

The Coordinated Attack on Authoritative Institutions

Defending Democracy in the Disinformation Age

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Following Donald Trump's astonishing electoral college victory in 2016, scholars, journalists, and citizens alike looked for explanations as to how an evident liar, both sexist and racist, running against a former secretary of state and US senator, won 46 percent of the popular vote.¹ More distressing still, Trump's victory fit a broader pattern of twenty-first century authoritarianism. The British far-right inspired Brexit referendum in June, followed a few months later by Trump's victory, signaled a darker turn in global politics.² With the emergence of illiberal democracies in Russia, Hungary, Poland, and Turkey, and with the growing strength of far-right parties in France, Spain, Italy, the Netherlands, Austria, and Germany, liberal democracies around Europe were faltering.³ Remarkably, the United States found itself on the same "road to unfreedom" historian Timothy Snyder spoke of in describing the consolidation of Vladimir Putin's authoritarian grip on the Russian Federation.⁴ Indeed, Trump's unctuous coddling of Putin and other strongmen only deepened many people's anxieties. What explains such a jolting shift in Western liberal democratic politics?⁵

There's been no shortage of explanations. While some observers focus narrowly on immediate circumstantial factors, others emphasize the role of globalization and the economic changes that have refigured existing divisions of race, gender, and class in explaining the rise of the authoritarian far-right, including Trump's victory.⁶ Among the more popular explanations, focus centers on the role of social media platforms and their algorithmic tendency to descend deeper into extremist content. Here the path to understanding is found in parsing technological effects.

While not discarding these approaches, our thesis shifts attention away from inward-looking considerations of individual demographics and psychological attributes, as well as technological determinates. Instead, our explanation of resurgent authoritarianism in the twenty-first century is anchored in history and politics. In this view, Trump's election is itself a symptom of a broader institutional and epistemological crisis.

Several contributors to this volume have argued that Trump's victory and the broader crisis of liberal democracy are the results of a decades-long assault on democratic institutions by advocates of a utopian economic and political philosophy. Over the past fifty years, wealthy proponents of a far-right utopian vision of how society and the economy ought to be organized have established a panoply of university centers, think tanks, faux grassroots organizations, and propaganda platforms designed to gnaw away at the legitimacy and credibility of authoritative institutions, including peer-reviewed science, independent journalism, scholarship, courts, and other investigatory and regulatory bodies. Trump's election and the broader crisis of democracy is a consequence of a systematic devaluing of institutions devoted – albeit imperfectly – to truth-telling and accountability. After decades of attacks on the credibility and legitimacy of authoritative institutions, the election of a habitual liar as president seems less startling.

On a global scale, free market capitalism is often referred to as neoliberalism. John Michael Colón offers one of the better definitions:

Neoliberalism is a set of policies and institutional arrangements defined by the elimination of postwar labor protections and regulations on capital, the privatization of public goods and services, the export of jobs to countries whose workers can be forced to work under sweatshop conditions, and the extension of for-profit market relations into most facets of human life.⁷

Neoliberalism, he says, is “also an ideology – *a story about who we are and what kind of world we live in*, which once ingrained becomes a kind of *unexamined common sense*” (emphasis added). Neoliberalism's supporting ideology is an evangelical embrace of limited government – except for when enforcing contracts, structuring advantageous markets, and underwriting research and development.

Understanding the creation and propagation of these “commonsense understandings” requires an engagement with the history of anti-state, anti-science (when it calls attention to a need for regulation), and, ultimately, anti-fact campaigns. This is a central source of our current disinformation disorder.⁸ How has the logic of unfettered markets become the

commonsense understanding of our contemporary era? And what has happened to facts and institutions that have stood in its way?

The story of the libertarian assault on democratic institutions has been told by prominent historians and journalists, including Nancy MacLean in this volume and in *Democracy in Chains*; Jane Mayer in the pages of the *New Yorker* and in *Dark Money*; Wendy Brown in *In the Ruins of Neoliberalism*; and, more recently, by Christopher Leonard in *Kochland*.⁹ Here, we need only offer a brief reprise of our argument. We begin by reviewing the main contours of our historical and philosophical explanation for the current disinformation disorder. We then turn to a longer critical consideration of potential solutions. Policy responses are hardwired into any premise concerning the nature and origins of a problem, and even in what is understood to be a problem in the first place. Finally, we propose reforms centering on disarming weaponized philanthropy, the system of “charitable giving” that has underwritten the emergence of authoritarian politics and the disinformation campaigns upon which they rest. Overall, our suggested solutions are intended to address the distorting effects of concentrated wealth and its unrestricted use in politics. It could well be that the crisis of liberal democracy in the twenty-first century saps the hope upon which all reformist endeavors rest. Democracy in the neoliberal capitalist West is at an inflection point in history.

DESTROYING THE PREVALENT GOVERNMENTAL PARADIGM

How have we gotten to this point? In Chapter 4, Naomi Oreskes, Erik Conway, and Charlie Tyson describe how in the 1930s, wealthy industrialists, including the DuPonts, championed free-market fundamentalism by attacking the New Deal.¹⁰ Their animus toward government regulation went so far as to seek ways to undermine child labor laws. Later, the Austrian School economists and their followers in the United States cloaked free-market capitalism in the garments of a high-minded moral crusade for “liberty,” meaning freedom to retain and dispose of property without government interference.¹¹ But as Charles and David Koch would learn in the 1980s, unvarnished libertarianism held little appeal to most voters.¹² Even a half-century later, when declodged of its rhetoric about “liberty,” libertarianism remained unpopular with the American public.¹³ Even among conventional conservatives, Koch’s ideas were on the fringe of conventional thinking. *National Review* founder and conservative icon

William F. Buckley Jr. once described Koch's political and economic philosophy as "Anarcho-Totalitarianism."¹⁴

With the realization that their goals would not come by way of the ballot box, at least not at first, they turned to methods that leveraged the great concentrations of wealth in the United States. Most narratives focus on Charles and David Koch (until his death in 2019). Given their outsized role in organizing libertarian millionaires and billionaires, this is indeed a reasonable approach. Yet as Mayer notes, "The Kochs, on their own, probably would not be able to have the kind of influence they have. What they've done is kind of a magic trick." They have "purposefully built what they call an unprecedented network of about 400 other extraordinarily wealthy conservatives with them to create a kind of a billionaire caucus."¹⁵ Today, this network of wealthy libertarian individuals in America and abroad learn from each other, coordinate political strategies, fund thinktanks and parties, and develop methods to limit the representative capacities of democracy and the regulatory functions of government. The Koch network orients hundreds of wealthy individuals, families, family foundations, and corporations toward an aligned vision of free-market capitalism. By 2019, the Koch Seminar had brought together a record 634 donors, including 181 first-time attendees.

