

Philanthropy and  
the Social Economy:

# BLUEPRINT 2017

The Annual Industry Forecast  
by Lucy Bernholz



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Stanford SOCIAL  
INNOVATION REVIEW



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## WHAT IS THIS MONOGRAPH?

*Philanthropy and the Social Economy: Blueprint 2017* is an annual industry forecast about the ways we use private resources for public benefit. Each year, the *Blueprint* provides an overview of the current landscape, points to major trends, and directs your attention to horizons where you can expect some important breakthroughs in the coming year.

I'm happy to partner again with GrantCraft, a service of Foundation Center, to make the *Blueprint* available for free. Please find this and related GrantCraft materials at [grantcraft.org/blueprint17](http://grantcraft.org/blueprint17). In addition, the *Stanford Social Innovation Review* and Stanford Center on Philanthropy and Civil Society are key partners in bringing you the *Blueprint*.

## WHY IS IT CALLED A BLUEPRINT?

A blueprint is a guide for things to come as well as a storage device for decisions already made. Good blueprints fit their environment, reflect a thoughtful regard for resources, and lead to structures that are well engineered and aesthetically pleasing. Blueprints guide the work of masters and are informed by craftsmen. They can be adjusted as work proceeds, and they offer a starting point for future improvements. Good blueprints require a commitment to listen to those for whom they are drawn and to use a common grammar to communicate the results of countless sketches and discarded first drafts. This blueprint is intended for everyone involved in using private resources for public benefit—philanthropists, social business leaders, nonprofit and association executives, individual activists, and policymakers. It can be used as a starting point for debate and as input for your own planning. It is one of an annual series of observations that collectively capture change over time. Please [join the discussion](#) on Twitter at [#blueprint17](https://twitter.com/blueprint17).

## WHO WROTE THIS DOCUMENT?

I'm Lucy Bernholz and I'm a philanthropy wonk. I've been working in, consulting to, and writing about philanthropy and the social economy since 1990. *The Huffington Post* calls me a "philanthropy game changer," *Fast Company* magazine named my blog [Philanthropy2173](#) "Best in Class," and I've been named to *The Nonprofit Times*' annual list of 50 most influential people. I work at the Digital Civil Society Lab, which is part of Stanford University's Center on Philanthropy and Civil Society (PACS). I studied history and earned a B.A. from Yale University and a M.A. and Ph.D. from Stanford University. On Twitter I'm known as [@p2173](#), and I post most of my articles, speeches, and presentations online at [lucybernholz.com](http://lucybernholz.com), where you can also find my blog, Twitter feed, articles, and books. My most recent co-edited book, *Philanthropy in Democratic Societies*, was published in 2016 by The University of Chicago Press.

## WHERE CAN I GET MORE INFORMATION?

The best way to keep up with my thinking on these issues (and everything else) is on my blog, [Philanthropy2173](#). Subscriptions are free. Information about Stanford's Digital Civil Society Lab is available on the websites of the [Lab](#) and [PACS](#). Please send media inquiries, speaking requests, and other inquiries to [bernholz@stanford.edu](mailto:bernholz@stanford.edu). Previous years' *Blueprints* can be downloaded at [grantcraft.org](http://grantcraft.org) or [lucybernholz.com/books](http://lucybernholz.com/books).

The full suite of GrantCraft resources is free and online at [grantcraft.org](http://grantcraft.org). GrantCraft is a service of Foundation Center that taps the practical wisdom of funders to develop resources for the philanthropy sector.

# Introduction

Paradoxes abound. Some global indices show democracy on the rise around the globe, while other measures stress that spaces for civil society are closing. Since democracy depends on civil society, it's hard to know how both can be true.<sup>1</sup> In another head-scratcher, a year that was defined by the politics of lies also saw an increase in the systemic faith in data and algorithmic analysis as guides to a better future. Resolution of these paradoxes comes down to human action—we must fight to protect civil society and democracy; they do not defend themselves. We must interrogate and make understandable the digital tools and data we use to make decisions, as they are simply encoded versions of our values.

Some truths hold. I spent part of 2016 working with the incredible artists behind the award-winning documentary *Big Sonia*. The film tells the story of an immigrant in Kansas City. She survived the holocaust, living through and being liberated from three Nazi concentration camps. She raises a family, survives economic changes that redraw the map in her Midwestern suburb, and only in her last decade begins to share her life story publicly. I won't tell you more—go see the film. But here's how lasting truths work. The filmmakers worked for years, and as every artist or author knows, timing a release is tricky business. As it happened, *Big Sonia* premiered on the big screen on Wednesday, November 9, the day after the U.S. presidential election. Sonia, aged 91, was there. Her story—of resisting fascism; of surviving state-sponsored deportation, incarceration, and cultural destruction; of running a business through economic good times and collapse; and of always standing against the forces of hatred—resonated with amplified power on that particular day. But the story—and its truths—are timeless.

It is daunting to try to make predictions about 2017. In this year's *Blueprint* I have omitted the usual Wildcard section; it seems redundant. I

***We must fight to protect civil society and democracy; they do not defend themselves.***

did everything I could as an organizer, a voter, and a citizen to bring about a different outcome to the U.S. presidential election. I disagree completely with the candidate and winning coalition's proposed economic, healthcare, security, and foreign policy proposals. I am scared by and motivated against their language, behavior, supporters, and proposals regarding immigrants, people of faith, people of color, LGBT people, and women. Economic inequality is the problem, but it cannot be fixed by social and political injustice. I believe in democracy, and, when my ideas fail at the polls, I work harder as a citizen. I am telling you this because I don't just think about civil society in democracies; my life depends on it. This was true before the U.S. election and will be true long after I stop publishing. That I can publish these words without fear of recrimination from my government is precisely the strength of the system. If I am recriminated against, or if others turn away from these words because I've expressed these differences, then that is both the future I fear and the one I write to prevent.

During the U.S. presidential campaign, candidates from both major parties faced intense public scrutiny for their charitable activities. This exemplifies an issue—the blurring boundary between politics and philanthropy—that I’ve written about for years in this series and which boiled over in 2016. Similarly, both campaigns were defined by their digital practices—one by a reliance on Twitter and the other by a reliance on private email servers. The summer of 2016 showed us that governments that promise unhackable security will come to regret it (I’m looking at you, Australian census bureau and U.S. Democratic National Committee). The vulnerability of our election technologies to digital malfeasance makes us wonder if the core act of voting is safe and reliable. There are historical antecedents that can guide us in these times (see *Big Sonia*, above), but our dependence on digital systems and the ways in which they facilitate both freedom and control, expression and censorship, surveillance and new economic powers is what we face anew.

Some might yearn for the pre-digital days of politics, when we didn’t worry about email hacks, server security, or social media campaigns. Those days are gone forever. When we stop and catch our breath, we realize this is true also of civil society. We are all digitally dependent now. This offers opportunity and risk, risk that extends beyond cybersecurity. Our digital dependence shapes the nature of data our nonprofits and foundations collect and what they do with it. It explains why new policy environments—from intellectual property law to telecommunications regulations—now determine who can participate, where, when, and at what cost. And it makes it ever more important to question our core assumptions about what resources we use for social good, how we exchange them, how we will pay for this work, and who will benefit.

This is the eighth annual *Blueprint*. I’ve spent the year learning with colleagues in the U.S., Australia, Austria, Brazil, the Netherlands, and Sweden. For several years I’ve been arguing that civil society and philanthropy must “assume digital.” The information we gather, store, and

exchange electronically and the networks we use to do so are now an integrated part of the way civil society functions. Working internationally is a wonderful way to experience the breadth, depth, and diversity that this dependence takes. Our digital networks are global, but the knotted mess of national and international regulations on everything from free speech to fundraising forced me to check my own assumptions and biases in each region. What is a nonprofit? What qualifies as philanthropic? Who regulates? What roles do co-ops, impact investing, online giving, text messaging, broadband, open source software, and philanthropy play in this setting? My effort to find answers to these questions informs the way I understand digital civil society, the social economy, and philanthropy in 2017.

As much as ever I think we are in a time of assumptive shifts, that is, shifts in our underlying assumptions. The **Insight** section in this *Blueprint* looks at two fundamental questions: (1) what is philanthropic and what is political, and (2) what is the infrastructure of civil society in the digital age? Having led workshops on the nature of governance and digital data in dozens of cities in several countries on a few different continents, I’m also happy to share some of the materials we (at Stanford PACS’ Digital Civil Society Lab) have developed. These have been informed by numerous nonprofit, philanthropic, and digital leaders. They will link you from this *Blueprint* to the **digitalIMPACT.io** site, to the MarketsForGood community, and to the Digital Civil Society Lab. There are many points of entry, and I hope you will find them useful.

In the **Foresight** section, I try to bring these big ideas down to ground level by making some predictions about what we’ll see in 2017. I hold myself accountable to what I got wrong (and right) last year in the **Hindsight** section. The **Glimpses of the Future** section focuses on the changing nature of form and governance in civil society as exemplified by the Black Lives Matter movement. It also considers the distressing fact that space for civil society is closing globally. The annual list of **Buzzwords** and a set of three **Worksheets** on the use and governance of digital data round out the *Blueprint*.

# Insight

## Big Ideas That Matter for 2017

Philanthropy played an unusually vivid supporting role in the nonstop drama that was the 2016 U.S. presidential election. Both major-party candidates Donald Trump and Hillary Clinton were pilloried for their approaches to charity. Trump claimed credit for charitable actions that could not be verified, and after the election his foundation filed returns admitting earlier lies. His foundation played fast and loose with the basic rules of charitable registration and philanthropic purpose.<sup>2</sup> Clinton played too closely with those who supported her family's eponymous foundation. To put it bluntly, in the eyes of many, Trump didn't give enough and Clinton gave too much. Taken as a whole, the philanthropic behaviors of the two major-party candidates served as sordid subplot, spotlighting questions of trust and political indebtedness. How heavy and lasting the shadow thus cast on philanthropy is yet to be seen.

### WHAT IS POLITICAL? WHAT IS PHILANTHROPIC?

The intermingling of philanthropy and politics in the U.S. presidential election is a compelling case of a time-worn phenomenon (and a global question).<sup>3</sup> What is political? What is charitable? These questions, in both their simplicity and their complexity, reveal important tensions in democracies. It is a systems-based version of a motivating question for the *Blueprint* series—“What's public, what's private, and who decides?”

We think of political life—campaigns, elections, office holding, governing—as being in the public sphere. Of the public, by the public, for the public (to paraphrase).

Philanthropy, on the other hand, involves private resources used for public benefit. Democracies that encourage philanthropy have to structure their incentives in ways that navigate between private interests (of donors) and public beneficiaries (effectively everyone). Navigational

tradeoffs between these stakeholders shape the regulatory structures established for philanthropy and nonprofits and include demands made of governance structure, financial incentives, and a menu of institutional choices. How do you design a system that encourages private philanthropy and serves a greater good?

