



Is the US suffering from too much democracy?

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In the 16th and 17th centuries, Europeans subscribed to the divine right of kings. If something went wrong, it was the fault of the monarch's advisers. The king himself could never err. Nowadays, we believe in the divine right of the people: "The people are never corrupted, but sometimes deceived," as Jean-Jacques Rousseau put it. In their provocative book *Democracy for Realists*, the political scientists Christopher Achen and Larry Bartels argue that what they call the "folk theory" of democracy is as close as we get to secular religion nowadays. When asked how democracy should work, most agree with the statement: "The will of the people on most issues is pretty clear and politicians should just follow it." Here, in the age of Donald Trump, lies a key to many of our frustrations: there is no such thing as the will of the people. After generations of voting, we appear to have no firmer grasp of our natures than we do of God's mind.

Asked what had been wrought by the American Revolution, Benjamin Franklin famously quipped: "A republic, if you can keep it." Note, he did not say democracy. Nor did other founding fathers. James Madison made clear the US constitution embraced neither kingship nor majority rule. The document set up a deliberate tension between the two. It placed as much store in leadership as it did in popular opinion. Today, most Americans would be hard-pressed to distinguish "republic" from democracy. "American history has proceeded steadily away from the sophisticated notions of balance enshrined in the Constitution and inexorably toward a larger direct popular control as envisaged in the simplistic folk theory," write the authors. The outcome is not what we might hope.

Where direct democracy is strongest, results are rarely flattering, they say. For example, US cities that held plebiscites on fluoridation of water generally rejected it, in contrast to cities where the decision was left to representatives. Educated voters were as prone as everyone else to believe the "crackpots, rogue doctors and extreme rightwing interest groups" that opposed it. Or take the counties of Illinois, some of which adopted plebiscites for property tax assessments. Those that did saw a clear decline in fire-service response times. Those that stuck with their representatives did not. The difference costs lives.

Far from empowering people, direct democracy often serves the best-connected. In counties where property assessors are elected, the tax rate on the most expensive homes rises far more

slowly than in counties where they are not, the authors found. As for general elections, voters tend to judge incumbents by events beyond their control, such as natural disasters. Basing your choice on how you feel at the moment “makes no more sense than kicking the dog to get back at a difficult boss at work”, the authors write. Then there is the election of judges — a glaring conflict of interest. Is it possible to be disinterested when you must raise money from potential future plaintiffs? Should we even need to think about that?

Apparently so. Our faith in the collective wisdom of voters is transcendent. The popular cure for democracy’s ills is always more democracy. Jane Mayer, author of *Dark Money*, shines a blinding light on how easily democracy can be bent to the will of the few. As recently as 2010, David Axelrod, then Barack Obama’s chief adviser, confessed he barely knew who the Koch brothers were. That was how they wanted it. Their father, Fred Koch, who left them their fortunes, was fond of saying: “The whale that spouts is the one that gets harpooned.” Nowadays, Charles and David Koch, the sixth- and seventh-richest individuals in the world, according to a 2009 survey Mayer notes, with more than \$14bn apiece, are household names. Koch Industries is the second-largest privately held company in the US. The brothers have said they will pump \$889m into the 2016 election — roughly in line with what both major parties will spend.

With the persistence of Captain Ahab, Mayer, a writer at the *New Yorker*, has tracked her targets for years. She believes the Kochs, who host summits of fellow “radical rich” billionaires at their base in Wichita, Kansas, have apparently returned the favour. Mayer suspects she was investigated by a private detective agency, although she could not prove it was the Kochs that hired it. In any case, the agency failed to turn up the “Dirt, dirt, dirt” on her that it sought. She was then accused of plagiarism by the *Daily Caller*, a conservative website owned by Foster Friess, another billionaire, and friend of the Koch Brothers. “[I] knew that if these charges weren’t answered immediately, the truth would scarcely matter,” writes Mayer. She need not have worried. Her reputation as a reporter will only be enhanced by her powerful book.

