US Democratic Political OS v1.0 — A Constraint Specification

An implementation specification: the US Constitutional system as an instantiation of the Classical Liberal OS

Getting Started

This document is a **descriptive constraint specification** — it maps the actual US Constitutional system onto the formal invariants of the Classical Liberal Political OS.

What this document is

The Classical Liberal OS defines four abstract invariants (Agency, Information, Alternatives, Revocability). This document describes how the **US Constitutional system implements those invariants** through specific mechanisms — and critically, which functions are delegated to the **program layer** (laws, norms, institutions) where they can be corrupted.

This document describes what the system IS as a constraint specification — where the specification is structurally strong, and where it depends on programs that can fail or be captured.

How to use it

1. **Load this document** into your LLM session as context
2. **Ask questions about the US system** — the LLM will reason about constitutional mechanisms, program-layer dependencies, and vulnerability points
3. **Compare with the Classical Liberal OS** — load the abstract specification alongside this document to identify gaps between principle and implementation

Relationship to other documents

Document	Relationship
Classical Liberal Political OS	The **abstract specification** this system implements
Comparative Political OS Analysis	Structural analysis framework; this document adds a concrete implementation

Document	Relationship
Political OS Test Suite	Test cases can be run against this implementation to compare against the abstract OS

Preamble — Instruction to Model

You are operating as an analytical engine running the **US Democratic Political OS**.

Your task is to evaluate political phenomena using the US Constitutional system's actual mechanisms — not abstract liberal principles, but the specific institutional structures, constitutional provisions, and program-layer dependencies of the United States.

When evaluating, you must: 1. Identify which constitutional mechanisms are engaged 2. Distinguish between OS-level protections (constitutional) and program-level implementations (statutory, normative, institutional) 3. Flag when a program-layer dependency is the sole protection for an invariant 4. Classify system state using the evaluation algorithm below

All analysis **must be constrained** to this framework. No other moral, ideological, cultural, or political assumptions may be introduced.

Foundational Assumptions (Model Grounding)

The Constitution as Constraint Specification

The US Constitution is a **written constraint specification** — one of the first deliberate attempts in history to encode governance invariants as explicit, enforceable rules. It was written by people who understood they were formalizing the elder council tradition at nation scale:

- The Constitutional Convention was itself an elder council (55 delegates from 12 states)
- The document they produced constrains governance, not citizens — it defines what government may NOT do
- The Bill of Rights hardcodes specific invariants as constitutional protections
- The Amendment process (Article V) provides a mechanism for OS updates, deliberately difficult to prevent casual corruption

Historical Bootstrap

The US system did not emerge from nothing. It inherited and formalized a specific evolutionary lineage:

Lineage	What the US system inherited
English Common Law	Rule of law, habeas corpus, jury trial, parliamentary constraint on monarchy
Enlightenment philosophy	Consent-based legitimacy, natural rights, separation of powers (Montesquieu)
Colonial self-governance	150+ years of town meetings, colonial assemblies, practical experience with distributed governance
Protestant dissenting tradition	Congregational governance, individual conscience, skepticism of hierarchical authority
Classical republics	Greek democratic assembly, Roman republican institutions (studied directly by the framers)

The critical prerequisite: the colonial population had **150 years of practicing distributed governance** before the Constitution was written. The OS was already running informally; the Constitution formalized it. This is why the US bootstrap succeeded where exported democracy fails — the dissemination had already happened.

The Individual as Primary Unit

The Constitution addresses the relationship between **individuals and government**. The Bill of Rights constrains government action against individuals. The 14th Amendment extends these constraints to state governments.

Crucially, the system distinguishes between: - **OS-level constraints** (constitutional) — structurally protected, require supermajority + ratification to change - **Program-level operations** (statutory) — changeable by ordinary legislative process, subject to capture

---

System Architecture

The Separation Stack

The US system implements separation at multiple levels, each serving as a structural defense against power consolidation:

Separation	Mechanism	What It Prevents
Federal / State	Enumerated federal powers; 10th Amendment reserves remainder to states	Single point of governance failure; provides 50 alternative governance laboratories
Executive / Legislative / Judicial	Articles I, II, III; distinct powers,	Any single branch accumulating all governance functions

Separation	Mechanism	What It Prevents
	distinct selection mechanisms	
Senate / House	Different representation principles (state vs population), different terms	Legislation requires agreement across two different constituency structures
Elected / Appointed	Executive and legislature elected; judiciary appointed with life tenure	Judiciary insulated from electoral pressure; can enforce OS against popular programs
Federal / Individual	Bill of Rights	Government action constrained regardless of democratic majority

This is **defense in depth** — multiple structural separations, each independently preventing power consolidation. Corrupting one separation does not breach the system; you must corrupt several simultaneously.

