Changing the World by Changing Forms?

How Philanthrocapitalist Organizations Tackle Grand Challenges

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Abstract

Can and should the superrich save the world? While this is a highly contested issue, attention is predominantly paid to individual philanthrocapitalists, such as Bill and Melinda Gates, Michael Bloomberg, Pierre Omidyar, George Soros, Elon Musk, or Priscilla Chan and Mark Zuckerberg and their visions. This paper conceives of such visions as raw material which is refined within philanthrocapitalist organizations. Traditionally, such organizations took the form of a tax-exempt foundation, a 501(c) organization. There seems to be a recent trend towards organizing as an LLC, thereby losing tax exemption. That an LLC is allowed to invest and earn money, does not fully explain this shift. Instead, the thesis is put forward that it is not all about money but that an LLC offers opportunities to solve problems such organizations typically face when tackling grand challenges: 1) making addressees use solutions (properly) and 2) scaling them. One solution (the Public Safety Assessment) from one organization (*Arnold Ventures* LLC) illustrates that philanthrocapitalist LLCs do not just execute their founder's wills but translate visions into strategies to reach what money (alone) cannot buy and technology (alone) cannot operate – and what an LLC is needed for.¹

Keywords:

grand challenges, LLC, organization, philanthropy, philanthrocapitalism, re-specification, scalability, solutionism

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I Introduction

Can and should the superrich save the world? According to this term's creators, philanthrocapitalism „refers to the growing role for private sector actors in addressing the biggest social and environmental challenges facing the planet“ (Bishop & Green, 2015, p. 541). It “is the use of business tools and market forces, especially by the very wealthy, for the greater social good” (Rogers, 2011, p. 376). On the one hand, it deals with the largest possible scale (the world, the planet). On the other hand, a lot of work centers on the individual “superstars”, such as Bill and Melinda Gates, Michael Bloomberg, Pierre Omidyar, George Soros, Elon Musk, or Priscilla Chan and Mark Zuckerberg. The space inbetween — the organizations that put the ameliorative ambitions of their founders into organizational practice — remains a blind spot. This contribution explicitly deals with philanthrocapitalist organizations and their specific ways of tackling grand challenges.

Some more general research explains this gap by holding that the organizational level offers no surprises. Such organizations were largely driven by a market-oriented mindset that exclusively promotes technological solutions to get rid of traditional institutions (Morozov, 2019). The paper at hand casts doubt on this assumption and claims that (re)structuring as a limited liability company (LLC) — admittedly, a rather conventional form — offers a range of solutions for philanthrocapitalist organizations for problems they face when tackling grand challenges.

The argument unfolds in three steps (Chapter 2–4). Discussing some social theoretical literature on philanthrocapitalism will show that organization is not considered a relevant factor so far (Chapter 2). Afterwards, I will briefly introduce the state of the art regarding philanthrocapitalism as a topic for organizational studies. Whether (and if so: how) the hybridity of societal and economic orientations within one and the same organization can be aligned is a recently debated issue (Chapter 3). The paper at hand puts the more open question how societal grand challenges are re-specified into something these organizations can work with. In other words, this contribution is interested in how narratives such as “making the world a better place” or of “tackling grand societal challenges” are translated into organizational identity stories and into tangible programs. Chapter 4, then, is

dedicated to show that these processes of re-specification and translation suggest opting for the organizational form of an LLC. Aspects such as evidence, impact, or data being dominant in these organizational identity stories result in initially conceiving of grand societal challenges as objects of thorough research. While this could be managed by tax-exempt foundations, the remaining task of controlling the growing and proper use of scientifically sound solutions affords doing politics. Because traditional foundations are legally banned from lobbying or advocacy, other forms are needed and empirically the LLC is the first choice. After some remarks on data and methodology (4.1), sections 4.2 and 4.3 will introduce examples from one philanthropic LLC, Arnold Ventures (AV), which recently changed from a 501(c)(3) nonprofit to an LLC.

Basically, this step can be criticized for leaving practices non-transparent and allowing investment businesses. While this paper does not aim at falsifying these lines of criticism, it turns the spotlight on two other problems such organizations have to deal with: 1) Convincing others to use their solutions and 2) to achieve large scale. Organizational solutions to these problems are analyzed by introducing a project by AV that intends to correct systemic failures of criminal justice: The Public Safety Assessment (PSA), an algorithm scoring and assessing recidivism in pretrial hearings. The discussion section (Chapter 5) summarizes that philanthrocapitalist organizations indeed try to control the entire process of picking problems, coming to solutions, and spreading them. Waiving tax exemption, which comes with establishing LLCs, allows for combining techno-scientific solutions with seemingly “old-fashioned” languages like politics or law. Tackling grand challenges does not lead to a choice between “old and new world” but means that (different) organizational forms are used to reach what money (alone) cannot buy and technology (alone) cannot operate.

With regard to organizational studies on tackling grand societal challenges, we may conclude (Chapter 6) that it is worth conceptualizing grand challenges as unspecific, at least as under-determined narratives that are re-specified within and by organizations. Re-specification, then, not least refers to the organizational form chosen to tackle the challenges that organizations face when pledging to do its bit.

