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The Emergence of Digital Civil Society

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About Stanford PACS

The Stanford Center on Philanthropy and Civil Society (Stanford PACS) is a research center for students, scholars, and practitioners to explore and share ideas that create social change. Its primary participants are Stanford faculty, visiting scholars, postdoctoral scholars, graduate and undergraduate students, and nonprofit and foundation practitioners. As publisher of the *Stanford Social Innovation Review,* Stanford PACS informs policy and social innovation, philanthropic investment, and nonprofit practice.

About the Digital Civil Society Lab

This series of reports is part of the ReCoding Good Project of the Digital Civil Society Lab at the Stanford Center on Philanthropy and Civil Society. The Lab studies the intersections and implications of digital technology and civil society, with emphasis on experimentation, research, and public policy. For more information, please see digitalcivilsociety.stanford.edu and @digcivsoc.

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Introduction

How are market forces, public policies, and digital technologies changing nonprofit organizations, philanthropy, and associational life at the heart of civil society? What are the implications of these changes for private action aimed at public benefit and, more generally, for democratic life?

Such questions animated the Project on Philanthropy, Policy, and Technology at the Stanford University's Center on Philanthropy and Civil Society.

Our work began with a clear sense that the boundaries between government, business, and the nonprofit sector are shifting dramatically. Public agencies don't simply partner with nonprofit organizations and foundations; public coffers provide about thirty percent of all funding for nonprofits. Beyond providing funding, local, state, and federal agencies are increasingly seeking to stimulate social innovation, whether delivered publicly or privately. In the commercial marketplace, businesses have adopted codes of social responsibility, and we see more frequently the creation of social enterprises, for-profit companies dedicated both to profit-making and a social mission. The number of so-called "impact investors" seeking both financial and social returns is growing and exerting influence on traditional capital markets, on philanthropy, and on nonprofit organizations. And within the nonprofit sector, powerful forces have pushed nonprofits in different directions. First, nonprofits are under pressure to act like efficiency-obsessed, outcome-oriented, mission-driven businesses, a dynamic that has created in the process an entirely new industry—management consulting for nonprofits. And second, the blurry line between the social welfare and forthright political activity of nonprofit organizations has grown virtually indistinct, raising important questions about the tax code, the appropriate agents and realm of regulation, and the very meaning of social welfare.

We conclude this stage of our work with three observations:

1. The so-called "independent sector" is harder and harder to draw a border around.

Innovations in financial and capital structures, and the pursuit of financially sustainable strategies by nonprofit enterprises, are shuffling the lines between commercial and nonprofit activities. At the same time, government contracts and grants, and changes in the legal role of social welfare organizations in political finance, have rendered an increasing percentage of nonprofit activities indistinct from government or political activity.

2. The use of private resources for public good is regulated primarily via institutional form—the various kinds of nonprofit corporations, commercial corporations, and new hybrid corporate forms—even though the practice of devoting private resources for public goods is now found across all sectors.

Nonprofits and philanthropy have long dominated associational life and the transactional elements of using private resources to produce and distribute public goods. The more we see people pursuing their associational and social good aims via business or government means, the more important it becomes to clarify the specific purposes (and bounds) of traditional civil society associations. (For more detail, see our report, *Good Fences: The Importance of Institutional Boundaries in the New Social Economy*). The current system of tax-exempt institutional privilege may not be up to the task.

3. Digital assets, as much as money and time, constitute a civil society resource.

Our existing metrics and regulations for nonprofit organizations focus on the use and distribution of time (volunteering) and money (donations and endowments). Digital assets—data—are increasingly a part of the resource mix. Because of the ways these assets differ from time and money, specific practices and rules regarding ownership, access, donation, distribution, and public purpose need to be considered.

This paper is one of a series that summarizes our work to date.[1] It extends the reporting and analysis that has been shared in the *Stanford Social Innovation Review* since the project's inception.

Background

The traditional view of democratic societies reflects a tripartite picture of government, market and civil society institutions, or alternatively, the public, private, and associational sectors. While the exact parameters of these "sectors" are not fixed, either by norm or law, clearly defined roles for each are reflected in both scholarly literature and lived experience.

The government or public sector is the arena of state institutions and agencies. It is where we collectively create and enforce laws and policies, where courts, legislatures, and state agencies do their work. It is where public action produces public benefits. Individuals act in the public sector as a citizen or a public official; we are all obligated to participate, if in no other way than by paying taxes.

Civil society is an intermediate sphere—a sphere of mediation—between private interests and the public good. It is also the space for private action on behalf of a public purpose.

Markets serve individuals' private purposes; here transactions are voluntary and primarily self-interested. It is where private action produces private benefits through marketplace exchanges. Individuals act in the private sector as a consumer or producer, a buyer or seller.

Finally, civil society is an intermediate sphere—a sphere of mediation—between private interests and the public good. It is the space for private action on behalf of a public purpose. Here, our participation is voluntary and captures our independent expressions of what we think society needs, what we think will solve problems and improve our shared condition.

The major institutions of our society operate within this role framework. Norms and rules about legitimacy, accountability, transparency, participation, financing, beneficiaries, and governance exist for public, private, and independent institutions. Each is shaped by underlying assumptions about the roles that each institution or institutional sector play within the broader social system. Government agencies, for example, are expected to meet higher standards of transparency than others, as they exist to serve the public and are funded by the public.

When enough such shifts occur, in each sector independently and in their relations to each other, we must ask whether the overall system is still working.

Markets, governments, and philanthropy are each subject to the same forces of technological, demographic, or cultural change, though perhaps not at the same time, in the same direction, or with the same momentum. When changes come along that shift any or all of these sectors strongly enough to upset the dynamic between or among them, then we can assume that new practices will emerge across sectors. When enough such shifts occur, in each sector independently and in their relations to each other, we must ask whether the overall system is still working. In particular, we must ask if the rules that were created for the old structures still apply to or still work for the new ones.

Innovations, or new tools, generate a need to reconsider and adapt rules that organize and coordinate activity within and across each sector.

As economist Paul Romer has written, rules must evolve in response to changes in technology and increases in the scale of human interaction. The transformation from an analog to digital world is an example of both kinds of change. If the rules fail to keep pace with change, the new tools will create the possibility for people to evade or simply work around the old rules. Bad actors, or even well-intentioned actors behaving in accordance with new incentives to break out of old rule patterns, can then compromise

> To achieve efficient outcomes, our rules need to evolve as new technologies arrive. They must also evolve in response to the… increases in scale that nonrivalry induces. Finally, and perhaps most importantly, they also need to evolve in response to the opportunistic actions of individuals who try to undermine them.
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> …Rules in financial markets need to evolve for all of the reasons identified above. Technology is creating entirely new opportunities, for example in high frequency electronic trading systems. The scale of financial markets continues to grow. And private actors in these markets will surely seek clever ways to evade the intent of existing rules. The gains from opportunism in these markets are so large that the total amount of human effort directed at evading the rules will presumably be at least as large as that devoted to a low-return activity like cyber-crime.
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> **Paul Romer, Process, Responsibility, and Myron's Law**

the integrity of an entire system. Romer's chief example for this is the financial services industry and the recent Great Recession. We believe that the new social economy is no different.