***A motivating question for the Blueprint series is, “What's public, what's private, and who decides?”***

Tactical renegotiations of this question come to light in any number of ways. Currently in the U.S., the most vocal voices in these debates are focused on donor-advised funds, spend-down foundations, and donor disclosure. Elsewhere around the world the tactical expression of this question is found in laws about fundraisers selling donor data and regulations on crowdfunding. The examples cover a wide range of practical issues, but at the heart of each one is the basic question of public and private.

## Participation and Transparency in Electoral Democracies

Raising our sightline from the practical to the philosophical, the line between a philanthropic act and a political one is significant for democracies. At the very least, where the line is drawn will depend on (and shape) each nation's democratic perspectives on participation and transparency.

Democracies take many shapes around the world.<sup>4</sup> Each case presents a slightly different dynamic between civil society and government, between philanthropic and political action. There are no single answers.

### ***Democracies depend on an ability to scrutinize public power.***

All electoral democracies depend on participation. In more than 20 countries, the legitimacy of the government is so dependent on participation that voting is mandated.<sup>5</sup> Others parcel out voting rights depending on a range of "qualifications" (race, gender, property holdings, identification) that can and do change over time. Whatever form it takes, the notion of participation is tied to the idea that the resulting government will represent, and act on behalf of, a whole society. "Of the public and for the public" is intended to steer our systems toward inclusion, equity, and fairness.

Participation in public life also brings with it expectations of transparency and accountability. Because elected officials are supposed to act on behalf of the people, the public has a right to know what those officials are doing. There are norms and laws about reporting, transparency, and accountability. If we are to elect and participate in our public systems, we need to be able to "see into" them. Simply put, democracies depend on an ability to scrutinize public power.

### ***Civil society demands room for choice, privacy, and anonymity that doesn't hold for government participation.***

## Participation and Transparency in Civil Society

My brief reflection on the role of participation and transparency in democracy frames what we look for when we turn our attention to philanthropy and civil society. Here, the defining principles are complementary to, not the same as, those of our electoral systems.

For example, civil society, including philanthropy, is built on expectations about participation and transparency that differ from expectations of government. Civil society is the place where individuals can voluntarily associate with those of their choosing, can act on behalf of a larger public good, and can express themselves via their direct action or their philanthropic contributions. As such, civil society demands room for choice, privacy, and anonymity that doesn't hold for government participation.

Participation is, first and foremost, voluntary. There is no mandate to give or volunteer. Systems that depend on significant philanthropic contributions, as in the U.S., provide substantial incentives to participate, but they don't require it. Incentives come in the form of tax subsidies, protection for donor intent, and giving vehicles that allow significant donor influence. They are also visible in the structural privileges provided for anonymous giving. Put simply, we've built systems that reward participation in civil society, but we don't require it.

Most civil society systems also have expectations and requirements for public reporting. These vary widely from nation to nation and make distinctions between private foundations, public charities, and nongovernmental organizations. In most cases, organizations that receive funding and that provide services must report on these activities to the public. Because civil society represents the use of private resources for public benefit, the rules that guide it thread a needle between encouraging privacy and choice while ensuring appropriate use and legitimate behavior.

Participation in civil society is part of democratic life. Our self-organized private actions for public benefit scaffold our political structures, can serve as training grounds for political action, and often allow us to provide the services or cultural preferences desired by those not in a political majority. As David Cole, the author of *Engines of*

*Liberty*, argues, nonprofits and philanthropy also can be a major force in protecting individual and group rights and liberties.<sup>6</sup> Participation can take the form of volunteering, financing, protesting, community organizing, or joining informal associational activities such as neighborhood or recreational groups and leagues.

## Regulatory Systems

There are many reasons to structure civil society activities at arm's length from the state. One way to protect the separation is to hold civil society to different reporting and transparency requirements than those we apply to public agencies and political behavior. While it's within the purview of civil society actors to debate the nature of participation and transparency, the expectations of civil society are different from those of government structures.

In short, political activity is shaped by a norm of transparency, whereas charitable activity makes room for anonymity and privacy. Anonymous charitable giving is both a long-held value among most major religious traditions and a sanctioned part of the legal structures that guide modern-day philanthropy.

To enforce these different expectations of participation and transparency, the U.S. has two distinct regulatory systems in charge of political and philanthropic activity. For political activity, we rely on the Federal Elections Commission, Federal Communications Commission, campaign finance laws, state attorneys general, and a set of institutional structures that runs the gamut from political parties to individual campaigns to political action committees and some tax-exempt structures. In contrast, we rely on the Internal Revenue Service and the exempt organization section of the tax code, along with consumer protection law, state attorneys general, and corporate code, as boundary markers of civil society.

## Overlapping Structures

Although the norms of transparency and anonymity serve separate purposes, the structures we've built have begun to overlap. Certain organizations incorporated under the tax-exempt section of the tax code are allowed to conduct political activities, and the IRS is currently incapable of monitoring this behavior for all registered entities. The definitions of

acceptable and impermissible political activity by nonprofits are now so deliberately blurry that advocates for fixing them call their work the "bright lines project."<sup>7</sup> Donors who wish to support political activity but hide their identities have found countless ways to take advantage of the privileged anonymity of charitable nonprofits to simply sidestep the disclosure required of political organizations. State attorneys general, who play a role in both systems, have stepped up activity to police the systems, but their jurisdictions are limited and their resources scarce.<sup>8</sup> At the national level, the IRS, at the order of Congress and with the support of some in the charitable sector, has stepped back from any pretense of patrolling the line between political and charitable activity.<sup>9</sup>

## ***Democratic political systems are shaped by a norm of transparency, whereas charitable regulations make room for anonymity and privacy.***

When the spheres of charitable and political life are clearly bounded, our societies thrive by allowing room for both values.<sup>10</sup> When the spheres overlap and boundaries blur, we find ourselves with two systems, designed for distinct purposes, occupying the same space. The values can thrive in parallel but one system cannot simultaneously serve both values.

This is where we find ourselves today. Seen in the absolute worst light, U.S. nonprofits now look like a money laundering system for financing political campaigns. Money goes in, and names get washed off. Then the money goes out into advertising or other electioneering activities.<sup>11</sup> Jane Mayer's 2016 book, *Dark Money*, provides a systematic examination of how once-distinct systems of political and philanthropic giving are being used to advance political interests, candidates, and judicial action. Mayer introduces a phrase, "the weaponizing of philanthropy," which captures well this new set of relationships.

By definition, we don't know how much dark money exists. Nor do we know how widespread is the practice of deliberately using a "combo plate" of political, social welfare, and charitable vehicles to circumvent political transparency via charitable anonymity. The trend data we do have suggests this is a growing phenomenon,

but we don't know how pervasive it is.<sup>12</sup> Two other forces may also add energy to this system: organized philanthropy's growing interest in using investment holdings toward program goals and the creation of one-stop LLCs that can direct dollars to political, charitable, and investing strategies. All of this points at a near-term future with blurrier distinctions and ineffective oversight, unless reforms are called for.

***We have neither clear rules for forms such as LLCs and donor-advised funds nor functioning oversight bodies to police the lines between philanthropic and political action.***

This reality serves well those with financial resources. Many donors are interested in using their resources to effect change through political, charitable, and income-producing investments. Were each of these sectors well regulated with clear rules and reporting requirements met, we'd be better positioned to scrutinize—and trust—that dollars in each system were being used and reported on appropriately. But the fact is, our existing regulatory frames for LLCs and donor-advised funds make possible some of our current problems, and we lack functioning

oversight bodies that could better monitor the lines between philanthropic and political action.

This should make everyone who cares about legitimate accountability, public scrutiny, and the ability to distinguish between private philanthropic and public political acts more than a little nervous. It does not serve the legitimate advocacy interests of civil society, as it paints all organizations with the brush of doubt. The confusion over what is appropriate and what is not makes all actors suspect, increases the transaction costs of legitimate nonprofit activity, and weakens the public trust.

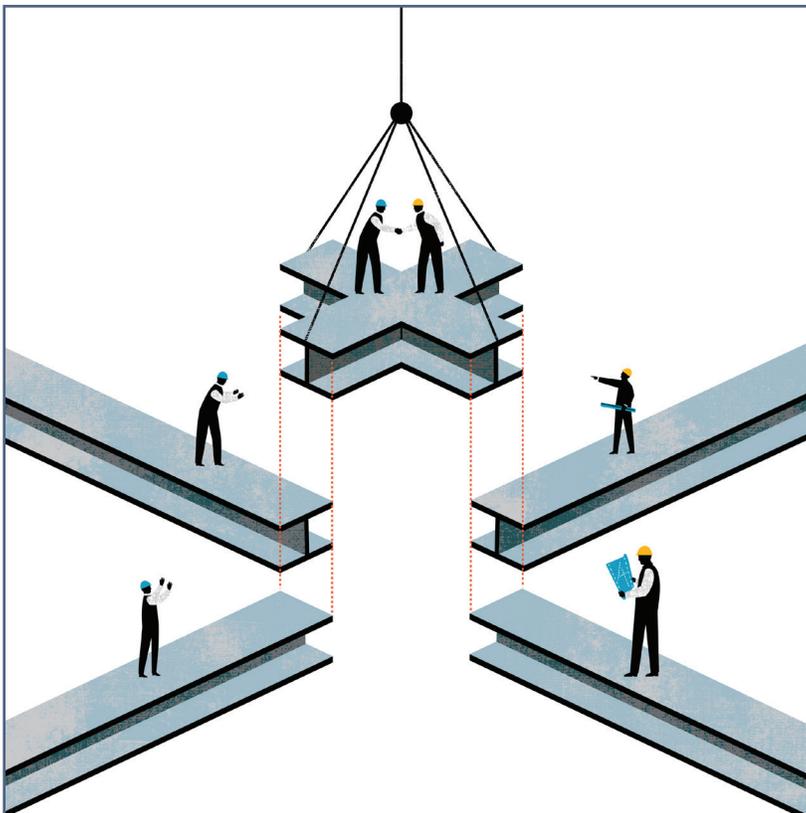
**The Impact of Online, Networked Data**

In case you think this couldn't get worse, online, networked data exacerbate these problems. Our old data collection practices essentially depended on the natural barriers of time and energy to allow for enough reporting to aid in fraud prevention while limiting the degree to which we compromised people's privacy. It took time, money, and motive to reveal an institution's financial activities. Now it takes a few clicks. When the lines between nonprofits and politics are so faint, every effort to use the power of online, networked data for political transparency chips away at any space for anonymous charitable giving.

Those with the motivation to do so, of course, simply get ever more creative at finding ways to keep their identities hidden, if not secret. If funneling money as an anonymous gift to a nonprofit that then uses the funds for or passes them on to a political affiliate isn't enough of a veil, those with means are also more than happy to set up limited liability companies and use donor-advised funds. The layering of anonymity-providing mechanisms one upon another is (so it seems) at least enough to slow down, distract, or confuse the transparency and accountability bloodhounds.