2 Philanthrocapitalism in Social Theory

From the very beginning of what Bishop & Green (2008) affirmatively coined “philanthrocapitalism”, social-scientific accounts above all discussed the (im)possibility of tackling grand challenges by capitalist means (Edwards, 2008, 2009; Giridharadas, 2018; Jenkins, 2011; McGoe, 2012, 2015; Reich, 2018; Rogers, 2011, 2015). In a nutshell, the bottom line of this research is that philanthrocapitalists were too big a part of the problem to contribute to solutions.

Recently, Nachtwey & Seidl (2020) synthesized and systematized the more general accounts on solutionism and philanthrocapitalism; there seem to be three main lines of criticism:

- 1) Market orientation
- 2) Anti-institutionalism
- 3) Technology obsession

Market orientation

Making money while making the world a better place must not be a contradiction; this is what Nachtwey & Seidl (2020, p. 2) describe to be at the heart of these billionaire’s endeavors. This general stance is accompanied by introducing business practices and logics to philanthropy in order to make it more efficient, impact-oriented and, where appropriate, profitable.

Donor control is seen as a key instrument. (Ostrander, 2007) This means that philanthropists no longer give in a “hands off-manner”, relying that their money is spent reasonably. Instead, giving organizations switched from „checkbook philanthropy” to “social venture” or “impact investing” (Barman, 2007); they want to know what their money is used for — and what change it contributed to. Furthermore, Ostrander (2007, p. 364) points to the growing significance of donor intermediaries, which are usually for-profit organizations that advise wealthy clients about their charitable giving and assess the impact of funded projects (see also Hoelscher 2011).

This big change within big philanthropy is what Rob Reich (2018) in his brilliantly entitled book “Just Giving” demanded in the first place. While not outrightly refusing the idea of philanthropy, he puts forward three conditions under which philanthropy might be of societal value: Firstly, it has to complement political institutions aiming “to secure the reproduction of social capital over time”; secondly, if it supplements political institutions in preparing against “remote, low-probability but highly consequential risks (such as potentially cataclysmic natural disasters)”; thirdly, private philanthropic foundations could add a “long-time-horizon outlook” that “can counteract built-in features of short-termism and presentism in the democratic process” (Ibid., p. 23).

From this perspective, donor control and impact assessment seem rather counterproductive because they push philanthropy itself back into positions of short-termism and presentism. Reassessing their own concept, Bishop & Green (2015, p. 548) conclude: “Impact is everything”. Yet this appears as an answer to another kind of question. The authors, convinced of philanthrocapitalism’s superior capacity to solve big problems, recognize that their view on the very rich is not shared society-wide, to say the least. Thus, in order to generate trust in this style of solving problems, “success is crucial: meaning not just that large amounts of capital are deployed but that there is demonstrable impact in terms of problems solved and a better world created” (Ibid.). Bishop & Green combine this with a practical issue and make up “genuine grounds for concern in the fact that very few social entrepreneurs have achieved large scale” (Ibid.). In short, size matters and becomes an organizational problem. If anything around these organizations refer to “grand societal challenges” or the “planet’s biggest problems”, actually tackling rather small or local issues becomes somewhat dubious. This problem is revisited in section 4.

Anti-institutionalism

Anti-institutionalism basically refers to politics and the law as first choices for tackling grand societal challenges in particular and as a mode of social coordination in general. Morozov (2013, pp. 128–135) distinguishes between technoescapists and technorationalists. While technoescapists plan to get rid of politics altogether by technology, technorationalists intended to use technology to repair the current

system, to “shrink what makes politics political and instead boost its technocratic dimension” (Ibid., p. 129). Rather than mere political power considerations, technoscientific rationality was needed to come to better decisions regarding the public interest. In any case, traditional problem-solving is seen to underperform which was avoidable if only technology’s help was admitted. The current institutional order is seen as an obstacle to overcome because it basically impedes innovative solutions in many societal fields. Regulatory institutions but also the representation of interests in the form of trade unions and the like are systematically scaled down (Staab & Nachtwey, 2016, p. 470; Staab, 2016, p. 47–48).

This little respect for the status quo, Nachtwey & Seidl (2020, p. 15) explain, is animated by the “normative power of the possible”. Again, we will get back to this issue in section 4 when we will look at what role politics takes in philanthrocapitalist organization’s attempts at tackling grand societal challenges.

Bishop & Green (2015, p. 544), for their part, do not tend to conceal which option they prefer when affirming Warren Buffett’s decision to give his money to the *Bill and Melinda Gates Foundation* rather than to the US Treasury: “the Gates Foundation may be able spend it better”.

Technology obsession

Nachtwey & Seidl (2020) call the ideology underpinning and legitimizing such endeavours the “solutionist ethic”. Famously, it was Evgeny Morozov (2013, p. 5) in his book “To Save Everything Click Here” who put forward the notion of solutionism, namely “[r]ecasting all complex social situations either as neatly defined problems with definite, computable solutions or as transparent and self-evident processes that can be easily optimized — if only the right algorithms are in place!” With regard to philanthrocapitalism, Kavita N. Ramdas (2011, p. 395) adds that “current philanthropic practice seems motivated by technological solutions, the same ‘fix-the problem’ mentality that allowed business people to succeed as hedge-fund managers, capital-market investors, or software-developers. This approach is designed to yield measurable and fairly quick solutions”.