One goal of the Philanthropy, Policy and Technology Project is to distinguish between those innovations or new tools that are superficial and those that matter enough to warrant a reconsideration of the rules and regulations that guide philanthropy. Our times are full of change—new methods of communication, tremendous economic uncertainty, demographic and political shifts, and innovations in finance, technology, and science. But which of these areas of change, if any, are meaningful enough to warrant regulatory revision?

Separating the significant from the superficial

Our approach to answering this question was to identify several different types of change and to investigate them independently to uncover the depth of their impact. We started by identifying seemingly significant areas of change (impact investing, alternative enterprise forms, digital goods, biotechnological advances, political activity, and the health of democracy) and then clustered them into three overarching themes (markets, technology, and democratic structure). We then investigated each area of change with scholars and practitioners, looking deeper than the surface practices to consider if there were policy or regulatory issues of concern.

This paper represents our effort to look across and harvest lessons from these independent investigatory strands.

Our investigations were organized as follows:

MARKETS	TECHNOLOGY	DEMOCRATIC STRUCTURES
Sharing Economy	Digital Public Goods	*Citizens United*, Nonprofits and Politics
Impact Investing	Data CodeJam	Democracy and Foundations
	Body and Biotechnology	

For each of these topics we organized a charrette, a focused workshop involving scholars, practitioners, and when possible, policymakers, informed by background readings. We participated in every charrette, but otherwise participants were selected for single topics (a complete list of participants is included in an Appendix). Most of the charrettes took the form of an extended discussion based on shared reading material. The two exceptions were a charrette on digital public goods, which was facilitated by a team from Stanford Design School and the Data CodeJam, which took the form of a hackathon involving student teams working with faculty and external expert guidance on the creation of new tools for directing human talent toward socially impactful career opportunities.

Note takers captured the conversation at each charrette. We wrote our own summaries, shared publicly in extended blog posts on the Stanford Social Innovation Review website. The key points of discussion from each of the conversations are presented below, clustered by theme: markets, technology, and democracy.

Markets

The Sharing Economy

Some new enterprises encourage the sharing of goods over individual use and ownership. This sector, known in business circles as the "sharing economy," has grown from car and bike-sharing systems in cities across the globe to companies that facilitate sharing a room in someone else's home while traveling, sharing tools with your neighbors, and even pet sharing.

The basic behavior at work here is as old as humanity: sharing a tangible resource rather than having everyone own their own resources. With the ability to attach a phone app, a database, and an online payment system to these behaviors, some believe we are at the dawn of a disruptive new business model. Others are quick to point out that some goods are more readily shared than others (cars and bikes versus household appliances, for example). Also known as peer-lending and collaborative consumption, the sharing phenomenon is covered by the business press as a $26 billion opportunity, by environmentalists as a move toward less materialism, and by social policy pundits as a sign that the millennial generation will never get out of debt.[2]

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Cutting through the very thick hype around the sharing economy, we would focus attention in two places. First, the rise of Internet-enabled sharing companies has created a "living experiment" around enterprise forms. Since we now have practical examples of business, nonprofits, and co-operatives providing the same set of services, can we learn anything about which activities specific kinds of organizations do best, or perhaps simply better than rival enterprise forms? We have long had comparisons of for-profit, not-for-profit, and public hospitals or day care centers; we now have the opportunity to study this question across a wider variety of goods. Second, if these experiments demonstrate meaningful differences in the capacity of taxable or tax-exempt forms to deliver certain "service" or outcomes, what policy implications arise?

It was illuminating to consider the range of enterprises being used. Within the field of car sharing, for example, one can often find in a single city a nonprofit, a commercial, and a co-operative venture all promising the same suite of benefits—lower carbon emissions, less traffic, cost savings, and community engagement. In some cases, the nonprofit was distinct from the other two in its simultaneous support of research on the benefits of car sharing. The San Francisco nonprofit service, City CarShare, has conducted several years' worth of survey research on its users, their driving and car-buying behaviors, and their use of public transit. This research, done by the urban studies and transportation department of a local university, was widely shared. The research has informed local policymakers, encouraged public transit agencies to partner with car-share providers, and (somewhat ironically) encouraged private investment in commercial car-sharing enterprises.

Subtle differences exist in how the commercial and nonprofit enterprises priced their services—a variation that reflects slight but meaningful differences in their missions. The nonprofit's goals are environmental, so its cars are priced to discourage long-distance trips. The commercial venture, by contrast, sees any use of its cars as a positive contribution in that users aren't buying their own cars. Their cars are priced by the "cool factor" of specific vehicle models, with no additional per-mile charged. The nonprofit's goal is to get cars off the road and to discourage driving. For the commercial venture—whose financial mission requires increasing membership—the goal is to get drivers into the car-sharing fleet and out of the car dealership lot.

Neither venture, it should be noted, targets the poor or emphasizes more equitable transportation access. Car-sharing efforts, at least in the San Francisco Bay Area, focus on middle-class users, existing transit hubs, and in high-density work areas such as university campuses and downtowns. Easy access to car sharing is even advertised as a bonus feature in some market-rate real estate developments.

The existing car-sharing marketplace provides an ecologically friendly lifestyle choice for middle-class consumers. The nature of the business model—whether commercial or nonprofit—requires a certain degree of population density and usage rates that make high-traffic urban and suburban areas most viable. Poor outer neighborhoods or rural areas are highly unlikely to attract car-sharing services.

The newer variations on car sharing that involve car owners lending their vehicles to other drivers or even offering ride services themselves are structured as alternatives to taxis and limousines, not to busses or subways. The carbon reduction, congestion, and community-building goals of the services are worthy for any target population, but they are of limited use as a transportation solution for underserved neighborhoods or populations. That sharing enterprises are now popular as an investment opportunity (Avis recently purchased ZipCar) is ironic, given the long history of sharing material resources as a survival strategy for the poor. The readily available investment capital for commercial car-share services, coupled with their limited use for poor populations, weakens the justification, we conclude, for government subsidies of these enterprises.