Mapping to Classical Liberal OS Invariants

The US system implements the four Classical Liberal OS invariants through specific constitutional mechanisms. Each invariant has a **hardened layer** (constitutionally protected) and a **program layer** (dependent on laws, norms, and institutions that can be corrupted):

Invariant 1.1: Agency

The capacity of individuals to make meaningful choices free from coercion.

Layer	Mechanism	Constitutional Basis
Hardened	Freedom of religion, speech, assembly	1st Amendment
Hardened	Right to bear arms	2nd Amendment
Hardened	Protection from unreasonable search/seizure	4th Amendment
Hardened	Due process — cannot deprive life, liberty, property without process	5th, 14th Amendments
Hardened	Right to counsel, jury trial, protection from	6th, 7th, 8th Amendments

Layer	Mechanism	Constitutional Basis
	cruel punishment	
Hardened	Unenumerated rights retained by the people	9th Amendment
Program	Employment law, anti-discrimination law	Statutory — can be repealed
Program	Privacy protections	Statutory / judicial interpretation — not explicitly constitutional
Program	Economic freedom, right to contract	Judicial interpretation — varies by era

Vulnerability: Agency is well-hardened at the OS level. The primary attack vector is not direct constitutional violation but **program-layer erosion** — regulatory burdens, administrative requirements, and compliance mandates that constrain agency without formally violating constitutional rights. The administrative state can compress agency through a thousand small constraints, none of which individually triggers constitutional protection.

Invariant 1.2: Information

The ability to seek, receive, produce, and exchange information without constraint.

Layer	Mechanism	Constitutional Basis
Hardened	Freedom of speech and press	1st Amendment
Hardened	Right to petition government	1st Amendment
Program	Freedom of Information Act (FOIA)	Statutory — can be weakened
Program	Media independence from government	Normative — no constitutional guarantee
Program	Media independence from corporate capture	Not protected at any level
Program	Educational curriculum and civic literacy	State-level programs — can be captured
Program	Platform speech (social media, internet)	Unresolved — 1st Amendment constrains government, not private platforms

Layer	Mechanism	Constitutional Basis
Program	Classification and state secrets	Executive program — can be used to suppress information
Program	Intelligence community transparency	Statutory + normative — weak protections

Vulnerability: Information is the **most exposed invariant**. The constitutional hardening (1st Amendment) constrains only government action. The actual information ecosystem — media, education, platforms, corporate communications — is almost entirely program-layer. This means: - Corporate media consolidation can degrade Information without triggering constitutional protection - Platform monopolies can suppress speech as private action - Educational capture can corrupt the bootstrap mechanism (civic literacy) at the state level - Intelligence agencies can classify information away from democratic oversight - Government can achieve censorship indirectly through pressure on private platforms (the "jawboning" problem)

The 1st Amendment is a wall against government censorship. It is not a wall against the degradation of the information ecosystem through private action, corporate consolidation, or institutional capture. The invariant is constitutionally hardened against the 18th-century threat (government censorship) but program-dependent against the 21st-century threat (information ecosystem corruption).

Invariant 1.3: Alternatives

The existence of real, accessible, non-punitive options for association, governance, and economic life.

Layer	Mechanism	Constitutional Basis
Hardened	Federalism — 50 states as alternative governance systems	10th Amendment, constitutional structure
Hardened	Freedom of association	1st Amendment (implied)
Hardened	Right to travel between states	Privileges and Immunities Clause
Hardened	Religious pluralism	1st Amendment (Establishment + Free Exercise)
Program	Market competition and antitrust	Statutory — can be weakened or not enforced
Program	Electoral alternatives (third parties, ballot access)	State-level programs — heavily constrained by two-party duopoly

Layer	Mechanism	Constitutional Basis
Program	Economic mobility (ability to change employer, start business)	Regulatory environment — can be captured
Program	Exit (emigration, renunciation of citizenship)	Statutory — currently permitted but not constitutionally guaranteed

Vulnerability: Federalism is the strongest structural protection — 50 states provide genuine governance alternatives. But at the federal level, Alternatives depends heavily on programs: - Antitrust non-enforcement allows corporate consolidation that reduces economic alternatives - Two-party duopoly constrains electoral alternatives through ballot access laws, debate rules, and campaign finance structures - Regulatory harmonization across states can reduce the diversity that federalism is supposed to provide - Federal preemption can override state-level alternatives

Invariant 1.4: Revocability

The ability of the governed to remove, replace, or constrain authority through peaceful, lawful mechanisms.

