

## THE FIRST AMENDMENT: IT NEEDS AN ECOSYSTEM

The value proposition Twitter/X shares with the 1st Amendment is strikingly symmetrical. In fact, a digital public square holds the potential as a platform to enable: free speech; free press; peaceful assembly; direct petition to government.

Of course, the 1st Amendment's establishment clause separates government from religion, which in Twitter/X's case is mostly ancillary to its hybrid citizen brand and news entity status.

Historically, the platform has extended entitlements of the Bill of Rights and Human Rights using only the new media fulcrum of the tweet (140 ASCII characters), a rock against any Goliath. So when we speak of Twitter's technological debt (i.e. "trust and safety") we are actually hashing out case law, and at other times interpretation of rule of law.

In practice, free speech is limited. Invocations such as open dissent, hate speech, fighting words, libel and slander, all have analog antecedents. So building solutions for these types of speech doesn't have to be ad hoc. It can be an organized endeavor that doesn't rely on difficult, often subjective, regulatory reactions by platform officials.

But most importantly, at this juncture (one year after acquisition), protecting speech or press from censorship requires transparency of mission and ethos. Perception around absolute entitlements, and evident operational bias during transition to a private entity, needs to be redressed. And this can be executed by separating X from Twitter.

In fact, the X rebrand may have already carved a path for Twitter's reemergence, liberating X to other market spaces. By providence, Twitter.com has been retained as the domain address, so rebooting as Twitter 2.0 is perhaps less disruptive than the palimpsest theatics of the X brand-over.

Intrinsically, Twitter as a platform can support both vital public discourse and democratic process. In the ideation deck, I have outlined a suite of new media technologies, designed to work in synergy. In many cases they are also zero to one opportunities: a media technology frontier intersecting governance, communication and learning spaces.

Going back to first principles yields design questions and hypotheses about how Twitter/X operationalizes, not just on free speech, but ostensibly by defining new tools for digital democracy. In fact, collective self-governance is profoundly impacted by mediated infrastructures, placing the burden on design, and potentially a B-corp business model.

The antecedent of the tweet may be the town crier, pamphlet, or telegram, but to optimize for democratic values we need public discourse that unifies the concerns of citizens, government, and public entities into one vital ecosystem, a leavening modeled on journalism, social media, and good will.