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One possibility is that the nonprofit enterprise (City CarShare) has essentially proven that a market exists for car-sharing services. The question facing us now is whether there remains a reason to provide a tax-exempt option for nonprofit car-sharing enterprises when the commercial enterprise and other emerging competitors have begun to enter the market? Twenty years ago, nonprofits such as Witness were created to put cameras in the hands of human rights activists. Then phone cameras flooded the market, and those nonprofits had to adapt their mission to stay relevant. Is the same true of today's car-sharing programs?

Our second line of inquiry had to do with regulatory and policy implications. Existing commercial competitors shape the regulatory environment for these enterprises. Car-sharing services have been most closely challenged by automobile insurance regulations and taxi commissions. Room rental and sharing services, such as AirBnB, have attracted some attention from regulators of hotel rooms and landlords, although these inquiries have been more limited than those of car-sharing services. The greater the threat perceived by existing vendors, the greater the likelihood of municipal regulatory action or enforcement. Even when the same public safety issues apply, it seems to take an immediately threatened competitor to move regulators to action. In most cases, cities and states are still in regulatory limbo about these services and there is not yet any consistent standard. In at least one city (Philadelphia) the arrival of a commercial car-sharing service put the existing local nonprofit out of business, an event that observers agree was due to market forces not regulatory reasons.

In some cases, the investment-capitalized enterprises have the financial resources to fight for regulatory reform. This is underway in several state capitals, particularly with regard to automobile and home insurance, which don't provide liability coverage for certain types of car sharing and room sharing. The newcomers who can afford these fights are using investment funds to shape the regulatory structures in their favor.

Most important, the discussion highlighted the degree to which our existing legal code for nonprofits conflates a select set of activities with an enterprise form. As has happened with nonprofit and for-profit hospitals, tax exemptions enjoyed by some nonprofits are increasingly being challenged as unfair business advantages by commercial, tax-paying competitors. The experience of the sharing economy (and impact investing, as we discuss later) raises the question of whether or not our existing justifications for these tax privileges still hold.

The question is whether or not we can legitimately continue to use enterprise form as *the* tool by which we assign certain tax privileges when private resources are used for public goods. What makes one car-sharing enterprise worthy of a tax exemption and another not? This is by no means limited to the sharing economy: essentially the same question has been raised by nonprofit journalistic enterprises.[3]

As several of our charrettes revealed, the relationship between specific activities and nonprofit tax exemption has become increasingly muddy. It once made sense to equate a particular social purpose or mission with a particular enterprise type—a 501(c)(3) public charity—and to link certain incentives or privileges to those enterprises. The sharing economy, in which the very same purposes are being pursued and achieved by many different kinds of enterprise forms, shows the fragility of this relationship. The role of the IRS in making determinations about these relationships is fraught for both practical and political reasons. Recognizing the growing role of sharing services, especially in transportation, the mayors of more than a dozen large American cities stated their intention to revisit policies that can facilitate these services and supported a resolution to this effect signed by the U.S. Conference of Mayors at its 2013 conference.[4]

Impact Investing

Impact investing—the purposeful deployment of investment capital to pursue both social and financial aims—receives a lot of attention these days. This is true even though philanthropists and foundations have used many impact investing tactics (revolving loan funds, mission and program-related investments from nonprofit endowments, the provision of below-market debt instruments) for at least five decades. The last decade's focus on impact investing has several causes and comes from both the social sector (which sees it as a way to increase available financial capital) and from the financial services industry (which recognizes it as a new product class with market growth potential).

The appeal of impact investing to both philanthropists and financial services firms partially explains its current momentum. However, it also contributes to some internal "schizophrenia." There are (at least) two intended areas of focus for impact investors—those who are clearly focused on increasing the pool of capital for social purposes and those who are more intentionally focused on shifting the nature of the financial industry to be more inclusive of social outcomes. The difference is subtle, but important. The former is focused on pursuing more social good, the latter is focused on changing capital markets.

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These two different interests have come together and built new systems for measuring social impact. The financial services focus emphasizes the need for comparable and reliable quantitative measures. There has been significant time and money invested in creating such measures as a means of accelerating impact investing writ large. In the last half-decade we've seen the creation of global reporting standards, shared data collection and analytic systems, and several software platforms that bring a measure of uniformity and visibility to social measurement modeled after the mechanisms of the financial industry. These measurement and reporting systems are in early stages of development, but they already reveal a far broader adoption rate among impact investors than any comparable measurement systems among philanthropists. The impact investing industry is, however, nowhere near a universally accepted standard of measurement. In part this reflects the fact that the sector's "schizophrenia," mentioned above, is not just a binary split but a wide spectrum. Investors balance the different, and quite often conflicting, imperatives of social impact and financial returns in very different ways, and the general term 'impact investing' can often mask these different perspectives.

Wherever impact investors stand between pure focus on financial return and pure focus on social impact, reliable metrics are needed. One reason for this is that impact investors have a greater need for comparable data than do foundations and traditional philanthropists. Impact investing has thus pushed philanthropy to move faster and more quickly to adopt shared standards and measures than it has previously done (or probably would do, left to its own devices). These practices, in turn, accelerate conversations about data sharing, interoperability, and reporting standards.

Impact investing has thus pushed philanthropy to move faster and more quickly to adopt shared standards and measures than it has previously done (or probably would do, left to its own devices).

However, the different norms and practices of financial firms and foundations don't always complement each other. The most visible difference between the two has to do with their expectations for growth. Philanthropists traditionally assumed that capital for growth would come through public funding. This is the root of the industry's image of itself as "research and development" for public sector programs. The simple idea is that philanthropy can experiment and demonstrate the viability of social programs, which, once proven successful, will be taken up by the public sector and expanded through by public funding. This is certainly not always the case, but the assumptions of potential public sector interest require a focus on programs whose beneficiaries will clearly justify such investment. If the public coffers are at stake, the programs will need to demonstrably meet a public interest in education, welfare, health, or community development.

While not always the case, the practical effect of this assumption has been that philanthropic research and development can fund experiments or innovative approaches that will benefit the poor or disenfranchised. Experimenting on behalf of the poor with public funds runs counter to our assumptions about fairness and equity. Once proven, however, philanthropic innovations that benefit the poor can be "scaled up" with public money, allowing programmatic benefits to reach substantially greater numbers of people.

In contrast, the financial services expectation is that demonstrated programs will attract growth capital and investment from the capital marketplace. In order to do so, such programs must meet the expectations of those investors, who will be looking first and foremost for markets with profit-making potential, where program services will generate earned revenue.

Early-stage pilot programs strive for both social outcomes and financial sustainability. How those variables are balanced over time depends on at least two factors. First is the nature of the specific programmatic intervention. The second factor is the funder's presumed growth strategy. If the funders emphasize a capital market approach, subtle (or unsubtle) pressure may push financial returns over social outcomes. Very few early-stage funders have experience and access to both exit strategies (public sector funding and private capital), therefore their initial predilection can strongly influence the likelihood of either exit strategy coming to pass. Intentionally or not, subtly or not, the nature of the initial funding nudges programs in one direction or the other. Thus choices about how to fund a particular venture for social good, and our policies for encouraging different kinds of funding, are inherently political and necessarily shape the directions these programs take.