This stance does not only combine solutionism with philanthrocapitalism. Furthermore, it claims a linear relation between a certain mentality special to exactly

those people who became successful and rich in fields appreciating that and their mode of solving problems unrelated to their former occupations — such as grand societal challenges. There seems to be no such thing as a barrier between these people’s minds and the technologies they (respectively: their organizations) produce. In summary, “technology obsession” refers to a belief system that implies “that all relevant social problems can, in principle, be solved technologically; that there is a technological hammer for every social nail” (Nachtwey & Seidl, 2020, p. 12). In their contribution, this conclusion is directly linked to a quote by Bill Gates, arguably the most popular figure of the entire philanthrocapitalism discourse: “Any problem I will look at how technical innovation can help solve that problem. [...] It’s the one thing I know and the one thing I’m good at. That’s my hammer. And a lot of problems look like nails, because I’ve got a hammer” (Schlosser, 2019).

Without a doubt, this serves as an impressive illustration. However, so far, we did not hear much about any organization, let alone organizational practices. A lot of the research in this field examines public statements and self-descriptions. This is reasonable because it is interested in capitalism’s ideological foundation, showing that solutionism is used to legitimize (philanthro-)capitalism. While it is appealing to ask whether there is a “new spirit of capitalism” (Boltanski & Chiapello, 2007; Nachtwey & Seidl, 2020), this does not mean that the billionaire’s publicly articulated wills could easily be operationalized within their organizations. Consider the classical account of Mintzberg & Waters (1985) on organizational strategies. One such type of strategy is called “entrepreneurial” and refers to cases in which an individual vision, the entrepreneur’s concept of his or her organization, is constitutive. Such endeavors might be tightly controlled by entrepreneurs, but their visions provide only a general sense of direction, so that there is room for adaptation and no determination of the vision’s details. Even more, because this is a personal vision, it can also be changed completely.

It is important to note that this account concludes that even in cases of a very strong leadership and of tight control — which might serve as a model for philanthrocapitalist organizations — we have no reason to assume to know what an organization does just by knowing what the entrepreneur wants it to be.

Instead, we might quite openly conceive of these public and visionary statements and their corresponding ideology as a kind of “raw material” which is refined within the organizations under scrutiny of the paper at hand. Chapter 5 will suggest that the form such organizations choose alone sheds a new light on all three conclusions from the literature discussed so far. This must not mean to tell a demystification tale revealing philanthrocapitalist organizations’ failure to make the world a better place. Instead, my argument is guided by the assumption that organization is the place where it happens: Organizing translates the revolutionary discourse of disruption into reform projects that do make a change. Philanthrocapitalist organizations want games to be played by rules they formulate — and coming to guiding formulations is an organizational task.

Beforehand, the next section summarizes the state of the art in terms of organizational studies on philanthrocapitalism — the blind spot of more social theoretical accounts as was intended to document within this section.

3 State of the Art: Organizational Studies on Philanthrocapitalism

Having shown that organization is an overlooked factor in social theoretical contributions to the question of how philanthrocapitalism tackles grand societal challenges, we may now turn to the field of organizational studies. Here, only recently philanthrocapitalism has become a topic. Some research deals with the question, whether or not hierarchy in general and overheads in particular enhance or decrease the likeliness of impact (e.g., Gneezy, Keenan et al. 2014). More attention can be witnessed in scholarly discussions around “organizational identity”, defined as what members collectively view to be central, distinctive, and enduring features of their organization (Albert & Whetten, 1985). Respective studies are particularly interested in how such organizations succeed in taming the stubborn orientations towards either the greater good or the higher income.

The classical identity concept has been updated, *inter alia*, by Besharov & Brickson (2016) who argue that organizational identity acts as a “filter” in terms of information processing. *What* is flagged as relevant and *how* it is processed, is structured by an organization’s identity. This, again, was taken up by Tamaki Onishi (2019, p. 1) who defines venture philanthropy (VP) a hybrid approach combining philanthropy and venture capitalism. Here, the problem of two apparently contradicting orientations, one towards society (social-welfare logic or identity) and the other towards economy (commercial logic or identity), gained special attention. Logics thereby refer to external expectations, such as stakeholders’ diverse interests, while identities mean organizational members’ internal goals. This literature came up with counterintuitive and interesting results. Onishi (Ibid., p. 20), for instance, showed that several VP organizations with a social identity consistently suppress external pressures from commercial logic. In contrast, businesslike identity does not always suppress social-welfare logic. Anyway, this kind of research suggests taking filters into account through which organizations define problems they want to contribute solutions to.

Without a doubt, hybridity has gained a lot of attention by organizational scholars (Apelt et al., 2017; Battilana & Dorado, 2010; Greenwood, Raynard et al., 2011; Gümüşay, 2018). Therefore, it does not come as a surprise that organizations tackling

grand societal challenges not least by considering business practices were dealt with from this angle. The respective literature concluded that it is crucial to distinguish between organizations keeping logics internally separate (Dunn & Jones, 2010; Pache & Santos, 2013) and organizations reconciling them (Murray, 2010; Simsek, 2009). Organizations can make use of internal differentiation and do something very typical for this kind of social formation: They can partition potentially contradicting logics into separate units (Greenwood, Raynard et al., 2011; Gümüşay, 2018). Thus, organizational studies can choose to look at what kind of filter philanthrocapitalist organizations use when scanning the world for solvable problems *or* to examine the formal structure they consider appropriate (Meyer & Rowan, 1977; Meyer, Scott et al., 1983).