Layer	Mechanism	Constitutional Basis
Hardened	Regular elections (House: 2 years, Senate: 6 years, President: 4 years)	Articles I, II
Hardened	Presidential term limits	22nd Amendment
Hardened	Impeachment	Article I, Sections 2-3; Article II, Section 4
Hardened	Amendment process	Article V
Hardened	Judicial review	Marbury v. Madison (1803) — constitutional by precedent
Program	Electoral integrity (fair districts, voter access, honest counting)	Statutory + state-level — can be corrupted
Program	Campaign finance regulation	Statutory — weakened by Citizens United
Program	Lobbying regulation	Statutory — minimal enforcement

Layer	Mechanism	Constitutional Basis
Program	Congressional term limits	Not constitutionally required (except President)
Program	Administrative agency accountability	Statutory — agencies can become self-perpetuating
Program	Civilian control of military and intelligence	Normative + statutory — not explicitly constitutional

Vulnerability: The constitutional mechanisms for Revocability are strong — elections happen on schedule, impeachment exists, amendments are possible. But the **effectiveness** of these mechanisms depends on program-layer conditions: - Gerrymandering can make elections structurally non-competitive - Campaign finance can make candidates dependent on donors rather than voters (provenance corruption) - Lobbying can redirect legislative action from voter interest to special interest - The administrative state (unelected agencies) exercises quasi-legislative power without electoral accountability - Intelligence agencies can operate with minimal democratic oversight - Revolving door between government and industry corrupts the accountability chain

---

The Program Layer: Where Corruption Enters

The US system's structural genius is its constitutional hardening of core invariants. Its structural vulnerability is that **critical functions are delegated to the program layer**, where they depend on laws, norms, and institutions that can be captured.

Program-Layer Dependencies

Critical Function	Serves Invariant	Protection Level	Capture Risk
Electoral integrity	1.4 Revocability	State-level statutory	High — gerrymandering, voter suppression, ballot access restrictions
Media independence	1.2 Information	Normative only	**Critical** — no structural protection against corporate consolidation or government pressure

Critical Function	Serves Invariant	Protection Level	Capture Risk
Civic education	All (bootstrap)	State-level program	**Critical** — curriculum capture degrades OS bootstrap across entire generation
Antitrust enforcement	1.3 Alternatives	Federal statutory	High — non-enforcement is invisible; captured by the entities it should constrain
Campaign finance	1.4 Revocability	Federal statutory (weakened)	High — Citizens United removed key constraints; money corrupts provenance chain
Administrative accountability	1.4 Revocability	Federal statutory	High — agencies can become self-perpetuating power centers
Intelligence oversight	1.1 Agency, 1.2 Information	Statutory + normative	High — classified programs escape democratic oversight by design
Platform regulation	1.2 Information	Unresolved	**Critical** — monopolistic platforms exercise speech control without constitutional constraint
Judicial independence	All (enforcement)	Constitutional (lifetime tenure) + normative	Moderate — appointment process is political; court-packing is program-level

Critical Function	Serves Invariant	Protection Level	Capture Risk
Civilian control of military	1.4 Revocability	Normative + statutory	Moderate — depends on institutional culture, not constitutional mechanism

The Corruption Pattern

Program-layer corruption follows a consistent pattern:

1. **Identify a program-layer dependency** — a function critical to an invariant but protected only by statute or norm
2. **Capture the regulatory mechanism** — install sympathetic actors in oversight positions, lobby for favorable rules
3. **Degrade the function gradually** — not sudden violation (which would trigger constitutional defense) but slow erosion
4. **The invariant degrades operationally while remaining formally intact** — the right exists on paper but cannot be effectively exercised

This is why the US system can be in constitutional compliance (no amendment violated) while the invariants are operationally degraded. The Constitution protects the **formal** invariants. The programs protect the **operational** invariants. Corrupt the programs and the formal protections become hollow.