Simply put, it is not always clear if a social program is addressing a "market failure" or a "government failure." Thus, it is not clear which of these—the marketplace or the government—has the potential to carry successful programs forward. Some impact investors are open to whatever mechanism offers the best potential for the program, but as we have seen, debates about how to measure the success of programs are far from settled. Given what we've already seen in the sharing economy, funder motivation now further complicates our ability to see which enterprises might require, or deserve, public subsidies and tax privileges.

Technology

Digital Public Goods

The economist's definition of a public good is one that is *non-rival* (consumption by one person does not diminish the amount of others to consume) and *non-excludable* (no person can be denied, by fact or by law, from accessing the good). Think of goods like clean air, that do not cost more when consumed by more people, or a well-lit harbor, that is available to everyone if it is available to anyone. Given these properties, these goods have generally been financed, produced, and distributed by a government. However, many goods provided digitally tend to be experienced as non-rival and non-excludable, assuming people have a mobile phone and/or Internet access, and the right legal protections. Search and email services provided by Google—where those services are not filtered—are a good example. Yet these digital goods are more often than not financed, produced, and distributed by the commercial marketplace. This raises questions about the ownership of digital public goods, about intellectual property, and about ensuring access to the Internet.

There is a rich literature on digital economics. There are also numerous pressing policy questions about access, content ownership, and privacy on the Internet and wireless or cellular data systems. A small group of nonprofit organizations in the United States, such as the Electronic Frontier Foundation, focus on digital civil liberties, freedom of speech and press, citizen access to and use of digital infrastructures and services, but these questions have not yet attracted the attention of the sector as a whole. We argue elsewhere[5] that these issues are, in fact, fundamental to the existence, purpose, and vitality of civil society. Our interest here is whether the nature of digital economies is such that civil society's roles and functions are shifting. Realizing the definitional nature of the questions at hand, we worked with the faculty of the Stanford Institute of Design to facilitate an especially wide-ranging discussion.

Our interest here is whether the nature of digital economies is such that civil society's roles and functions are shifting.

People participate in civil society in many ways, including donating time and money, exercising rights to speech and association by organizing and participating in peer groups or communities. They do all of these offline and online.[6] We posit that there are three types of digital public goods to consider:

1. Digital infrastructure.
In this instance the digital platform—the infrastructure of the Internet—is the public good. The public policy questions that arise have to do with the architecture of the Internet (e.g. net neutrality and open source code) and the ubiquity of access to it (e.g. universal access).

2. Digital data.
Perhaps the public interest is in the actual content that is stored and accessed on the Internet, in the data and data sets comprised of billions of bits of information, much of it personal and personally identifiable. Here the public-policy questions center on data ownership issues and access to personal data.

3. Digital social connections and engagement.
In this instance the focus is on the relationships and networks that individuals build and use as part of their civic life. Here the public-policy issues are questions of personal privacy, national security, and the speech and associational rights in online domains.

In practice, the regulation and oversight of each of these domains have developed independently. The business realities of each level are also quite distinct. Access and infrastructure issues are the domain of heavily entrenched cable and telecommunications companies, regulated by the FCC and municipalities. Data ownership is the contested terrain of civil liberties groups, commercial companies' terms of service for user participation, and the ownership interests of large copyright holders. The final horizon, that of social connections and associations, comes to light as privacy questions raised by data analysis and surveillance conducted by corporations or governments. Oxford historian Timothy Garton Ash is conducting an ongoing global discussion about the rules that should govern online freedom of speech—www.freespeechdebate.com—that seems all the more important in light of the recent revelations by Edward Snowden of the extent of government surveillance, often in concert with commercial enterprises, of virtually all online activity.

In the two decades since wireless phones and Internet access first came to general public use, we have developed a patchwork of oversight frames, regulatory bodies, and individual assumptions about what can and cannot be done on the Internet, who owns what information, and how our civic (and other) relationships are mediated online. This regulatory patchwork exists even as Internet access is increasingly concentrated in the hands of a few Internet companies and a few telecommunications and cable access firms and Internet usage for search and social networking is equally heavily concentrated.

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Our assumptions and expectations about how we associate with one another, how we express ourselves, how we organize and protest in the offline world do not fully hold in the digital sphere. While legal scholars and engineers foreshadowed many of these insights in the early days of the Internet, the general public is only now experiencing these issues first hand. Only when our own privacy feels threatened, do we ask what rules protect us. Only when our own data are compromised do we seek redress for the loss and only when our own ability to take action on behalf of a cause is impeded do we wonder at what cost has our current system been built. Equally troubling is the prospect that in fact we do not process digital risk the way that we process physical risks. It seems that digital-privacy concerns—as important as they are—simply do not arouse the same sort of emotional and political will needed to ensure their protection.

Within the nonprofit sector, no consistent attention has been paid to issues of data privacy and ownership. Some civil liberties and press freedom organizations, such as the Electronic Frontier Foundation, Freedom of the Press Foundation, Public Knowledge and the American Civil Liberties Union actively focus on these issues, but they have not succeeded in generating interest and support from the broader nonprofit community or the public at large. The issues of data privacy, access and ownership are seen as specialized areas of interest, not as fundamental pillars of civil society and its laws. Only when it can be made meaningful in this context will the general public take up the causes, by which time, of course, it may be too late. These liberties—freedom of association, speech, and the right to publish—have been the fundamental backbone of American civil society for decades. Defining and protecting online liberties will be pivotal to bringing forth a similarly strong, diverse, and vibrant digital civil society.

Data CodeJam

As questions about data and digital behavior repeatedly rose to the top of each charrette, we decided to try something quite different. Most of the participants in the charrettes had been academic researchers (faculty, post-doctoral scholars, graduate students) or professionals. Given the abundant interest of Stanford students in using digital tools for nearly every possible purpose, including social good, we decided to hold one charrette that would engage undergraduates directly. Working in partnership with the White House Office of Social Innovation, LinkedIn, Guidestar, and the Foundation Center, we held a Data CodeJam in which seven teams of undergraduates worked to design and prototype an online site or tool that would use publicly available data sets to help young adults find or create jobs in the social sector.

The CodeJam experiment produced several important insights. First, while abundant, available, online data may be a new raw material for decision-making, specialized skills are needed to use it. From a social sector perspective, this may well expand the skills gap that already exists, as professionals with the right mix of analytic and coding skills are in very high demand from the commercial sector. At the same time, data science is also emerging as an area ripe with partnership and pro bono potential. Academic training programs and professional employers of data scientists are well aware of the interest in "doing good" with their skills. They are actively seeking data-relevant problem sets and philanthropic activities so they can meet the social interests of their students, recruits, or employees.