Another requirement is secrecy. Attendees are not allowed to disclose the identities of others in attendance or tell outsiders what was discussed. That is also a condition that must be agreed to by the few news organizations that are allowed to attend portions of the seminars. But the names of some of the more prominent attendees have been leaked over the years. One commonly mentioned donor is James Arthur (Art) Pope. He is the CEO of Variety Wholesalers, a chain of discount stores in sixteen states. He is also the director of the Pope Foundation, a 501(c)(3) charitable foundation that "has invested millions in a network of foundations and think tanks, and advocacy groups designed to further conservative and free market ideas."¹⁶ "Pope's role in his home state of North Carolina was in many respects a state-sized version of the Kochs' role nationally."¹⁷ For example, Pope founded the Civitas Institute, a 501(c)(3) tax-exempt nonprofit right-wing organization based in North Carolina. Established in 2005, its stated goal is to "facilitate the implementation of conservative policy solutions." Pope also founded the John Locke Foundation. Created in 1990, it describes itself as "an independent, nonprofit think tank that works for truth, for freedom, and for the future of North Carolina."¹⁸ It is also a member of the Koch-funded State Policy Network, which we will discuss more below.

The Wisconsin-based Lynde and Harry Bradley foundation was founded in 1942. Along with David and Charles Koch, and their father Fred Koch, Harry Bradley was a charter member of the far-right John Birch Society.¹⁹ The Bradley foundation underscores the importance of not becoming overly fixated on the Koch brothers. According to the *Milwaukee Journal Sentinel*, from 2001 to 2009, the Bradley Foundation “doled out nearly as much money as the seven Koch and Scaife foundations combined.”²⁰ Between 2015 and 2017, the Bradley Foundation provided \$1.5 million to Pope’s Civitas Institute and the John Locke Foundation. Art Pope also became Bradley Foundation board chairman. While Pope joined the Kochs and the DeVos family of Michigan in supporting the Washington, DC-based James Madison Center for Free Speech. The center was founded in 1997 by Senate minority leader Mitch McConnell and by attorney James Bopp, Jr., the lead attorney in the Citizens United case before the Supreme Court.

Just as the Bradley foundation anchors activities in the upper Midwest, and the Pope foundation centers on North Carolina, the DeVos family concentrates on Michigan. Richard DeVos is the cofounder of Amway. He and his family, including his daughter-in-law Betsy DeVos, the education secretary in the Trump administration, have supported a variety of far-right causes. Beginning in 2007, for example, the DeVos’ family foundation gave \$800,000 to the Kochs’ Freedom Works Foundation, a conservative and libertarian group that promotes “less government, lower taxes and more economic freedom.”²¹ In 2012, the DeVos family provided a \$500,000 “unrestricted grant” to the libertarian Mercatus Center.

In some ways, what is commonly referred to as the “Koch network” might be better thought of as a fractal – a geometric figure of repeating parts, each replicating the pattern of the whole. Each branch of an ice crystal, for example, replicates the overall structure, just as Pope’s efforts in North Carolina and Bradley’s in Wisconsin replicates the Koch network’s national efforts. However, rather than “network” or “fractal,” Alexander Hertel-Fernandez, Theda Skocpol, and Jason Sclar refer to “donor consortia” when describing these groups.²² They propose five features that set organized donor consortia apart. They foster longer-term commitments among “like-minded wealthy people who give at or above a predictable minimum level year after year”; they provide a time horizon beyond individual election cycles that allow them to advance principles and policies, and channel resources to “idea creation, civic action, leadership development, and policy formulation unrelated to

winning particular election contests”; they are guided by a political ideology on a broad range of policy debates; and they focus on supporting fields of organizations, not just candidates. Perhaps most importantly, by “weaving ties among wealthy donors and between donors and other political players,” donor consortia build and leverage social solidarity among the wealthy elite. Wealthy donors get to know one another, “and in the process construct a purposeful community where they come to share political vocabularies, values, and morally grounded perspectives on political challenges to be addressed.” Together, social solidarity among the hyper-wealthy directed toward support for “fields of organizations” helps us explain how authoritative institutions are in crisis.

Attacks on state institutions and civic society groups standing in the way of free-market capitalism have come from a wide array of think tanks, university programs, astroturf organizations, news outlets, and, more recently, digital platforms that embrace forms of anarcho-capitalism, a belief in the limitless capacity of unregulated markets to establish and allocate value.²³ Friedrich von Hayek, one of the godfathers of this utopian vision, was “committed to persuading the intellectuals, and hence the masses and their political leaders, to change course” from Keynesianism.²⁴ The Mont Pelerin Society served that purpose. Even earlier, created to fight the New Deal, the American Liberty League was funded by the chemical industry magnate Irénée Dupont and other wealthy businessman and corporations. Other free-market fundamentalists later drew inspiration from the John Birch Society and from the beliefs of Robert LeFevre, both sources of inspiration to Fred Koch and his sons Charles and David.²⁵ “Government,” LeFevre said, “is a disease masquerading as its own cure,” a phrase parroted by Ronald Reagan three decades later.²⁶ LeFevre thought the New Deal was a terrible mistake. As a former member of the John Birch Society and a student of LeFevre, Charles Koch would aver in 1978, “Our movement must destroy the prevalent statist paradigm.”²⁷

These are the seeds of our current epistemological crisis; it is the result of a decades-long attacks on government initiated because of the state’s capacity to investigate, regulate, and tax, and on science and independent journalism for their capacity to investigate and document the dangerous failures of unfettered market economics.