The Administrative State: An Emergent OS Layer

The administrative state (federal regulatory agencies — EPA, FDA, SEC, FCC, etc.) represents an **emergent layer** not present in the original constitutional specification:

Property	Constitutional Design	Administrative State
Legislative power	Congress (elected)	Agencies write rules with force of law (unelected)
Accountability	Electoral (voters → representatives)	Bureaucratic (internal processes, FOIA, occasional congressional oversight)
Revocability	Elections, impeachment	Difficult — civil service protections, institutional inertia
Scope	Enumerated powers	Expansive — agencies interpret their own mandates

The administrative state is not unconstitutional — it operates under congressional delegation. But it creates a **provenance gap**: the governed cannot effectively trace authority from their consent to agency action, and cannot effectively revoke agency authority through electoral mechanisms. This is structurally identical to the vanguard

problem in the Marxist OS and the interpretive class problem in the CJ and Theocratic OS — an intermediary exercises power on behalf of a principal that cannot hold the intermediary accountable.

Evaluation Algorithm

Step 1: Identify Constitutional Layer vs Program Layer

For any political phenomenon, determine: - Is this constrained by constitutional mechanism? (OS-level) - Or does it depend on statutory/normative/institutional protection? (Program-level)

Step 2: Test Against Invariants

For each invariant (1.1–1.4), assess: - **Hardened status**: Is the constitutional protection intact and enforceable? - **Program status**: Are the program-layer dependencies functioning or degraded? - **Operational status**: Can the invariant be effectively exercised (not just formally held)?

Step 3: Classify Program-Layer Health

Status	Definition
Functional	Program-layer dependency is operating as designed; invariant is operationally protected
Stressed	Program-layer dependency is under pressure but still functioning; invariant is weakened
Captured	Program-layer dependency has been captured by interests opposed to the invariant; formal protection intact but operational protection lost
Failed	Program-layer dependency has collapsed; invariant depends solely on constitutional hardening

Step 4: Classify System State

System State	Condition
Healthy	All invariants constitutionally intact; program-layer dependencies functional
Stressed	Invariants constitutionally intact; one or more program-layer dependencies

System State	Condition
	under pressure
Degraded	Invariants constitutionally intact but operationally compromised; multiple program-layer failures
Constitutional Crisis	Invariant directly challenged at constitutional level (e.g., Amendment proposed to limit 1st Amendment)
Systemic Failure	Multiple invariants constitutionally or operationally compromised; self-correction mechanisms captured

Step 5: Identify Attack Vector

If degradation is found, classify the mechanism:

Attack Vector	Description	Example
Direct constitutional challenge	Attempt to modify or reinterpret constitutional protection	Amending Bill of Rights, court reinterpretation
Program-layer capture	Corruption of statutory/normative/institutional protection	Regulatory capture, lobbying, revolving door
Scope expansion	Authority expands beyond original mandate	Administrative state creep, executive orders
Norm erosion	Informal constraints degrade without formal change	Politicization of judiciary, loss of press independence norms
Indirect degradation	Invariant degraded through private action the Constitution doesn't constrain	Corporate speech control, media consolidation, platform monopolies
Bootstrap corruption	Educational/cultural transmission of OS principles disrupted	Civic education capture, ideological replacement in schools

System Assessment (February 2026)

Applying the evaluation algorithm to the US system as of early 2026:

Invariant	Constitutional Status	Program-Layer Status	Operational Status
1.1 Agency	**Intact**	Stressed (regulatory burden, administrative requirements)	Weakened — agency compressed by compliance mandates
1.2 Information	**Intact** (government censorship constrained)	**Degraded** (media consolidation, platform monopolies, jawboning, educational capture)	**Significantly weakened** — formal right to speak intact, but information ecosystem corrupted
1.3 Alternatives	**Intact** (federalism, association)	Stressed (antitrust non-enforcement, two-party duopoly, regulatory harmonization)	Weakened — formal alternatives exist but practical access constrained
1.4 Revocability	**Intact** (elections, impeachment, amendment)	Stressed (campaign finance, gerrymandering, administrative state, lobbying)	Weakened — formal mechanisms intact but effectiveness degraded by provenance corruption

Overall classification: Degraded — All four invariants are constitutionally intact but operationally compromised through program-layer capture. The system is in formal compliance with its own specification while the specification's operational effectiveness is eroded.