The CodeJam also surfaced the need for "data ambassadors." It is not enough to put public data sets online at data.gov or on municipal websites and expect people to find and use the information. "Build it and they will come" has not been an effective model in open data. The datasets that got the most use at our CodeJam were those for which there were professional staff on hand to explain the software code and its contents to the students. In our case, these were datasets from LinkedIn, GuideStar, and The Foundation Center. Despite early efforts to introduce the students to public data from federal agencies, few of the student teams used these in their work. This opens up a good opportunity for teams of software and data science professionals to work with social sector organizations and pull public datasets (which are more available than philanthropic ones) into regular use by nonprofit and philanthropic organizations.

> **"Build it and they will come" has not been an effective model in open data.**

The potential for bridging public data sets with social sector organizations, and vice versa, raises some interesting questions for how data as a resource might work over the long run. Just as we have seen the relationships between the public sector and independent organizations shaped by decades of contracting, outsourcing, and financial relationships, we can assume that data use, sharing, and code development will become another "strand" of interaction between the public and social sectors.

We should be keen to attend to who plays which role (provider, user, developer, interpreter) and what power dynamics emerge.

The CodeJam also highlighted questions about the very value of data and data sets. How companies and nonprofits value their data will have implications for the balance sheets as well as for how they might donate it for public purposes. We are already hearing calls for "data philanthropy"—the donation of data sets themselves as a charitable act. In a certain way, this practice is already common (and has been for centuries) when the form of data is human tissue, as we explored in a charrette on philanthropy and the body.

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Philanthropy and the Body

Like telecommunications and Internet technologies, the biosciences are innovating rapidly. Biotechnology, driven by efforts to treat or prevent disease, is changing quickly. Donating human body parts (e.g., blood, hair, organs, etc.) during life or immediately after death, or donating one's entire body for medical research after death, has long been a large part of philanthropy. As medical research continues to advance its ability to make use of smaller and smaller tissue donations, gathered in larger and larger quantities, the dynamics of giving blood, donating organs, and donating tissue samples (one's DNA) are also changing.

We turned to the medical field to help us think about the ethical and policy implications of practices involved in gathering human DNA and tissue, and aggregating this information into a large repository, a biobank. The medical field has developed many specialized protocols and practices for this work, ranging from institutional review boards (IRBs) that review proposed research involving human subjects; the use, though not everywhere, of forms consenting to tissue collection that everyone who visits a doctor or hospital has to sign (though he or she may not read or understand it); and industry practices about storage, use and sharing of the tissue samples across time and institutions. Some hospitals, it turns out, have been collecting and storing information about tissue samples from patients after routine medical procedures, even without their consent. Call it a form of involuntary philanthropy.

Somewhat to our surprise, the existence of IRBs and of consent-form protocols has not produced an especially coherent set of best practices for collecting tissue for medical research. IRBs apply different standards in different locations, reflecting different institutional norms about ethically sanctioned research. Consent forms contain little standard content, differing hospital to hospital and research institution to research institution, involving many overseers, review boards, and institutional norms. While medical research has a fairly concentrated regulatory system involving the FDA, NIH, HHS, and medical industry standards, the system as a whole is still quite fragmented. The many pieces involved—researchers, patients, universities, hospitals, pharmaceutical companies, advocacy organizations, funders, investors, regulators—operate in relationship to each other according to norms and rules that have evolved over time. There is an internal consistency to these relationships, but it is by no means a centralized or uniform single system. There is little interoperability across different institutional settings.

And technologies are clearly contributing to new norms. First, online platforms that allow people with various medical conditions to find each other, share information, and advocate together help patients gain power and influence they haven't previously had. Patient registries are critical resources to researchers and more than ever before, patients and their advocates are creating these registries and dictating the rules of access and data use. At the same time, as technology lowers the costs of collecting tissue samples that may have multiple uses, the dynamics of consent are shifting. Fast disappearing is the era of donating a tissue sample to a single lab for a single purpose. Data from lab samples are stored online, can be accessed and shared, and may be used for down-stream purposes far different than what a patient originally intended. New companies, such as those selling genomic decoding to individuals, also produce tissue and DNA repositories, and data associated with them, on the back end of their consumer sales that have research value, to the companies directly and to pharmaceutical and biotechnology firms to whom they sell the data.

Patients and advocates are also realizing (and perhaps beginning to exercise) their control over the use of their own tissue samples, medical history, demographic characteristics (e.g., forty year old male, smoker, living in a city), and drug-interaction experiences—in other words, their data.

Legal scholars and data entrepreneurs are slicing through these shifting dynamics of power, time, and purpose. They are experimenting with new forms of consent that better inform donating individuals about how their genetic material may or will be used. These actors simultaneously aim to meet the needs of researchers. This change is forcing universities, hospitals, and research institutions to innovate.

There is great hope in the promise of aggregating into large biobanks the tissue samples of millions of people and making these materials available to the research community. With sufficiently large numbers, the research benefits—and potential medical breakthroughs—are huge. But absent common protocols in IRBs or in consent forms, absent coordinating institutions and institutional norms, creating a large biobank is conceptually simple but sociologically fraught.

Similar to the sharing economy, we see in biotechnology a hybrid mix of nonprofit and commercial players. Similar to the impact investing conversation, multiple financing dynamics, including significant public funding, are also at work. Even more so than in other spheres, nonprofit endowments dedicated to specific disease research are being used as investment capital for new drugs and therapies. Thus, medical research as a field is an interesting case example of impact investing.

The ability of patients and advocates to raise private funds and attention for new research is having an effect on what research gets done and by whom. Whereas pharmaceutical company profit motives and NIH funding protocols have been dominant, individuals and associations now have some room to be influential. Of course, this influence is not equitably spread.

As important, patients and advocates are also realizing (and perhaps beginning to exercise) their control over the use of their own tissue samples, medical history, demographic characteristics (e.g., forty year old male, smoker, living in a city), and drug-interaction experiences—in other words, their data. Medical disease research may be a harbinger of things to come in which control over data and data access proves to be a shaping force in the pursuit of social goods.

Systemic reform efforts are under way within medical research. Some of these, such as the Portable Legal Consent initiative that uses data ownership and privacy as its lever of change, are being created and tested with the deliberate intent of shifting both practice and regulation.