We do not want to attribute the current crisis of democratic institutions entirely to the various strands of the neoliberal movement and related business interests. The Vietnam War, Watergate, Iran-Contra, the Clinton impeachment, the invasion of Iraq on false pretenses – plus the enabling of

that invasion by a sometimes too docile American news media – have all contributed to the delegitimation of state institutions.²⁸ Poor performance by government offers an appealing, straightforward explanation of institutional delegitimation.²⁹ The commercial media, with their emphasis on scandal and crisis and discord, also share a portion of the blame, though not all scholars would agree with this assessment.³⁰ All of these factors have played a role in the emergence of our “post-fact” era. Yet this leave us with nagging, unanswered questions.

Might government gridlock, inefficiency, and discord in itself be at least the partial product of a political philosophy designed to hollow out state institutional capacities and then draw attention and outrage to the ugly results?³¹ The political apparatus described in these pages has undermined the state’s governance capacity and then turned to an elaborate propaganda machine to draw attention to the foul results. Their goal has not been to improve performance or reimagine effective state services but to bind the state to a limited range of responsibilities, including serving as the arbiter of business legal disputes, enforcer of contracts, provider of public security, law enforcement, and the national defense. Above all, *the goal is not to strengthen and improve democratic governance, but to destroy it.*

WHY?

In the libertarian’s view, with first the Roosevelt administration’s New Deal and then the Johnson administration’s Great Society programs, democracy and egalitarianism had gotten out of hand. With the rise of movements defending specific groups: labor, civil rights, consumer, environmental, and women’s movements, too much power had slipped into the hands of people who made excessive demands of government and corporations.³² The trouble with Western capitalist societies, in their analysis, was that modern capitalism and supportive state authority had been eroded by “unrealistically heightened expectations on the part of the population, and by the obstacles to profitability in the oligopolistic sector of the economy.”³³ “For (Milton) Friedman, Hayek, and (James) Buchanan, the root cause of the aberration may be located, at least in part, in this strange but yet popular notion that government must function for social betterment, [and] for the alleviation of social distress and conflict.”³⁴ Yet in the view of the free-market fundamentalist, state intrusion only worsens matters. Besides, for at least some of the more enthusiastic supporters of the libertarian orthodoxies, there was little need for

state intervention. Even the *possibility* of market failures and externalities were thought impossible.³⁵ Furthermore, not only is government regulation unneeded, it is dangerous. For free-market fundamentalists, a state capable of regulation and taxation leads inexorably to a state capable of imposing tyranny. Because excessive democracy gets in the way of unrestrained property rights, democratic institutions – taxation, regulation, support of civil society through subsidies and law – must be brought under control, or even eliminated.

Interestingly, many on the left would agree that democracy and free-market capitalism are incompatible, though they would reach this conclusion from opposing starting points.

When markets are left under-regulated – and workers, unorganized – the corporate sector becomes a cancerous growth, expanding until it dominates politics and civil society. An ever-greater share of economic gains concentrates in ever-fewer hands, while the *barriers to converting private wealth into public power* grow fewer and farther between. Politicians become unresponsive to popular preferences and needs. Voters lose faith in elections – and then, a strongman steps forward to say that he, alone, can fix it.³⁶

There certainly is a remarkable concentration of wealth in fewer hands. By 2019, the twenty-six richest people on the planet had the same net worth as the poorest bottom half of the global population, or about 3.8 billion persons.³⁷ It's easy to imagine twenty-six persons but getting a mental grip on nearly 4 billion people eludes most of us. If we were to think of each person as a single second in time, four billion persons would add up to about ninety years. Yet despite their great numbers, in recent years those in the bottom half, and even those further up the economic ladder, have been frozen out of meaningful political representation. Centrist political parties that might organize and articulate the grievances of those left behind have been hollowed out by the glut of money washing over a professionalized political class of technocrats.³⁸

The crisis of democracy and our current disinformation disorder springs from these urgent historical currents. Identity politics and technological affordances put to ill-use are indeed central to the story, though in instrumental ways. When taken advantage of by political actors united in a self-interested fear of facts, identity politics and technological affordances are actuated to undermine progressive efforts to regulate markets and break up the concentration of political power. At the same time, we note that these efforts to manage or direct large popular movements and parties on the radical right are fraught with difficulty. When unleashed,

such forces often run amok and undermine far more liberal values than just the capacities of elected governments to represent the people. So, there is no grand conspiracy afoot here, but rather the results of efforts to create popular support for (and political distraction from) ideas that could not be sold on their own.

HOW HAS PRIVATE WEALTH BEEN CONVERTED INTO PUBLIC POWER?

Mayer chronicles the creation of the “Kochtopus,” the organizational apparatus devised by Koch advisor Richard Fink to promote libertarian ideas.³⁹ What is most striking about this system, besides its scale and scope, is that it has, for all of these years, been subsidized by American taxpayers. The tax system and laws that undergird modern philanthropy have been weaponized, as Jane Mayer puts it, by billionaires in their efforts to eliminate liberal democratic institutions that get in their way.⁴⁰

The creation of private foundations has allowed concentrated wealth to organize and amplify the voices of the wealthy in the public arena. In 1930, with total assets of less than \$1 billion in current dollars, there were approximately 200 private foundations. Just over a half-century later, there were more than two thousand foundations. By 1985 there were over thirty thousand private foundations. And by 2014, there were nearly one hundred thousand with total capitalization close to \$800 billion.⁴¹ The Kochs and other parts of the fractal led the way in the weaponization of what most see as mere charitable giving.