**This Is Unworkable**

Four trends have come together that make the current situation unworkable. First, giving to political candidates, campaigns, and their webs of supporting organizations has become ever bigger business. Second, every effort to increase political transparency has been met with a countervailing commitment to participate



*Illustration by Michael Austin provided by Theispot.*

anonymously. Third, online, networked data make it easier to actually track money flows and to want to track money flows—they've changed our reality and our expectations. And, fourth, privacy and anonymity have become near-synonymous with terrorism (at least in political rhetoric), as structured in the all-too-facile “privacy versus security” nature of media debate.<sup>13</sup>

This last, surely, has always been one correlation. Those who do harm rarely seek sunlight. But privacy has other uses, including encouraging the pursuit of unpopular (read: not the majority) points of view. Privacy gives us the freedom to make mistakes, which allows learning. It enables failure, which is key to success. It is a precondition to controlling your own identity, as more and more of us are realizing in an age of ubiquitous surveillance. Anonymity also has other positive attributes, such as protecting vulnerable people, though hate speech and online abuse, among other phenomena, have changed the calculus of vulnerability. There are cultural and religious traditions that encourage anonymous giving as a moral issue. Anonymous charitable giving can limit feelings of indebtedness, respect the dignity of both recipient and donor, and provide a means for private expression.

This is where we find ourselves now. Structures designed for tax-exempt public welfare or charitable purposes are being used for expressly political ones. A regulatory system designed around an earlier time's assumed sectoral boundaries doesn't work in an age of institutional change. Digital data practices meant to support transparency in political life can also reveal what is legitimately meant to be anonymous charitable giving. At the same time, those who are determined to obscure their political acts take advantage of it all to hide in a maze of overlapping organizations, conflicting regulations, and the digital data firehose. Our multiple layers of norms, rules, organizational forms, regulatory bodies, and watchdogs are all connected via digital infrastructure, and digital data can be used to enlighten or obscure.

If both values—transparency and privacy—matter, then we need separate systems. If both sectors matter—political and civil society—then we need separate structures. In both cases, we need new rules and a new attention to oversight.

## IT REALLY IS ABOUT THE INFRASTRUCTURE

There are two stories of digital infrastructure here. The first looks at the infrastructure of civil society. The second concerns civil society's responsibilities to the infrastructure of democracy. Most importantly, in both cases, when I refer to infrastructure I mean the systems and rules that allow and shape civil society. I am referring here specifically to the rules and rights of association, expression, privacy, and individual action that allow us—in whatever form—to use our private resources for public benefit. The infrastructure of civil society in any country is made up of the regulatory regimes and policies that enable those rights, and these may differ from country to country. The digital infrastructure is made up of the software codes that enable global online exchange and the legal codes that shape those interactions in specific jurisdictions.

We need to focus on these rules and rights. They are the plumbing that will enable digital civil society to thrive. We should not focus on a subset of organizations or actors that claim an infrastructural role. To do so is to confuse the plumbers for the plumbing.

### The Digital Infrastructure of Civil Society

On May 3, 2016, more than 50 community foundations across the U.S. launched simultaneous efforts to encourage online local giving on the much-ballyhooed Give Local America Day. But the tech platform undergirding these campaigns failed. Handwringing ensued. As is also the case with physical infrastructure, such as sewers and sinkholes, we only think about it when it fails.

Just 10 days later, on May 13, the leaders of 22 self-described “infrastructure organizations” published an open letter to 1,400 U.S. foundations, asking them to invest 1 percent in infrastructure.<sup>14</sup> Investments in organizations that serve the entire nonprofit sector, the letter argued, are investments in impact. These signatories included consulting firms, data platforms, Foundation Center (home to GrantCraft, which publishes this *Blueprint*) and Stanford PACS (my employer).<sup>15</sup>

The letter was addressed to U.S. foundations making more than \$2.5 million in grants per year. It was distributed via email, posted online, and covered in web versions of the *Chronicle of Philanthropy*, *Nonprofit Quarterly*, *Inside Philanthropy*, and *The Nonprofit Times*.

## ***We still haven't realized how dependent civil society is on digital infrastructure.***

Despite the distribution tactics for the letter and the data sources used to determine the recipients, the letter made no mention of the digital infrastructure upon which the entire endeavor rested. By infrastructure, the signatories meant professional and trade

associations, some research organizations, and a few organizations that directly facilitate philanthropic giving.

These two seemingly disconnected events show that we still haven't realized—or perhaps we're just loath to come to grips with—how dependent civil society is on its core digital infrastructure. The letter writers neglected to mention both the digital infrastructure upon which civil society now rests and the regulations and practices that determine how this digital infrastructure works.

Let me be clear: This digital infrastructure includes the software, hardware, networking, and telecommunications services that drive our daily communications, fundraising, marketing, advocacy, meeting planning, accounting, financial reporting, grants management, performance measurement, and outcome reporting. It consists of software and hardware, most of which is commercially produced. These tools and the systems of distribution that they depend on are regulated by a wide-ranging set of laws, from those that focus on free expression to rules about copyright. There is a layer cake of software protocols that shape how fiber optic cable, routers, servers, laptop computers, cell phones, and software apps all interact. These software protocols are in turn regulated by a layer cake of law, each of which draws on a different set of regulatory bodies and vested interests. Sitting on top of this cake (for the most part) are the nonprofits, foundations, associations, political protestors, and neighborhood activists whose work is now literally built on top of these technologies. Civil society is dependent on the nature and scope of these underlying ingredients. In other words, the software protocols and regulatory regimes shape the nature of data ownership, access rights, the protection of certain classes of people, and information security that are now the purview of civil society. Civil society is shaped by them and must take an interest in the shape of them.

My concern is this: When the nonprofit sector calls attention to “infrastructure,” it does not look deeply enough. The infrastructure letter focused on the groups that connect and support the sector. But it overlooked fundamental systems now connecting those groups and shaping their work. This infrastructure is digital. Civil society—its associations, individuals, industry groups, lobbyists, donors, beneficiaries, and the nonprofits and foundations we most often think of—depends on digital data and systems.

## **Calculating Your Organization's Digital Dependence**

Still don't believe that civil society rests upon digital infrastructure? Try this...

Imagine your server goes offline for a day and everything on it is lost. Now, calculate the cost of recovering that day. Include the time of your personnel, the consultants, and the marketing, public relations, and disaster communications firms. Calculate the opportunity costs of catching up to where you were. Now make it interesting and imagine the information wasn't just lost, but stolen. Add in the costs of reputational damage and, possibly, real harm to your beneficiaries. Time lost toward mission. Hard costs of replacing software, hardware, servers, routers (and time to determine all of what you need). Now, double it, because you guessed too low.

If the cost calculation doesn't convince you, try this. Take your work offline for a day. Use no email, internet, digital phones, printers, faxes, databases, grants management software, enterprise communications tools, spreadsheets, or social media. You may not be able to get on the bus or into your office buildings without using a digital ID card.

If you think I'm being melodramatic here, just check your local news for stories about ransomware. Chances are, you'll find a story from your own community involving a local hospital or medical facility, most likely a nonprofit one. This isn't future doomcasting. This is our present.

Convinced yet?

## **How do we get there?**

Some parts of civil society offer us special insight into the relationship between organizational mission and digital choices. In particular, organizations and movements dedicated to government transparency, human rights and civil liberties, journalism, and libraries have long shaped their own strategies in response to the nature of digital technology and its regulatory environments (while also trying to influence those regulations).

In each of these domains we see a co-evolutionary process between organizational form and software structure. Sunlight Foundation focuses on making money in politics more visible to the public, and its open source software tools are key resources in the government transparency movement. Libraries and museums, a very different domain, are big users (and creators) of open source software as it is fundamental to their preservation missions. Often, making open source software versions is the only way to ensure that today's digitally created works will not be locked into today's proprietary software and will be accessible years from now. Finally, journalism has long been the poster child for "digital disruption." Since it also lives at a multidirectional intersection of free speech, copyright, public purpose, private ownership, and commercial innovation, it has also been home to decades of software and organizational experimentation.

The rhetoric of some open source advocates asserts that software built by and for the community, open to all and owned by none, is a perfect digital complement to civil society. The truth is more nuanced. First of all, there are costs to be covered. An old adage of open source advocates, "Free as in speech, not as in beer," takes on a double meaning in the context of social good. Simply put, who will pay for the creation and maintenance of these tools? In each domain I just listed, the challenges of running organizations dedicated to building open source tools are daunting. In the last year, "cornerstone institutions" such as Sunlight Labs, the New York Times R&D Labs, the New York Public Library Labs, and the Metropolitan Museum's Media Lab have closed or restructured.<sup>16</sup> The financial reality is more complicated than simply building and using open source software to achieve social purpose.

## **Principles of civil society**

Fundamentally, civil society in both physical and digital realms rests on a set of principles—protected as rights in many places (including the U.S.)—of free assembly, free expression, and privacy. And it depends on norms of human behavior, such as the desire to help, offers of mutual assistance, and charitable acts. The laws that we put in place to protect these principles, rights, and norms are *the infrastructure of civil society*. Because civil society also rests on a digital infrastructure, organizations—nonprofits and foundations—need to understand how digital data and infrastructure work and how to use them within civil society's infrastructure of principles and norms to achieve their social purpose.<sup>17</sup>

## ***The software protocols and regulatory regimes that shape data ownership, access rights, the protection of certain classes of people, and information security are the purview of civil society.***

Why does this matter? If we confuse the real infrastructure of digital civil society—free expression, assembly, and privacy—for the industry support organizations that we've established to support the practices of philanthropy and nonprofits, we miss the real threats to civil society. As ever, those threats come in the form of limits on association, expression, and privacy. The source of those threats is different today from in previous eras. Governments can threaten civil society, as they always have, through action and inaction. Today, the companies that manage the physical infrastructure and the software portals to digital exchange also serve as a threat. In his 2016 book, *Free Speech*, Timothy Garton Ash uses a common animal hierarchy to visualize this order: Governments are the big dogs; private superpower companies are the big cats; and we, the people, are the mice.<sup>18</sup>

If we want civil society—the voluntary use of private resources for public benefit—to thrive, we need to protect the principles that enable it to exist in digital space. Civil society requires an independent space—near to, but not in, the realm of either government or marketplace. The majority of our digital systems (from email systems to cloud storage, transmission protocols

to wireless spectrum) are commercially owned and government surveilled. In today's digital world, there is no independent space for civil society.

We need to understand what actually enables and protects our rights to give, to volunteer, to express ourselves, and to associate privately and peaceably with those we choose.

***Civil society rests on a set of principles—free assembly, free expression, and privacy—and depends on certain norms of human behavior.***

## A Living Experiment

One living experiment on the relationship between civil society, democracy, and digital tools is underway in Curitiba, Brazil. In the short span of its constitutional democracy, the country has faced both successes and challenges. Recent years have seen levels of corruption at the national level that are as discouraging to communities, as are the nation's extreme disparities in wealth. Building on Curitiba's reputation as a pioneering city—it was first in the world to build a rapid transit bus system, and its parks and public spaces program are exemplars in urban studies programs—an effort is underway to revitalize democracy from the municipal level up.

To do this, **Instituto Atuação**, a small nonprofit founded by former student demonstrators, is developing a municipal democracy index. The idea is to benchmark and then encourage civic participation at the local level. They've partnered with *The Economist* to adapt its global democracy index and with scholars from Canada, Sweden, and elsewhere to advise them. They're working with local leaders and citizens to identify priority areas all under the auspices of the **Cidade Modelo** (model cities) project. They partner with civic technology innovators, engage scholars to measure engagement, and encourage mayors to try digital platforms such as Datapedia to manage city spending in more publicly accountable ways.

