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| |  |  |  |  | | --- | --- | --- | --- | | |  | | --- | | Hi, everyone. I’m on assignment this week, working on a feature that you will eventually consume—eagerly, I hope!—in WIRED in the near future. Unfortunately that doesn’t leave time to write a full Plaintext, but I don’t want to leave you empty-handed. So let me share an experiment I just conducted. Don’t take it too seriously—I’m just dashing this off! |  |  | | --- | | This Week's Big Moment | | Like many others who are following the recent AI renaissance, I’ve been playing with [Claude 3](https://link.wired.com/external/34608265.2657/aHR0cHM6Ly93d3cuYW50aHJvcGljLmNvbS9uZXdzL2NsYXVkZS0zLWZhbWlseT9zb3VyY2U9RW1haWxfMF9FRFRfV0lSX05FV1NMRVRURVJfMF9TdGV2ZW5MZXZ5X1paJnV0bV9zb3VyY2U9bmwmdXRtX2JyYW5kPXdpcmVkJnV0bV9tYWlsaW5nPVdJUl9QYXl3YWxsU3Vic18wMzA4MjRfU3RldmVuTGV2eSZ1dG1fY2FtcGFpZ249YXVkLWRldiZ1dG1fbWVkaXVtPWVtYWlsJnV0bV90ZXJtPVdJUl9TdGV2ZW5MZXZ5JnV0bV9jb250ZW50PVdJUl9QYXl3YWxsU3Vic18wMzA4MjRfU3RldmVuTGV2eSZieGlkPTViZWEwM2Q5M2Y5MmE0MDQ2OTNlMWQyNCZjbmRpZD0zMjA0NTc5OSZlc3JjPVNMT25lQ2xpY2s/5bea03d93f92a404693e1d24Bde35bc15), the latest version of Anthropic’s large-language-model-powered chatbot. It’s easy to drop in text and quiz Claude on what it has just read, so I thought I’d do a reality check on the [US Supreme Court decision](https://link.wired.com/external/34608265.2657/aHR0cHM6Ly93d3cuc3VwcmVtZWNvdXJ0Lmdvdi9vcGluaW9ucy8yM3BkZi8yMy03MTlfMTltMi5wZGY_c291cmNlPUVtYWlsXzBfRURUX1dJUl9ORVdTTEVUVEVSXzBfU3RldmVuTGV2eV9aWiZ1dG1fc291cmNlPW5sJnV0bV9icmFuZD13aXJlZCZ1dG1fbWFpbGluZz1XSVJfUGF5d2FsbFN1YnNfMDMwODI0X1N0ZXZlbkxldnkmdXRtX2NhbXBhaWduPWF1ZC1kZXYmdXRtX21lZGl1bT1lbWFpbCZ1dG1fdGVybT1XSVJfU3RldmVuTGV2eSZ1dG1fY29udGVudD1XSVJfUGF5d2FsbFN1YnNfMDMwODI0X1N0ZXZlbkxldnkmYnhpZD01YmVhMDNkOTNmOTJhNDA0NjkzZTFkMjQmY25kaWQ9MzIwNDU3OTkmZXNyYz1TTE9uZUNsaWNr/5bea03d93f92a404693e1d24Bbdd2541e) this week which reversed Colorado’s ban on former president Donald Trump appearing on the presidential ballot.  The case comes down to the 14th Amendment of the US Constitution, which declares that "no person shall … hold any office, civil or military, under the United States … who, having previously taken an oath … as an officer of the United States, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof." The court’s nine justices unanimously overturned Colorado’s decision, saying that a single state does not have the right to do so unilaterally. But the five-member majority writing the decision went further, saying that only a supermajority of Congress can enforce the provision.  To many people, including the other four justices, this went too far. “This suit was brought by Colorado voters under state law in state court,” wrote Justice Amy Coney Barrett, who was nominated for the Supreme Court by Trump in 2020. “It does not require us to address the complicated question whether federal legislation is the exclusive vehicle through which Section 3 can be enforced.” The three other justices went further, noting that the majority had mandated a solution that was nowhere specified in the Constitution—some critics have even claimed that it [besmirches the Constitution](https://link.wired.com/external/34608265.2657/aHR0cHM6Ly93d3cubnl0aW1lcy5jb20vMjAyNC8wMy8wNC9vcGluaW9uL3N1cHJlbWUtY291cnQtdHJ1bXAtY29sb3JhZG8tY29uc3RpdHV0aW9uLmh0bWw_c291cmNlPUVtYWlsXzBfRURUX1dJUl9ORVdTTEVUVEVSXzBfU3RldmVuTGV2eV9aWiZ1dG1fc291cmNlPW5sJnV0bV9icmFuZD13aXJlZCZ1dG1fbWFpbGluZz1XSVJfUGF5d2FsbFN1YnNfMDMwODI0X1N0ZXZlbkxldnkmdXRtX2NhbXBhaWduPWF1ZC1kZXYmdXRtX21lZGl1bT1lbWFpbCZ1dG1fdGVybT1XSVJfU3RldmVuTGV2eSZ1dG1fY29udGVudD1XSVJfUGF5d2FsbFN1YnNfMDMwODI0X1N0ZXZlbkxldnkmYnhpZD01YmVhMDNkOTNmOTJhNDA0NjkzZTFkMjQmY25kaWQ9MzIwNDU3OTkmZXNyYz1TTE9uZUNsaWNr/5bea03d93f92a404693e1d24Be5be61ed).  