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## 2024: A testing year for democracy?

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### Letter

## Letter: How to end the influence of money in US elections

From Jeffrey D Clements, Chief Executive, American Promise, Cambridge, MA, US



Justices of the US Supreme Court pose for their official photo at the Supreme Court in Washington, DC, October 2022 © Olivier Douliery/AFP/Getty Images

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In his recent opinion piece “We can still reverse America’s political decay” ([FT Weekend](#), March 2) Professor Francis Fukuyama is correct that the amount of money corrupting elections in the US contributes to America’s decay. And, yes, that problem is due to “a Supreme Court ruling that equates campaign spending with free speech”.

But Fukuyama’s suggestion that the solution is simply to “place stronger restrictions on campaign finance” misses the mark. It is not possible for state legislatures or Congress to pass meaningful laws to reduce the influence of money in elections when the Supreme Court considers such laws unconstitutional. We must first over-rule the Supreme Court. The only way to achieve that is by amending the Constitution.

Amending the Constitution to overturn unpopular Supreme Court decisions is a historically proven strategy for reform during periods of transformational social change. Seven of the 17 constitutional amendments passed since the Bill of Rights overturned bad Supreme Court decisions, including the 13th and 14th amendments (overturning Dred Scott vs Sanford that held the Constitution did not extend American citizenship to people of Black African descent, and therefore they could not enjoy the rights and privileges the Constitution conferred upon American citizens) and the 19th amendment (granting women the right to vote, which overturned *Minor vs. Happersett*).

My organisation has proposed an amendment — the “For Our Freedom” amendment — to the Constitution to empower states and Congress to set reasonable limits on political spending. So far, 22 states have already called on Congress to propose the amendment, and we’re seeing recent cross-partisan support in states like Pennsylvania, Wisconsin and Wyoming. At a time when Americans seem to be polarised on many issues, there is supermajority support across the political spectrum for this amendment.

I encourage Professor Fukuyama to join other leading academics, including the American Academy of Arts and Sciences’s Commission on the Practice of Democratic Citizenship, to endorse this amendment.

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