

NON-NEGOTIABLE #4

Election Integrity

GETTING MONEY OUT OF POLITICS

The movement to get money out of politics represents perhaps the most challenging of our 5 Non-Negotiables, with a realistic timeline of two decades for meaningful reform.

This fight is necessary because our current campaign finance system has effectively handed control of our democracy to the donor class, creating barriers to entry for alternative political movements and concentrating power in the hands of those with the deepest pockets.

The transformation of campaign finance in America has been a long, deliberate process.

George Washington and his contemporaries would have found modern campaign practices not just foreign but antithetical to their conception of public service. The very idea of soliciting contributions was considered unseemly, as wealthy candidates were expected to self-finance their campaigns.

This paradigm shifted dramatically with Andrew Jackson's 1828 presidential campaign, which pioneered modern campaign practices including media engagement and grassroots organizing.

The first significant federal campaign finance laws emerged in the late 19th century, but comprehensive regulation began with the Federal Election Campaign Act (FECA) of 1971, substantially amended in 1974 in response to Watergate.

The critical turning point came with the Supreme Court's 1976 decision in *Buckley v. Valeo*, which established that while contributions could be limited to prevent corruption, spending by individuals or groups could not be restricted under the First Amendment.

This distinction between contributions and spending was further entrenched in subsequent decisions, culminating in *Citizens United v. FEC* in 2010, which effectively eliminated restrictions on corporate independent expenditures by extending First Amendment protections to corporate political spending.

The equation of money with speech transformed our political landscape, enabling the creation of super PACs and dark money organizations that operate outside traditional party structures.

These entities have grown so powerful that they now often dictate terms to the parties themselves, as seen with Peter Thiel's influence in selecting JD Vance or Elon Musk's DOGE committee operating without accountability to Congress or the American people.

The media plays a complicit role in this system as the primary beneficiary of campaign spending.

The 2024 election saw nearly \$5 billion in political advertising, providing substantial revenue to media companies. This creates a perverse incentive structure where the very entities that should be scrutinizing our campaign finance system are financially dependent on its excesses.

The post-*Citizens United* world resembles the cautionary tale of the Golem from Jewish folklore—a powerful creature created to protect its community that ultimately grows beyond its creator's control.

Sen. Mitch McConnell, who championed the dismantling of campaign finance restrictions, now finds himself unable to control the forces he helped unleash, whether in the form of Donald Trump's populist takeover of the Republican Party or the increased influence of billionaires over political discourse.



Traditional reform measures, including public financing schemes, are inadequate in the face of this new reality.

The Supreme Court's own rationale will strike down legislative attempts at reform. The only viable solution is a constitutional amendment that would:

1. Limit speech protections to natural persons, negating the central problem of *Citizens United*.
2. Prohibit all non-individual spending on candidates or election issues, eliminating PACs, super PACs, and corporate involvement in elections.
3. Allow Congress to determine campaign spending limits every ten years, with thresholds adjusted for inflation.
4. Restore individual donation caps on all candidates and parties.
5. Require full transparency for all political donations.

Passing such an amendment would require a Herculean effort—a three-quarters majority in Congress and ratification by three-quarters of states. This would necessitate one party holding such overwhelming favor that it could achieve these supermajorities, a scenario that seems unlikely in our current political climate.

Yet we did achieve constitutional amendments in 1964 (for poll taxes) and nearly did so again in 2009. By focusing first on our other Non-Negotiables—Housing First, a Civilian Labor Corps, and Medicare for All—progressives could build the political capital necessary for this more fundamental reform. These tangible policies would make people feel secure and valued, potentially creating the conditions for the supermajorities needed to amend the Constitution.

Getting money out of politics is foundational to achieving any lasting progressive change. Without addressing the corrupting influence of campaign finance, any gains made in housing, employment, healthcare, or climate action remain vulnerable to reversal by a system designed to serve the interests of the wealthy few rather than the common good.

This Non-Negotiable represents the bridge between our immediate policy goals and the long-term structural changes needed to secure a truly representative democracy.