In a sense, we find these two options combined in a contribution by Besio & Meyer (2015). They were interested in how nonprofit organizations (NPOs) and social ventures, such as *Oxfam* or *Endeavor*, “re-specify multiple logics through their decision-making processes”, e.g. by decoupling *or* translating different logics (Besio & Meyer, 2015, p. 243). According to the authors the term logics refers to different societal logics, assuming that each functional system, such as science, politics, economy, medicine and the arts, follows a specific logic that guides its information processing (Ibid., pp. 239–240).

Decoupling of organizational units is one means of re-specification. Coming to terms with all these competing demands and orientations can be settled by the distribution of respective tasks among different units. The case of *Oxfam* shows that commercial logics and activities are executed exclusively within the shops they operate that can decide rather autonomously if only guidelines specifying the product range are obeyed.

Translation does not refer to a representational understanding of a seamless transport of meaning, but the very process of sense-making from external information within one’s own schemes of information processing (Czarniawska & Joerges, 1996; Renn, 2006a, b; Zilber 2009). Organizations can prepare themselves for translating elements of one logic into another, at least to suggest a certain way of interpreting their communications. Besio & Meyer (2015) use *Endeavor* as an example for this type of re-specification. This organization only takes those elements of humanitarian aid and

respectively economic logic into consideration that are compatible with each other. This kind of successful re-specification of different societal logics, the authors show, enables not only to cope with the many (internal as well as external) voices but even to benefit from this polyphony. If, for example, an organization such as *Endeavor* is able to motivate partners *because* it translates humanitarian aims into business-savvy language and practice, demonstrating its effectiveness and reliability, this kind of hybridity or heterogeneity even becomes advantageous (Ibid., pp. 248–249).

Re-specification is a systems-theoretical term, meaning to specify something which is societally consented — such as tackling grand challenges — yet too broad (or: grand) to be directly implementable. Exactly this process of re-specification is done in and by organizations (Luhmann, 2002, pp. 143–144). Organizations, from this perspective, translate oversized aims and ambitions into workable bits. This concept resembles the notion of translation put forward by Tammar B. Zilber (2009). She has shown how dominant societal narratives which she calls “meta-narratives” are maintained by organizations that translate (and re-specify) narratives in recruitment practices, socialization processes, and routines into organizational identity stories (Ibid., pp. 220–223). Finally, these become translated and maintained in member’s life stories. We may conceive of the “ameliorative imperative” (Morozov, 2013, p. x) or the idea of “MarketWorld” (Giridharadas, 2019, p. 30) as such a meta-narrative — respectively, as critical accounts of such a narrative. Giridharadas insists that MarketWorld is not only a network of “charity, academia, media, government, and think tanks. It has its own thinkers, whom it calls thought leaders, its own language, and even its own territory-including a constantly shifting archipelago of conferences at which its values are reinforced and disseminated and translated into action. MarketWorld is a network and community, but it is also a culture and state of mind” (Ibid.).

This may or may not be an accurate description; what it generally lacks is an idea of how such organizations, for instance, decide which problem to tackle within this huge frame of “making the world a better place” — i.e. to re-specify. The notion of the MarketWorld assumes that what its thought leaders say can be disseminated and

translated seamlessly. Organization does not matter as a factor here which repeats the general conclusion of the social theory part.

As this section has shown, if philanthrocapitalism is a topic organizational studies deal with, coping with hybridity can be said to be of predominant interest. The paper at hand varies this interest by looking at how narratives such as “tackling grand societal challenges” or the MarketWorld are re-specified or translated by philanthrocapitalist organizations. The following section explores opportunities of re-specification for such organizations when they opt for being an LLC.

4 Organizational Forms and Their Impact on Philanthrocapitalism

According to the last section, organizational studies discuss hybridity predominantly in terms of logics or identities. In the following, it is proposed to extend these considerations to organizational forms. Traditionally, philanthropic foundations took the form of a 501(c) organization, being nonprofit and tax-exempt. While this model is still chosen, a move towards (re)organizing philanthropy into an LLC can be witnessed. The *Chan Zuckerberg Initiative* (CZI) is considered as pioneering this choice of form, yet they are by far not the only one, if we look at the *Emerson Collective*, *Omidyar Network*, *Good Ventures*, and *Arnold Ventures* (Piper, 2019). Of course, from an economic perspective it is counterproductive to switch from 501(c) to LLC because of losing tax exemption. This step only makes sense because it allows for operations that render impossible as a tax-exempt nonprofit: “[T]here are a few avenues for changing the world that are legally complicated — or even impossible — to pursue through a standard foundation. It’s particularly tricky if you want to make for-profit ‘impact investments’ in early-stage projects, like drug development, clean meat, or green energy [i.e. grand challenges; M.M.]. Foundations are also limiting if you want to make grants to political advocacy — pushing for policies or supporting candidates that you think are most likely to do good in the world” (Ibid.).