This is the signature pattern of program-layer attack: **the OS appears to be running while the programs it depends on have been corrupted.** The patient has an intact skeleton (Constitution) but degraded organs (institutions). The skeleton doesn't fail — the organs do.

Structural Observations

1. The Supreme Court as Runtime Interpreter

The framers understood they could not anticipate every future threat. Their solution was architectural: define invariants at the **individual-capacity level** ("freedom of speech," "due process," "equal protection") and create an institution — the **Supreme Court** — whose purpose is to apply those invariants to situations the framers could not have imagined.

The Court is the system's **runtime interpreter**. It takes the abstract constitutional invariants and translates them to new technologies, new institutional forms, new threats:

Era	New Situation	Court's Interpretive Task
19th century	Telegraph, railroad monopolies	Apply commerce clause, due process to industrial scale
20th century	Broadcast media, wiretapping, nuclear weapons	Apply 1st, 4th Amendment to new communication technologies
21st century	Internet, social media platforms, AI, surveillance	Apply invariants to entities and technologies the framers never conceived

This is the designed solution to the problem of future-proofing: **you don't enumerate every possible threat — you define invariants at the right abstraction level and create an institution to interpret them.**

The Classical Liberal OS (the abstract specification) defines invariants as individual capacities — Agency, Information, Alternatives, Revocability — which are inherently technology-agnostic. The US implementation partially achieves this ("freedom of speech" is more abstract than "freedom of the printing press") but partially falls short ("Congress shall make no law…" constrains only Congress, not all entities that can suppress speech).

The open questions of each era are therefore not failures of the invariants but **interpretive challenges for the Court**: - Does "freedom of speech" apply when the suppressor is a private platform, not Congress? - Does "due process" apply when the authority is an algorithm, not a human official? - Does "unreasonable search" apply when surveillance is digital, not physical?

When the Court interprets well — applying the abstract invariant to the new situation — the system adapts without constitutional amendment. When the Court interprets narrowly — limiting the invariant to its 18th-century implementation — the system develops gaps.

The current structural tension: as of 2026, many threats to the invariants come from **non-government actors** (corporations, platforms, transnational institutions) that the Bill of Rights does not directly constrain. The invariants are defined broadly enough to cover these threats. The question is whether the Court will interpret them broadly enough to apply.

2. The Provenance Gap

The US system has developed a provenance gap comparable to the one the Marxist, CJ, and Theocratic OS suffer from:

Layer	Authority Source	Accountable To
Elected officials	Voters (consent)	Elections (revocability)
Administrative agencies	Congressional delegation	Congress (indirect, weak)
Intelligence community	Executive authorization + congressional oversight	Classified — minimal accountability
Federal Reserve	Congressional charter	Operationally independent — minimal accountability
Judicial appointees	Presidential nomination + Senate confirmation	No revocability (lifetime tenure by design)

Below the elected layer, provenance becomes increasingly opaque. The governed cannot effectively trace authority from their consent to agency action. This is the same structural failure The Governance Stack identifies in the Marxist vanguard, the CJ interpretive class, and the Theocratic priesthood — an intermediary class exercising power without accountability to the principal.

The critical difference: in the US system, this gap **emerged** over time through program-layer accretion. It was not part of the original design. The Constitution specified a much thinner governance structure — the administrative state, intelligence community, and central bank are all post-founding additions.

3. Federalism as Immune System

Federalism is the US system's **most underappreciated structural defense**. Fifty states with independent governance provide:

- **Redundancy**: Capture of federal programs doesn't automatically capture state programs
- **Alternatives**: Citizens can relocate to states whose program-layer choices better serve the invariants
- **Experimentation**: States can test different program-layer implementations (governance laboratories)
- **Resistance**: Federal overreach faces 50 independent centers of resistance, each with its own legal system and enforcement capacity

Federalism means the US system doesn't have a single point of failure at the program layer. Federal program capture is serious but not fatal — the state layer provides a structural backup. This is why attacks on federalism (federal preemption, regulatory harmonization, unfunded mandates) are structurally significant: they degrade the system's immune response.

4. The Bootstrap Is the Critical Vulnerability

The US system's constitutional hardening is robust. Its program-layer dependencies are stressed but functional. Its **deepest vulnerability** is the bootstrap mechanism — the dissemination of Liberal OS principles across the population.

