets.org/outside-spending/).
8. “Obama’s Small-Dollar Percentage Down Slightly in February; Santorum’s Stayed High; Romney’s Stayed Low,” The Campaign Finance Institute (March 22, 2012), <http://cfinst.org/press.aspx>.
9. Nicholas Confessore, “Campaign Aid Is Now Surging into 8 Figures,” *The New York Times* (June 13 2012).
10. Ibid.
11. Larry M. Bartels, “Economic Inequality and Political Representation,” in *The Unsustainable American State*, eds. Lawrence R. Jacobs and Desmond King (New York: Oxford University Press, 2009), 165-185.
12. “National Survey: Super PACs, Corruption, and Democracy,” Brennan Center for Justice, New York University School of Law (April 24, 2012) [www.brennancenter.org/content/resource/national\\_survey\\_super\\_pacs\\_corruption\\_and\\_democracy/](http://www.brennancenter.org/content/resource/national_survey_super_pacs_corruption_and_democracy/)
13. For a listing of proposed amendments refer to: “*Citizens United v. FEC* Constitutional Remedies: List of Local, State and Federal Resolution Efforts,” People For the American Way (June 17, 2012).
14. For more on arguments regarding corporate personhood rights see: “Why Abolish All Corporate Constitutional Rights,” Move to Amend (March 2,

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