The CZI, for instance, engages in grantmaking, 501(c)(4) giving, impact investing, and the direct creation of new technology tools (Callahan, 2019). At first sight, an explanation seems simple: Modern giving should be profitable and technological, just as the critical stance of solutionism would expect it. Therefore, organizational forms are chosen that allow for such operations. My claim is that this tells only half the truth. At this point, hybridity comes back in. Several philanthrocapitalist organizations are not either standard nonprofit foundations or LLCs but form a roof enabling many different maneuvers by opting for different forms. The former *Laura and John Arnold Foundation* (LJAF) became *Arnold Ventures* LLC (AV). Not least because of this restructuring process, it offers an interesting case to test the claim articulated above.

4.1 Data & Methodology

The following section will present answers to the question, how AV re-specifies or translates “tackling grand challenges” into organizable tasks, especially projects (Besio, 2020). This calls for a theory-driven research design that leaves space for insights offered by the data. Therefore, thematic analysis seems appropriate as it seeks a balance of deductive coding, derived from the theoretical framework and inductive coding from themes emerging from the material (Fereday-Muir & Cochrane, 2006, p. 91). Themes are identified through careful (re-)reading of the data as a form of pattern recognition, where emerging themes become the categories for analysis (Ibid., p. 82). This approach is complemented by deductively scanning the data for answers to questions relevant from a certain conceptual perspective, such as: What is described as a problem? What is seen as a (corresponding) solution? How are big issues translated into tangible ones? Is there a plan on how to scale?

The data collection includes a wide variety of material. There are internal as well as external descriptions from different sources: websites, newspapers, magazines, special publications on philanthropy, a weekly newsletter, podcasts, evaluations, assessments, and research papers to reconstruct how organizations such as AV translate (too) grand challenges into programs and projects. But there are also sources that provide insight into how AV attempts at controlling the application and dissemination of its own translations: e.g. plans, guides, or instructions. The following case study presents initial findings of a thematic analysis of such data.

4.2 The Case of Arnold Ventures (AV)

AV's roof is an LLC under which classic philanthropic giving as well as lobbying is carefully planned. In other words, an LLC facilitates both, grants through a foundation and political-legal advocacy work through a separate organization.

The current state of the world offers a lot of ameliorative potential. From an organizational perspective, this means that there is a demand for picking problems and for legitimizing this choice. As the last section illustrated, organizations can and have to re-specify broader narratives into concrete decisions. On the AV website it reads that this organization's core objective is “to maximize opportunity and

minimize injustice”.² Injustice is a good example for a scheme of observation that will reliably produce results if the world is scanned for it. Which injustice is to be worked on, then appears as the first step towards re-specification. Furthermore, this allows to connect to the United Nations Sustainable Development Goal 16: “Peace, Justice and Strong Institutions”.³

AV puts emphasis on the legal system which itself must be the result of a decision. One motive among many might be to observe its institutional neighborhood for what other organizations within the philanthrocapitalist field left (DiMaggio & Powell, 1983). Engaging in health, for instance, would mean to compete with the *Bill & Melinda Gates Foundation* (BMGF). Thus, this paper is not interested in psychological motives behind certain decisions but on re-specifying effects. For whatever reasons, one of AV’s priorities focuses injustice within the legal system which is still too broad a topic to work on. It has a department for Criminal Justice Research and also hires Criminal Justice Analysts. Of course, there are law graduates, but in many cases members come from social sciences, such as sociology or criminology.⁴ In terms of an organizational identity story (Zilber, 2009), AV describes itself as evidence-based and data-driven which means that scientific reasoning is the model for thoroughly understanding problems and developing solutions. Following Zilber (2009), recruitment is crucial for translating broader narratives into organizational talk and action. Taking a glimpse at the biographies of the Criminal Justice Team, we find people that are used to cut problems until they form answerable questions. An important and early step of re-specification is translating grand societal challenges into tasks resembling scientific questions. In case of AV, this might be done “in-house”. As soon as questions exceed what can be solved there, proposals for research are invited. With regard to organizational forms and legal opportunities, this can by and large be done with traditional grantmaking.

According to Steverman (2019), initiatives at AV typically pursue a twofold strategy. The first step is often to fund a research study, Laura Arnold, co-founder and co-chair of AV, calls that “philanthropy as R&D” (Ibid.). One could argue that there is

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² See <https://www.arnoldventures.org/about> (July 22, 2020).

³ See <https://sustainabledevelopment.un.org/sdg16> (July 22, 2020).

⁴ See <https://www.arnoldventures.org/work/criminal-justice#team> (July 22, 2020).

another step before this one because AV is also working on the improvement of academic research itself. Reproducibility has been one topic under scrutiny, finding that only about 40% of top psychology journal experiments could be replicated. As a response, AV helped to erect the Center for Open Science (COS) that envisions “a future scholarly community in which the process, content, and outcomes of research are openly accessible by default”.⁵

Anyway, what follows the funding of research as a second step, is using that data, read: lobbying and political donations (Steverman, 2019). These are activities an LLC is permitted to pursue while nonprofits stood before unsurmountable legal barriers. Again, the notion of translation appears to be helpful. In an interview with AV, Jim Greiner, lawyer and statistician, explains that “the resistance of policymakers to evidence-based approaches” is “a very difficult problem to tackle. The sluggishness of policymakers to adopt policies that have been proven to work is itself an object of study”.⁶ The same, Greiner notes, holds true regarding the legal community: “Another crass thought is that people who can’t do math in college go to law school. Or maybe it’s the way we teach law—we teach appellate case law, which encourages people to think about individual cases rather than what’s best across the entire portfolio. But it’s still hard to figure out why lawyers are so disdainful of rigorous empiricism” (Ibid.).