Democratic Structures

Citizens United*: Are Nonprofits People, Too?*

The U.S. Supreme Court's decision in January 2010 in *Citizens United v. The FEC*, was recognized immediately as a dramatic shift in the landscape of campaign finance. In its controversial decision, the Court effectively freed corporations to spend money on so-called "electioneering communications" and to directly advocate for or against the election of particular candidates (although not to contribute directly to them). In the immediate aftermath of the decision, few worried about the impact of the decision on the nonprofit landscape itself. The passage of time has shown, however, that the decision has reshaped the nonprofit landscape in significant ways and that the emergence and volume of political activity by nonprofits may be the most dramatic effect of *Citizens United* on campaign finance. If corporations are legally defined as persons, the implication is that nonprofit corporations are eligible players in campaign finance and political speech just as much as commercial corporations. Indeed, Justice Kennedy's majority opinion in *Citizens United* included this observation (albeit as dicta):

> Due consideration leads to this conclusion: *Austin* should be and now is overruled. We return to the principle established in *Buckley and Bellotti* that the Government may not suppress political speech on the basis of the speaker's corporate identity. No sufficient governmental interest justifies limits on the political speech of nonprofit or for-profit corporations (*Citizens United v. Federal Election Commission, 558 U.S. 310*, 2010).

Further, some nonprofit corporations have the special advantage—special from the donors' point of view—of not having to disclose their donors. Social welfare organizations provide their donors with a cloak of anonymity for making political contributions, since, unlike political action committees and PACs, they are managed as nonprofits who need not publicly disclose their donors. These two factors—corporate status and anonymity—have made 501(c)(4)s (social welfare organizations) and sometimes 501(c)(6)s (business leagues, such as chambers of commerce) major vehicles for big-money issue advertising and campaign contributions.

In the two national elections since the decision was handed down, billions of dollars for candidates, issues, and campaigns have been raised and spent, and watchdog groups routinely attempt to track how funds flow through nonprofit organizations. The 2012 election saw a new record for 501(c)(4) registrations—2,774 in one year, a fifty-six percent increase over the previous year and the 3rd straight increase in registrations since 2010. The technicalities and opaque nature of the rules about different subclasses of nonprofits -- 501(c)(4)s, 501(c)(6)s, 527s, SuperPACs -- have gone from being legal arcana to front-page news. Disclosures about the IRS's scrutiny of politically active social welfare organizations and allegedly unequal targeting of applications for social welfare nonprofit status by both left-wing and right-wing affiliated organizations add an element of intrigue to the business of regulatory oversight. Nonprofit activists, legal scholars, public policy experts, fundraisers and even technology entrepreneurs are focused on the intersections of charitable nonprofits [501(c)(3)s], nonprofit social welfare organizations [501(c)(4)s], political action groups (campaigns, PACS, and Super PACS), and donors. All of this attention shines a light on the decades-old deliberatelymurky line separating charitable activities from political ones.[7]

> **The passage of time has shown, however, that the decision has reshaped the nonprofit landscape in significant ways and that the emergence and volume of political activity by nonprofits may be the most dramatic effect of *Citizens United* on campaign finance.**

History has seen this light shine before. Setting clear definitions of what is political speech, what is charitable advocacy, and which activities can be conducted by whom and to what extent, is difficult but not impossible. As a polity we continue not to do it because of the political dynamics at play whenever the issues come to the fore. What is different this time around is the changing legal landscape established by the Supreme Court coupled with a cultural moment defined by heightened interest in open data and transparent reporting.

An inconsistent logic defines the existing boundaries between charitable and political action. The sense that individual donors align their political interests with their charitable interests was highlighted in several shared anecdotes, though quantitative analysis is difficult because of the different reporting requirements for political and charitable contributions. There was a strong sense that the biggest impact of the *Citizens United* decision was not an increase in the quantity of money flowing overall, but the decreased visibility into the sources of that funding, the rise of so-called "dark money" in politics.

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This was a bit of a collective surprise, as early concern about the *Citizens United* decision was focused on the scale of new donations to political campaigns. And while the role of private money has increased dramatically, the upward trend was well-established prior to *Citizens United* in 2010. Three years and two national election cycles later, the real issue now is the effect of conflicting rule regimes—one of which (nonprofit law) permits and in some cases even encourages anonymous giving and the other (campaign finance) which mandates disclosure. Of the $1.3 billion in outside spending tracked to the 2012 Presidential election, at least $299 million came from undisclosed "dark money" donors through 501(c)(4) or 501(c)(6) organizations.[8]

The new political behavior of nonprofits and the laxity of regulation (at the level, especially, of the IRS and the Federal Election Commission), annual filing requirements, and nonprofit traditions of anonymity are rapidly eroding both the oversight of campaign finance and the norms of nonprofit trust. Nonprofit organizations provide an end-run around more stringent and frequent disclosure requirements to political campaigns directly or to any of the campaign funding apparatus overseen by the FEC. This open door to nonprofits for political activity creates a loophole that effectively renders political donation disclosure rules moot.

Once again, we find ourselves facing questions about the alignment of enterprise form with social purpose. When nonprofit social welfare organizations become key sources of political funds the integrity of the social welfare infrastructure is threatened. In this case, the very meaning of social welfare is being questioned. Further, losses of integrity are often followed by losses of trust. Nonprofits acting as secret channels of private money increasingly compromises their trustworthiness in the eye of the public. This fact may in turn have negative effects on philanthropy. People donate time and money to nonprofit organizations only insofar as they trust them. It is therefore not implausible to predict that an increase in nonprofits' political activity will amount to a decrease in nonprofits' philanthropic activity.

We also find ourselves facing questions about the institutional structure that frames and shapes the nonprofit sector. Should eligibility for tax-exempt status be revised in light of nonprofits' political activity? How much political activity is too much for tax-exemption purposes? There is no clear answer. To say that only organizations that are "primarily" engaged in enhancing social welfare qualify as c4 does not help, since there is no clear way in which that "primarily" could be specified or measured. There is no "red line" for political activity that demarcates a social welfare organization from a political one.

How much political activity is too much for tax-exemption purposes? There is no clear answer.

Calls by various watchdog groups to have the IRS, the FEC, or state attorneys general more closely monitor social welfare organizations reflect regulatory oversight complexity. Calls by many to scrutinize applications for nonprofit social welfare status by organizations that seem devoted mainly to political activity gave rise to the 2013 IRS scandal. The result has been a growing chorus of critics who call upon Congress to sort out the legal morass that is nonprofit law and permissible political activity.

Democracy and Foundations

What role do foundations play in democratic societies? What role ought they play in democracy? While the broader nonprofit sector has become a key structural feature of American civil society, the presence of private, independent, donor-directed and endowed foundations raises a particular set of questions about privilege and plutocracy. Broader associational life, frequently in the form of a not-for-profit organization, can be seen as the embodiment of pluralistic values, some whose mission is in keeping with decisions made by the voting majority, but others in protest or dissent. These organizations embody the diversity of a civil society independent from the state.