The story of the Kochs tracks the evolution of US democracy over the past generation. Until the 1970s, the Kochs confined their politics to the ideological fringe — dabbling in what William F Buckley, the conservative intellectual, described as “Anarcho-Totalitarianism”. Fred Koch was a founding member of the John Birch Society, a cold war-era group that consciously adopted the tactics of communism in order to defeat it (secrecy, deception, ideological warfare and the like). Fred’s sons inherited his ideology. To avoid paying taxes on their financial inheritance, they set up a foundation, which meant they had to disburse a certain amount annually for 20 years. Rather than give it to the usual causes, they embarked on a “life-long, tax deductible sponsorship of libertarianism in America”. Mayer calls it “weaponising philanthropy”. Among other groups, they set up the Washington-based Cato Institute. It was only in the 1970s, after one of their plants was fined by environmental regulators for releasing toxic waste, that they got more directly involved in politics. David even ran without success in the 1980 presidential election as the Libertarian party’s vice presidential candidate.

Since then, the brothers have focused on the “ideological production line” of think-tanks, university institutes and research foundations — and on influencing elections through tax-exempt “social welfare” groups. Their crowning moment came in 2010 when Tea Party Republicans took control of Congress and brought President Obama’s agenda to a halt. The brothers had broken all records with their campaign spending. Among other gains, the switch helped to defund environmental regulators, kill a carbon trading bill in its tracks, prevent normal

taxation of carried interest (profits earned by hedge funds and private equity groups) and twice bring federal government to a halt.

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In spite of seeing Obama as anti-business, the Kochs have almost tripled their net worth since he came to office. An employee of the late Richard Mellon Scaife, a fellow radical billionaire, pithily summed up the Koch crowd's golden rule: "Whoever has the gold rules." Commenting on the Rockefellers and Carnegies of his age, Theodore Roosevelt said: "No amount of charity in spending such fortunes can compensate in any way for the misconduct in acquiring them." In 1999, the Koch brothers were ordered to pay \$296m for negligence and malice following the death of two people from an explosion of butane gas that had leaked from a corrupted underground pipeline. The company had known about the extreme hazard and done nothing. At the time it was the largest wrongful-death award in history. In 2012, the Environmental Protection Agency ranked Koch industries the number one producer of toxic waste in the country.

The great irony is their political spending is tax-deductible. Warren Buffett's son Peter described it as the "charitable-industrial complex". Might there be a better use of taxpayer resources? Not according to the Kochs. When he was a child, Charles used to tell an unfunny joke, writes Mayer. "When called upon to split the treat with others, he would say with a wise-guy grin, 'I just want my fair share — which is all of it'."

As Achen and Bartels show, the typical voter pays little heed to such detail. We lead busy lives. Most of us take our cues from the identity groups to which we belong. Furthermore, it is the least-informed voters — those wielding the swing vote — who have the greatest electoral sway. If you believe Mike Lofgren, a Republican veteran of Capitol Hill, elections change little. Presidents come and go. Congress changes hands. Behind the charade of constitutional government lies the "deep state", which carries on regardless. Lofgren traces the term to Turkey, where it denotes a permanent state of intelligence services, military, judiciary and organised crime. In his novels, John le Carré also refers to the deep state. Lofgren defines it as the "hybrid association of key elements of government and parts of top level finance and industry that is effectively able to govern the United States with only limited reference to the consent of the governed".

The book's greatest value is Lofgren's depiction of Washington, DC. To most voters it is a den of vice. In reality, says Lofgren, it is a town of workaholics that runs to a military clock. "The extent to which Washington has become a garrison town makes an ironic counterpoint to the widespread myth that the city is some kind of radical-liberal Gomorrah," he writes. "Its genuine vices are of an altogether different kind." Where else would local publications run full-page ads for littoral combat ships? Who else but the Pentagon would contrive to pay between \$100 and \$600 a gallon to deliver petrol to combat zones? Which other department would foot \$25.5m for a fitness centre? In Lofgren's telling, Washington is in the grip of a fossilised military-intelligence bureaucracy that no ordinary reform can affect. To believe otherwise "is like imagining that one could paint a pointillist picture from three inches away". It is hard to argue with Lofgren's view that the US military is better skilled nowadays at mastering Washington politics — executing "cost plus" budget manoeuvres that keep the cash flowing to outside

contractors — than it is at winning wars. His sobering diagnosis also offers a check on Achen and Bartels' view that the US is suffering from too much democracy.

Whatever vantage point you take, the health of US democracy is a cause for worry. That much is clear. Like a 17th-century king, the American people feel let-down and are looking for new advisers. Opportunists such as Trump are hustling for the role. Beneath the tumult of today's politics, however, lies the uniformed bureaucracy. With every terror alert, it entrenches its position. The likes of Franklin and Madison would probably be horrified. Yet the republic soldiers on. As they say in the military, situation normal: all fucked up.