In terms of re-specification, picking problems within the narrative of “making the world a better place” as well as exploring solutions come tax-free. These aspects can be re-specified by in-house research and grantmaking. Data, evidence, figures, and facts — buzzwords within philanthrocapitalist organizations’ identity stories — obviously do not translate into the worlds of politics and law seamlessly. Rather, decision-makers from these domains have to be talked into viewing such proposals as solutions (Hutter, 1992; Mölders, 2014). This part of re-specifying “tackling grand challenges” demands to refrain from a nonprofit organizational form. Furthermore, a second task remains. Having to pick problems and cutting them into researchable questions results in rather small answers — at least compared to tackling *grand*

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⁵ See <https://www.cos.io/about/mission> (July 22, 2020).

⁶ See <https://www.arnoldventures.org/stories/researchers-are-bringing-something-surprisingly-novel-to-lawmaking-rigorous-evaluation> (June 23, 2020). Only recently, Greiner emphasized his stance on “evidence-based legal practice” (Lynch, Greiner et al., 2020).

challenges. Not least advocates of philanthrocapitalism's benefits require more: "There need to be many more examples of success at scale to replace what are all too often examples of small scale achievements by social entrepreneurs that never break through to make a massive difference" (Bishop & Green, 2015, p. 548).

According to the authors, large scale examples are also needed to generate trust in what they are convinced of long since — philanthrocapitalism's problem-solving capacities. Picking one specific example from AV's portfolio, the next section explores how this philanthrocapitalist organization works on both tasks: 1) making addressees from the political and legal system use solutions the organization developed and 2) spreading them.

4.3 Divide and Scale: The Case of the Public Safety Assessment (PSA)

The Public Safety Assessment (PSA) is an algorithm used in several US courts in pretrial hearings. It is designed to reform bail decisions by assessing defendants' likelihood to 1) appear in court and to 2) reoffend until the actual trial (Mölders, 2020). In what the preceding section has described as a typical first phase of research, analysts with backgrounds in Public Administration, Urban Studies, Public Policy, Statistics, and Social Sciences were asked to examine what factors — compatible with principles of equality — are most predictive of new (violent) criminal activity and failure to appear. A data set of 1.5 million cases of which approximately 750,000 cases were analyzed from roughly 300 jurisdictions across the United States lead to nine factors.⁷ Each factor adds a specific value to the overall risk score, which is then scaled down to separate quantifications for "Failure to Appear" (FTA) and "New Criminal Activity" (NCA) that range from one to six. Furthermore, there is a "New Violent Criminal Activity" (NVCA) flag (i.e., binary indicator of yes or no).

By now, it is used in the states of Arizona, Kentucky, New Jersey, and Utah, as well as in counties and large cities, such as Phoenix, Chicago, and Houston.⁸ The PSA

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⁷ Current violent offense, pending charge at time of the offense, prior misdemeanour conviction, prior felony conviction, prior violent conviction, prior failure to appear pretrial in past two years, prior failure to appear pretrial older than two years, prior sentence to incarceration, and age at current arrest. Arguably, it is more interesting what the PSA does not look at: race, gender, income, education, home address, drug use history, family status, marital status, national origin, employment, and religion. See <http://nacmconference.org/wp-content/uploads/2014/01/A2JLab-BackgroundMaterials-20170130.pdf> (July 22, 2020).

⁸ See <https://advancingpretrial.org/psa/psa-sites/> (July 22, 2020).

implementation process is divided into seven phases: Readiness, Engagement, Assistance, Assessment, Automation, Training, Fidelity.⁹ These seven phases contain sixteen different steps altogether. Without diving too deep into this structure, it can be concluded that it assimilates the two tasks mentioned above: 1) making addressees from the political and legal systems use solutions the organization developed and 2) spreading it. Phases 1 and 2 (Readiness and Engagement) intend to assess a jurisdiction's readiness to implement pretrial improvements, including the PSA and to engage stakeholders in this pretrial improvement process, *inter alia*, by creating a policy team. Here, we can expect that a) decision-makers should be convinced of this tool's usefulness and b) that this follows detailed plans. The website displays six steps within these two phases and ten resources (e.g. the PSA planning worksheet, an example PSA implementation plan, first policy team meeting agenda, lesson plan, or education presentation).¹⁰

The high level of detail already hints at the fact that AV and its partners know about implementation or application problems. Again, this knowledge comes from social science. In her ethnographic study on the actual use of the PSA in several jurisdictions, Angèle Christin (2017) found instructive buffering strategies judges developed in order to lower the impact of this technology on their routines. For example, some printed risk score sheets to place them towards the end of the hundred pages or more that made up the file (Christin, 2017, p. 9).

While it is unknown whether AV is aware of this certain study, the philanthropists did work with social and data scientists to constantly evaluate both, the actual use as well as the views of their instrument by courtroom professionals. (DeMichele, Baumgartner et al., 2018a, b; DeMichele, Comfort et al., 2018; Stevenson, 2018)¹¹ Interestingly, some evaluations explicitly refer to organizational sociology. It is not only strived for the best technology but such things as “courtroom culture” are weighed in (DiMaggio & Powell, 1983). A “courtroom workgroup” was not made up of judges, prosecutors, and defenders, but must include pretrial officers which usually were overlooked (DeMichele, Baumgartner et al., 2018a, p. 4).