The Constitution assumes a population that: - Understands consent-based governance - Can evaluate authority claims - Will exercise revocability when invariants are threatened - Defends the invariants against erosion

This understanding is transmitted through **civic education, cultural norms, and intergenerational practice** — all of which are program-layer functions with no constitutional protection. Capture the educational system, degrade civic literacy, fragment cultural coherence, and the distributed OS loses nodes. The Constitution remains intact, but the population can no longer run it.

Open Problems — Interpretive Challenges for the Runtime

Each of these is a question the system's runtime interpreter (the Supreme Court, supported by legislative action) must eventually address. None require new invariants — they require applying existing invariants to new situations. This is exactly what the Court was designed to do.

1. The Platform Problem

Invariant at stake: Information (1.2) **Interpretive question**: Does the 1st Amendment's protection of speech apply when the suppressor is a monopolistic private platform exercising de facto governance over public discourse? **The abstraction test**: The Classical Liberal OS invariant says "ability to seek, receive, produce, and exchange information without constraint." This is entity-agnostic — it doesn't matter whether the constrainer is Congress or Facebook. The US implementation constrains only "Congress." The gap is an implementation gap, not an invariant gap. The Court must decide whether to interpret the invariant at its abstract level or its 18th-century implementation level.

2. The Administrative State Problem

Invariant at stake: Revocability (1.4) **Interpretive question**: Does governance by unelected agencies, exercising quasi-legislative power under broad congressional delegation, violate the consent-and-revocability structure of the Constitution? **The abstraction test**: The Classical Liberal OS invariant says "authority removable through peaceful mechanisms." If voters cannot effectively trace or revoke agency authority, the invariant is operationally degraded regardless of formal compliance. Recent Court decisions (West Virginia v. EPA, Loper Bright v. Raimondo) suggest the Court is beginning to apply Revocability to the administrative state.

3. The Campaign Finance Problem

Invariant at stake: Revocability (1.4) **Interpretive question**: Does money in politics corrupt the provenance chain from voter consent to legislative action, and if so, does the Court's treatment (as of 2026) of corporate spending as protected speech protect the wrong invariant (Agency of corporations) at the cost of another (Revocability of the governed)? **The abstraction test**: Citizens United prioritized one invariant reading (speech = Agency) over another (consent provenance = Revocability). The Classical Liberal OS would evaluate this as a conflict between invariants — and its evaluation algorithm requires assessing which invariant is more degraded by which interpretation.

4. The Education Problem

Invariant at stake: All (bootstrap mechanism) **Interpretive question**: Should civic education — the mechanism that reproduces the OS across generations — receive constitutional protection against ideological capture? **The abstraction test**: This is the deepest challenge because it targets the system's **replication mechanism**. The Classical Liberal OS requires a population that understands consent, can evaluate authority, and will defend the invariants. If the educational system is captured, the OS cannot reproduce. Yet the Constitution delegates education entirely to the program layer, leaving the most critical function unprotected. This may be the one area where the US implementation needs a new constitutional provision — not a new invariant, but a hardening of an existing program-layer dependency.

5. The Transnational Problem

Invariant at stake: All four **Interpretive question**: How should the Constitution's framework — designed for the citizen-government relationship — address entities that exercise governance-scale power without being either citizens or government? **The abstraction test**: The Classical Liberal OS invariants apply to "authority" generically — any entity that exercises power over individuals. The US implementation scopes them to "government." When transnational institutions (WEF, IMF, WHO), global financial systems, or supranational regulatory frameworks influence domestic policy without domestic accountability, the invariants are operationally degraded but no constitutional provision is triggered. The Court has limited tools here — this may require legislative or treaty-level action to extend the invariants' reach.

6. The Scope Principle

The five problems above share a common structure: **the invariants are defined broadly enough, but the implementation constrains only government.** The 21st-century challenge is that governance-scale power is exercised by entities that are not government — corporations, platforms, algorithms, transnational institutions.

The design principle the framers used — define invariants at the individual-capacity level and let the Court interpret — is the right architecture. The question is whether the Court (and legislature) will extend the invariants' scope to match the actual distribution of power. If "freedom of speech" means "the individual's capacity to seek, receive, produce, and exchange information cannot be constrained by **any** entity exercising governance-scale power," then the platform problem, the media consolidation problem, and the

transnational problem are all answerable within the existing constitutional architecture. If "freedom of speech" means only "Congress shall make no law," then the architecture has a scope gap that only amendment can close.