The effort is new, and there is no guarantee of success. The entire experiment may be too complex, too idealistic. But there is no doubting the degree to which the young people involved are framing all of their actions on a set of recursive assumptions about the importance of digital infrastructure to civil society, civil society to democracy, and democracy to digital infrastructure.

The infrastructure we need will be the one that collectively protects these rights and abilities. The industry support organizations that wish to claim the title of "infrastructure" need to focus their attention on civil society's needs, both physical and digital, or we will need new supports. The plumbers need to focus on the plumbing, or we'll need new plumbers.

### ***Understanding and protecting our rights in digital spaces***

Let me say it again. In an age where digital is assumed, we need to protect our rights to peaceable and private association and to free expression and exchange in both physical and digital realms. This matters for three reasons.

First, most digital data and systems are designed by corporations, monitored by governments, and regulated by oversight organizations that few nonprofits and foundations can even name. Most nonprofits, foundations, and the afore-designated "infrastructure groups" are not familiar with, let alone experts in, the policy issues that shape our digital lives, from net neutrality to intellectual property, broadband access to cloud storage security, remote sensor data collection to data destruction policies. Our dependence on the digital infrastructure means we're stakeholders in the laws and regulations that guide this infrastructure. Tax, estate, and corporate law as well as disclosure requirements have shaped philanthropy for decades. Telecommunications policy, privacy norms, cybersecurity requirements, consumer protection regulations, and intellectual property negotiations will shape it going forward.

Second, the nature of digital data is such that new forms of nonprofits have emerged to manage them. Some of these—such as Creative Commons, Electronic Frontier Foundation (EFF), Mozilla Foundation, the Internet Archive, and Wikimedia Foundation—will be familiar in name to many readers. Still, you'd be hard pressed to find many nonprofit or foundation leaders who truly understand how groundbreaking these organizations are. Here's how groundbreaking: The organizations in the above list *only* exist to manage digital resources. Their missions wouldn't have, couldn't have existed three decades ago. When the EFF was founded in 1990 the need to think about, let alone protect, civil liberties in cyberspace struck most people as science fiction. Today, almost everyone uses

Wikipedia without stopping to think of how distinctive the resource (an online encyclopedia), the workforce (a globally distributed network of volunteers), and the governance structure (an international network, squeezed into the compliance structure of the U.S. tax code) all are. Another sign of asynchronicity between existing definitions of nonprofit organizations and the nature of digital resources can be seen in the reluctance of the U.S. Internal Revenue Service (IRS) to recognize open source software organizations as nonprofits.<sup>19</sup>

More recently, organizations that serve as intermediaries for digital resources have emerged. ArtStor, CoMetrics, LearnSphere, and the Mastercard Center for Financial Inclusion are four distinctive examples of structures designed to manage and negotiate the use of digital data by various stakeholders. They manage different types of data (digitized images, performance metrics, student data, and credit card transaction data, respectively). They have different types of contributors and different sets of users. But they are all developing new ways to govern digital resources donated by independent entities and make them useful and available to us, without violating personal privacy or ownership rights and with some plans for long-term sustainability. The nonprofit and philanthropic sectors will grow to look more like these organizations over time, and the problems these groups solve today will be the opportunities we each face tomorrow.

Third, every nonprofit and foundation needs to add digital governance to its suite of corporate capacities and responsibilities. Standards of practice for data governance are just emerging, but they will soon be as critical to organizational effectiveness, fraud prevention, and compliance as financial accounting standards are today. Nonprofits and foundations have financial, legal, and policy experts on their boards. They now also need people who understand how digital works, what the relevant policy domains are, and how to manage digital risk. Just as your organization follows human resources practices to make sure your employees are treated respectfully and within the bounds of the law, your organization needs training to make sure everyone knows how to manage appropriately the organization's digital assets. And just as your strategic plans apply your financial and human resources toward your mission, they should also take into account the digital assets and liabilities of your organization.

There is tremendous potential in this last one. Digital data and infrastructure, used safely, ethically, and effectively, vastly expand the resources you have to use toward your mission. In some cases, we can redesign entire systems of care or service just by switching from analog structures to digital ones. Doing so requires maximizing opportunity and minimizing risk, across the organization's structure and toward its social purpose.

## ***In today's digital world, there is no independent space for civil society.***

### **Civil Society's Responsibility to Democracy's Digital Infrastructure**

While nonprofits, foundations, and other social actors need to understand and strengthen the role of the digital infrastructure within our own sector, we also have a critical role to play regarding the rules that guide the digital infrastructure of democracy writ large.



*Illustration by Gordon Studer provided by TheisSpot.*

No democratic governing structure can be secure with only internal checks and balances. It also needs to be scaffolded and held accountable from the outside. This exoskeleton comes from civil society in the form of groups and associations—from community and nonprofit organizations to political associations, independent media groups, and philanthropy—that people create and join to act on shared interests. Civil society is the associational space where private citizens can mobilize, protest, and provide alternatives to government-elected and government-funded services. Civil society serves democracy by holding government, and corporate powers, accountable. It provides a mechanism for protecting the rights of minorities in majority-run systems and an avenue into governance for emergent groups or opinions.

***Now nonprofits and foundations need people on their boards who understand how digital works, what the relevant policy domains are, and how to manage digital risk.***

Today, both our systems of public governance and the processes of civil society are digitally dependent. We use text messages to mobilize, social media to share the news, phone cameras to document abuse, and email, websites, online forums, and internet portals for our daily business of citizenship. Our dependence on them means that these digital systems are now part of the infrastructure of democracy, both directly when government agencies use them for governing and indirectly when we use them in civil society. Just as voting is a critical part of democracy, so are the digital systems that now undergird our campaigns, our election information exchange, the machines we use to collect and count our votes, and the systems by which we announce the results. These constitute the digital infrastructure for democracy.

Similarly, the websites, apps, internet tools, databases, algorithms, and communications tools used by nongovernmental organizations, civic associations, political protestors, community organizations, and, yes, philanthropy, form the core digital infrastructure for today's civil society. In more ways than we can probably count, our daily practices of democracy are now dependent on digital data, infrastructure, and tools.

***Protecting society's rights***

Since our democracy depends on them, these technological systems should be subject to some degree of scrutiny when they are being used as part of the decision-making apparatus of democratic institutions.

Institutional practices, such as open meetings, sunshine laws, media coverage, and reporting requirements, are the familiar ways that we “see into” the decision-making processes of our governments. But policymakers are increasingly dependent on data sets and algorithmic analysis—systems that are much more difficult to peer into than a meeting room. For one thing, scrutinizing computational systems requires the ability to read and write software code. Second, much of the code that's driving these systems is proprietary, and only the companies that sell the tools can see the component pieces of the analytics process. Third, and perhaps of greatest concern, it's increasingly the case that even those who program the systems, write the code, and monitor the machines as they learn can't actually explain what's going on.<sup>20</sup>

In the E.U., the growing use of algorithms for decision making has led to the passage of laws protecting people's “rights to explainability.”<sup>21</sup> Citizens have a right to an explanation of decisions that affect them. If the policies are informed by digital data and algorithms, then the data used and the computational processes need to be explainable. Other countries and regions lack similar mechanisms for citizens to interrogate the systems that make decisions on or about them—either by governments or by corporations.<sup>22</sup>

The volume of data and calculations and the number of dependent variables in many algorithmic systems are too great and too complex to be succinctly explained. The question we face as democracies is whether such systems—even if they promise greater accuracy—should be tolerated if they can't be scrutinized.

## ***Bringing democratic principles to technology***

Technology will continue to advance. There is tremendous interest in using it to improve democracy. But doing so also requires that we bring democracy (and its operating principles) to the technology.

And new tools will always emerge. How will we make decisions about autonomous cars, smart city sensor data, genomic technology, or drone-based delivery opportunities? Trying to write new policies for every new technology as it comes along is a fool's game. We need to determine a set of first principles, grounded in our collective understanding of how we want democracy to work, and then we can consider each new innovation within those frameworks.<sup>23</sup> The **digitalIMPACT.io** site puts forward four starting principles for using digital data safely, ethically, and effectively: consent, privacy, openness, and pluralism. These will continue to evolve as more civil society actors get involved.

Philanthropic and nonprofit organizations will not share all of the same principles as government agencies. As I discussed earlier in "Politics or philanthropy?", philanthropy and public charities operate in a sphere that is complementary to, but distinct from, the sphere of government. Recognizing that the health of these civil society organizations is, in and of itself, critical to democracy will allow us to see the differences between these spheres in a positive light. Civil society plays an important role in the stability of democratic systems and in the democratic use of digital technologies.

Until now, in most parts of the world, a small set of technology and privacy organizations have carried the burden of understanding, illuminating, and advocating for technological systems and regulations that attend to our right to privacy and for associational and expressive freedoms. These values provide a foundation for civil society and, in turn, for democracy. It is incumbent on all of civil society to assume responsibility for these principles, to understand their implications for the digital infrastructure, and to take a stand to protect the underlying values. Just as these values prescribe the space for civil society in the analog world, so do they demarcate its space in digital environs.

## **SEEING WHOLE SYSTEMS**

From inception, my intention with these *Blueprints* has been to shift readers' frames of reference from individual institutions to more complex systems. This has meant stressing the importance of the social economy with its multiplicity of actors, enterprise forms, financial vehicles, and regulatory bodies. This desire to expand our frame of reference is why I focus on civil society with its great structural variety and its deliberately fragmented and contentious nature. The purpose and effectiveness of each of our organizations or associations and all of our dedicated financial resources depend on knowing where we fit and who else is part of our work, as well as on understanding the connections between these pieces.

***Policymakers are increasingly dependent on data sets and algorithmic analysis—systems that are much more difficult to see into than a meeting room.***

Systems theory and systems thinking is a discipline and a practice beyond the scope of this document.<sup>24</sup> Rather than diving into theory, allow me to present three stories that demonstrate both the many parts of digital civil society and the connections among them.

### **UpStart Co-Lab: Artists and Impact Investing**

The first example is **UpStart Co-Lab**. It is a New York City-based nonprofit focused on integrating creative placemaking and impact investing. Why? Well, artists are—and probably always will be—the archetype of the gig economy. They've been patching together jobs, living without employment-provided benefits, and juggling multiple and simultaneous commitments well before anyone built "an app for that." For a long time, art institutions have been at the forefront of new financing curves, relying on earned revenue, philanthropic subsidies, endowment income, government contracts, tax credits, mission-related investments, equity deals, and any other financing combination necessary to keep the lights on. Cities have long relied on their cultural organizations as sources of vitality, reputation, revenue, and civic pride.