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⁹ See <https://advancingpretrial.org/implementation/overview/> (July 22, 2020).

¹⁰ See <https://advancingpretrial.org/implementation/guides/> (July 22, 2020).

¹¹ See <https://advancingpretrial.org/psa/research/> (July 22, 2020).

With regard to tackling both tasks mentioned above — controlling as well as spreading usage of solutions (such as the PSA) —, particularly phase 6 (Training) seems instructive. For every new jurisdiction that has declared itself ready to implement the PSA, a Technical Assistance (TA) team is offered helping to adapt the algorithm with regard to both, “standard operating practices and courtroom culture” (DeMichele, Baumgartner et al., 2018a, p. 12). Being prepared for adaptations due to operative as well as cultural differences appears as a stairway to scalability. Furthermore, this illustrates that scale does not mean size. Scaling up does not equal replicating a standardized solution, but “requires a deeper understanding of the relationship between temporal and spatial attributes of underlying processes”, e.g. to recognize regional differences (Bansal, Kim et al., 2018, p. 232).

Of course, to make judges actually use the algorithm (and not use buffering strategies) is risky because it communicates the implication that there is something wrong with the way judges routinely act (Wachter, Mittelstadt et al., 2020). What the PSA intends to do is make the (especially seasoned) judge reflect his or her intuition or “gut feeling” as this is seen as the point at which bias enters. The algorithm should disrupt or irritate this “autopilot mode” and make them reflect their reasoning. An evaluation study called “Nudging Judges Toward Pretrial Risk Assessment Instruments” does not rely on technology design in the first place (DeMichele, Comfort et al., 2018). Instead, this issue is worked on in meetings and training in which legal professionals are rather talked than nudged into proper application (“researcher-judge feedback loops”; Ibid., p. 6). Remarkably, such face-to-face interactions are precisely what the algorithm is meant to replace: the defendant interview. Thus, it is worked on the human rather than technical irritability and by human (more precise: social) rather than technical means.

Instead of relying on technology or science when convincing to use (techno-scientific) solutions properly *and* in growing numbers, philanthrocapitalist organizations consider necessary to apply other skills rather stemming from social sciences and humanities. Talking users and multipliers into application is neither left to chance nor taken for granted just by hinting at (statistical) evidence for its usefulness. A lot of this “talking action”, we have come full circle, is eased and legalized under the roof of an LLC.

5 Discussion

The paper at hand started out by summarizing social theoretical accounts on philanthrocapitalism and its take on tackling grand societal challenges. Basically, this literature concludes that billionaires' attempts are rather grand societal challenges themselves than part of any solution. In particular, three aspects were emphasized within these critical perspectives: Market orientation, anti-institutionalism, and technology obsession.

Against the backdrop of the cases sketched above, it seems reasonable to call for differentiation. As regards market or profit orientation, the PSA case suggests that it must not be about making money in the first place when crucial aspects such as training sessions come for free.¹² Almost the opposite, making other rationalities follow costs money because tax exemption is lost. We must not fool ourselves with this conclusion: The money needed might be earned in other parts of the organization (e.g. by a trust) or the money made in the billionaires' careers is enough. Criticisms like the "marketization of philanthropy" (Chapter 2) or the like always meant something apart from earning capital, namely a state of mind considering efficiency and related aspects of economic rationality as colonizing (just) giving for the greater good. At least the case of AV and its PSA project rather connect to scientific than economic rationality, of course in an adjusted (translated) manner.

Established institutions, especially from the political and the legal system, could not be shown to be considered as superfluous by philanthrocapitalist LLCs. They are conceived of as targets of rationalization. Evidence, data, facts, and figures should, from their perspective, have an impact on political as well as legal and judicial decision-making. Rather than replacing, for instance, political reasoning, politicians appear as multipliers who have to be convinced of solutions developed by philanthrocapitalist LLCs. They do have their very own ideas of how to tackle grand societal challenges, but it is beyond their control whether their solutions become

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See <https://cdn.filestackcontent.com/security=policy:eyJleHBpcnkiOjQwNzg3NjQwMDAsImNhbgwiOlsicGljayIsInJlYWQiLCJ3cm0ZSIIndyaXRIVXJsIiwic3RvcmlCjJb252ZXJ0IiwicmVtb3ZlliwicnVuV29ya2Zsb3ciXX0=,signature:9df63ee50143fbd862145c8fb4ed2fcc17d068183103740b1212c4c9bc858f63/QfEtjPACQruM0l0oIzOy.> (June 23, 2020)

standard. Therefore, they engage in trainings on their ameliorative devices, do advocacy and lobby.

Of course, the PSA algorithm might be considered as a showpiece for a solutionist project, replacing human reasoning by a computer-generated number. At least considering this case, it seems more appropriate to speak of control than of technology obsession. Improving the use of the algorithm was not an aspect of technological design but rather an educational task, asking for a proper design of training and meetings. It is not about just giving a tool; it is about controlling its application.