Beginning in the 1970s, Fink devised a mostly tax-payer subsidized system of influence which drew on an industrial processing metaphor. Fink’s system had three phases. First, new ideas must be treated like a raw material provided by sympathetic intellectuals housed at university research centers. The Mercatus Center at George Mason University offers an example. Founded by Fink himself at Rutgers University as the Center for the Study of Market Processes, what became the Mercatus Center moved to George Mason University in 1980 with a tax-exempt gift of \$30 million from the Koch brothers. The second phase involves libertarian think tanks processing the raw ideational materials into policies and laws. The Cato Institute, the Institute for Humane Studies, the Alabama-based Ludwig von Mises Institute, and the Competitive Enterprise Institute, all tax-exempt organizations, offer examples of policy-processing think tanks. The third phase involved a salesforce of astroturf organizations

intended to sell the libertarian policies to lawmakers and the public.⁴² This involved giving libertarian, top-down policy ideas a populist patina. Examples of populist astroturf organizations would include the Center to Protect Patient Rights – later rebranded American Encore, described in 2014 by the *Washington Post* as a “major cash turnstile for groups on the right during the past two election cycles.”⁴³ In 2012, it funneled donations from Freedom Partners and TC4 Trust as part of the \$400 million from the Koch donor network.⁴⁴ Even the Tea Party, which began as a dispersed network of angry citizens following the financial crisis, was pushed into far more coherent political organization by the Koch network.

Americans for Prosperity (AFP) offers another example of a faux grassroots organization. It opposes labor unions, the Affordable Care Act (or Obamacare), the 2008 stimulus package, and efforts to address climate change, or even to acknowledge its existence. AFP president Tim Phillips says his organization employs “hundreds” of staffers and has “thousands of volunteers,” and its website boasts that “there are over 3,200,000 of us, and we’re active in your neighborhood.”⁴⁵

AFP’s budget in 2007 was \$7 million; by 2010 its budget had grown to \$40 million and \$115 million two years later.⁴⁶ Its sister organization is the Americans for Prosperity Foundation, a 501(c)(3) organization.⁴⁷ The entire operation is underwritten with tax-exempt donations by the Koch brothers and other billionaires.

What could be thought of as a digital extension of Fink’s third phase has emerged more recently in the form of right-wing talk radio, Fox News, and a variety of websites and social media platform accounts. It can also be conceived of as a fourth element unimagined by Fink in the 1970s. Yochai Benkler’s contribution to this volume and his work with Rob Farris and Hal Roberts describes the emergence of the right-wing information ecosystem built around identity and agitation.⁴⁸ It traffics in outrage and identity-confirming content that is unburdened by concerns of factual accuracy.⁴⁹ Like the Kochtopus, right-wing outlets fuel populist outrage aimed at the reputations of mainstream institutions, including “the liberal fake news,” and the “deep state.” Rush Limbaugh’s “four corners of deceit” meme captures the essence of the far-right attacks on authoritative institutions: government, universities, science, and state-media, in his cosmology, are liberal connivers out to deceive the American public.⁵⁰

Limbaugh is far from alone in the effort to undermine mainstream news organizations and other democratic institutions. In 2019, a network of

Breitbart alumni and Trump allies were reported to be pursuing “what they say will be an aggressive operation to discredit news organizations deemed hostile to President Trump by publicizing damaging information about journalists.”⁵¹

As Benkler notes in this volume, the asymmetrical digital information ecosystem emerges out of right-wing talk radio, which rose rapidly following media deregulations in the 1980s. The fairness doctrine, introduced in 1949, required broadcasters to present controversial issues of public importance honestly and equitably. The Federal Communications Commission eliminated the policy in 1987. The elimination of the fairness doctrine was followed by passage of the Telecommunications Act of 1996; and Title 3 (“Cable Services”) of the Act allowed media cross-ownership. This was justified by claiming it would spur competition by allowing “anyone to enter any communications business – to let any communications business compete in any market against any other.”⁵² Instead, it led to a growing concentration of corporate ownership of local media. As Benkler points out, disinformation on social media platforms often emerges out of the far-right sector of the American information ecosystem. That system is the result of media deregulation.

Clear Channel and Sinclair Broadcasting were among the results. In 2017, the tax-exempt Charles Koch Foundation and the Charles Koch Institute donated over \$2 million to conservative media outlets, including \$980,000 to the Daily Caller Foundation, the tax-exempt entity that underwrites Tucker Carlson’s *The Daily Caller*.⁵³ The year before, the Kochs gave Carlson’s foundation \$958,000 – about 84 percent of its annual revenue. Meanwhile, the Mercer family bankrolled Breitbart, using tax-exempt (or at least tax sheltered) funds.⁵⁴ According to the Paradise Papers, the leaked electronic documents relating to offshore tax havens, Rebekah Mercer and her father Robert Mercer used a Bermuda tax haven to avoid taxes on millions of dollars in investment profits accrued by the family’s foundation.⁵⁵ From these offshore accounts the Mercers built a \$60 million fund to support Trump’s election and the creation of Breitbart and Cambridge Analytica, the consultancy that claimed to have used its psychographic profiles on millions of Americans to help elect Trump to the White House.⁵⁶

The libertarian project involves not simply the promotion of its own ideas but also the destruction of opposing ideas and institutions. The Media Resource Center, a “research and education organization operating under Section 501(c)(3) of the Internal Revenue Code,” was established in 1987 with support from a bevy of libertarian foundations,

including the Bradley Foundation, Scaife Foundation, Olin Foundation, and the Carthage Foundation (one of the Scaife foundations), among other sources.⁵⁷ Between 2012 and 2014, Media Resource Center received \$9 million from the Mercer Family Foundation.⁵⁸ As it describes itself, the Center's "sole mission is to expose and neutralize the propaganda arm of the Left: the national news media."⁵⁹ In other words, its mission since 1987 has been to undermine the legitimacy and credibility of the national mainstream news media. Much of the effort involves popularizing the "liberal media" trope. By labeling independent journalism as "liberal," and more recently "fake news," citizens are given justification for dismissing what they read in the newspaper or hear on network news. At the same time, the constant right-wing drumbeat of "liberal media" moved political dialog further to the right by pressuring the press to be "fair and balanced." That has meant a drift to the right. Among other examples that one could point to, the mainstream press, trying to illustrate its fairness on all issues, invited charlatans from climate change denier groups to "balance" the views of scientists. The vast scientific consensus on climate change was drowned out by a fabricated balance "between two sides."