## *Civil society plays an important role both in the stability of democracies and in calling for the democratic use of digital technologies.*

UpStart is focused on changing impact investing so that it includes artists and cultural industries, and changing the arts so that they can continue to attract new forms of financing. The organization, led by Laura Callanan, former director of social impact at McKinsey and a one-time arts program officer, works with investment bankers to create financial products and “deal flow” that allow equity investments in cultural projects. UpStart works with foundations and campaign managers to draw attention to the people, projects, products, and places that can benefit when creative placemaking becomes an investable option for capital markets. UpStart partners with **B Lab** to identify the characteristics of creativity and leadership that drive entrepreneurship. Together they are researching the connections between creative competencies and sustainable business practices. They’re also looking through the other end of the data looking glass to see if a useful creative economy index can be developed to spur additional investment in artists and cultural ventures—by the public sector, private investors, and philanthropists.

## *A desire to expand our frame of reference is why I focus on civil society with its great structural variety and its deliberately fragmented and contentious nature.*

The core pieces of what UpStart is trying to do already exist—robust artistic and creative communities and impact investors. But the two rarely met. Making the business case to bring them together requires UpStart to engage financial regulators, investors, investment banks, philanthropists, nonprofits, the Federal Reserve Bank, B Labs, advertising firms, artists, nonprofits, and the public sector.<sup>25</sup> The connections matter as much as the pieces. Changing one piece or one set of relationships will ripple through the whole. Understanding primary and secondary effects, as well as barriers and reinforcing loops, is key to systems strategy.<sup>26</sup>

## **The Wadeye Community: Protecting Traditional Cultural Materials**

For the second and third examples I turn to applications of digital technology to the challenges of protecting and extending traditional cultures. The first of these comes from the remote community of Wadeye in Australia’s Northern Territories. Community members, scholars from Melbourne University’s Networked Society Institute, and museum professionals from the Kanamkek-Yile Ngala Museum worked together to transfer analog recordings (VHS and audio tapes) of culturally important rituals and language readings to a digital system.<sup>27</sup>

The project’s goal was straightforward: protect valuable cultural materials from environmental degradation. This is a problem facing communities everywhere. Knowledge of preservation practices for creating digital archives was in order. But the content of the materials is sensitive, and in accordance with community traditions only certain groups are allowed access to some materials. For example, some of the rituals are unique to men, others to women. In analog forms these restrictions can be enforced as in any archive, by limiting in-person access. In digital forms, the norms of the community needed to be encoded directly into the metadata and search functionality of the materials and the archives. For the project to succeed it needed to preserve and protect the materials in culturally appropriate ways. Because the digitized versions were to be stored off-site (thus providing protection from environmental damage), the software they wrote needed to (literally) encode the community’s values about appropriate access.

Once the coding and digitization parts of the project were finished, the team tackled the problem of affordable, appropriate access. High-speed broadband is not readily available. The project team built a set of **Raspberry Pi**-based hard drives and servers. Because Raspberry Pis are intentionally low-cost, highly adaptable, and open source hardware, the Wadeye community was able to design its cultural codes into the hardware setup on which the digital content now rests.

As digital rights scholars explain, our lives now are shaped by the interactions between multiple layers of code that drive digital platforms—from network protocols to operating systems, applications and software programs, organizational codes, and, finally, regulations.<sup>28</sup> The community in Wadeye brought together its own cultural expertise and technological skill to create a digital system that not only serves its preservation goals, but also reflects and carries forward its cultural traditions.

The Wadeye story illustrates the potential for aligning our digital tools with our organizational and cultural values. The participants designed the tech they needed to achieve their preservation goals, respect the community norms, and meet their fiscal restraints. It required attention to both hardware and software. Few nonprofits or foundations have given the interactions between organizational norms and practices and digital norms and practices the consideration they demand. The Wadeye example shows it can be done.

### The Cook Inlet Community: An Award-winning Video Game Based on Indigenous Stories

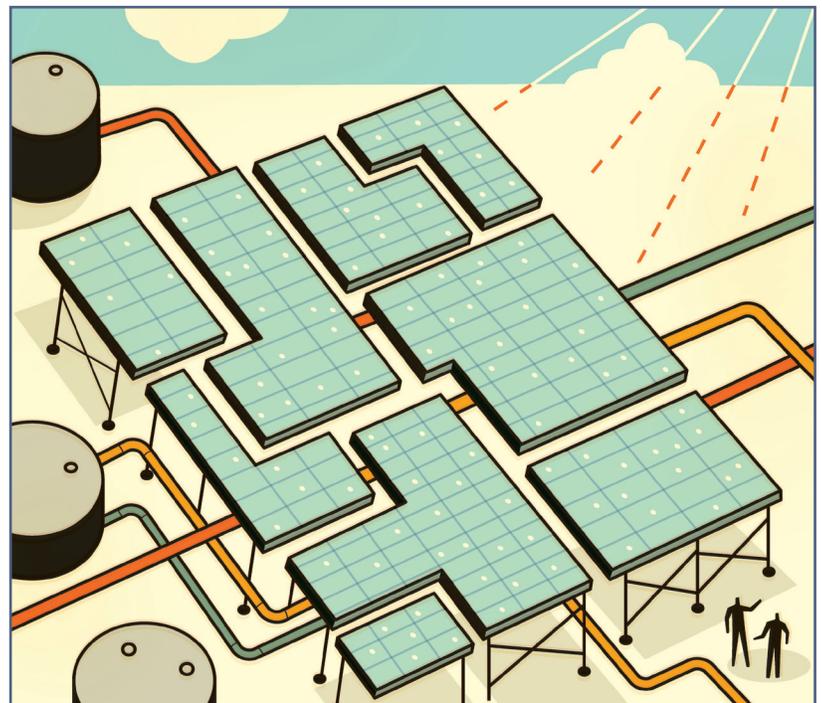
My third example illustrates the layers and loops that can be built between values, software code, community norms, and financing mechanisms. It comes in the form of a video game. In 2013, elders from the Cook Inlet community in Alaska merged their indigenous-owned video game company with **E-Line Media**, an educational video game company. The financial and educational imperatives were to make a revenue-sustainable game that could carry on traditional stories. Both partners knew they could create a fully digital experience to share traditional lore. The process used traditional storytellers, Native-language speakers, artists, and musicians working with cutting-edge technologists to create something simultaneously new and as old as the Iñupiat people. The resulting award-winning game, *Never Alone*, is available on iTunes and the Google Play store.

But even this didn't go far enough for those involved. The game design company, the financiers, and the Native partners wanted to build something that was systemically coherent

## **Both the Wadeye and Cook Inlet projects offer models for aligning values, organizational structure, financing options, and technology that have potential for and beyond indigenous communities.**

and that would extend beyond one game. They wanted to create a system that other indigenous cultures could use. This resulted in the creation of a new entity, Upper One Games, and in a new business line, the World Games Initiative.<sup>29</sup> Both the Native and the New York developers are investors in Upper One.

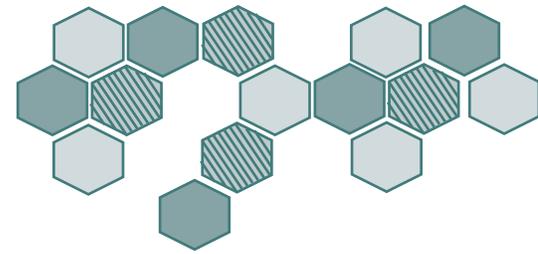
Both the Wadeye and Cook Inlet examples illustrate the potential for aligning a broad set of seemingly disparate values. They are complicated and involve hard-to-negotiate financial partnerships and technological adaptation. But they are viable. And they offer models for aligning values, organizational structure, financing options, and technology that have potential for and beyond indigenous communities.



*Illustration by Harry Campbell provided by TheisSpot.*

# Worksheets

## Data, Governance, and Your Organization



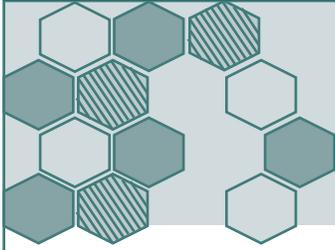
Many of the ideas in this *Blueprint* have been tested and refined in conversations and workshops around the world over the last few years. To help you carry the ideas into your organization, this next section includes three worksheets that you can use with your colleagues, boards of directors, or other groups.

Each worksheet is intended to stand alone, but they also build on each other. They focus on the use and governance of digital data in your organization. You can find additional tools to address these issues at [digitalIMPACT.io](https://digitalIMPACT.io). Anyone can use these worksheets, from new staff to senior board members. You will be the best judge of how to use them at your organization. We've offered up directions on each sheet, but you should decide whether to use them independently or together, as part of a self-directed process or integrated into other planning efforts, led by you or with consultant help. Please use, modify, and improve these worksheets as you see fit. We welcome you to pay it forward by sharing your process and the worksheets you modify at [digitalIMPACT.io](https://digitalIMPACT.io).

- 1. Digital data inventory**—Identify, track, and manage the digital data your organization has and needs
- 2. Institutional data capacity**—Identify the skills and expertise you have/need to use and govern digital data safely, ethically, and effectively
- 3. Digital data and strategic planning**—Help your organization consider whether you have the digital data you need to achieve your mission and integrate your digital resources into your overall strategic planning

## General Worksheet Instructions

- Communicate with your colleagues what you're doing and why.
- Make it as easy as possible for your colleagues to participate.
  - Try short and simple asks. Spread out the tasks from the worksheets to fit the schedule of your organization.
  - Printed sheets may work best in some cases. For others an online spreadsheet that people can collaborate on might work better. **Experiment!**
- If you are engaged in strategic planning with a consultant or advisory group, fold the questions from these worksheets into that process.
- Share what you learn and how you did it on [digitalIMPACT.io](https://digitalIMPACT.io).



# Worksheet 1

## Digital Data Inventory

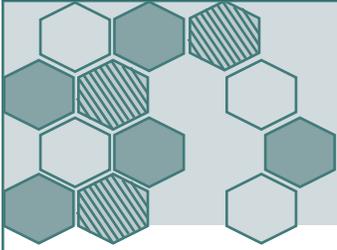
Use this worksheet to identify, track, and prioritize the types of digital data your organization collects, stores, manages, and governs.

Type of data	Format	Source	Manager	Users	Where is it kept?	Personally identifiable information?	Licenses	Purge control
<b>Examples:</b>								
E-mail	Text data	Staff	All staff	All staff	Individual laptops/CRM	Yes	None	Semi-annual
Web images	Digital image	Partners	Communications staff	Comms	Server	Yes (Children—see COPPA)	Yes — photographers	Annual
Evaluation data	Data	Consultants	Program mgr	Prog/Comms				

See [digitalIMPACT.io](http://digitalIMPACT.io) for related tools and policies.

### Directions

- Make copies of the above table for everyone at a staff meeting. (You can omit examples and add rows.)
- Set aside 90 seconds: Everyone fills in as many rows in column one (types) as they can in 90 seconds. Make it fun—have prizes for whoever adds the most types!
- Collect the sheets and create a single version with all the different types of data (column one).
- Fill in as many of the columns as you can for each row (type). Involve other colleagues.
- Meet with key decision makers to identify what your organization’s priorities should be—focus on the types of data that need protection, that aren’t currently clearly managed, or about which you have questions.
- Create an online spreadsheet that you can share internally to manage in an ongoing way.



# Worksheet 2

## Institutional Data Capacity

Use this worksheet to inform your thinking about what types of digital expertise you need at your organization.