Social theory did not care much about organization as a factor for (criticizing) philanthrocapitalism. Organizational studies on this phenomenon, for their part, mostly examined in insightful ways how such endeavors cope with the hybrid state of profit as well as social orientation. In systems-theoretical terms this refers to the concept of re-specification, meaning how to translate consented but too big and unclear expectations into organizable tasks. The study at hand applied this term to tackling grand societal challenges to ask how philanthrocapitalist organizations translate this meta-narrative into organizational practice. There are different versions of “making the world a better place”, an affirmative one for which Bishop & Green (2008) form the ideal type, but also a critical one like Giridharadas’s (2018) notion of the MarketWorld. In whatever direction, this comes too big to extract concrete programs. Therefore, organizations have to solve several consecutive problems, beginning by the need to pick problems to work on. We may conceive of the United Nations Sustainable Development Goals as a globalized first step of re-specification, thereby offering other organizations a frame for deciding on further steps (Ferraro, Etzion et al., 2015; George, Howard-Grenville et al., 2016; Kaldewey, 2017).

The organizations under scrutiny, CZI and above all AV, translate grand challenges into researchable tasks whose results can but must not be technological solutions. In either way, solutions that are considered superior to established ones are not just put on the market, relying on their seemingly obvious capacities. Such organizations are well-aware that their environment, especially regarding politics and the law, follows different rationalities. Managing these differences requires to (re)organize as an LLC. Lawmakers and other targeted addressees have to be talked into using these

solutions, applying them properly, and thereby spreading it. Traditional foundations could not legally do that. In research phases, in which grantmaking is considered sufficient, a tax-exempt and nonprofit part under the roof of an LLC may be chosen to organize it. Organizational studies interested in the hybrid identity or heterogeneous logics of philanthrocapitalist organizations could benefit from adding to ask for why which organizational form is chosen.

In summary, there are two crucial organizational problems which suggest the form of an LLC: 1) to convince addressees from other contexts, milieus, or the like to make (proper) use of a solution; 2) not least because of the meaning of evidence-based research, solutions for grand challenges become miniaturized which leads to the problem of scaling.

In her critical contribution, Robin Rogers (2011, p. 376) proposes the term philanthro-policymaking to describe the “policymaking and agenda setting powers of the new global elite”. To understand philanthrocapitalism, she suggests “to start with the three M’s: Money, Markets, and Measurement. Some might add a fourth, Management” (Ibid., p. 378). The paper at hand would not conceive of management as an optional add-on but as a constitutive element, if it is meant to indicate the management of differences philanthrocapitalist organizations encounter when what they consider as tackling grand challenges leaves the house to set out for the world.

6 Conclusion

To tackle grand challenges, philanthrocapitalist organizations, such as AV or the CZI, fund research, build technology and/or talk decision-makers, judges or other users into application. A growing number of these organizations decides to move to (respectively to work in) the organizational (rather conventional) form of an LLC. Using the LLC as a roof, allows for diversifying “portfolios” from giving and grantmaking to advocacy and lobbying. This shows, *inter alia*, that the old world (order) of political and legal rules is not meant to get rid of altogether but to be reformed in a certain manner. According to philanthrocapitalists, collectively binding decisions should be driven by data and empirical evidence rather than by political power considerations, or the like. But to convince decision-makers in law and politics, philanthrocapitalist organizations themselves do politics when they assume that handing data over will not do but “talking into” is considered the option. To put it another way, to “depoliticize politics” philanthrocapitalist organizations talk and do politics.

The principles of being evidence-based and data-driven guide the re-specification of addressing the biggest social and environmental challenges facing the planet. Yet, this comes with a price: Evidence is more likely to refer to local solutions. Again, philanthrocapitalist organizations seem to be prepared. The operative principle of “scalability” exactly aims at organizing the way that brings local solutions to an ever-wider scope, “to find new ways to leverage technology, community-driven solutions, and collaboration to accelerate progress in Science, Education, and within our Justice & Opportunity work”. This sentence welcomes visitors to the CZI homepage and seems to be the concept of bridging the global and the local.

Spreading the (proper) use of what they come up with as solutions is not what the public statements of philanthrocapitalism’s superstars speak about in TED Talks or the like. While social theory deals a lot with the underlying ideology of philanthrocapitalism, this paper aimed at showing that organizations matter and that it is worthwhile to consider them empirically as well as conceptually. The scope of this contribution is too small to tackle grand sociological questions.

This points to note this paper's limitations. The case it dealt with could benefit from interviews with members working on the problems the argument was most interested in. Furthermore, it seems necessary to investigate a broader range of philanthrocapitalist organizations, particularly other LLCs. Analyzing cases beyond the "Global North" should also be put on the agenda. This paper would expect that organizational problems — in short: usage and scale — will occur globally while solutions will differ in interesting ways. How philanthrocapitalist organizations tackle these problems while working on grand challenges, the research question read. Part of an answer to it has been to control that and how others make use of solutions. Actual, maybe even subversive usage or practices would mean another kind of research and call for an ethnographic methodology.

A final remark hints at the meaning of organizational sociology and organizational studies within this field. When questions such as how to adjust to different cultures and contexts, or the measurement and evaluation of intended impact are at stake, organizational scholars are not only observing but are demanded and play an active role in assisting philanthrocapitalist organizations to tackle grand challenges.

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