Similarly, in 2016, the Koch-affiliated Donors Trust, a 501(c)(3) organization, gave \$1.7 million to Project Veritas, also a tax-exempt "public charity."⁶⁰ According to 2012 tax filings, Robert Mercer also provided funds to Project Veritas. Although it claims to expose dishonesty and corruption, Project Veritas' work typically involves ham-fisted, videotaped "sting operations" aimed at either a progressive civil society group or a mainstream news organization. The point is to embarrass and discredit the targeted group or organization. In 2017, for example, Project Veritas attempted to trick the *Washington Post* into running a fabricated story about Alabama Senate candidate Roy Moore.⁶¹ A woman stepped forward to tell a *Post* reporter that she had an abortion after having sex with Moore in 1992. Detecting inconsistencies in her story, *Post* reporters challenged her account; later, *Post* reporters saw her entering the offices of Project Veritas. In this case, Project Veritas was made to look foolish, just as it had in 2012 when it attempted a videotape sting operation against the voter registration group ACORN. In that instance, a judge even ordered James O'Keefe, Project Veritas's provocateur-in-chief, to pay \$100,000 in damages to two ACORN employees. But rather than damaging O'Keefe and his organization, the ACORN scandal enamored him with the libertarian far-right.

In this volume, the chapters by Nancy MacLean and by Naomi Oreskes, Erik Conway and Charlie Tyson both find similar efforts to undermine science and other sources of fact-based expertise.⁶² The Heartland Institute, a 501(c)(3) charity, was founded in 1984 by investor David Padden, one of many libertarian organizations he helped create. While the Heartland Institute's goals have evolved over the years, all have been oriented to shielding corporations from regulation, reducing taxes for the wealthy, and undermining the weight of facts in policy deliberations. In the 1990s, with backing from the Phillip Morris tobacco corporation, it focused on "smoker's rights" campaigns, which meant blocking prohibitions on the use of tobacco while trying to cast doubt on the science linking tobacco products with disease. More recently, with support from Exxon Mobile, the Heartland Institute has been a leading promoter of climate change denialism.⁶³

The Competitive Enterprise Institute (CEI) offers another example of a libertarian-backed effort to undermine science and the weight of fact-based discourse. ExxonMobil has been one of CEI's principal donors, as has Donor's Trust, in what has been described as the "dark money ATM of the conservative movement."⁶⁴ The positions it has taken are aligned with other libertarian think tanks, from denying the ill-health effects of tobacco to casting doubt on the reality of global warming. CEI has even championed the return of DDT. On a website created by CEI and other industry backers called SafeChemicalpolicy.org, CEI claimed, "Millions of people around the world suffer the painful and often deadly effects of malaria because one person sounded a false alarm. That person is Rachel Carson."⁶⁵ Several of the groups listed as coalition members on the Safe Chemical Policy website have ties to the Koch Network or are members of the State Policy Network (SPN), another Koch organization. The SPN operates as the policy, communications, and litigation arm of the American Legislative Exchange Council (ALEC), yet another Koch-funded tax-exempt organization. ALEC produces centralized policy prescriptions; while the State Policy Network state offices give them the patina of a local initiative. SPN and ALEC draw on the same funder base, including Koch Network, Donors Trust, Philip Morris, and several pharmaceutical and technology corporations.⁶⁶ The Kochs' Americans for Prosperity provides the appearance of "grassroots" support for SPN and ALEC.⁶⁷

It is important not to lose track of the point being made: all of this effort has been devoted to undermining the credibility of facts viewed as inconvenient to the pursuit of unregulated capitalism.⁶⁸ Long before Russian

bots trolled the American psyche, a vast array of tax-exempt interest groups, think tanks, and dissembling corporate shells attacked science, journalism, judiciary, and civil society.⁶⁹ The Russians have been important but are mostly ancillary to the main source of institutional delegitimation efforts. The Russians are merely jumping on-board the bus and adding a few new tricks and further fanning the social divisions which feed the movements and parties rising on the radical right in both the USA and Europe.

Most of these operations are legal and tax exempt. Through the manipulation of tax laws, philanthropy has become weaponized in pursuit of an ideological agenda. Much of the money contributed by the Koch brothers and by the other super-wealthy members of the Koch network, went to tax exempt 501(c)(4) “social welfare” groups.⁷⁰ In a new wrinkle, by 2012, the Kochtopus was fueled by anonymous donations through a nonprofit corporation that the tax code defined as a 501(c)(6), or a “business league.”⁷¹ Innocuously dubbed the Association for American Innovation (AAI) – later rebranded as Freedom Partners – this allowed tax-deductible contributions to be masked as “membership dues.” This put them out of reach for review by states attorneys general. The tax code facilitated the creation of organizations used to pursue the agenda of free-market fundamentalists. This, in our view, is the foundation upon which our current disinformation disorder rests. Tax-exempt organizations formed by some of the wealthiest persons and corporations on the planet have work *for decades* to undermine democratic institutions designed to marshal evidence. What can be done to correct this and save democracy?

DEFINING PROBLEMS AND IMAGINING SOLUTIONS

Solutions are hardwired into the premises of problems and their causes. As political scientist Murray Edelman tells us, “To evoke a problem’s origin is to assign blame and praise.” How we understand the cause of our current disinformation disorder invests authority in some and not others.⁷² Put more directly, how one understands the causes of a problem affects what seems logical and correct in efforts to fix it.

Our purpose in this section of the chapter is to engage with some (but not all) of the more common explanations for the turn toward authoritarianism and consider the solutions that emerge from their premises. Getting the explanation for the current crisis of democracy wrong or even incomplete, leads to misdirected and incomplete solutions. For example, if we

think the crisis of liberal democracy and epistemology is *solely* the consequence of bots running amok, the weight of policy responses will be directed to the regulation of platforms or to investments in bot detection software.⁷³ Democracy in this view will be saved by platform engineers pursuing technical fixes. Ironically, such a solution might actually cause more harm than good. To crush democratic resistance, authoritarians are quite eager to demand the prohibition of “disinformation” and “fake news,” which is to say, information they would prefer not be heard.⁷⁴ Regulating platforms to save democracy might have the unintended effect of bolstering authoritarianism.