1. What data does your organization have that is sensitive (personally identifiable or could be used to harm individuals if accessed inappropriately)?

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- a. What staff controls are in place to protect this data?

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- b. What board protocols are in place?

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- c. What security protocols are in place for vendors that access this data?

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2. What data do you have/rely on that is licensed?

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- a. Who on your staff manages these licenses?

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- b. What board practices are in place to abide by these licenses?

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3. What data do you have that is regulated under laws about health, children, consumer protection, intellectual property, or other regimes?

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- a. Who (staff and/or board) ensures compliance?

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- b. How do they stay current on regulatory changes?

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- c. How do they educate/inform others in the organization?

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## Worksheet 2, continued



4. Who at your organization is responsible for data security?

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a. Do they have the resources they need?

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b. How is the board involved in data security practices and policy?

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c. Does your board liability insurance cover data breaches? Have you updated it?

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d. How is security addressed by your key vendors (IT, finance, human resources, web development, evaluation)?

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5. How is your staff/board kept up-to-date on digital resource management?

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a. Is digital data management covered in your employee handbook?

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b. Are there professional development opportunities for staff? Trainings for board members?

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6. How do you keep an eye on the **future**?

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a. Do you have any board advisors who are experts on digital technology, policy, or law?

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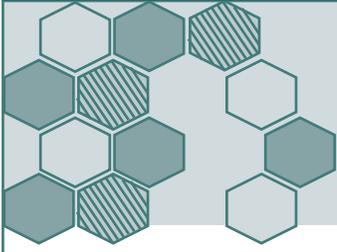
b. What resources can you access to stay aware of digital developments and who needs access to them?  
For example, who knows about and who needs to know about the evolution of remote sensors in your community, or the use of algorithms by policymakers?

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See [digitalIMPACT.io](https://digitalIMPACT.io) for related tools and policies.

### Directions

- Review the **Digital Data Inventory** to see all the data your organization has.
- Ask department managers to answer questions 1, 2, and 3.
- Compile those answers into a **single place**.
- Assemble managers and senior decision makers to discuss and identify priorities on subquestions a through c for questions 1, 2, and 3.
- Have senior leadership (staff and/or board volunteers) answer questions 4 and 5. Develop plans for addressing unmet needs or answering unanswered questions.
- Question 6 can be used by board recruitment committee, HR manager, and senior leadership as part of future planning.



# Worksheet 3

## Digital Data and Strategic Planning

Use this worksheet to integrate questions about data needs, use, and governance into your strategic planning processes.

1. What is your organization's mission?

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2. What digital data do you need to accomplish your mission?

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3. How will the organization get the data it needs?

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a. In one year? Three years? Five years?

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4. Do you need new expertise to use the data you need?

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5. What kind of expertise and how will you get it?

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a. Factor this into your organization's strategic planning.

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## Worksheet 3, continued



6. How will you assess the ongoing effectiveness of your use of digital data?

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7. How can you involve data providers (your stakeholders) in developing your data practices?

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8. When and how will you assess your organizational policies for governing the use of the different kinds of data you have and need?

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See [digitalIMPACT.io](https://digitalIMPACT.io) for related tools and policies.

### Directions

- Group people into pairs, one board member and one staff, or pairs of staff from different areas of the organization.
- Give every pair Post-it notes and markers.
- For question 1: have each person write their answer to this question on a Post-it note—give them 30 seconds to do so.
- Pairs review their versions of the mission—make sure you're aligned!
- In pairs (for 90 seconds), generate answers to question 2. Discuss as a group. Collect all notes and post where the group can see.
- Group prioritizes the answers to question 2. Put each pair of participants in charge of one of the priority data types. Each pair should answer question 3 for each data type. Discuss.
- Repeat the step above for questions 4 and 5.
- Fold questions 6, 7, and 8 into your ongoing organizational development and evaluation planning.
- Follow the directions to create a single activity focused on these questions, or integrate versions of these questions into your process.

# Foresight

## Predictions for 2017

What's in store for the year ahead? How will the big ideas discussed in the Insight section affect your work next year? Here are my predictions for 2017.

### Global

- Stand-alone organizations that build open software for civil society will continue to struggle, even as more parts of civil society come to realize the importance of open source. At the same time, lessons will be learned from libraries, archives, and museums that have brought these coding skills (and communities) in house.
- The winner of the MacArthur Foundation **100&Change challenge** with its \$100 million award will be based outside the U.S.
- Nonprofit approaches to artificial intelligence—understanding it, using it, and advocating for regulation of it—will increase.
- An election somewhere in the world will be disrupted digitally, but the evidence of it won't be revealed until the falsely elected officials are installed in office.
- Experiments with the policies and practices of universal basic income will spread.
- Sports teams, which in many countries are core structures within civil society, will become ever more visible and active on social issues.
- Citizen oversight of government agencies will be a big area for technological innovation—for example, methods to monitor and report on police (e.g., **TextMy90**) and nonprofit “alert” systems built around streams of government data.
- Foundations will increasingly want evaluations and sector studies that analyze social media—see, for example, the **Engines of Change** report (Omidyar Network) and **Visoes de Futuro** (Fundaçao Telefonica, Brazil).<sup>30</sup>

## 2017 Wildcards

(surprising, unlikely things that just might happen)

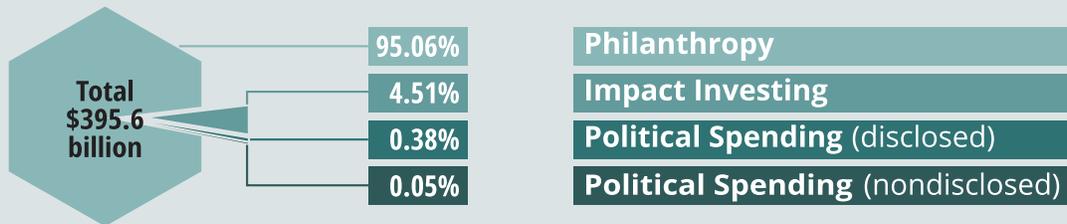
I'm not offering up any wildcards for 2017. If you'd like to submit some, please tweet your ideas to me at **@p2173** with hashtag **#wildcard17**. I'll track any that I get and make note of them on the blog and in next year's *Blueprint*. See my thoughts on several of last year's wildcards in the **Hindsight** section.

## U.S.

- Actions sanctioned by the federal government against journalists, nonprofit organizations, and nonviolent activists inside the U.S. will profoundly test our rights to peacable assembly, a free press, and free expression.
- Digital data storage and security costs will begin to exceed office space/rent costs in nonprofit budgets.
- Open 990 data will be used to create new indices of nonprofit and foundation investment holdings.
- Media attention to the digital practices of technology companies and government agencies will grow.<sup>31</sup>
- More philanthropic dollars will flow to programs and services focused on disability rights.
- State attorneys general will investigate at least one crowdfunding platform for charitable fraud.<sup>32</sup>
- More social program evaluations will rely on access to and use of publicly collected data through forms such as Data Labs.<sup>33</sup>
- Social movement innovation hubs built around data, such as **Fair Care Labs**, will become more common, and we will create new enterprises (trusted data intermediaries) to manage the data used to drive change.
- New federal limits on corporate regulations, weakened labor protections, and a continued rise in the gig economy will have dire consequences for unskilled workers.
- The U.S. will experience devastating natural disasters fueled by global warming and the federal government will fail miserably in its response. The immediate reaction will be further denial of climate change from Washington, DC.

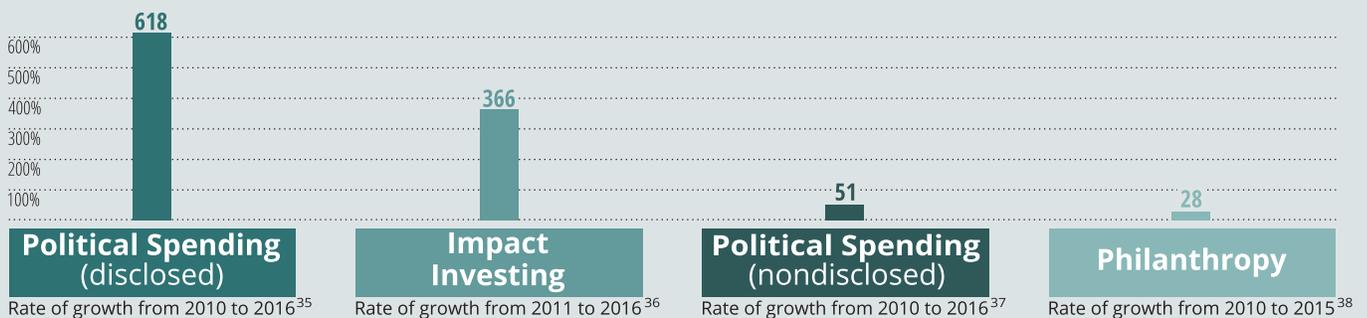
## The U.S. Social Economy in Numbers

Blueprint focuses on the social economy, with its multiple doers and donors. This pie chart represents revenue flows to different subsectors of the social economy in 2016 (philanthropy is 2015 data).<sup>34</sup>



## U.S. Social Economy Rate of Growth

The different subsectors have grown at dramatically different rates since 2010.



# Hindsight

## Renovations to Previous Forecasts

Wildcards are, by definition, things that are not expected to happen. So it's worth noting when some of them come very close to taking place. This was the case in 2016: Two and a half of the wildcards noted in last year's *Blueprint* came to pass in some way over the course of the year. No, it was not my tongue-in-cheek call that billions of dollars wouldn't be spent on the U.S. presidential campaign.

First, I predicted that "clean, machine-readable tax files from 2014 for U.S. nonprofits will be online for anyone to access." And, the IRS did release 600,000 machine-readable (XML format) files in mid-2016. Not a complete set and not easy for "anyone to access," but let's not nitpick.

Second, the 2016 wildcard list included this sad possibility: "The U.S. will experience an outbreak of an infectious disease, such as measles, that had been considered eliminated." It wasn't measles, but the Zika virus, which is spreading across the western hemisphere and (as of this writing) has a firm hold in the southern U.S.

Third, with tongue almost as firmly in cheek as it was regarding the billion-dollar presidential campaign, the *Blueprint 2016* wildcards list noted the unlikely possibility that "U.S. laws defining political activity by nonprofits will be clear and enforced." This didn't happen. Instead, the exact opposite happened. Midway through the year, the IRS announced its policy guidance priorities

for 2016–2017. Think of this as the agency's annual "to do" list. Notably crossed off the "to do" list was attending to "proposed regulations under §501(c) relating to political campaign intervention."<sup>39</sup> In other words, the IRS took fixing the mess between political and philanthropic funding off of its list of things to do. (See "**What Is Political? What Is Philanthropic?**" for why this matters.) In other words, the wildcard I predicted didn't happen, its *exact opposite did*.

Last year's *Blueprint* took up the future of work as one of the "big ideas that matter," and 2016 saw this broad topic examined, along with practical innovations such as the Good Work Code.

Making annual predictions is only half the challenge; holding myself accountable is the other half. Here's how I did for the year just ended....