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But endowed, independent foundations raise different issues. Although they also represent a diversity of views and values, because they are primarily the purview of the wealthiest Americans, they are -- virtually by definition—the embodiment of plutocratic preferences, that is, the interests of our wealthiest citizens. Foundations are institutional forms that enable the wealthiest citizens to direct their private assets for public purposes, and that enshrine donor intent as effectuating the purpose of the foundation over time, even after the donor's death. And foundations are, of course, significantly tax-subsidized. The idea of independent large-scale philanthropy must be considered in this light. The question must be asked, what purpose do these organizations play in a democracy? Or, more precisely, is there any distinctive or unique role that foundations play in a democracy—a role that is able to justify at least some of the many tax advantages and privileges that foundations enjoy? Possible roles that we have assessed and discussed include:

(1) Promoting pluralism and diversity: foundations help produce goods that commercial business and government would otherwise not produce or under-produce.

(2) Fostering innovation: because of their long-term and flexible structure, foundations can play a facilitating role in policy experimentation. They can invest in risky activities markets and government are unwilling to invest in.

(3) Counter-weighting or counter-balancing power: foundations can act to balance other entrenched and powerful interests, against, for instance, the power of business corporations. Because foundations do not answer to market or electoral accountability, they can support interests that would otherwise remain unrepresented or under-represented.

It's a common intuition that the need for philanthropy would diminish dramatically, perhaps entirely, were social justice ever actually to be achieved. Yet the three purposes canvassed here indicate a distinctive and important role for independent foundations even in conditions approaching the ideal. Flourishing democracies should always guard against government orthodoxy and create institutional structures that promote pluralism and diversity; should create mechanisms to foster innovation and experimentation in social policy, especially over longer time horizons that are unlikely to be pursued by businesses or governments; and they should purposefully create space for counter-balancing social forces.

But what of the role of foundations when conditions are far from ideal, as they always are? We considered the relationship between philanthropy and democracy by asking an especially important question:

when democratic institutions themselves are dysfunctional, what role can or should foundations play in revitalizing the health of a democracy? Several American philanthropies—large and small, liberal, nonpartisan and conservative—fund programs and organizations focused on democracy. These may range from civic engagement initiatives to educational programs, voter registration, and research. There is also a long history of, and robust literature about, American foundations and the funding of democracy initiatives overseas.

Recently, several large foundations have undertaken efforts aimed at fixing the broken apparatus of democracy in the United States. Many things are dysfunctional: hyperpartisanship and polarization; a lack of credible, independent political information for voters; a massively fragmented and increasingly echo-chamber media landscape; structural dysfunction in the system of primary elections or in the decennial redistricting process; overrepresentation of special interests and the role of wealthy citizens over the broadly shared civic interests and the role of all citizens. The breadth of problem definition is one reason for philanthropic engagement. Because they stand outside political processes, foundations are in principle positioned to involve stakeholders who disagree, define multiple problems, and identify cross-cutting solutions. The irony, obviously, is such work is also what representative democracy is designed to do. Expecting foundations, which function independent of accountability and transparency norms of formal political institutions—no one in a foundation stands for election or can be un-elected, for example—to contribute to mending the breaks of democracy is a great statement of faith in the role of an independent, diverse civil society. It also represents, at least superficially, plutocracy coming to the rescue of democracy.

The existence and activity of foundations can be viewed as the flowering of individual independence. Having met their obligations as citizens and taxpayers, individuals—of any economic standing—are permitted, in some circumstances encouraged, to use their financial resources however they desire to express themselves. Counter to expectations about how the very wealthy might act, the history of foundation philanthropy in the United States—as well as the history of criticism of it—is that the largest foundations claim to act on behalf of more marginalized populations. This is not a result of legal guidance—once their charitable purpose is established, the law does not require endowments to focus on one population over another. It may be an accident of history or a predictable transition caused by professional staff veering away from donor intent. Due to loose definitions and weak data, it's also a claim that is very hard to document or discredit with any degree of certainty.

Foundations are institutional forms that enable the wealthiest citizens to direct their private assets for public purposes, and that enshrine donor intent as effectuating the purpose of the foundation over time, even after the donor's death.

Where those interests fall within the bounds of charitable law, foundations are not subject to limitations on the size or breadth of their actions. Here, traditions of law come into play more than principles of freedom, and the rules that guide perpetual endowments have been shaped greatly by probate courts. The result, in our time, is a set of rules for perpetual endowments that allows great independence of action, with a set of accounting and reporting requirements limited to annual filings on tax forms.

A further way in which foundations can help, at least in principle, revitalize a "broken" democracy is by counteracting the prevalent myopia of today's political culture. Public officials, fearing the next election cycle and subject to a polarized environment that inhibits compromise, has the tendency to focus on short-term gains, often at the expense of long-term goals. This has not always been the case and we should not think that governments are unable to invest in risky activities. Historically, many political achievements have been obtained through risky investments on behalf of government:

think about the risk involved in building a social security system, or funding a railroad system. Governments should perhaps risk more than they actually do. But as long as they are unwilling or unable to confront undeniably important long-term problems—climate change, for instance—foundations, given their long-term and flexible structure, may play a distinctive and helpful role in counteracting short-termism by making long-term, risky investments. Risky investments are certainly needed in the ambit of environmental policies—we need to develop effective strategies and new technologies for reducing carbon emissions and leading others to do the same. Foundations can and often do play a positive role in this respect.

Many of the foundations funding in the area of democracy are supporting efforts that take full advantage of emerging digital technologies, the promise of greater data sharing, and calls for more transparency.

How foundations deal with information—their own, that of grantees, and from public sources—is a fruitful place to observe the current dynamic between philanthropy and democracy. Many of the foundations funding in the area of democracy are supporting efforts that take full advantage of emerging digital technologies, the promise of greater data sharing, and calls for more transparency. This funding targets public agencies and public data. While a few foundations are beginning voluntarily to share more of their own data in digitally relevant ways, there are (as yet) few calls from foundations to require the same practices of data sharing and transparency that they fund others to meet.

Conclusion

Our inquiries into impact investing and sharing enterprises revealed significant overlap between the economic missions of some tax-exempt organizations and their commercial counterparts. When they are providing essentially the same services or producing qualitatively similar outcomes, how do we justify tax exemptions for one over another? If both commercial and noncommercial enterprises can provide a service, when and for whom does the government have an interest in incentivizing (through tax exemptions) additional enterprises? Asked a different way, where is the line between activities that need subsidy and those that the market will provide?

Where is the line between activities that need subsidy and those that the market will provide?

