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Opinion

How social media has undermined our constitutional architecture

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Our politics are awful. On this we all agree. Often we feel there is nothing we can do. Yet there are steps to take. Before we can decide what to do, though, we have to face squarely the nature of the problem we are solving.

We face a crisis of representation. And — put bluntly — Facebook is the cause.
By crisis of representation, I do not mean that the other side's representatives drive us all crazy. Of course, they do. I do not even mean that the incredibly negative nature of our political discourse is ruining the mental health of all of us. Of course, it is. What I mean is that the fundamental structural mechanism of our constitutional democracy is representation, and one of the pillars of the original design for that system has been knocked out from under us. As a result, the whole system no longer functions effectively.

Imagine that a truck has crashed into a supporting wall for your building. Your building is now structurally unsound and shifting dangerously in the wind. That's the kind of situation I'm talking about.
In that abstract metaphor the building is our constitutional system, and social media is the truck. But explaining what I mean requires going back to the early design of our Constitution.

Ours is not the first era brought to its knees by polarization. After the Revolution, the nation was grinding to a halt under the Articles of Confederation. Congress couldn't get a quorum. It couldn't secure the revenue needed to pay war debts. Polarization — or as they called it — "faction" brought paralysis.

The whole point of writing the Constitution was to fix this aspect. James Madison made the case that the design of the Constitution would dampen factionalism. He argued this in the Federalist

Papers, the famous op-eds that he, John Jay and Alexander Hamilton wrote advocating for the Constitution.

When we teach constitutional history, we often teach the 10th essay — "Fed 10," as it is known — to explain how the Constitution was designed to solve for faction. Madison argued that building a representative instead of a direct democracy would mitigate the problem.
Robust disagreement would always be part of any constitutional democracy, Madison argued. It is freedom's necessary price. Tamping it out is not only impossible but undesirable. But reasonably public minded representatives would synthesize opinion from around the country. Coming together in Congress, they would refine public opinion and deliver a moderated, filtered version to steer the nation.

The notion that our representatives would serve as national shock absorbers sounds quaint. But even more important, it was only half of Madison's argument. We neglect to teach the other half.

Madison also expected that the breadth of the new nation and geographic dispersal of its residents would themselves dampen the consequences of those robust disagreements.
"Extend the sphere [of the country] … and it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. … The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States."

Madison anticipated that the breadth of a broad republic — our very rivers and mountains — would protect against the formation of dangerous factions because it would be hard for people with extreme views to find each other and coordinate. Because of geographic dispersal, people would have to go through representatives to get their views into the public sphere. This would mitigate the impact of faction.

In short, geographic dispersal was an actual premise of the Constitution's original design. It was a pillar undergirding the very viability of our system of representation.

No more. Madison couldn't anticipate Facebook, and Facebook — with its historically unprecedented power to bind factions over great distances — knocked this pillar out from under us. In this sense, Facebook and the equally powerful social media platforms that followed it broke our democracy. They didn't mean to. It's like when your kid plays with a beach ball in the house and breaks your favorite lamp. But break it they did.
Now, the rest of us have to fix it.

Representation as designed cannot work under current conditions. We have no choice but to undertake a significant project of democracy renovation. We need an alternative to that original supporting wall to restore structural soundness to our institutions.

In coming columns, I will make the case for the recommendations that I consider most fundamental for a 21st-century system of representation that can address our needs. The goal should be responsive representation, which means representation that is inclusive of our extraordinary diversity and, of course, simultaneously effective. Our representatives get stuff done.

Increasing the size of the House of Representatives is one recommendation from a bipartisan commission on democracy renovation that I recently co-chaired. The report we produced is called Our Common Purpose. I encourage everyone to read it. Other promising renovations include the reintroduction of districts with multiple members and ranked-choice voting. This would give all Americans a far richer experience of voice and choice, as well as bringing representatives back closer to their constituents. We also need to invest in civic infrastructure — the people, places and programs — that help people bridge divides and engage in productive, shared problem-solving at the local level.

We need a renovated model of representation that suits the world as it has become, yet is designed with respect for long-lived and durable principles of self-government. The kindled flames of faction now cross distance in the blink of an eye. A general conflagration, though, is not inevitable — if we renovate our house now, secure its soundness and fireproof it in new ways.