## Scorecard for 2016 Predictions

Prediction	Right	Wrong	Notes
The Internal Revenue Service and Federal Election Commission will do nothing to stem the tide of money flowing anonymously into political campaigns.	✓		The IRS said as much in its 2016 Priority Statement, noting the legislative mandate to stop this work.
At least one nominally independent nonprofit will get caught illegally coordinating funds or activities with at least one presidential campaign. The evidence will be digital.	✓		The Donald J. Trump Foundation was fined for making illegal political donations; evidence was brought to light by investigative reporters mining electronic sources. <sup>40</sup>
At least one new foundation or foundation program focused on biological privacy will launch.		✓	I have not found a foundation program to back this up, but privacy and human rights nonprofits, including Amnesty International, are beginning to look into these issues.
The Black Lives Matter movement will remain active and very much in the media eye through the November election.	✓		
Private data from a major nonprofit will be hacked, leaked, and used for political activism. Likeliest targets include women's health clinics, climate science researchers, and organizations working on issues related to immigration, guns, or criminal justice.	✓		Hacking and releasing emails from the Democratic National Committee immediately prior to the national convention (even with its allegations of international interference in an autonomous election) seemed almost...expected.
The scale and frequency of weather-related disasters will reach a new high.	✓		"Climate change" refugees became "normal."
More American foundations will close overseas offices than will open them. (I will have a hard time tracking data on this.)			Data are unclear. Some trust companies are now managing philanthropic funds for donors from outside particular countries.
Governments will increasingly rely on aerial drones for photography while simultaneously enacting regulations on their use by businesses and citizens.	✓		The sad truth of Baltimore is a case study in ongoing aerial surveillance.
Refugee flows will increase globally, and migration patterns will rise in political and economic importance.	✓		The United Nations estimates there are more than 65 million displaced persons globally. <sup>41</sup>
The software powering a major transportation network will be hacked and will result in severe damage to lives and property.	½	½	Several major U.S. airlines experienced software failures causing multiple-day delays. Every one of these was met with a public statement that "no hacking was involved." Experience tells us that those statements may well be "half-truths." Call this one partially correct.
Despite disappointing evaluation results and their own built-in requirement for results, social impact bonds will continue to grow in popularity. <sup>42</sup> Evaluation findings over the course of 2016 will continue to show how difficult the work itself is, regardless of the financing mechanism.	✓		The Instiglio website maintains a <b>database and map</b> of social impact bonds (SIBs) worldwide. <sup>43</sup>



# Buzzword Watch

Ah, the buzzword watch. What phrases and ideas will seep into our work lives in the coming year, corrupting our vocabulary and making jargon-haters cringe?

All my usual caveats apply. Being a buzzword doesn't make something good or bad or denote a fleeting or a lasting idea; they are just buzzwords (or are they?)

## ECOSYSTEM

Foundations and nonprofits used to talk about issue areas, sectors, domains, or fields of interest. Now they talk about ecosystems. The intent is to capture the interdependent network of enterprises, laws, infrastructure, people, and tools that influence and shape each other. Think of the "mobile ecosystem" as the complete set of apps, devices, telecommunications infrastructure companies, software code, and legal requirements that determine how our cellular phones work.

## RANSOMWARE

Software that encrypts all the files on a computer system, allowing the "data kidnapper" to hold it hostage until a ransom is paid. Ransomware attacks became almost common in 2016, and many of the victims were not-for-profit hospital systems and community clinics.

## REFUGEE TECH

The number of refugees worldwide is at an all-time high. People fleeing war, repression, and the effects of global warming number in the tens of millions. Many of them are digitally dependent, with their mobile phones serving as metaphorical and literal lifelines. Refugee tech includes two broad categories of innovation: digital tools that won't make people any more vulnerable to racism, xenophobia, or government oppression; and digital tools for wayfinding, job creation, skill building, and other key necessities for building a new life in a new place.

## OVERTIME

The United States government changed its rules on overtime work in 2016. Nonprofit organizations—operating on lean budgets and often at the mercy of government contracting rules—once again found themselves squeezed between values (a decent living) and reality (no funds). Labor markets, shaped by demographic shifts, regulatory changes, on-demand work, and automated contracting, are changing rapidly. Civil society continues to be buffeted from all sides by fundamental changes in the ways we work.

## X-IN-THE-LOOP

The rhetorical battle between autonomous machines and autonomous people meets at the point where system designers discuss putting "humans (or society)-in-the-loop." It's technical slang for requiring that at some point in a computational process—such as in self-driving cars, predictive algorithms, or even mobile phone-based mapping programs—a person (or society) takes charge. Some systems have many such points. And as computational processes and humans interact ever more frequently in ever more "real world" ways, the need to build societal norms into the loop—group values and group defaults—becomes ever greater. Think of it this way: We've put plenty of computational processes ("the loop") into our daily lives, and this buzzword reminds us it's well-nigh time to start designing our daily lives back into those processes.

## HYBRID DONORS

Giving to charity isn't the only way to use your private financial resources to influence public change. Increasingly individuals are "giving to politics," especially in the U.S. As far as I can tell, David Callanan at *Inside Philanthropy* coined the term "hybrid donors" to name those who deliberately, and with some strategy in mind, give to both. Sometimes this hybridization is institutionalized, such as with the creation

of large-scale LLCs that can make political contributions, charitable gifts, and impact investments. Sometimes it describes individual donors, who use the rules of both political giving and charitable giving to achieve their visions of public good.

## DATA TRUSTS

How do you give away digital data? Data trusts are one solution, a new form of organization that focuses on governing the agreements between data providers and data users. There are examples built around aggregated public data being managed for use by program evaluators (Justice Data Lab at New Philanthropy Capital). ArtStor or JSTOR are examples of the digital management of copyrighted works. LearnSphere, a repository of student data and research methods at Carnegie Mellon, is an example focused on serving researchers. Look for both more examples and more refining of the rules in the year(s) to come.

## PAY FOR PRIVACY

More and more software in more and more aspects of our lives means ever more ways to collect data on our individual behavior, store it somewhere, and seek ways to monetize it. As long as business models depend on the monetization of large quantities of individual data, there will be incentive for software to default to privacy invading. One option, for those with money, is to pay for a software version that spies less. This is already common: just think of every app that offers a free version with advertisements or a paid version without. The more pervasive this kind of software is, the more our “privacy inequality” will come to mirror income inequality.

## DIRECT DONATIONS

In 2015, the online crowdfunding platform GoFundMe moved more than one billion U.S. dollars. Most of the money moves directly from donors to recipients, with little involvement in between by nonprofits. One large-scale example of this came after the mass shooting in an Orlando, Florida nightclub in June of 2016. Within weeks of the horrible event, more than \$7 million had been raised and routed directly to families and individuals.<sup>44</sup> Nonprofit organizations that have typically managed such campaigns or provided intermediary relief services need to better understand this phenomenon, its motivations, and its implications. The rest of us need to think about what types of transparency and fraud abatement measures we should expect of these crowdfunding platforms.

## ALGORITHMIC BIAS

As they “train” software to learn patterns of behavior, scientists and designers often turn to existing data sets as raw material. If the existing data set is biased, the computer will learn—and likely reinforce at ever greater speed and scale—the original biases. Examples have been found in social media facial recognition software that don’t register black skin, hiring sites that discriminate against female-sounding names, and criminal justice algorithms trained on racially biased historical data about incarcerated populations. We don’t need software to help us discriminate faster and more broadly, yet that seems to be a lot of what we’re getting. Countering this trend requires a diversity of data and system designers and a refusal to accept “black box” decision making.

### Buzzwords and phrases we really, really hope to stop hearing

**Unicorn.** Silicon Valley–speak for companies that reach \$1 billion in assessed value before going public. In civil society, unicorns might be either a true network leader or a wildly successful social investment.

**Pay to play.** The direct adoption of political shenanigans into philanthropy. The idea that the charitable donations buy access to important decision makers.

**Big bets.** An option for some donors. Fine when done by a few, but if everyone plays for the big bet it’s a threat to the integrity of the whole. Besides, the house usually wins.

**FASB standards.** Yes, 2016 brought important new accounting standards to the nonprofit sectors. They matter. But really, who wants to talk about accounting standards?

**Fact check.** We are better off when this is a real thing and not just a rhetorical device.

**Normalize.** The process by which something previously unacceptable becomes common. Preventing the normalization of bigotry, misogyny, racism, and puerile behavior as political strategy and acceptable rhetoric depends on scrutinizing power and holding it accountable.

# Glimpses of the Future

2016 put democracy to the test. A one-item referendum saw British voters (mostly English, not their Scottish and Irish brethren) opt out of the E.U. The U.S. presidential election tried the patience and wisdom of all, beginning early in 2015 and dominating every form of media ever imagined for months. Augmented-reality games like Pokémon Go! and virtual-reality headsets became popular in 2016, maybe because plain old reality was so unpleasant.

***We no longer live in a world where digital space is somewhere you go to; it's everywhere, we are enveloped by it.***

The relationship between augmented reality games and the political decisions of two of the world's major democracies may seem tenuous at best. But allow me to push it a bit. We no longer live in a world where digital space is somewhere you go; it is everywhere, we are enveloped by it. Both the way we communicate and the way we organize and govern ourselves are shaped by the nature and norms of digital tools, from ongoing data collection and remote storage to the ability to galvanize unprecedented numbers of people while also watching them, and leadership practices that are simultaneously distributed and concentrated.

## BLACK LIVES MATTER

One important example of this is the Black Lives Matter movement. Let me be clear: #BlackLivesMatter is intrinsically important. It may be a generation-defining movement that creates real social and political change for the better in the U.S. As Shaun King called out on Facebook:

*If you ever wondered who you would be or what you would do if you lived during the Civil Rights Movement, stop. You are living in that time, right now.<sup>45</sup>*

I also want to draw attention to Black Lives Matter as a movement, an idea, and, yes, a hashtag and a catchphrase, that encapsulates in three small words several important realities for everyone who works in philanthropy or civil society. It is not a buzzword; it is a glimpse of the future.

Everyone in the U.S. has an opinion of Black Lives Matter. Those opinions don't matter to this discussion. What matters is the origin story, evolution, and continued influence of #BlackLivesMatter.

It has roots in generations of activism.<sup>46</sup> It shares communication strategies with events in the Arab Spring and old traditions of community organizing.<sup>47</sup> It takes conceptual legitimacy from queer and feminist theory, and it is as reviled by its detractors as it is affirming and energizing to those who act as part of it. It is not going to be well understood—in terms of strategy, impact, or mistakes—until many years from now, through the hindsight of history.

Yet everyone who volunteers, works in the social sector, and seeks to improve life in their communities should be thinking about Black Lives Matter. There will be lessons for all in the nature of its organizing (online, offline, coordinated, dispersed), its leadership (young, people of color, queer and straight, all gendered), its persistence (the phrase was first heard two years ago, and the movement was one of the most powerful forces shaping the 2016 presidential election), and the embodiment

of associational and expressive rights. It is a mix of movement, association, network, nonprofits, and philanthropic support—and it is the complete mix that matters (informal, not institutionally based, horizontal, bottom up), not any one structure.