The questions focus on the murky reality of philanthropy's relationship to the commercial marketplace. The last decade has seen, through social enterprise, the sharing economy and impact investing, countless experiments to tie philanthropy more closely to market mechanisms. We have few conclusive results from these experiments other than the need to acknowledge that there are many more points of intersection than previously recognized.

Similar observations must be made about the perception that philanthropy steps in when governments fail. Though not explored directly in our charrette series, research on the scale and nature of public agency ties to nonprofits reveals a growing dependency between public agents and nonprofits in areas such as health, human services, and community development. Government contracts and grants constitute more than fifty percent of funding for many nonprofit organizations, leading to legitimate questions of independence.

Our investigations into the shifting role of nonprofit social welfare organizations on the political landscape highlight yet another area where theoretically-independent civil society enterprises are, in practice, becoming arms of the campaign finance system. If social welfare organizations continue to serve as tax-exempt (and anonymous) conduits for political contributions, we need to ask if there is a meaningful distinction to be made between political and charitable activities?

Finally, our work reveals several ways in which the economics of digital creation, finance, and distribution are shifting civil society. In all of our discussions about markets and democracy, as well as our concentrated looks at technology, digitized data are having pronounced effects. In the specific case of medical research, the Portable Legal Consent Initiative and the shifting power dynamics between patients and researchers show that rules and practices about data ownership and privacy are clear levers for system-wide change.

There are several ways in which the nature of digital creation and exchange matter to how we organize and regulate civil society. Our existing rules for civil society are designed to manage the use of time and money as the key resources. The digital age requires us to add "data" (digitized assets) to that list. The next step, as evidenced from our discussions on technology, markets and democracy is to consider how these digital assets are managed as private resources for public good.

Appendix: Charrette Participants

Sharing Economy January 24, 2012
Sheila Bapat, CodeForAmerica
Marvin Brown, University of San Francisco
Shelby Clark, RelayRides
Paula Goldman, Omidyar Network
Neal Gorenflo, Shareable.net
Daniel Hoffer, Couchsurfing
Ilyse Hogue, MoveOn
Michael Stoll, Public Press
Tamara Straus, Stanford Social Innovation Review

Citizens United **March 20, 2012**
Adam Bonica, Stanford University
Paul Brest, Stanford University
Greg Colvin, Adler & Colvin
DeAnna Dalton, Maplight.org
Lee Drutman, Sunlight Foundation
Ellen Friedman, Compton Foundation
Lois Fu, Independent Sector
Jacob Harold, Hewlett Foundation
Rick Hasen, University of California, Irvine
Pam Karlan, Stanford University
Michael Klausner, Stanford University
Jane Mayer, The New Yorker
Dan Newman, Maplight.org
Kathy Nicholson, Hewlett Foundation
Jennifer Sokolove, Compton Foundation
Tamara Straus, Stanford Social Innovation Review
Fay Twersky, Hewlett Foundation
Jeremy Weinstein, Stanford University

Impact Investing May 15, 2012
Matt Bannick, Omidyar Network
Paul Brest, Stanford University
Jacob Harold, Hewlett Foundation
Dermot Hikisch, B Lab
Renee Kaplan, Skoll Foundation
Jenna Nicholas, Stanford University
Mary Anne Rodgers, David and Lucile Packard Foundation
Susan Phinney Silver, David and Lucile Packard Foundation
Tamara Straus, Stanford Social Innovation Review
Ben Thornley, Pacific Community Ventures

Digital Public Goods June 12, 2012
Patrick Bergemann, Stanford University
Andy Blanco, Stanford University
Meg Garlinghouse, LinkedIn
Nelson González, Declara
Jennifer Granick, Stanford University
Steve Hilton, Stanford University
Yolanda Hippensteele, Media Democracy Fund
Thomas Kalil, White House Office of Science and Technology Policy
George Kembel, Stanford University
Daniel Newman, Maplight.Org
Jennifer Pahlka, CodeForAmerica
Tapan Parikh, University of California, Berkeley
Tim O'Reilly, O'Reilly Media
Julie Samuels, Electronic Frontier Foundation
Benjamin Simon, Mozilla Foundation
Jenny Stefanotti, Stanford d.School
Matthew Stepka, Google.org
Tamara Straus, Stanford Social Innovation Review
Barbara van Schewick, Stanford University
Sarah Stein Greenberg, Stanford University

Philanthropy and Democracy March 20, 2013
Diana Aviv, Independent Sector
Paul Brest, Stanford University
Amy Dominguez-Arms, Irvine Foundation
Gina Glantz, independent activist
Paula Goldman, Omidyar Network
Larry Kramer, Hewlett Foundation
Bruce Sievers, Institute for Nonprofit Organization and Management
Sterling K. Speirn, W.K. Kellogg Foundation
Megan Tompkins-Stange, University of Michigan

CodeJam April 20, 2013
Braz Brandt, GuideStar
Gerardo Capiel, Benetech
Phillip Carter, Do Something Great Today Foundation
Reed Colley, Do Something Great Today Foundation
Alison Dorsey, LinkedIn
Jonny Dorsey, Stanford University
Grace Garey, Watsi
C. Davis Parchment, The Foundation Center
Jason Payne, Palantir
Jason Ricci, FLUXX Software
Tony Rodriguez, GuideStar
StewartUgelow, TeachFishing
Brian Walsh, LiquidNet
Marnie Webb, TechSoup Global
Zachary Wenner, The Aspen Institute

Philanthropy and the Body May 16, 2013
Alexander Berger, GiveWell
Greg Bigger, Genetics Alliance
Mark Budolfson, Stanford University
Hank Greely, Stanford University
Valeska Korff, Stanford University
Erik Kroll, BensFriends.org
Karen Lindblom, Stanford University
Alvin Roth, Stanford University
Melissa Stevens, FasterCures
John Wilbanks, Sage Bionetworks
Andrew K. Woods, Stanford University

1 *Good Fences: The Importance of Institutional Boundaries in the New Social Economy, The Shifting Ground Beneath Us, and Policy Forecast for the Social Economy 2013*

2 Rachel Botsman and Roo Rogers, *What's Mine is Yours: The Rise of Collaborative Consumption*, Harper Collins, 2010; "The Rise of the Sharing Economy," March 9, 2013, *The Economist*; Derek Thompson and Jordan Weissmann, "The Cheapest Generation," *The Atlantic*, August 22, 2012.

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6 Pew Research

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8 See "Follow the Unlimited Money" The Sunlight Foundation, Accessed online http://reporting.sunlightfoundation.com/outside-spending-2012/overview/ and Brendan Fischer and Blair Bowey, "Election Confidential: How Shady Operators Used Sham Nonprofits and Fake Corporations to Funnel Mystery Money into the 2012 Elections," US PIRG Foundation, 2012, Accessed online http://www.prwatch.org/files/Elections_Confidential.pdf