Our explanation is anchored by considerations of political power, the influences of wealth, and ideology. In that respect, our argument shares features with some of the classic literature on the effects of political power on ideas and issue agendas.⁷⁵ Our point here is not to reject common, alternative accounts but rather to fit them into our own explanation. Indeed, such accounts are themselves made more cogent by our historical and political thesis. For example, the role of racial animosity offers important insights into the appeal of otherwise unpopular libertarian policies, as MacLean describes both in *Democracy in Chains* and her contribution here. Racial divisions exist and play a critical role in our current crisis, just as other crises of identity politics play a role in liberal democracy’s deteriorated condition in Europe.⁷⁶ It is important, therefore, to understand how racial divisions were mobilized in the service of anti-state, anti-liberal civil society campaigns.⁷⁷

Media literacy programs and fact-checking offer other well-intentioned but limited solutions. Scholars interested in public opinion and information biases point to “low-information voters” – voters whose lack of awareness of basic facts about government and issues is matched by a low “need for cognition.”⁷⁸ They don’t know and they don’t want to know. As one analyst notes, “They are the ideal constituency for a candidate like Trump.”⁷⁹ Rather than facts, emotion and selective exposure guide their impulses.⁸⁰

Let’s take a moment to consider the proposition that media literacy initiatives offer hope for mitigating the effects of disinformation. The point of this part of our closing argument is to underscore the connection between problem definitions and presumed solutions. Let’s explore the link in media literacy initiatives as a solution to disinformation.

There is little doubt that poorly informed citizens lacking critical analytical skills constitute a serious challenge to democracy.⁸¹ But let’s imagine that such an intellectually challenged voter shows admirable

gumption and takes it upon him or herself to become more enlightened. Rather than consume endless streams of manufactured outrage from Hannity, Limbaugh, or his or her favorite Twitter personality, he or she decides to seek a more balanced and erudite news source. How would that go?

As Victor Picard and Patricia Aufderheide point out in their respective contributions to this volume, in the absence of robustly funded public broadcasting stations, vast swathes of the country are left devoid of news outlets offering the sort of news our good citizen seeks. These are news deserts, places where local newspapers and locally owned radio and television stations have either closed or have been bought by conglomerates.⁸² What might the most motivated citizen find in such places?

As measured by both the total number of stations (193 as of this writing) and coverage area (40 percent of American households), Sinclair Broadcasting is the largest commercial television station conglomerate in the United States. It is also a deeply conservative and unabashedly pro-Trump corporation. It also owns the largest number of Fox News affiliates. Its Washington, DC affiliate pushed the Seth Rich conspiracy theory that he was murdered by associates of Hillary Clinton.⁸³ Even the mainstream conservative *National Review* calls Sinclair's practice of demanding that all of its stations around the country present exactly the same slanted editorials, as if they were their own, as "an assault on our democracy."⁸⁴ It seems likely that our aspiring informed citizen would be met with frustration and ideological uniformity.⁸⁵

What about radio as an alternative source of news and information for our intellectually curious news consumer? iHeartMedia, formerly Clear Channel Media and Entertainment, owns 855 radio stations in the United States, more than any other conglomerate. At the heart of iHeartMedia are the flagship right-wing programs, including *The Glenn Beck Program*, *The Rush Limbaugh Show*, and *The Sean Hannity Show*. Its stations reach about a third of the US population and take in \$3.5 billion in revenue. Thus, in the absence of the sort of robust public broadcasting service envisioned by Picard, television and radio content in many news deserts would only deepen some citizens' habits of leading with outrage rather than contemplating the facts.

At the leading edge of news desertification is the collapse of the newspaper industry, largely as a result of the syphoning off of ad revenue by internet platforms. As Google, Amazon, and Facebook capture more of the total market share, advertising revenue for the newspaper industry in

2018 shrunk 13 percent from 2017.⁸⁶ Meanwhile, hedge fund vultures circle the remains of dying big-city newspapers. Alden Global Capital, for example, has majority control of a management company called Digital First Media. It scoops up a dying newspaper, demands drastic staff cuts, and then closes it altogether to convert its physical assets into a real estate deal. Alden owns nearly 100 daily and weekly papers, including the *Mercury News*, the *Denver Post*, the *St. Paul Pioneer Press*, and every major newspaper in the Los Angeles and San Francisco Bay metropolitan areas except the *Los Angeles Times* and the *San Francisco Chronicle*.⁸⁷

According to Yochai Benkler in Chapter 2, two-thirds of the information ecosystem is immersed in a media logic of the balanced presentation of soundly sourced facts, while the other third is involved in a propaganda feedback loop of identity-confirming information, often of dubious facticity. Fact-checking initiatives such as the Poynter Institute's PolitiFact help police the frontiers of these contrasting systems. In a sense, by marking the boundary spaces between these two media logics, fact-checking initiatives help isolate and, if done well, undermine efforts to further delegitimize authoritative institutions.

Still, it would seem that even the most motivated news consumer would be required to navigate a landscape of manufactured outrage and corporate news uniformity. There are of course robust, even thriving national news outlets such as the flagship news programs found on NPR and PBS, or online subscriptions of prestige national dailies such as the *New York Times*. The *Times* has been adding about a quarter-million new digital subscribers per quarter over the last few years. Yet the success of national news organizations carries with it the cost of undermining local awareness of issues and attachments to local communities. Local groups bring a sense of political efficaciousness and solidarity that is more difficult to realize with a subscription to a large daily national newspaper.

The problem with media literacy initiatives, no matter how well-intentioned, is that they assume the disinformation crisis is the result of individual deficiencies rather than a broken corporate media system and a right-wing propaganda network. That said, literacy campaigns have a role to play in helping busy and distracted citizens from falling prey to deliberate efforts to deceive. When Trump claims he would have won the popular vote in the 2016 if it not for voter fraud, and implicating Google in that process, he is sowing the seeds for serious social discord.⁸⁸ His erroneous claims affect some citizen's confidence in the elections system and encourage the possibility that, should Trump lose in 2020, his supporters (and perhaps more likely, Trump himself) will not accept the

results.⁸⁹ Fact-checking initiatives and media-literacy initiatives help combat that possible outcome.