This thorny legal situation seemed to me a great test for Claude 3. Was the decision correct, both in overturning Colorado’s decision and in imposing a newly fabricated obstacle to removing someone from the ballot who’d violated an oath to support the Constitution and tried to overthrow the government? If I gave the chatbot only the text of the Constitution and asked it to weigh in based on that alone, that would be originalism in its purest form! So I uploaded the historic document into the newly minted chatbot and asked: **If a former president is involved in an insurrection can he run for federal office again?**  Claude immediately zeroed in on the relevant clause in the 14th Amendment, quoting it in its entirety. Then the chatbot gave its verdict:  So if a former president engaged in insurrection or rebellion against the United States after previously taking an oath to support the Constitution, then Section 3 of the 14th Amendment would disqualify them from holding any federal office again, including running for President or Vice President.  Was this [stochastic parrot](https://link.wired.com/external/34608265.2657/aHR0cHM6Ly9kbC5hY20ub3JnL2RvaS8xMC4xMTQ1LzM0NDIxODguMzQ0NTkyMj9zb3VyY2U9RW1haWxfMF9FRFRfV0lSX05FV1NMRVRURVJfMF9TdGV2ZW5MZXZ5X1paJnV0bV9zb3VyY2U9bmwmdXRtX2JyYW5kPXdpcmVkJnV0bV9tYWlsaW5nPVdJUl9QYXl3YWxsU3Vic18wMzA4MjRfU3RldmVuTGV2eSZ1dG1fY2FtcGFpZ249YXVkLWRldiZ1dG1fbWVkaXVtPWVtYWlsJnV0bV90ZXJtPVdJUl9TdGV2ZW5MZXZ5JnV0bV9jb250ZW50PVdJUl9QYXl3YWxsU3Vic18wMzA4MjRfU3RldmVuTGV2eSZieGlkPTViZWEwM2Q5M2Y5MmE0MDQ2OTNlMWQyNCZjbmRpZD0zMjA0NTc5OSZlc3JjPVNMT25lQ2xpY2s/5bea03d93f92a404693e1d24Bfb6a6872) saying the Supremes were wrong? I pressed further: **Does that mean that a state can ban an insurrectionist from its ballot for federal office?** Claude said no!  Based on the text of the 14th Amendment, it does not give individual states the power to ban insurrectionists from federal ballots. The Amendment specifies that the disqualification for engaging in insurrection applies to holding federal office ("...shall be...under the United States..."), not state office. The power to enforce and determine violations of this disqualification rests with Congress, not the states.  Just like the judgment of the Supreme Court! But wait a minute. If a former president is an insurrectionist, how could he be prevented from taking office again?  Claude didn’t give a single answer, but suggested “a few potential ways.” The first, which the chatbot said had the clearest constitutional authority, was for a two-thirds majority of Congress to formally disqualify the former president, citing the 14th Amendment. That had been the only method specified by the majority of the human Supreme Court justices, which seems a cynical way to say the amendment would never be enforced, given the partisan dysfunction of Congress.  Claude went on to suggest that the House of Representatives could also refuse to count electoral votes of the candidate. Or, it noted: The Department of Justice could bring criminal charges related to the insurrection, which if resulting in a conviction, could constitute a disqualifying offense from holding office.  Ultimately, Claude’s view wasn’t all that different from the court’s, though it did offer what seems to me an obvious interpretation of the Constitution: A convicted insurrectionist shouldn’t take office. If you are a legislator and don’t vote to deny office to such a person, maybe you should think back to your own oath of office. Claude, of course, has no authority and is not a reliable source of legal advice. We also shouldn’t leave our decisions to hallucination-prone LLMs. But no one ever takes Claude on [free vacations](https://link.wired.com/external/34608265.) that might affect its judgment, and the chatbot is unlikely to marry someone who [plots to overturn an election](https://link.wired.com/external/34608265.). So there’s that. In any case, 10 years ago, this whole scenario would have seemed like a hallucination of the biological kind.  Hey, what happened to my not writing a column? Because so much of this was generated by a bot—something I try to avoid—this one doesn’t count. See you next week with totally original prose. | | |