Some funders, such as Solidaire, have long provided the type of readily accessible, low-overhead, small and flexible grant funds that social movements require. Others, such as The San Francisco Foundation, which announced a Rapid Response Fund for Movement Building in November 2016, are recognizing the structural changes they need to make to support the outcomes they want to achieve.

Now, think about your work, what you do, and how you do it. What kinds of organizations, leaders, tools, staying power, and influence are necessary for the change you're trying to make? What can you learn from Black Lives Matter?

## CLOSING CIVIC SPACE

*Pervasive surveillance of activists and civil society groups, particularly those working on racial equality and justice, coupled with militarization of police forces remained a challenge to the exercise of civil society freedoms.*<sup>48</sup>

If you asked anyone involved in Black Lives Matter about the above statement, they could readily identify it as pertaining to the U.S. If you asked most nonprofit or foundation professionals in the U.S. about the status of civil society in the country, I imagine you'd hear few concerns about the right of association. Yet the above is a direct quote from an international report called Civil Society Watch, written by CIVICUS and released in 2016. The statement is the report's analysis of the threats to peaceable assembly in the U.S., and it applies to people and organizations across the political spectrum.

In its summary of findings, CIVICUS notes that violations of the core freedoms—which it defines as the right to peaceable assembly, free expression, and free association—were found on all continents and in 109 countries.

International NGOs, citizens in democracies and in authoritarian regimes around the world, and many social entrepreneurs and philanthropists can attest to the closing of civic

space. Both online and off, the spaces where people can voluntarily come together to pursue ideas or actions not directly sanctioned by governments or corporations are limited. These limitations take many forms, from police action to censorship, online firewalls to pervasive surveillance. In particular, the report notes:

*The Internet is becoming the new frontier in the global campaign to silence civil society. As physical spaces become increasingly constrained, more activism takes place online, simultaneously opening up new avenues for citizen mobilization and exposing activists to the pervasive risk of electronic surveillance.*<sup>49</sup>

The only quibble I have with the above statement is the use of the progressive tense verb, "becoming." Digital space has been closely monitored and used to silence people for decades. The Electronic Frontier Foundation, which defends civil liberties in digital spaces, was founded in 1990, almost three decades ago.

***CIVICUS notes that violations of the core freedoms—the right to peaceable assembly, free expression, and free association—are found on all continents and in 109 countries.***

What is emerging is a reality in which digital capacities shift from being active and distinct, via online or mobile phone use, to being omnipresent and passive, through the use of remote sensors in an unlimited range of devices, cityscapes, buildings, transportation systems, and home appliances. This reality, which its promoters often describe as "the Internet of Things," or "smart cities," is one in which there is no real line between online and offline and the digital defaults regarding association, expression, and assembly will ooze into all aspects of life. Going online and leaving a data trail is no longer the only way our actions are followed; we are now digitally tracked every time we move around our cities, workplaces, highways, and homes.

***Digital space can be as closed as it can be open.***

Most discussion of social media, the internet, digital infrastructure, and data in the social sector—at least in wealthy democracies—emphasizes its "democratizing" nature and the ways in which it changes gatekeepers, amplifies

voices, and enables mobilization. This is not the whole story, nor is it inevitable. Digital space can be as closed as it can be open. To keep civil society alive in digital spaces, we must change our assumptions about and our usage of the digital infrastructure. Small subgroups of civil society actors have long been trying to shape and protect digital rules and systems, whether that means fighting for broadband access or protecting people's right to know when the companies they work with have their servers hacked. This now must become the fight for all of civil society, before the space closes and cannot be reopened.

## ***Civil society must expand its conception of definitive policy frames to include the domains of basic rights, intellectual property, and digital policy.***

This fight is more complicated than civil society advocacy organizations are used to. It is not solely the purview of public policy; corporate behavior, rules, and actions matter also. Social media and internet search companies, app developers, and video site hosts play ever more powerful roles in determining the boundaries of free expression. National and regional efforts to shape corporate practice in turn leads to the multiple, conflicting rules of practice online—what many refer to as the balkanization of the global internet. Digital rights advocates, loose networks of activists, and journalists fight the frontline digital policy battles while technologists create code to work around public and corporate practice, and civil society advocates struggle to add awareness and skills on these issues to their skeletal staffs.

### **A Call to Join the Fight**

The call to join this fight requires us to consider the connections between civil society and digital infrastructure as bidirectional. Nonprofits, philanthropists, and associations are dependent on digital tools and must start to use them in ways that promote and protect the core values of the sector writ large (association, expression, and assembly). Simultaneously, the sector must expand its conception of definitive policy frames from corporate and tax policies to include the domains of basic rights, intellectual property, and digital policy.

There are signs of this happening. Far from just specialized digital rights organizations engaging in government policy, we see civil rights organizations incorporating research on algorithmic bias into their advocacy about predictive policing.<sup>50</sup> We see nonprofit advocacy organizations recognizing (and fighting against) government requirements for tax ID numbers on charitable donors.<sup>51</sup> We see networks of states calling out “restrictions on civic space, especially on the rights to freedom of expression, freedom of association, and peaceful assembly, both online and offline” as “incompatible with democratic principles.”<sup>52</sup> And we see an expanded understanding within civil society that these rights are critical not just to democracy and human rights advocates and journalists, but to development and humanitarian aid providers as well.<sup>53</sup> We need to re-start discussions about the proper balance between being open and being private in light of the affordances of digital data, the nature of digital infrastructure, and blurring institutional boundaries.

When we look, we also recognize the mark of civil society on corporate practice. YouTube's provisions to allow hosts to obscure people's faces in videos was a result of human rights advocates looking to protect the identities of street protestors or activists.<sup>54</sup> Front-page news stories about whether or not Facebook is a publishing platform stem directly from debates over media bias, algorithmic censorship, and free expression.<sup>55</sup> And Airbnb's efforts to counteract racial discrimination by hosts—changing both its technology defaults and its organizational structure—came about in response to a combination of research, advocacy, and media coverage.

This is where we are. All organizations that use digital technology need to understand how the technology aligns—or doesn't—with the organization's values. For mission-driven organizations—civil society organizations—assuming alignment is not acceptable. Compromises will have to be made. It's safe to assume that readily available commercial software is going to default to practices about data collection, storage, sharing, and destruction that advance the interests of the software or hardware vendor.<sup>56</sup> Nonprofits or associations that seek to use the capacities of digital tools—to mobilize, to share information, to collect data

safely, ethically, and effectively—will need to modify either the software they use or their values, or both.

Some software and hardware already align with the values of civil society organizations. The most aligned cases I know of come from New Zealand, where Loomio.org and Enspiral.com are demonstrating that participatory ownership can be designed into their software, their decision-making processes, and ownership structure.

Numerous organizations build and provide software custom designed for the privacy and access needs of civil society organizations. Benetech, Simply Secure, OpenReferral, Frontline SMS, Ushahidi, Global Voices, OpenStreetMaps, Freedom of the Press Foundation, Sage Bionetworks, the Engine Room, and many others build and provide software or hardware purpose-built for encrypted communications, data protection, low-bandwidth environments, and other conditions. These tools are not (yet) mainstream. They're often made by nonprofits or small groups of activists, as compared to the well-financed companies with innumerable UX (user experience) designers and seemingly unlimited marketing budgets who make most off-the-shelf software. As a result, they are not as easy to use, addictively designed, or fetishized as are commercially available and promoted products. What they are is functional and designed around a set of values that includes confidentiality and consent. Nonprofits would be well served to use, seek out, and encourage further improvements to tools that fit their values.

The suite of available purpose-built tools is not yet comprehensive. In an age of social media advocacy, online fundraising, and digital document delivery to volunteers, board, and staff, it is not easy (and may not even be possible) for an organization fully committed to online privacy to “walk its own talk.”

Compromises need to be made. Institutions choosing these tools will do well to learn from each other, share what works and what must be worked around, and make the most of the limited resource that is civil society-oriented technologists and technology. There's a long way to go.

## ***A small but robust subset of nonprofits and networks has been working on and at the intersection of civil society, democracy, liberty, and technology for decades.***

A small but robust subset of nonprofits and networks has also been working on and at the intersection of civil society, democracy, liberty, and technology for decades. They include but are not limited to Aspiration, Tactical Tech, the ACLU, the Center for Internet and Society in India, the Electronic Frontier Foundation, and Creative Commons. The insights and tools, practices, and software defaults of these organizations matter to all nonprofits. The regulatory issues they work on, the software they create, and the organizational practices they put forward are signposts to the infrastructure that civil society and the democracies that depend on it needs. If we want to understand and strengthen civil society going forward, a good place to start would be with developing an inventory, map, and/or market analysis of these organizations and their areas of work.

Civil society is digitally dependent. Digital defaults are rapidly pervading offline space as we surround ourselves with ambient sensors, “smart” devices, and connected appliances, cars, and medical implants. We have brought digital technologies into all aspects of our daily lives and our democracies. We now need to bring democratic values into these technological tools and the rules that guide them.

# Conclusion

When I started the *Blueprint* series, my goal was to convince nonprofits and foundations that they were not the only institutions that mattered when thinking about civil society. The term I use—the social economy—is intended to evoke an understanding that we use many different types of structures to facilitate our use of private resources for public benefit.

***The very nature of civil society is changed by our dependence on digital data. We cannot continue to act as if adapting our analog practices to digital resources will work.***

Now, eight years later, the dynamic landscape of “do-ers” and “donors” that constitutes the social economy is widely understood. In those intervening years all of these enterprises have become dependent on digital systems, data, and tools. So we must examine what it means to manage and govern digital resources for public purpose. How do we use them safely, ethically, and effectively? How does our dependence on commercial software and hardware change the very mix of civil society’s constituents? What policy domains now matter to civil society?

I’ve argued in this *Blueprint* and elsewhere that the very nature of civil society is changed by our dependence on digital data. From the regulatory regimes that matter (add telecommunications and intellectual property to tax law) to the

***We need to create—collectively and urgently—new software code, new organizational practices, and new legal requirements if civil society is to continue to thrive in the digital age.***

players in the ecosystem (add cable and phone companies, along with social media and internet access providers), the relevant structures and rules for using private resources for public benefit are different now than they were in a molecular (or pre-digital) age.

The set of rights that civil society depends upon—free expression, free association, and the right to privacy—remain the same. But they manifest differently on Facebook than in the town commons of old.<sup>57</sup> The relationships between national laws and norms matter more than ever before because of our global digital systems.

We cannot continue to act as if adapting our “analog” practices to digital resources will work. Digital data don’t work the way that time and money do. Digital infrastructure is not the same place as Speakers Corner in Hyde Park, London. We need to create—collectively and urgently—new software code, new organizational practices, and new legal requirements if civil society is to continue to thrive in the digital age.

I’ve written this *Blueprint* in hopes of convincing you of your role in this change. The tools and resources at [digitalIMPACT.io](https://digitalIMPACT.io) are designed to help you address these challenges and opportunities in your own organization. I hope that you will follow the work of the **Digital Civil Society Lab** as we seek to understand the global changes and that you will be in touch to let us know how your work is progressing.

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