Other observers emphasize the role of sexism and toxic masculinity in understanding the rise of traditional authoritarian patriarchy.⁹⁰ According to this argument, angry males were mobilized by hostile sexism to vote for Trump precisely *because* of what he has to say about women and how he behaves around them.⁹¹ It is also evident that part of Trump's appeal and the appeal of retro-authoritarianism is nostalgia for white patriarchy.⁹² What's going on here?

Many of these men come from white working-class backgrounds. According to some scholars, working-class anger is rooted in economic dislocations and a sense that the system is rigged, just as Trump described it during the campaign. Despite reports of an economic recovery after the 2008 recession, many working-class Americans were left behind, with one study revealing that as many as a third would be unable to meet an unexpected \$400 expense.⁹³ In this view, economic insecurity and anger left over from the 2008 Great Recession led to Trump's surprising victory and the embrace of authoritarian politics. Others disagree with this economic analysis, arguing instead that racial fear and resentment motivated Trump supporters.⁹⁴ There is strong evidence suggesting that this argument is also correct. Exit poll data showed that white voters preferred Trump over Clinton by 21 percentage points in 2016.⁹⁵ White Evangelicals in particular saw an opportunity (some believed a divinely inspired one) to realize their goal of loading the Supreme Court with justices more inclined to overturn *Roe v. Wade*.⁹⁶ And it is certainly evident that blatantly racist rhetoric would be Trump's core campaign strategy in 2020.⁹⁷

In this era of domestic terrorism committed almost universally by white men, there is little question that race and class are key to understanding the sort of hate fueled by Tucker Carlson on Fox News, by websites like *The Daily Stormer*, and by the rhetoric offered by President Donald Trump. Race and class have been intermingled for much of American history, as MacLean notes.

Indeed, since the abolitionists had first enlisted the Commerce Clause of the Constitution to try to stop the profitable interstate traffic in human beings, and later when the New Deal had leveraged it to regulate the economy, class and race had been interwoven with property rights and public power in ways that cannot be understood well with a single-factor analysis.⁹⁸

Racism offered the fuel needed by libertarians to champion otherwise unpopular policies. We agree that race, gender, and class play a central

role in the rise of the authoritarian right. Our argument is that it is the emotive power of identity positions that created the fuel needed to sell libertarian policy positions to a public otherwise left unenthusiastic by libertarian economic arguments. As historian Michael Kimmage has noted, the migration of white southerners from the Democratic Party to the GOP following the Voting Rights Act and the Civil Rights Act and the accompanying “state’s rights” movement was fueled by racial hatred.⁹⁹ By 1980, Reagan was mixing his libertarian bashing of the federal government with not-so-subtle racial dog whistles. In August of that year, during his campaign for the presidency, Reagan made an appearance at the Neshoba County Fairgrounds in Mississippi. The fairgrounds are about seven miles from Philadelphia, Mississippi where, in 1964, civil rights workers Andrew Goodman, James Chaney, and Michael Schwerner were brutally murdered by a group of white supremacists that included the local police. At the rally, Reagan said,

I believe in states’ rights. I believe in people doing as much as they can for themselves at the community level and at the private level, and I believe we’ve distorted the balance of our government today by giving powers that were never intended in the Constitution to that federal establishment.¹⁰⁰

Reagan’s reference to “state’s rights” was an obvious appeal to southern white voters and a continuation of Nixon’s Southern Strategy, though some have claimed it merely reflected his libertarian beliefs.¹⁰¹ For us, it was both. To the degree that patriarchal nostalgia can be tapped to fuel animus toward the “liberal deep state,” libertarian policies are benefit. Yet pegging solutions on “smashing white patriarchy” alone, leaves untouched the economic structures at the heart of social and economic injustice and the rise of disinformation designed to weaken social cohesion. We do not reject race, class, or gender-based analyses but rather see them as core elements of the libertarian effort to divide and demobilize efforts to tax and regulate capital.

What about technology? Journalists, scholars, congressional investigators, intelligence agencies, and the special prosecutor probe of Russian interference point to Russia’s use of American social media to undermine the integrity of the 2016 elections.¹⁰² Yale historian Timothy Snyder provides one of the more cogent versions of this argument.¹⁰³ As alarming as the evidence of Russian interference was following the 2016 elections, it wasn’t until later, especially after the Democrats regained control of the House in 2018, that the deeper extent of the interference was realized. In 2019, the Senate Intelligence Committee issued a report that said election systems in all fifty states were targeted by Russian hackers in 2016.¹⁰⁴

States and federal officials were largely unaware of the attacks at the time. But direct attacks on balloting machines came in addition to the subtler attacks on the fabric of American society. Russian disinformation tends to attack social cohesion and induce panic, especially around immigrants and race.¹⁰⁵ But the Russians were late to the party. Racial tensions and xenophobia had fueled emotional attacks on the news media and liberal democratic institutions for decades.

Even without Russia in the equation, social media platforms exacerbate social tensions by algorithmically amplifying extremist content as a way to maximize advertising revenue.¹⁰⁶ Twitter, Facebook, YouTube, and 4chan widen political divisions – not as the result of a flaw to be fixed with a tweak, but as a fundamental design feature.¹⁰⁷ These are real and serious problems that are likely to grow worse as technologies evolve.¹⁰⁸ Race, economics, and technology all play a role in eroding the reign of facts in public discourse. Yet, what must be kept in mind is that in places where state institutes, the press, and science enjoy robust legitimacy, these same social media platforms apparently do not have the same effect as they do in the United States. In the Baltic countries, for example, Russian disinformation campaigns on social media platforms are met with a high degree of cohesive public defiance.¹⁰⁹ Disinformation and robust institutions are analogous to germs and an immune system. Robust immune systems ward off infections. Weakened ones do not. American liberal democratic institutions have been weakened by decades of attacks coming from the Kochtopus and aligned organizations. Space does not permit an in-depth look at how similar problems have arisen in other democracies, beyond noting as we did in the opening chapter, that there is a global network of hundreds of neoliberal think tanks operating in some ninety nations. These disinformation and propaganda organizations recruit politicians, draft legislation, network with the press, and share ideas with each other. This is a story about networks that are well financed, and that learn and share how to limit the representative and regulatory capacities of democracy.

ENDING TAX SUPPORTED ATTACKS ON DEMOCRACY

There are no immediate easy fixes to our current crisis of democracy. How then are we to begin the enormous task of digging our way out of this mess? How are we to reclaim democratic control over our politics and economy? Some possible solutions are only palliative but are still important. They include the sort of media-literacy programs discussed above, as

well as fact-checking efforts. Other suggested measures point to the need for more systemic measures intended to address the gross imbalances in power and assets available to advocacy groups.

To qualify for 501(c)(3) status as a nonprofit public charity eligible to receive tax-deductible donations, an organization must claim to serve a religious, charitable, scientific, public safety, literary, or educational purposes. Current law is extraordinarily accommodating in approving applications for status as a public charity. Despite the substantial tax breaks to subsidize the creation of a foundation, there are few or no formal accountability mechanisms or transparency obligations. Yet they control massive amounts of total assets and spend enormous amounts of money. Keeping in mind that not all charities offer public reporting, public charities in the United States in 2015 reported expenses amounting to almost \$2 trillion US dollars.

Until the last century, such a concentration of wealth in private foundations would not have been well received. John Stuart Mill argued that a private foundation was a “mechanism to produce the kinds of public goods that they (plutocrats) cannot manage to convince a majority to authorize through elected representatives.”¹¹⁰ By definition, private foundations are the legally sanctioned presence of amplified plutocratic voices in democratic debate. In 1917, when John D. Rockefeller sought a charter from the US Congress to create a general purpose foundation (he eventually obtained one from the New York State Legislature), Reverend John Haynes Holmes testified that the very idea of a private foundation was “repugnant to the whole idea of a democratic society.” Louis Brandeis said that the Rockefeller Foundation was “inconsistent with our democratic aspirations” and confessed to having “grave apprehensions” about the power that was lodged in the hands of a few wealthy men.¹¹¹ General-purpose foundations usurped the prerogatives of legislative bodies with responsibilities to set spending priorities under the scrutiny of the public eye. In 1925, so repugnant was the concept of a private foundation, that the regents of the University of Wisconsin banned the university from accepting philanthropic donations from them.¹¹²

And the entire enterprise is subsidized by the American taxpayer. The creation of foundations is “generously tax-subsidized in the United States and in many other countries.”¹¹³ Under current US law, assets transferred to a foundation by a donor are untaxed in two ways. First, the donation itself is, for the most part, tax-free as it reduces the tax burden the donor would otherwise shoulder. In this way, it reduces the donor’s tax commitment while reducing state tax revenue needed for the provisioning of

public goods like roads, clean air, and clean water. Furthermore, returns on the investment of the foundation's endowment are also mostly tax-free.¹¹⁴

And owing to the practice of itemized deductions, the benefits of charitable donations is itself skewed in favor of the wealthy. Donors in the highest tax bracket (39.6 percent in 2017) receive the largest deduction, while those in the lowest tax bracket (10 percent in 2017) receive the lowest. Identical donations are treated differently by the state according to the donor's income. There is a plutocratic bias in the tax code regulations on donations to 501(c)(3)s. As Robert Reich puts it, "The 1 percent receive a tax policy megaphone and the poor no or little policy amplification."

Remedying this would involve allowing non-itemizers to deduct their charitable contributions from their income just as the generally wealthier do. Better still, changes in policies could allow all donors an identical, nonrefundable and capped tax credit, rather than a tax deduction.¹¹⁵ Ultimately, disarming weaponized philanthropy will require a change in the tax code, one that limits the forced public subsidization of billionaire-endowed foundations dedicated to the protection of wealth.

As with "the-Russians-did-it-thesis," our approach cannot explain everything. The crisis of legitimacy of democratic institutions can also be attributed to a host of other blunders and excesses that have eroded institutional credibility and legitimacy. But the future is not bright. The billionaire tech sector has turned to financial mechanisms that could make the Kochtopus look tame. Private philanthropic foundations are giving way to limited liability companies (LLCs). In 2015, Mark Zuckerberg and his wife Priscilla Chan announced they were forming a for-profit LLC. In this way, the Chan Zuckerberg Initiative "avoids the already modest regulatory requirements concerning annual reporting of grant making and prohibitions on political giving that attach to private foundations."¹¹⁶ Other examples of for-profit LLCs include Laurene Powell Jobs' Emerson Collective and Pierre and Pam Omidyar's Omidyar Network. As Reich notes, "For-profit philanthropy in the form of an LLC threatens to unleash the power of wealthy elites in an especially nontransparent and unaccountable manner. It permits, in Jane Mayer's memorable phrase, the weaponization of philanthropy through the dissemination of dark money."¹¹⁷

It might simply be too late. But if there is a glimmer of hope left, it might be found in the resurgence of a word that hasn't been heard much in recent

decades: antitrust. As of this writing, presidential candidate Senator Elizabeth Warren (D-Massachusetts) is running on an ambitious plan to break up big tech companies like Google, Facebook, and Amazon and block them from selling their own products on their platforms.¹¹⁸ Even Wall Street bankers are becoming alarmed by the growing precarity of neoliberal capitalism.¹¹⁹ In *The Curse of Bigness: Antitrust in the New Gilded Age*, Columbia University's Tim Wu explains how 1970s-era antitrust laws first promoted by libertarian jurists tend to limit their evaluation to the question of whether greater corporate concentration affects prices.¹²⁰ Because social media platforms are free, antitrust regulation, such as it is, has allowed for greater concentration. Wu argues that political leaders have the legal authority and responsibility to break up monopolies that stifle the pace of innovation and reduce competition. Most especially, he argues, they must do so for the harm that great concentrations of wealth can do to democracy. Whatever the precise solution, we must find ways to reinvigorate democratic institutions. Without strengthening public trust in authoritative information, fact-checking, media-literacy training, and disinformation detection initiatives cannot, on their own, repair the information disorder.

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